



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 10th April 2025

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Present:

Ms J E Roland, Deputy Bailiff and Deputy Presiding Officer

Law Officers

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

People's Deputies

S. E. Aldwell	C. J. Le Tissier
C. P. A Blin	M. P. Leadbeater
Y. Burford	D. J. Mahoney
T. L. Bury	L. J. McKenna
A. Cameron	C. P. Meerveld
D. de G. de Lisle	N. G. Moakes
H. L. de Sausmarez	R. C. Murray
A. C. Dudley-Owen	V. S. Oliver
J. F. Dyke	C. N. K. Parkinson
S. P. Fairclough	R. G. Prow
S. J. Falla	P. J. Roffey
P. T. R. Ferbrache	H. J. R. Soulsby ^{MBE}
A. Gabriel	G. A. St Pier
J. A. B. Gollop	A. W. Taylor
S. P. Haskins	L. S. Trott ^{OBE}
N. R. Inder	S. P. J. Vermeulen
A. Kazantseva-Miller	

Representatives of the Island of Alderney

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

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (States' Greffier)

Absent at the Evocation

Deputy A. H. Brouard (*relevé à 9h 42*) ; Deputy M. A. J. Helyar (*relevé à 11h 50*) ;
Deputy J. P. Le Tocq (*relevé à 9h 42*) ; Deputy A. D. S. Matthews (*relevé à 9h 36*)
Deputy L. C. Queripel (*relevé à 9h 39*)

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States of Deliberation

The States met at 9.30 a.m.

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

Billet d'État VIII

DEVELOPMENT & PLANNING AUTHORITY

3. Development Plans Amendment Process – Debate continued – Propositions as amended carried

The States' Greffier: Billet d'État VIII, Article 3 — the continuation of the debate.

5 **The Deputy Bailiff:** Who would like to speak next in general debate?
Deputy Roffey.

Deputy Roffey: Thank you, madam.

10 I support the general thrust, which is basically summed up in Proposition 1, that perhaps our
procedures for amending our own planning policies and our IDP are too cumbersome. But, to me,
the one thing I would not remove is the requirement for an independent inspector on major
changes to planning policies. I find the expertise and insightfulness that inspectors bring to the
process incredibly useful for two groups of people.

15 One is the public, who are able to, if they have concerns or even if they are supportive of changes,
are able to air their views in that forum, which I think is incredibly important. But, secondly, as a
States' Member of many years but completely lay in planning matters, I found it incredibly useful
as a Deputy because I am aware that I am not always alive to every unintended consequence or
implication of a change of policy, and a report from a planning inspector is very useful in that regard.

20 So the only bit really in this policy letter where I take issue is the fact that we will not be required
to have a planning inquiry with an expert planning inspector for major changes of policy.

I think Deputy Kazantseva-Miller summed it up very nicely yesterday. We are not removing
consultation. All we are doing is removing the requirement for an independent inspector in a
planning inquiry with major changes and, to me, that is the mistake.

25 Yes, I know the DPA can choose, if they so wish, to still go through that procedure, but my
concern is that future Committees, when they are a bull at a gate to do something, it is exactly

probably the most contentious things where they will choose not to have. It is just human nature. I am not accusing either the current DPA or any future. It is just human nature that if you know it is likely to actually stimulate quite a lot of resistance and it is controversial in some ways not to choose that route.

30 I am afraid I cannot support the parts of this policy letter that cut out the requirement for a planning inquiry and an independent inspector to be involved where we are making major changes to our policies and our plans, particularly when we have gone through that procedure to actually instil those policies and plans in the first place.

35 **The Deputy Bailiff:** Deputy Matthews, do you wish to be relevéd?

Deputy Matthews: Yes, please, ma'am.

The Deputy Bailiff: Deputy Falla.

40 **Deputy Falla:** Thank you, madam.
In 5.2 of the policy letter it states:

The proposed legislative changes should ensure that Development Plan amendments are achieved within a quicker timeframe removing barriers to housebuilding or other development with subsequent benefits to Islanders in terms of housing supply, as an example.

45 It does not say how, though. That is the bit that I do not quite get. It is a bit vague in that respect. Nobody is going to argue if this DPA amendment process in some way removes the barriers to house building or brings benefits in terms of improved housing supply and bring it on. But the statutory guidance is yet to be published and the devil could be in the detail.

50 I do note that it says in Appendix 4 that amendments will still come to the States, whereby for minor ones they can be annulled, and for categories 2 and 3, they can be debated and approved. But it will be important to understand exactly how these three pathways are to be applied so that there are no surprises or unforeseen consequences. I would hope that the statutory guidance will help to clarify this.

55 Also, there is a reference to the SLUP in E&I's consultation response to the policy letter. It is no secret that I consider the SLUP to be too prescriptive in some areas, particularly in respect of identifying sites for much-needed housing.

In summing up, could the DPA President please advise if, to any extent, the SLUP could be amended under this new process, rather than having to wait until 2031 when it comes up for review?

60 **The Deputy Bailiff:** Deputy Burford.

Deputy Burford: Thank you.

65 Just briefly, to sum up some of the things I have put into this debate. I agree really with exactly what Deputy Roffey has said in terms of these significant and strategic amendments. Just picking up on what Deputy Falla has said about no one is going to argue if we free up land for housing; are you sure? Seriously, they will do if it is right next to their houses or in areas of the Island that they particularly value.

70 I think this is going to be one of the big problems with this, is that we are going to have a great deal of pushback. You only need to have a look at the various dramas we have had this term over just a single development site that was not put forward for an open planning meeting and the reaction that that has provoked. That will be nothing compared to the significant changes that could come forward here.

I think the policy letter that should have been laid before us, because I do believe that there is scope for streamlining this process, but the policy letter should have been, first of all, a lot more

75 detailed, and secondly, should have set out a way that the process can be streamlined without literally cutting out all the safeguards.

So in terms of voting on the Propositions now, I will support everything except Propositions 4, 5, and 6a.

Thank you.

80

The Deputy Bailiff: Deputy Queripel, do you wish to be relevéd?

Deputy Queripel: Yes, ma'am, please.

85

The Deputy Bailiff: Thank you.

Deputy Le Tissier.

Deputy Le Tissier: Thank you, ma'am.

I will not take up too much of the Assembly's time, but I have said over the years, over and over again, that the IDP is a huge monstrosity that is not fit for purpose. It is holding back the whole Island and reducing growth in the economy, and it is a bureaucratic nightmare. I have also said we must simplify these rules. Well, this policy letter allows some more freedom for the DPA, and I thank them for bringing it, and ultimately returns strategic decisions back to the States. The examples given of minor and strategic and –, sorry I forget the other one, the middle one – they are good enough for me.

95

Yesterday Deputy Gollop mentioned environmentalists and to those group I would add NIMBYs. They were complaining they had not been consulted but should these lobby groups actually have a veto on strategic developments? I say no because we have these strategic developments coming forward and they are needed. Yes, of course we should preserve the environment and those pesky, scaly crickets. But not at the expense of strategic development so badly needed to increase our economic development.

100

Now with the defeat of Amendment 2, they will not have to be looking over their shoulder at P&R. Incidentally, I am quite pleased that that was defeated, although I could not speak – I was guillotined –, because to me that is the start of a very slippery slope to Executive Government. Once again I thank the DPA for bringing in this policy letter. I really intend to support it.

105

I would have liked it to have gone a little bit further, but it is a good start. There, short and sweet. Let us get on with it.

Thank you.

110

The Deputy Bailiff: Deputy Brouard, do you wish to be relevéd?

Deputy Brouard: Yes, please, ma'am.

Thank you.

115

The Deputy Bailiff: Deputy Inder.

120

Deputy Inder: Ma'am, I am going to support the policy letter in its entirety. Just to remind people that the IDP was actually designed back in 2014. It was not voted on before the previous Assembly in 2016. I have watched Members of the DPA, and possibly even on our role in Economic Development, just shake our heads when every time we try and do something, we find that there is an inspectorate involved, or there has got to be another consultation. It just goes on and on and on. It is almost, I think, and no fault of the current DPA or possibly maybe the fault of the previous DPA, and maybe the fault of myself who probably voted for the IDP last term, is that what we tend to do in this Island is we adopt effectively country-sized legislation for an Island this size. I think what the DPA have done quite sensibly is reflected on that and tried to find a Guernsey solution. There is nothing wrong with a Guernsey solution.

125

The next Committee that comes after me will have the same issue, again, related to the GCRA. The GCRA is a nation-sized solution for an Island the size of a pinprick. So I would not be – I did say pinprick.

130 I would not be scared of this. I think it is something that has been needed to be done for probably five or six years. It was not done by the previous DPA, and I think we have got some sensible characters on that Committee. Many of them sit on other Committees, and they know what the problems are, which is actually a good thing. This is why I actually think having a team of politicians who are on other Committees realise what the problems are and have got us to this point.

135 In short, ma'am, Members of the Assembly, I will be supporting this in its entirety for one reason alone, it has got to be better than we have got now.

The Deputy Bailiff: Deputy de Lisle.

140 **Deputy de Lisle:** Thank you, ma'am.

I think we need flexibility, so I am pleased to note this direction in general. But for some of the agricultural issues, for example, small fields that are being developed, we need preservation orders there and also the extension of the curtilage. I just feel that there we need some flexibility to be doing something about changing the current situation.

145 In other words, in consequential amendments as well, I think I would go for. But in number 4 there:

To agree that significant policy amendments ...

That is very different and I could not actually support that. And 5 also:

150 A power for the Authority to request a public inquiry into amendments instead of a duty to do so.

I think that provides – and further down in 6:

Provide for more streamlined processes ...

155 Interpretation of what that means. Streamline processes means something different to different people. So I would not want to support that either.

In all, yes, let us have flexibility, but I think in terms of significant policy amendments and the ability to request a public inquiry into amendments instead of a duty to do so, I do not see that that is – I feel that that is going a little too far. Of course the interpretation of exactly what is meant by 'streamlined processes', as I say, that will be something that different authorities and different individuals will define in different ways.

160 Thank you.

The Deputy Bailiff: Thank you.

165 Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

I do feel the need to rise to speak very briefly because my name was at the bottom of a letter of comment. I have listened very carefully to the debate, both in the last meeting and this one, and listened to the representations made by various people who have written in. My view is very similar to that just expressed a moment ago by Deputy de Lisle and also by Deputy Roffey and Deputy Burford. I am concerned that we are taking away some important safeguards, and I do worry that people in the Island, in the community, may feel disenfranchised by that.

175 For those reasons, I too will be supportive of the majority of the Propositions, but I will vote against the ones which I feel as though those safeguards are still necessary.

Thank you.

Deputy Matthews: Thank you, ma'am.

180 I am supporting all the Propositions. The reason why I think this is needed is that the IDP was originally envisaged as having this big five-year supply buffer of housing and that would allow plenty of time for amendments to go through this long process to look at the next five years. What we have actually found is that the development sites that we have got are all very constrained and it has been very difficult. This process has held us back from being able to build as much housing as we need to be able to do.

185 So I think that the best solution to that, it is a practical solution, as Deputy Inder said it is a good Guernsey solution to be able to amend the IDP policies more quickly, and hopefully in a more streamlined way to get these things moving when we can see there is a clear need, and everybody can see there is a clear need, for much more housing to be available in the Island.

190 I think one of the concerns that people have got is they can think, well, if we remove all the constraints does that mean that we would technically or potentially be able to end up with a much greater level of development than people would imagine. I think this is one of the difficulties that we have when we are debating housing and planning policy separately from population policy because we know that this is what is driving the difficulty that we have got on the Island.

195 Population I think is one of the things that we do need to address as well. If we carry on with a system where we have a much higher level of migration inwards than we had previously under the old Housing Control Law and we are not able to build enough houses, then what we are going to do is we are going to be displacing people who live here because it will become unaffordable, and we need to find a way around that. But I think this ability to be able to amend the IDP is necessary and timely and I will support it for those reasons.

200 Thank you.

The Deputy Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, ma'am.

205 I will start with a question, if I may, to the President, which is, in section 4.12, so I am talking about the removal of the current restrictions which prevent persons from being appointed as a planning inspector. My question and hesitation on that is – I can understand the why, but I do not understand which part. When I look at the Law, it says :

A Member of the States of Deliberation within the meaning of the Reform Law 1948

210

for example. So a Member in there should not be on the planning inspector role. But the DPA want to remove the whole entirety of, so in essence, it could be. I cannot imagine that will be the case, but my question really is why does the policy letter not explain all of the particular elements that I will keep that and I will keep that and I will not keep that. I do have a question on that, because that does worry me.

215

The other thing that I would pick up on is yesterday Deputy Kazantseva Miller said really this is about trust. 'If you trust us, then let us get on with it.' Well that actually raised some alarm bells with me, because I actually do trust the DPA. They have done a lot of good work already, especially with what I would call the inconsequential changes like the solar panels and the changes to curtilage, etc. I think they have done a very good job. But we are not talking about that, we are talking about the future really.

220

I think some Members have already mentioned, once it is built it is built. So this is the worry that I think some Members have and I share that. Members, I think I too am looking at Deputy Roffey and Burford, and probably Deputy Taylor, in supporting only number 3.

225

Thank you.

The Deputy Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, ma'am.

230 Just to put this in context, if this is passed, bear in mind two things in particular. First of all, it only covers the IDP, not the SLUP. The SLUP is the base document. We have too many documents, it needs to be rationalised, but anyway, we have the SLUP and this is not covered by this, so it does not affect changes to that.

235 The spatial strategy, which we all find very important, which basically says that development should be maintained within the centres, remains. It is in the SLUP and it is a base provision of our Planning Law and it is not affected by this. That remains.

240 The other thing to bear in mind, to answer the point that Deputy Haskins made, that in streamlining this process it still comes back to the States. The people's governing body will rule on anything that comes forward under this. To my mind, it is absolutely vital that this Assembly can have a faster way of getting things done. We do have desperate issues all over the place. Unexpected difficulties come up, for example, on some of the sites. There is an issue with lead that is now coming up – I am not sure whether we are creating this for ourselves – on some of the glasshouse sites from lead from paint, which might make some of those difficult to develop.

245 We need the capacity to do new things as necessary in a speedy manner. We have not done very well in building houses over the last two terms. (**A Member:** Hear, hear.) We must do better. We owe it to the people not to tie ourselves up in knots so that when we need things done, we can just say, 'Oh, we cannot do it, it is going to take three years.' That is a shame. In a way, it betrays everything that we are entrusted to do. We must leave ourselves with some power to do things.

250 Everyone, when it comes to housing, talks the talk. Please walk the talk and vote for this. Thank you.

Several Members: Hear, hear.

The Deputy Bailiff: Deputy Le Tocq, do you wish to be relevéd?

255

Deputy Le Tocq: Thank you, madam.

The Deputy Bailiff: Deputy Taylor.

260 **Deputy Taylor:** If no one else is rising. It is a trick, I have written a bit of a speech, madam, and I never really like doing that because I feel you miss some of the points that people have made in debate, and I thought I might have to respond to some of my colleagues on DPA where they raise genuine reasons that we might need to do this. But they have not raised any of those reasons so thankfully I can stick with my written speech.

265 Starting off, I am looking at Proposition 1. It could, if we have removed the word 'disproportionate', have been a reasonable statement of fact, yet the, 'current procedures under planning legislation, for making certain categories of amendment to Development Plans do not allow amendments which reflect changes in States of Guernsey policy to be made sufficiently expeditiously.' I think that could be reasonably argued as a fact, but to then say they are
270 disproportionate, that is why I separate.

Then we bring on to Proposition 2, which is when we are then asked to agree that there is merit in amending the existing planning legislation. This, I think, has been the real rub for me the whole way through this policy letter being discussed in Committee, because no one has really demonstrated to me the merit, other than saying we need more houses and we should be able to
275 do this. That is not merit, that is just our desires, but they are not, in my view, ultimately linked.

I do not deny that there is, within this Assembly, within the Committee, and within areas of the public, a clear desire to have the ability to make changes, but that does not mean there is merit in doing so. To me, madam, this is more like a childlike desire to be able to do something that you have been told you cannot.

280 As politicians, there is a process you have to follow. We do not like it. We want to be able to do
what we want and so the whole process is wrong. In fact, madam, the most compelling argument
I have actually heard in support of this policy letter simply drew attention to the fact that for a 10-
year plan such as the IDP, it is really just one in three political terms that would have had an
opportunity in shaping that. This comparison then, whereas with tax rates we could change the tax
285 rate every year if we want to just by a simple majority in this Assembly. That of itself might be true,
but then most countries, if you look at Appendix 2, have similar processes for changing planning
Law and planning policies. It is meant to be a slow burn thing because people are investing
significant sums of money in land that they intend to develop. As we have been told previously by
developers, those processes to come forward with a development can take many years.

290 So if you have got politicians messing around willy-nilly in the policies that might affect their
investments, you are probably going to have the opposite effect to speeding up house building.
You create uncertainty in the market and you could slow it down.

Anyway, the argument does not really hold water because the IDP was drafted through the 2012
term. As Deputy Inder pointed out then, it was the 2016 term that adopted it, so they have had a
295 chance. Then this current term is having the ability to amend it. We are going through that process
at the moment. I am still asking the question, is there merit in making any legislative changes?

Let us look at the examples that were given within the policy letter. I do not think any more have
really come out today. Paragraph 1.5 tells us that:

Current examples of where this would be of benefit can be seen in the Island's current housing supply issues and the
economy.

300

Is that really justification? Yes, the economy. Look at the economy. What part of the economy is
struggling because of planning policy? There is allocated land for 2,000 houses. Someone can do
the maths for me. We build 100 houses a year, how many years have we got? It is not an issue there.

305 Then we go on, paragraph 2.3 tells us about GP11, which are – as long as I do not go over time,
madam, I will come back to GP11.

Paragraph 3.5, again, it talks about supporting significant housing development. It does not
identify a policy that is blocking significant housing development. It does not identify that there is
land supply issues. It is just this will help support significant housing development.

Paragraph 5.2:

310

The proposed legislative changes should ensure that Development Plan amendments are achieved within a quicker
timeframe removing barriers [unspecified] to housebuilding or other development [further unspecified] with subsequent
benefits [which are not specified] to Islanders in terms of housing supply.

The same example. Then Rule 4.1 tells us that these propositions:

contribute to the States' objectives and policy plans by ensuring planning policies can be amended in a proactive manner
to support the States' strategic objectives as they develop over time.

315 It sounds wonderful, but it does not really mean anything. If you were to break it down and,
okay, what is going to be amended and how? It is nonsense, really.

I ask, what current strategic objective is being hindered and by which barrier? Or put simply, if
the Assembly could change one policy right now which would it be, and how would it benefit
housing supply? That would have been an easy example to give. For Members like Deputy Le Tissier,
320 do not get too excited, because the IDP is still having to be in alignment with the Strategic Land
Use Plan.

There are only a certain amount of changes that could be made. We have not identified any of
them so. before we get too excited, just refer to paragraph 4.25, which confirms the changes must
still accord with the SLUP.

325 Even without this proposed legislative change, how have we been hindered? There are not really any examples in there where we have really been held back. Let us consider some of the examples of changes that we have made in this Assembly.

330 Policy OC8(C), which is related to the change of use of hotels, which interestingly is underpinned by Economic Development's Tourism Strategy, which has not been updated. Anyway, it was seen that Policy OC8(C) was a hindrance. There were properties that were sitting underutilised and so, through the exemptions process, this Assembly was able to bypass that entire policy and allow certain dwellings to completely avoid having that policy applied. It is quite an onerous policy. That was a very quick way of getting around that problem. I think that is a win for the current process.

335 Then I think, as was mentioned by Deputy Haskins, the creation of curtilage, or extension of curtilage, policy GP15, this is a fun one because it goes to the heart of paragraph 1.6, which tells us that:

In developing its proposals, the D&PA has been mindful of any potential risks and impacts, unintended consequences ...

340 Now Members should be aware that early in this term, I think it is September 2021, in response to concerns from the public about large areas of greenfields being lost to gardens, we introduced a requirement for applications to demonstrate improved biodiversity when creating curtilage. We introduced it pretty quickly, really. Officers put together papers, we discussed our concerns, and then this – it is not a change in policy, but a requirement of information to support applications was put in place.

345 But, here are the unintended consequences, fast forward just a couple of years and there has been a change of heart in the DPA. I say DPA by majority, exclude myself from this, I am sticking to our original decision there, and I believe Deputy Oliver might have been, but I will let her confirm on that.

350 So in response to a single applicant raising concerns, combined with a bit of hearsay, about the impact that this requirement was having on their proposed housing development, that would be the unintended consequence. We are wanting to change our mind on that policy and revisit it and make changes. That for me raises a couple of points. It shows the importance of detailed consultation from a wide range of people to see how it will affect them. The importance of then considered decisions in hearing all those parts of consultation.

355 It highlights the ease of flip-flopping. The easier it is to make a change, the easier it is to flip-flop. And it highlighted also the use of resources. So we required the planning officers to develop a new policy for this curtilage extension. We implemented it, made a change. We are then having more meetings and discussing. It is actually taking up a lot of officer time in making these little changes that it could be argued were ill-thought-out.

360 Then, GP11, let us touch on that. It is the only example that has really given us a policy, and there are some legal issues aside, but we have already changed it. Now, set aside all the complaints from those Members of our Assemblies who did not have –

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

Deputy Taylor: – the requisite knowledge or skills to see the solution that was written within the policy itself.

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

The Deputy Bailiff: Sorry, what is your point of correction?

375 **Deputy Kazantseva-Miller:** Policy of GP11 is not changed. We have posed it, but it is very specific that without undergoing through an IDP process change, which is those 12 steps, which it would take, it is not changed.

Thank you.

The Deputy Bailiff: Deputy Taylor.

380 **Deputy Taylor:** For all intents and purposes, GP11 has been zero-rated. Whether it is written
still in the policies of the IDP or not, it is zero-rated. That was the decision of this Assembly. The
important part is that that ability was written into the existing policy. So we had the Ferbrache
administration that was dead set on policy change, and it got nowhere. Whereas the Trott
administration, sorry if I can call them that, spotted a solution within the existing policy and brought
385 forward the change or the solution that we needed.

If I may be so bold, madam, I think GP11 goes to the heart of the issue here. We set our sights
on a solution without really understanding what the problem is. It seems to me, reading between
the lines, that the problem here is, to quote Deputy Dyke, a man from Barnsley coming in and telling
us what we can do on our Island. That is totally misunderstanding the role of the planning inspector.
390 You should view them as a chairperson who will oversee the inquiry process, who knows what they
are talking about. They have been around the block in planning terms.

As a quick recap, no real examples of change is needed but several examples given by me of
changes already made. Now, I have agreed to support Proposition 3, although I do give the caveat
that while I agree the current process is disproportionate for making minor or inconsequential
395 changes, I would not prioritise limited resources to make changes, which will have zero
consequence. There are consequences to making these changes, which come in the form of costs.
I strongly refute that there will be any cost savings if this policy letter is adopted. Because no
changes equals no costs. More changes equals more costs. The costs are not limited to that of the
independent inspector, which is set out in paragraph 5.2, which is a side point, and that is £100,000
400 to £120,000 that has been incurred about nine years into the plan. I do not think that is really a
significant bit of expenditure, against the other costs involved in amending and coming forward
with changes that we agree on. That particular cost, I would say, is rather insignificant.

If we are adhering to the fundamental principles that are set out in paragraph 6.2, that is the
requirement for public consultation, robust, credible evidence, and independent examination,
405 where appropriate, then these changes, or any changes that come forward, will still require a pretty
significant level of internal resource, and that comes at a cost.

Which brings me on to Appendix 3, madam, which sets out the current process, which is what
most people seem to be having a big issue with, because there are lots of steps involved. Appendix 3
is a summary of the minimum steps required by ordinance, but Appendix 3 totally misses the
410 ideological or political input. It is just setting it out as a couple of steps. But, in my view, the biggest
delay in making these changes comes from political differences. Disagreements in what we should
actually make as a change. Then you send your officers off in different directions gathering
information to support your point. It does not come back right. You still try and press on. You finally
get an agreement in the Committee to publish your proposals, and then the public do not even like
415 it. That is where the delay comes from.

I think that political and ideological standpoint has shown itself in the debate today. Again, we
have heard that IDP is not fit for purpose, without identifying what policy it is. I think the main issue
is where Members have a concern about concentrating development in certain areas, but
Deputy Dyke has confirmed that we are not looking to change the spatial strategy, so that in itself
420 would not change.

The Deputy Bailiff: Deputy Taylor, you have one minute and 50 seconds left.

425 **Deputy Taylor:** One minute, 50 seconds; blimey. Looking at the current IDP review, the
independent inquiry itself has only taken up a small portion of the timeline, and it is important to
point out that they have been reliable in their part of the timeline. It is the political decisions that

have caused the delay. The large bulk of the work has been carried out by established staff and the delays are attributable to disagreements.

430 Now, you can change the process, madam, but I am going to give a Shakespeare quote, although I do not know if it is actually a proper Shakespeare 'A rose by any other name would smell as sweet', and a proposal to develop a greenfield by alternative process will still be objectionable. That is where the delays will always ultimately come from.

435 Madam, this is procrastination dressed up as action. Copyrighted, Taylor/Burford. (**A Member:** Hear, hear.) We did well to just get our heads down and concentrate on taking a real step forward, assisting developers in the current policies where they have difficulties if they raise them. So I would encourage Members to vote against these propositions.

Thank you, madam.

440 **The Deputy Bailiff:** Thank you, Deputy Taylor.
Deputy Ferbrache.

Deputy Ferbrache: That was an excellent speech by Deputy Taylor. I disagree with most of it, but it was still an excellent speech.

445 The trouble is it was riddled with negativity (**A Member:** Hear, hear.), because there could always be a reason for not doing something. Now, I agree with him; I do not care if the planning inspector comes from Barnsley, Bilsthorpe or Bognor Regis. If they can bring expertise to our planning system, fine. But as somebody who over 40 years has sat through lots and lots and lots of development plans and reviews of those, the system has become so cumbersome.

450 Deputy Inder made the point, we have now got something that would apply through England. We are 65,000 people in 24 square miles. Deputy Burford is right though, is that everybody wants development unless it is next door to them and then there is a reason that they do not want it and they will march down, and they will have flags. They might even borrow a flag from Deputy Meerveld or Deputy McKenna, I do not know. But they will march around with their flag and protest because they do not want development at such and such a place.

455 But I did not understand the point at all, and I am not giving way, because I know he might want me to give way and so he would add another two minutes to his speech. But to Deputy Taylor's point, say, look at Appendix 3, 12 steps; 12 steps that have got to be followed before you can get through that process. Twelve steps, and they all take time, and they all sit on the civil servant's desk for a week or two, and that week or two turns into three or four weeks, and the process just goes on and on and on.

460 I agree with Deputy Le Tissier, that I do not think this goes far enough. I am going to support all the Propositions, but I do not think it goes far enough. One and 2 are just hyperbole really, apple pie and all that kind of stuff, and that we want things to get better. They do not actually say anything. Three deals with minor and inconsequential amendments, but the guts of it really are 4 and 5, and they are explained in some sub-paragraphs in relation to those two matters.

The one I am going to concentrate upon is 4, which says:

To agree that significant policy amendments made during the lifetime of Development Plans shall follow a streamlined version of the current plan amendment procedures ...

470 So it is a streamlined version. What is wrong with streamlining?

... as described in paragraph 4.9 – 4.14.

475 That shows how the process would follow. Again, it is a matter of trust. Deputy Haskins said, 'Well, yes, I do trust them, but I do trust them unconditionally.' Of course, it is not just the individuals that currently make the DPA, because they will change. If you give somebody the right and the duty, I should say, to administer the planning system, you should have confidence in them. If not, get rid of them and replace them with somebody else. Because it is cumbersome.

Deputy Taylor is right. We have got permission. If he says, and he is the Vice-President of the Authority that he often does not agree with, but if he says that we have got permission for 2,000 houses and we are only building 100 a year, that is the problem, is it not? That is the problem because we need 400 or 500 properties a year, really, and that is still not enough. We are not going to get that by evolution. We need some kind of revolution.

I do not actually think this is revolutionary, but they are steps in the right direction. So, whether it is passed or not, we will see whether the people of Guernsey can see that people do want action. But again, I come back and I finish with the point that Deputy Burford made, that everybody wants action in relation to housing unless it affects them.

The Deputy Bailiff: Deputy Matthews, you have already spoken.

Deputy Matthews: Yes, ma'am, as it looked like we were approaching voting I just wanted to say that I neglected to mention at the top of my speech the declaration of interest under 17(15). I do have a site that is currently for affordable housing in the current iteration of the IDP. I do not consider that a direct or special interest and I intend to vote on the Proposition.

The Deputy Bailiff: Thank you for letting us know. Is there any other Member who wishes to speak in general debate?

Deputy Dudley-Owen:

Deputy Dudley-Owen: Yes, thank you, ma'am.

I was in two minds and I do not want to miss this opportunity because some of my concerns around streamlining the process are that some things get missed, and while I do have trust in the professionals to be able to ensure that planning policies are adhered to, it cannot be denied that we have seen a large amount of greenfield sites being taken and irreparably damaged with development in Guernsey over the last few years.

We have seen a complete change in some of the character of buildings that are being built, especially along the west coast, huge swathes of glass, very large dwellings which are a lot of northern English stone, I think, used as cladding. Really what the old IDC used to call incongruous with the surroundings when they used to go on their little bus, and would not even approve a little dormer window in an old Guernsey cottage roof. There has been a change and the character of Guernsey is undeniably changing. Many people do not feel comfortable with that change.

My hesitation, because I completely agree with what Deputy Ferbrache was saying in principle, obviously I bow to his greater knowledge in this area and his great frustrations in not being able to get development moving, which I think is important, but I sympathise with a lot of what Deputy Taylor was saying, and also referring to some comments made before, you cannot change the IDP really integrally without looking at the SLUP behind it because the SLUP are the walls upon which the roof of the IDP sits. So take the SLUP away the roof falls down, and so we do need to look at this strategically.

I am concerned that the strategic direction in practice will end up in a significant change in character for Guernsey and the loss of some really important biodiversity areas. We lose those at our peril because we can talk about net zero, we can talk about climate change, but actually it is the small efforts and actions to preserve our biodiversity that really count.

I will be supporting this but cognisant of the fact that I am not happy about a lot of these developments. Personally, I know a lot of other people locally are not happy about the look and feel of the changes to the character of the Island that these new developments bring, and also are very disappointed about some large-scale developments on greenfield sites that have irrevocably changed our biodiversity.

The Deputy Bailiff: If nobody else wishes to speak in general debate I will turn to Deputy Oliver to reply on behalf of the Development & Planning Authority.

530 **Deputy Oliver:** Thank you ever so much to everybody that has actually contributed. It has been an interesting debate and it has gone in a lot of different directions.

I just want to thank Deputy Lester Queripel for his engagement and for his very kind words. Deputy Kazantseva-Miller, I think that it is at the heart of everything that the DPA do, is actually to consult and it is enshrined in what we do, so that is not going to change because of this policy letter.

535 Deputy Gollop, he kind of said that if we bring in this streamline, out goes all the environmental issues. There was an environmental GP15, and it was actually what Deputy Taylor was saying; well, we have tried to change it. We wanted to go a lot further with that and we could not because it needed to go through the process. We had already said that we were going to do a focused review and if you put in GP12, why not put in that, and it would have just gone. We had to do the five-year review, although it is late but that was because of COVID.

540 I cannot say that this streamlining paper will not help the environment because I think it would because there are so many things, just small things, that would make a really big difference. For Deputy Taylor to say that we are going back on our word; no, we are not. We are actually just doing consultation to check that what we have done two years ago is actually still working out.

545 **Deputy Taylor:** Sorry, point of correction.

The Deputy Bailiff: What is your point of correction, Deputy Taylor?

550 **Deputy Taylor:** Well, I am sorry to have to raise this, madam, but the DPA did direct officers to approach that policy differently, so we have backtracked on our position.

The Deputy Bailiff: Deputy Oliver.

555 **Deputy Oliver:** The Committee, by majority, said, "'No, let us go out for consultation to make sure that it is actually okay.' When I went to the Construction Forum, they said there was not a problem with it, so I look forward to all the surveys coming back to say that.

560 GP11, I think that Deputy Gollop was wrong saying that we have not seen any more housing developments come forward. We have. Particularly, we have seen a lot more joint partnerships, which is actually the way I think we should be going, because why should the States have to, and the GHA, do all the building of the GHA houses? GP11 did not work. We did not see any houses come forward through that process, through that mechanism.

We are now, since we have removed it, seeing some joint partnerships (**A Member:** Hear, hear.), which I really welcome and I think we actually need more of those. (**A Member:** Hear, hear.)

565 Deputy Roffey, I do not think I have ever said that there has been no need for a planning inspector. A planning inspector has its place, and a planning inspector has its place in this policy letter. It is just saying on some of the things we do not need a planning inspector. Some of the things, land, you will always need a planning inspector because it is the most controversial part of this.

570 Deputy Falla, I really appreciate your point but you know ...

The Deputy Bailiff: Deputy Oliver, can I just remind you –

575 **Deputy Oliver:** Sorry, Deputy Falla. I really appreciate Deputy Falla's point and I will restate it clearly for the record that our Committee has nothing to do with SLUP, that belongs with the Committee for Environmental & Infrastructure and it will be soon passed over to the new Housing Committee. (*Interjection*)

All we do is implement policy, we do not create...

580

Deputy de Sausmarez: Point of correction.

The Deputy Bailiff: Sorry, Deputy Oliver. What is your point of correction, Deputy de Sausmarez?

585

Deputy de Sausmarez: I believe, I might have this wrong, but if the suggestion was that the SLUP would be moving over to the Committee *for* Housing then that is not correct.

Deputy Oliver: I do apologise, the SLUP is remaining with Environmental & Infrastructure.

590

Deputy Burford, I am really glad to hear that you can support at least some of the aspects of the policy letter, that is always helpful. I always value scrutiny so I am glad that some of it can be supported.

595

I think that Deputy Inder actually really hit the nail on the head. This policy letter is just trying to reflect and create a Guernsey solution, rather than having what England do, brought into Guernsey, and then we have to follow this. I would like to say that Scotland and the UK are both trying to find ways to streamline their planning process, because some things just do not need a planning inspector. Some things do, but some things do not.

600

Deputy Haskins, the reason why we are changing this is actually because Environment & Infrastructure said that it would be beneficial, and that is why we have changed it. It is a really weird crossover that E&I actually appoint the inspector but we have the rules for appointing the inspector. It has been said many times that actually there are many good candidates on the Island or even in Jersey that could potentially do this job rather than somebody from England.

605

Therefore, Development & Planning is proposing to remove this and relax the restrictions. The reason why we are doing this is to increase the flexibility and widen the pool of candidates. At the moment, there is a very limited pool of individuals that could do this. A two-year restriction has been identified, and that has been identified really as too rigid, particularly on a small Island where there are overlapping roles and expertise. It is really often unavoidable.

610

During the planning review, such as the ongoing focused review of the Island Development Plan, it was really difficult to identify a suitable inspector under the current rule. It is to streamline the process again. One of the main goals of this whole policy letter is to speed up the planning amendments and especially changes which are minor or strategically urgent.

615

Being able to appoint experienced individuals simply due to their technical time-based restriction, it just creates delays and bottlenecks as well, which goes against the very purpose of this policy letter. Safeguards will still apply, the proposals do not mean anyone can be appointed. Instead it allows much more flexibility while still including the appropriate safeguards, and that is really important; we still need those appropriate safeguards to prevent actual conflicts of interest. We are not interested in appointing anyone that has a conflict of interest. That means the integrity and the impartiality of the planning process will still be protected without making it overly restricted. So I hope that helps you.

620

Deputy de Lisle, I think that the exceptional way through this is just as it says, it is exceptional. Even though it is exceptional, you still might – I give way.

The Deputy Bailiff: Yes, Deputy Haskins.

625

Deputy Haskins: I am very grateful for the President giving way. One of my questions, my question regarding the membership is, currently in the Law a Member of the States of Deliberation is – or who has been for two years – unable to be a planning inspector. Is that requirement by the removal of this – is not the case a Member of a future States of Deliberation can in fact also be the planning inspector?

630

The Deputy Bailiff: Deputy Oliver,.

Deputy Oliver: I am sorry, could you just repeat that because I put my earphones on halfway through.

635

Deputy Haskins: In the policy letter the Proposition is to remove the requirements under the Land and Planning Development Ordinance 2007. Section 7(3):

A person may not be appointed as an inspector if ...

640 and you have (a), (b), (c), (d) and (e); (a) is a Member of the States of Deliberation; (b) is an employee of the States who is employed by the States within the Authority, and it goes on to say some more; (c) is a member of the Planning Panel; (d) is a person who holds appointment to any judicial office in Guernsey; and (e) is a person who has a significant direct or indirect interest.

645 So what this policy letter is saying is if you have been a Member of those two in the last two years, the previous Law – the Law currently – is saying a person cannot be a planning inspector if you have held office in one of those – if you are currently in or have been within the last two years.

650 My question is really I have not seen the rationale for this in the policy letter and I just wanted to check that by removing this the intention is certainly not for a Member of the States of Deliberation to be the planning inspector because that, by removal, is what technically could happen in this policy letter.

Thank you.

The Deputy Bailiff: Deputy Oliver.

655 **Deputy Oliver:** I have got the law right in front of me here, which Deputy Haskins read out, and so I will put a different scenario to you. Say you have worked in the States for six months and then you have left but you have the right qualifications, if you have only worked in the States for six months, you still cannot apply to be a planning inspector for two years. I cannot imagine anybody in the States of Deliberation with the right qualifications for this. No one here has the right qualifications to be a planning inspector. If you are a member of the Strategic Land Planning Group or the Planning Panel, you will have conflicts within that. So I cannot see any of those actually being a problem that you have named.

665 All it is saying is that two years is quite a long time, when, if you cut that down, you will actually have – there will be a bigger pool to choose from. This is all done with E&I's approval, and this is what E&I have actually said that is a good idea. That is why.

We are just trying to use common sense here. That is all we are trying to do, is that we always really struggle finding somebody, so why not make it easier to actually find the appropriate person?

Going on to Deputy de Lisle saying about exceptional, it is still exceptional and it still might choose to do the planning inspector.

670 Deputy Taylor, I have said the Scotland and the UK – it is not just housing. I think the main crust of this is actually to do with the timing. Because as soon as you have got yourself into this planning inspector process, you cannot change it. That is it. It is on the course, unless it is the inspector that is saying what you can do, what you cannot do.

675 Whereas, ED might just come out with a new policy to say, for instance, the change of bed stock. They actually come out with a policy letter to say about the change of bed stock. Suddenly, you have got to wait again until this process is finished to then start another process just for that. Then you think, 'Well, hold on, is it worth the money to change it just for one policy? I will wait until there is a few more.' Then suddenly that policy has been in place and then people are saying, 'Hold on, this policy is in place, why have you not done anything about it?' Because we have got this 12-step process you have got to go through which takes ages, which is just a pain.

680 The comments about GP15 were not correct. Cost saving, I just do not see why there is not a cost saving in it. If you have a small change and you do not want planning application, you do not need a planning inspector, then that is saving costs. I totally disagree that the politicians have

685 slowed down the IDP process. It was the IDP process itself that slowed it down because we had a
lot more people come forward with different land that is actually more appropriate than greenfield
land.

As Deputy Ferbrache says, it is so easy to say why you cannot do something, always make
excuses for not doing it but, you know what, no one has actually come forward with a better solution
690 than what is in the streamline process itself to say that these are the three things that we will
concentrate on.

We do not have 2,000 planning permissions at all. That is completely incorrect to say. We have
258 planning applications that are available to people right now.

Deputy Burford: Point of correction.

695

The Deputy Bailiff: Yes, Deputy Burford, what is your point of correction?

Deputy Burford: I think what was said in debate was that there were 2,000 sites, not 2,000
700 planning applications. It was not suggested that planning applications had come forward for all of
those sites.

Deputy Oliver: There is not 2,000 sites either, there is only 1,600, so let us not over-exaggerate
things.

705 **Deputy Taylor:** Point of correction.

The Deputy Bailiff: Yes, Deputy Taylor.

Deputy Taylor: I think this is about what I said, and what I said is there is land available for 2,000
710 units.

Deputy Oliver: Okay, well there is not, so.

Deputy Dudley-Owen, ironically the greenfields that are built upon this town had nothing to do
with me. It was all agreed last term within the main centres and local centres, and the principle for
715 development was established so all our Committee could make sure it was done as it was designed
properly and looked at all of that. If we really do not move forward with the times, let us be honest,
we would all just be still living in mud huts. So there are new developments and there are new ways
of construction and there are other things. We have to allow people – I have always looked at
design, as it is not always what I like, but it is that person that lives there, and a lot of people use
720 their houses as their art and how they want it designed. (**A Member:** Hear, hear.)

I know Deputy Lester Queripel came up a lot of the time last term, 'This house, not how I would
like it designed', but someone else does like that design and we have to respect everyone. We live
on a really small Island and we have to get along with everybody.

I have never said anything about taking away the SLUP that is there to stay. I just want to say
725 that this whole process, it has been really – sometimes I think it is almost a bit of a lack of
understanding. At its core, this policy letter is about removing unnecessary red tape. It is about
allowing planning policies to be responsive and aligned with the States' strategic objections, while
keeping the right checks and balances in place. To address this, the DPA is proposing a more agile,
proportionate, cost-effective system. We believe it strikes the right balance. One that keeps process
730 robust, democratic and efficient. By embracing these changes, we are removing the roadblocks, the
red tape and enhancing efficiency. I just cannot see what is wrong with that.

Please vote for this policy.

Several Members: Hear, hear.

735

The Deputy Bailiff: Thank you, Deputy Oliver.

I have a request in relation to the voting that we deal with Propositions 1 and 2 together, 3 on its own, 4, 5, and 6a together, 6b on its own, and 7 and 8 together. Does any Member wish any other subdivision of the Propositions?

740 As separate Propositions, Deputy Trott, at the moment they are being dealt with together. 4, 5 and 6a are being voted together, do you want them separate? All right. Right, so we will do with 1 and 2 together. 3. Pardon? What did I call you? Sorry, Deputy Gollop. (*Laughter*)

745 **Deputy Gollop:** Madam, one is highly intelligent and good-looking and the other is Deputy Trott.

750 **The Deputy Bailiff:** So we will now deal with 1 and 2 together, 3, 4, 5 and 6a all separately, 6b separately and then 7 and 8 together. States' Greffier, are you able to manifest that, to use modern parlance. Right, Members, you should have on your screen before you Propositions 1 and 2. States' Greffier, would you open the voting please?

There was a recorded vote.

Propositions 1 and 2.

755 *Carried – Pour 34, Contre 3, Ne vote pas 2, Did not vote 0, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Fairclough, Simon	Burford, Yvonne	None	Helyar, Mark
Blin, Chris	Haskins, Sam	Snowdon, Alexander		
Brouard, Al	Taylor, Andrew			
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
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				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

The Deputy Bailiff: In relation to Propositions 1 and 2, they voted pour 34, contre 3 and there were 2 abstentions. I therefore declare Propositions 1 and 2 passed.

760 Proposition 3, please, States' Greffier. Would you open the voting, please?

There was a recorded vote.

Proposition 3.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Snowden, Alexander	None	Helyar, Mark
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Falla, Steve				
Ferbrache, Peter				
Fairclough, Simon				
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				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Deputy Bailiff: They voted in relation to Proposition 3: pour 38, there was 1 abstention, I therefore declare the outcome is the Proposition is passed.

770 Proposition 4, please. Would you open the voting on Proposition 4, please?

There was a recorded vote.

Proposition 4.

775 *Carried – Pour 26, Contre 11, Ne vote pas 2, Did not vote 0, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Burford, Yvonne	Prow, Robert	None	Helyar, Mark
Blin, Chris	Bury, Tina	Snowdon, Alexander		
Brouard, Al	Cameron, Andy			
Dudley-Owen, Andrea	de Lisle, David			
Dyke, John	de Sausmarez, Lindsay			

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

The Deputy Bailiff: In relation to Proposition 4, they voted: pour 26, contre 11, there were 2 abstentions. I declare the Proposition has passed.

780 Proposition 5, please. Would you open the voting on Proposition 5, please, States' Greffier?

There was a recorded vote.

Proposition 5.

785 *Carried – Pour 25, Contre 12, Ne vote pas 2, Did not vote 0, Absent 1*

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

The Deputy Bailiff: In relation to Proposition 5, they voted: pour 25, 12 contre, there were 2 abstentions, I therefore declare the Proposition has been passed.

790 Proposition 6a, please. Please would you open the voting on Proposition 6a?

There was a recorded vote.

Proposition 6a.

795 *Carried – Pour 27, Contre 9, Ne vote pas 2, Did not vote 1, Absent 1*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Burford, Yvonne	de Sausmarez, Lindsay	Brouard, Al	Helyar, Mark
Blin, Chris	Bury, Tina	Snowdon, Alexander		
Cameron, Andy, Al	de Lisle, David			
Dudley-Owen, Andrea	Fairclough, Simon			
Dyke, John	Gabriel, Adrian			
Falla, Steve	Gollop, John			
Ferbrache, Peter	Haskins, Sam			
Hill, Edward	Roffey, Peter			
Inder, Neil	Taylor, Andrew			
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				
Queripel, Lester				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

The Deputy Bailiff: In relation to Proposition 6a, they voted: pour 27, contre 9, there were 2 abstentions and 2 Member was not in the Chamber at the time of the vote. I declare the Proposition was passed.

800

Proposition 6b, please. Could you open the voting on 6b, please, States' Greffier?

There was a recorded vote.

805 *Proposition 6b.*

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Cameron, Andy	Snowdon, Alexander	None	Helyar, Mark
Blin, Chris	Fairclough, Simon			
Brouard, Al	Haskins, Sam			
Burford, Yvonne	Taylor, Andrew			
Bury, Tina				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
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
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Trott, Lyndon
 Vermeulen, Simon

810 **The Deputy Bailiff:** In relation to Proposition 6b, they voted: pour 34, contre 4, there were 2 abstentions. I therefore declare the Proposition has been passed.

Proposition 7 and 8, please, States' Greffier. Would you open the voting on Propositions 7 and 8?

There was a recorded vote.

815

Propositions 7 and 8.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Taylor, Andrew	Snowdon, Alexander	None	Helyar, Mark
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
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				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				

St Pier, Gavin
Trott, Lyndon
Vermeulen, Simon

820 **The Deputy Bailiff:** In relation to Propositions 7 and 8, they voted: pour 37, contre 1, and there was 1 abstention. I therefore declare that Propositions 7 and 8 were passed.
Ladies and gentlemen, if you wish to take your jackets off, you may.

POLICY & RESOURCES COMMITTEE

6. Rectories in Plurality – Debate commenced

The States are asked to decide whether, after consideration of the policy letter entitled "Rectories in Plurality" dated 2nd October 2024, they are of the opinion:

1. To agree to amend the Loi relative à la Taxation Paroissiale, 1923 to clarify that, where a parish is in plurality, the use of parochial taxes to contribute to the costs associated with the maintenance of a rectory in a different parish, where that rectory is occupied by a rector serving their parish, is lawful.

2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

The above Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications."

The States' Greffier: Article 6, the Policy & Resources Committee – Rectories in Plurality.

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

Deputy Le Tocq: Thank you, madam.

Well, we have been treated to some rare experiences this week. We had yesterday Deputy Roffey quoting the Bible, admittedly a little hesitantly, but something I never thought I would hear in this Assembly. Today you have me, a non-conformist, refuser, disestablishmentarian, leading on a
830 matter to do with the Established Church. But, madam, I think in order to save time, and bearing in mind that judging by the amendments, of which I am seconding one, this Assembly is keener to debate something that actually is far wider and broader than the simple issue which is being addressed, plurality of rectors and rectories in this particular policy letter.

835 I think it is self-explanatory what the policy letter itself is trying to address but in the words of the late Deputy Bill Bell, I so move.

The Deputy Bailiff: Thank you.

840 We are going to deal with Amendments 1 and 3 one after the other and then we will come back to 2. So, dealing first with Amendment 1, Deputy Brouard.

[Amendment 1.](#)

To delete Proposition 1 and substitute therefor:

"1. To agree that any customary law duty to provide suitable accommodation for the Rector of a parish and the Rector's household shall be abolished and to amend the Parochial Church Property (Guernsey) Law, 2015, and any other relevant legislation, to give effect to such abolition on and from 1st January 2035."

Deputy Brouard: Thank you, madam.

The amendment, especially for those who are listening, is to substitute or delete Proposition 1 and substitute:

To agree that any customary law duty to provide suitable accommodation for the Rector of a parish and the Rector's household shall be abolished and to amend the Parochial Church Property (Guernsey) Law, 2015, and any other relevant legislation, to give effect to such abolition on and from 1st January 2035.

845

Which is 10 years away from today. Madam, I need to declare an interest. I am a ratepayer and I am part owner of a rectory, as are all the parishioners in St Peter for our particular parish, and that will be reflected in eight of the parishes of the Island.

850

Many of you have asked this question and I am going to ask it today. Why are we here? Well, really the amendment has been born out of the opportunity presented to the States by the Policy & Resources Committee, Rectories in Plurality. The reason why the Policy & Resources Committee paper is in front of you is because of the lack of finding in the Parochial Ecclesiastical Rates Review Committee policy of November 2011. Although this paper and this policy at the time sorted out many of the issues with regard to the church and the rectory, one of the issues which they left with no finding was that of the requirement or not of any customary law duty for parishes to provide a residence for a rector.

855

Historically the parishes have, as a matter of practice, provided the rectors with a housing suitable for them and their households. I believe the suitability is detailed in the Church of England Green Book, which details the properties that should be made available. The practice is believed to have been adopted in order to discharge a customary law duty or obligation placed on the parishes, which although confirmed as such by court rulings made in the 18th and 19th centuries, has not been tested before the courts for nearly two centuries.

860

In the 21st century, with a more secular society and with parishioners who are increasingly from a more varied religious background and financial pressure on parish funds, the basis of a continued duty or obligation to provide rectors and their households accommodation free of charge is difficult to justify.

865

In a bit of a dance, the PERRC (Parochial Ecclesiastical Rates Review Committee) Review placed the ownership of the parish rectories, with the exception of St Peter Port and the Vale, to be statutorily vested in the Constables on behalf of the parishioners. Now, this is an important point because one of the church's arguments is that they have some form of ownership of the parish rectories. This was put beyond doubt with the PERRC review, and I can quote the final part here.

870

PERRC also accepts the Law Officer's advice that the eight parish rectories and the various parcels of Glebe land are held on trust by the parishes for the parishioners en bloc. PERRC believes that it would be beneficial if these parish rectories in Glebe land were statuary vested in the parishes. In particular, PERRC accepts legal advice that the legal title to the eight parish rectories and the various parcels of Glebe should be vested in the respective Constables on behalf of each parish as the only entity of the parish capable of holding legal title to property.

875

In addition, PERRC went on and advised parishes as owners of the above eight rectories, each respective parish should be free to use the proceeds of any sale of its rectory as it considers appropriate, including for secular expenses. But that left a fundamental part out as to whether or not there is a customary duty for parishes to provide a residence for a rector, and that is why today's Policy & Resources is having to come forward with their policy letter, which to be fair is neither fish nor fowl as it does not strike at the fundamental issue. It adds another layer of complexity and in their own report under 4.2 they advise – a bit of a cliffhanger before I go there, I will probably need to say a few words about plurality.

880

In a nutshell, as Members are aware, there is a situation at present where plurality exists between two parishes who share a rector. The rector living in the St Saviour's Rectory is serving the needs and souls of St Saviour and Torteval. There is, however, a dispute as to whether or not Torteval should help fund the rectory, which is located in St Saviour.

885

Policy & Resources' solution is to make it lawful, but not prescriptive, for the Torteval parish parochial funds to be used towards the maintenance of a rectory where that rectory houses a rector

890 who serves the parish regardless of where that rectory is, and that is explained in 4.2 of the policy letter. But here we go again, and we move the can further down the road, because in 4.4 the Committee acknowledges that this amendment may not necessarily lead to the agreement between the two parties, but it will open up a potential way forward for the parishioners of St Saviour and Torteval to reach a mutual acceptable solution or not.

895 Those of you who have followed this dispute for some years will readily appreciate it, that it is unlikely that by allowing the law to allow parish funds to be passed across to St Saviour, it will not necessarily make it happen. It all goes back to the original issue where PERRC did not make a finding with regard to whether or not there is a customary law duty to provide suitable accommodation for a rector.

900 So this policy letter, if approved without amendment, will do little to improve the situation, it purely adds another layer of complexity and does not solve the original problem. What I think happened is that PERRC got spooked and did not want to make the actual finding that if customary law duty does exist, that it should be extinguished. But they made so many other findings that it would make it inevitable that the customary law duty needs to be extinguished, and they danced around this issue, suggesting this on page 851.3.6 of the PERRC report, where PERRC considers that any revenue from the sale or lease of a rectory should be used as the parish considers appropriate, including to fund parish secular expenses. This could, for example, include the provision of a replacement rectory or the repair and maintenance of a parish church, including the rectory or for any other purpose.

905 But if you have sold the rectory and used the funds elsewhere, you are unlikely as a parish to be able to bribe the Church of England with a new rectory by next Tuesday. This is the difficulty this places the parishes in, and the Douzaines in particular. There could be a knock on the door at any time from the Church of England to say where is our rectory because we consider that the customary law duty has not been extinguished and therefore we require you to provide us with one. It raises all sorts of problems. If a parish sells a rectory, they are then obliged to hold the funds until they are required again for a rectory, which is contrary to what PERRC was suggesting, which is what I just read out.

915 I just want to add a little bit more around the particularity of St Saviour and Torteval, should the Brouard/Aldwell amendment be successful. It would put in train a series of events which will resolve the issue, but there will be no requirement for Torteval to provide a rectory should the parishioners not wish to do so. I understand that Torteval's rectory has been converted some years ago into flats. It will also allow St Saviour's Douzaine, on behalf of their parishioners, to enter into discussions with the Church of England as to whether or not they wish to charge a rent, what level that should be, or whether they wish to sell the rectory and apply the funds to another part, either secular or for the church. With the Brouard/Aldwell amendment, matters will resolve and there will be no need for further issues like that brought forward by Policy & Resources.

925 Another aspect I just want to touch on with the amendment is why 10 years? I have had strong representation from the parishes that the vast majority are in favour of this amendment, and Deputy Aldwell will speak further on this. But the 10 years comes about by way of compensation, and it puts in place a buffer for negotiations and the settling down of any arrangements. Some parishes have advised me that they would prefer a period of two years or five years at the most, but I think, in fairness to the Church of England, it needs time to adjust. As I mentioned, this is a lengthy transition period during which it will be possible to negotiate arrangements for accommodation that do not necessarily involve free provision by those parishes, but it also provides a lengthy time of the free accommodation in lieu of any compensation that might be payable to the Church of England were an abolition to be immediate.

935 One of our parishioners very kindly worked out for me the sort of sums that we are foregoing as a parish from rent. Over the next 10 years, it will be close on – well, perhaps slightly over – £500,000. The rectory as an open market dwelling can be rented out for somewhere between £30,000, £40,000 a year. It is a substantial amount of funds that we would be foregoing to allow the rector to stay in place. But there are problems with it and I will come on to some of those later.

940 Although these discussions have been going on pre-1868 when the UK enacted the 1868 English
Act which stopped unpaid parish rates from being legally recoverable in the English courts. This was
under the principle of compulsion and conscience. Now, this does not fit full square with the
Guernsey situation, where the churches may be vested in the Crown, and it is acknowledged that
the parishes certainly have beneficial ownership of the church, with the legal ownership of the parish
945 rectory in the Glebe lands, with the exception of St Peter Port and the Vale rectories, which are
statutorily vested in the respective Constables on behalf of their parishes.

I would just like to make one point at this juncture. The amendment is not a prescriptive
outcome. The amendment merely removes any customary duty in law if one believes that one exists
anyway. So it leaves the parishes, except for St Peter Port and the Vale, because they have different
950 arrangements that the rectories are not in their control, to make whatever arrangement is best for
their particular parish. With the Church of England, this could be the maintenance of the status quo,
providing free accommodation for the rector, because some parishes value having a rector in the
parish and want to facilitate that particular outcome.

It could involve maybe the formulation of a formal lease with the church, so that the parishes
955 will actually know who pays for what and when, because we do have a bit of a grey area. We
maintain the outside of the rectory, but some of the inside is maintained by the church. It could
involve a rent that is nominal. It could involve a full commercial rent. All of these options are
available for the parishes themselves to decide with their ratepayers what is best for their particular
parish at that particular time. I believe this is what was envisaged by PERRC but did not quite spell
960 it out. I thank Deputy Gollop for just nodding there to say that that was the direction of travel and
that is what they were looking for.

Now, I need to address some of the issues with regard to consultation, and I will not dwell on
the statutory consultation which has been undertaken with regard to the Church of England. This
issue has been going on, from my investigation, for at least 150 years. It was very much brought to
965 a head with the PERRC Review, and having been on the St Pierre du Bois Douzaine for some 27 years,
this issue has featured in every single one of them.

The most recent formal meeting with the very Reverend Dean of Guernsey, of which I attended,
took place in September 2019 with myself and Deputy Le Tocq. Both of us on P&R at the time
sought a meeting to discuss plurality in the rectories and it was made exceptionally clear – and I
970 will read just one paragraph from the notes of that meeting – that the Committee’s view was that
ultimately there was a need to remove the requirement for parishes to provide accommodation for
rectors, as had been the case elsewhere for many decades. I was attending at the time also as a
member of the Douzaine Liaison Group, which I also chaired at that time. So this issue is not going
to be a surprise for the Church of England, and I did actually forward them a copy of our proposal
975 recently.

The Deputy Bailiff: You have one minute left, Deputy.

980 **Deputy Brouard:** I thought I had the full –

The Deputy Bailiff: No, it is only the responder in relation to the – I will not count this in your
minute, by the way, this conversation. I am afraid, as the amender, you do not have more than
15 minutes. I am afraid those are the rules that were brought in by this Assembly a couple of months
ago.

985 **Deputy Brouard:** Okay, thank you.

One aspect I need to touch on is human rights. One aspect which has been brought to my
attention is the human rights of the incumbent rectors. But I think that fundamentally misses the
point. I am more concerned about the human rights of the people, of the parishioners. If you go to
990 Article 20 of the Human Rights Act, everyone has the right of freedom of peaceful assembly and
association. No one may be compelled to belong to an association, but in our parish we are

compelled to pay for one. We are not compelled to be part of one and I think that is an issue which I think will raise its head again if this is not sorted.

995 Article 18 of the Human Rights Act is the freedom of conscience and free profession, practice and propagation of religion. Freedom of thought, conscience and religion. Again, that is taken away from you by the fact that the parish – I am having to wind up.

Please vote for the amendment and the rest of the story will be in my summing up.
Thank you.

1000 **The Deputy Bailiff:** Deputy Aldwell, do you formally second this?

Deputy Aldwell: I do, madam.

The Deputy Bailiff: Yes, Deputy de Sausmarez.

1005

Deputy de Sausmarez: Madam, I wonder if Rule 24(6) might be applicable.

The Deputy Bailiff: Yes, Deputy de Sausmarez has asked in relation to 24(6), this is where an amendment goes further than the original proposition. In my view, it does go further than the original proposition and, therefore, Deputy de Sausmarez, are you laying a motion that the amendment be not debated?

1010

Deputy de Sausmarez: Yes, please, madam.

1015 **The Deputy Bailiff:** So the motion is that this amendment, Amendment 1, should not be debated on the basis that it goes further than the original Proposition, which is that put forward by P&R. As it is a motion, we will first do it *aux voix*.

Sorry, yes, Deputy Vermeulen?

1020 **Deputy Vermeulen:** Can I just make it absolutely clear which way round people need to vote, because it is that double negative and we always get caught out on this, so if you want to be debating it, you need to vote contre, is that right?

The Deputy Bailiff: That is right.

1025 So if you support the view of Deputy de Sausmarez that this goes beyond the Proposition and should not be debated, you should vote pour. If you think it should be debated, the amendment, you should vote contre. It is going to go *aux voix* first because it is a motion.

Those who support the motion that the amendment goes further than the original Proposition and therefore should not be debated, vote pour; those against, contre.

1030

Members voted Contre.

The Deputy Bailiff: I am afraid that was a resounding contre.
Deputy Matthews.

1035

Deputy Mathews: Thank you, ma'am.

I am intending to support the Brouard/Aldwell amendment. I think it seems fairly sensible to me, but I am also a member of the Douzaine Liaison Group, and we did discuss this amendment there with representatives from the parishes. There was some fairly broad support for this amendment there. We did take, actually, a vote. Now the vote in that context is not binding, it is an informal vote, it does not constitutionally have any binding creation, but the results were for the Brouard/Aldwell amendment, seven parishes were for and three against, and for the subsequently to be laid Gollop-Le Tocq amendment, two parishes of four and six against.

1040

1045 I think that gives a broad indication that there is quite a lot of support among the Douzaines for
this amendment and that is part of the reason why I would vote for it. I also think there are mixed
views on whether parishes should be required to support these arrangements, and I think that is
reflected in the voting results. It was not unanimously in favour of any solution, but I think this
amendment does give the ability for each parish to make their own arrangements, and that is what
1050 I think is really important. If we have this system where we have local government, where we have
parishes who are able to make determinations, then we should make use of that, and that is what
partly going out and voting for your Douzaine representatives and Constables is for, so that they
can make these types of decisions.

Deputy Brouard mentioned about human rights implications. I think there are some concerns
about that, and that will be addressed, I think, in subsequent amendments, but I think a level of
1055 time that is built into this amendment with 10 years gives sufficient time for those types of issues
to be worked through. If it is discovered that there is an ancient law that we do not know about or
a human rights issue that has yet to be determined, then obviously each parish can make their
decisions in light of that information. For those reasons, I will be supporting this amendment.

Thank you.

1060

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Madam, Deputy Le Tocq, when he began this hopefully short debate,
mentioned the irony really of the situation in his position and that of Deputy Roffey. Well, I am a
1065 person who, like Deputy Roffey, politely and in accordance with our duty, stands up every morning
when this Assembly begins and listens to the Lord's Prayer, but we listen to it. We do not close our
eyes. I do not have a religious faith, I have not had a religious faith since I was a young child. But I
do respect the church. I do respect faiths of every type. The Church of England has been the
established church in Guernsey forever and ever and ever. I know Mr Wesley said on that granite
1070 stone near the Green Lanes all those years ago where Methodism sort of propagated.

We have Roman Catholics. I think we have at least one in there today and I see him looking
down, Deputy McKenna, and I have supported the Roman Catholic Church when he has asked me
to do so. But this is the time to make this decision, and Deputy Brouard gave us a bit of a history
lesson and if you had not quite properly – and you did properly, madam – stop him because he
1075 forgot the rules, we may have had another 10 minutes of history in relation to the church matters
going forward.

Very interesting and if he wants to write a paper on it I would be quite pleased to read it. If we
were looking at not supporting – and I know it is a different point – the parish churches because
they are such wonderful buildings, which need constant maintenance and they are never maintained
1080 as well as they can be because there is a shortage of money, then I would be against any change to
that because they are part of the fabric of our society. I am not just talking about the granite stones,
etc.

This is the rectories and it is about time I think the people of Guernsey, by a majority as
Deputy Matthews had sort of alluded to in his speech, would say that it is for the Church of England
1085 now to provide this for their rectors rather than anybody else. Albeit that I still value very much
indeed the contribution the Church of England, the Roman Catholic Church, the Methodist Church
and all the other churches there are make to our society. It does not mean that I am going to be
influenced by what they say.

At one time I had three secretaries, when I was in the firm of Ozannes and they were all very
1090 religious, they all tried to convert me and they all failed miserably. The Deputy Bailiff would know
that.

That being said, this is the time to change and this is the time to move on. With a touch of
sadness but I think of necessity. So I support the amendment.

1095 **The Deputy Bailiff:** Deputy Aldwell.

Deputy Aldwell: Thank you, madam.

1100 I am going to speak on this and I am not going to speak again so I am going to cover off some
of the points that I want to make. Basically the rumblings of discontent from ratepayers providing
accommodation for the Church of England rectors has not abated. The costs of maintaining
Georgian and Victorian rectories without any contribution from the Church of England when costs
run into hundreds of thousands of pounds seems to parishioners unfair when they themselves have
to make their ends meet with high rents, mortgages, TRP and maintenance on their own properties.

1105 The policy letter directs, where the parishes are in plurality, for the parochial taxes to be
contributed towards the cost associated with the maintenance of a rectory in a different parish,
where the rectory is occupied by a rector serving the parish. But my parishioners in Torteval would
say, how can it be fair to ask for ratepayers of a parish to pay for the maintenance of a property
they do not own and will never get recompense for if sold? They will also say, how can it be fair for
a ratepayer from different faiths to be required to maintain a house in a different parish of a rector
1110 when they have no connection to that faith?

Torteval shares the parish church with the Methodist congregation, but we do not pay towards
accommodation for the Methodist minister or his family. The rector of St Saviour is not the only
rector called upon in Torteval. We do have another Church of England reverend in the parish who
also takes services. Torteval is a community with 400 properties and there are only three commercial
1115 businesses who pay higher rates. Many properties have been converted into one-bedroom flats for
first-time buyers and downsizers, and Torteval rates for 2024 consequently are 50% higher than
St Saviour.

Raising income with many more businesses, St Saviour have three times the amount of
properties. As Members will know, before entering the Assembly, I was Constable of Torteval,
1120 running the administration of the parish. At the end of 2016, we found ourselves with a huge
problem to deal with, the escalating costs of maintaining the 1818 parish church, which by law the
parish is under obligation to maintain. It was agreed that a loan would be needed to be taken out
for the repairing of the spire, which was estimated at £600,000. The costs, of course, do not end
there. There are ongoing costs for the window replacements of £7,000 each, and the nave at
1125 £25,000, and I believe the floor is the next expense which will need to be replaced. On and on it
continues.

Fortunately, the rectory in Torteval last housed a rector in 1979. Nearly 50 years ago, it was
converted into five basic one-bedroom flats and in 1983 it was used by the States' Housing
Authority until 2009 when it was handed back to the parish in poor repair, I believe. Over many
1130 years, the very basic rents were used to replace the roof, rewire and plumb the building, new
windows, paint externally and maintain. The building then was passed from the rector and church
wardens to the Parish Constables.

In 2016 and 2017, the building was in reasonable repair and so a loan could be taken out to
repair the church spire, using the rents to cover the expenses. The income from the flats is reinvested
1135 in the parish, maintaining the flats, the church, the cemetery, the Douzaine, the Torteval Pre-School,
the Parish Hall and parish land on a rolling programme of works. During COVID, those who were
unable to work had their rents reduced or, in some cases, paid no rent, which was agreed by the
Douzaine. After all, we were in a crisis.

With only 400 households, a great many one-bedroom flats, we have only a handful of larger
1140 houses and single-family occupancy. Consequently, there are far more pensioners than high earners
in the parish, as some may be led to believe. Very few open market houses and Torteval Pre-School
closed at Christmas. Everyone is feeling the pinch.

Madam, the Constables and Douzaine have said of Torteval, they will not be requesting
ratepayers in Torteval to pay rates to maintain St Saviour's Georgian rectory. Deputy Brouard and
1145 I have laid this sensible amendment. As a Constable at Torteval back in the day, I recall many
meetings taking place over many years with regards to parish obligation to supply accommodation
for the Church of England rectors and their families. Back in 2018, Deputy Le Tocq may recall a

1150 meeting with the then Dean and Vice-Dean of Torteval on this matter of rectories, and he put forward three suggestions. One, the Church of England pay rent on rectories. Two, the parish sells the rectories. Three, the parish rectories are given to the Church of England. Funnily enough, the last option, I do not think, was the most popular.

1155 A further meeting I attended was held with the Dean and Vice-Dean of Torteval in 2018 at Reverend Barker's home on the matter of plurality. Reverend Barker agreed that a solution needed to be found and that a contribution was not out the way from the church. If I recall correctly, he also felt, technically, St Saviour and Torteval were not in plurality.

I attended a further meeting with Deputy Le Tocq and members of the Douzaine Council at Frossard House in 2021, and the then Dean of the Castel very much wanting to find a solution to the problem of ratepayers having to pay to maintain rectories. It was decided to convene a meeting with the Reverend Barker.

1160 There have been many meetings over the years with the Douzaine Council, Douzaine Liaison Group, Island Constables to try and find a solution to this very outdated and unfair situation. In 2019, the Island Constables, with the exception of the Vale, wrote to P&R to ask that a solution be found, that they no longer believe that parishes should be responsible for accommodating rectors and their families, and this should be resolved within five years.

1165 The final meeting on 17th January 2022, I attended with Deputy Le Tocq, Reverend Barker, the laity representatives, civil servants, and a minute taker, and we spoke about there needing to be a solution found. The suggestion from the Dean, the assumption of responsibility for maintaining maintenance and insurance of the rectories by the Church of England may be a pragmatic solution.

1170 On 6th November 2024, out of the blue, the policy letter, Rectories and Plurality, was lodged, asking Torteval to consider raising owners' rates to maintain St Saviour rectory without consultation with Torteval Constables who would need to raise the rates from the parishioners or, indeed, St Saviour who would be the recipients. A month later, on 6th December, a meeting was held with the Douzaine Liaison Group, and at that meeting when the policy letter was discussed, a vote was taken. The question posed by St Martin's should the Church of England pay commercial rent for accommodation of the rectories? By majority, the Douzaines said yes. The Vale abstained.

1175 It was thought that a pragmatic solution was needed and Deputy Brouard suggested that an amendment be laid, removing the customary law from the parishes to be responsible for accommodation for rectors and their families, giving a long run-up to implementation of 10 years and it seemed extremely reasonable.

1180 On Friday, 14th March, the Douzaine Liaison Group was held and on the agenda was the Brouard and Aldwell amendment to remove the customary law for parishes to accommodate rectors and it would come into force in 10 years. Once again, out of the blue, Deputy Gollop produced another amendment which required more consultation. In my opinion, and those at the meeting, more can kicking into the next term and into the long grass. By majority, when a vote was taken, the Brouard/Aldwell amendment was approved, seven to three. St Martin's Constables are looking at a considerable expense with their rectory, £750,000-plus is expected, and I am sure the same will be required for St Saviour. The parishes all agreed, except St Andrew and the Castel, to reject Deputy Gollop and Deputy Jonathan Le Tocq's amendment, and they very much felt it is a can being kicked into the long grass and they have lost their patience after all these years.

1190 Unsurprisingly, many would like to give a timeline of five years and, unsurprisingly, Deputy Le Tissier has laid an amendment for this to be considered. Every parish situation is different. The Forest rents out a rectory to help towards the parish cost while the rector lives in his own home. In St Peter, on the other hand, the part-time rector lives in the rectory while he rents out his own home and St Sampson have sold their rectory. We feel that 10 years is more than fair for the removal of the customary law. The parishes can then choose if they wish to provide accommodation, if they choose to charge a rental to help with the maintenance, or they can find, as we have seen across the Island, many rectors own their own homes and there is no need to provide accommodation.

1200 Through you, madam, Members, it is often said that we are behind the times in Guernsey. With this matter, we are nearly 200 years behind the times from our cousins in England. Please do not kick this down the road.

Please, once and for all, let us deal with this today with this pragmatic solution. Please support Amendment 1.

Thank you.

1205 **The Deputy Bailiff:** Deputy Murray.

Deputy Murray: Thank you, ma'am.

1210 I want to declare an interest, I am not sure if it is a conflict. I recused myself from all discussions on the policy letter at P&R because I am on the St Saviour's Douzaine, however what I am not sure is whether I am conflicted in being able to vote on amendments in this forum?

The Deputy Bailiff: As long as you declare them.

Deputy Murray: I have no conflict?

1215

The Deputy Bailiff: As long as you declare, you can vote.

Deputy Murray: Thank you.

1220 Therefore I am not going to go on for terribly long. I would have a great deal of sympathy with what my colleague Deputy Ferbrache and indeed Deputy Aldwell have just said. The St Saviour's Douzaines, this has been something of a running sore between the two parishes for a while, rightly or wrongly. The impact, however, is entirely financial. So I think there is no question from anybody that the support, if you like, of the churches, the church infrastructures, is certainly something that the parishes will bear. It is recognised all the value that that brings, but it comes at a cost. The smaller parishes, of which St Saviour is somewhat, not as small as Torteval, it is quite a lot of expense and ongoing expense that will probably continue for many years to come.

1225 The rectory itself clearly has ongoing maintenance but is actually the church upkeep or the church maintenance that starts to bring in the real costs because these are very, very old buildings and we want to preserve them. However, unfortunately, increasingly the cost of doing so has become exorbitant. So in a small parish in particular, where that has been borne very largely by, or entirely, by the parishioners, we have to look to find all means to try to continue to support that. One of those that we could find some means of assisting is obviously what we do with our rectories.

1230 As we have heard, some rectories have been sold, some are rented out at a cost and an income. We do not have that choice at the moment. We just have to bear the costs of both the church upkeep and also the rectory upkeep. Unfortunately, it is very difficult to continue to carry on doing that. Therefore, I believe it is actually, from my Douzaine's perspective, their wish that obviously this customary law obligation is removed because I think, as has been well made certainly by Deputy Aldwell, the time has come perhaps that this needs to be reviewed because it is actually going to become increasingly difficult for parishioners in St Saviour, despite the fact that I have heard it referred to as the 'advocate's parish', and we do have one or two advocates in there.

1235 We also have Deputy Trott, actually. Not an advocate, an advocate for capitalism, perhaps. So I would have to say that I think from our perspective, my Douzaine would wish me to actually vote in support of this amendment.

Thank you.

1245

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Hopefully I will not go on the full 15 minutes but I disagree with Deputy Ferbrache that he wants it to be a short debate. Yes, I know I met somebody in the finance

1250 sector who really wants us to talk about the beneficial ownership as being more material to the 21st
century, but I am obsessed with this topic. I was the wrong person to chair the parochial working
group on this issue because I very much have traditional views and a perception that we are going
completely down the wrong passage with this, even though I do accept that Deputy Aldwell made
a good point that some of our vicars are non-stipendiary and some of them live in the parish in
1255 their own homes, because that has been a change, perhaps.

But I will stick to this amendment. Actually, Deputy Brouard and Deputy Aldwell have made some
good points, and I certainly prefer this amendment to another one that may be laid because the 10
years is much more acceptable, not only to some parishes and I think good legal governance but it
is also in accordance with previous issues when we changed the rules for seigneurs, for example,
1260 and we stopped allowing jurats to sit in the States. But it was over a very long time period and 10
years I think is a lot fairer than five years or a lesser period, even though I hear the views of some
parishes who want it more speeded up, perhaps because they are in a situation, to be fair, where a
rectory urgently needs repair.

I also think I agree, on balance, with the view that parishes are democracies in themselves, the
Douzaines, Constables and the Assembly, and should make the decisions for the future. I thought
when Deputy Le Tocq was not here at 9.30 that I would end up having to lead it and I was not too
stressed that that could have happened in theory, because I have been interested in the topic but
of course I have another bit of historic skin in the game. I go to Anglican churches and try to have
faith. Although the churches I currently go to, Trinity and St John's are not and never have been
1270 covered by the parochial civic rectory rules and the town is not anymore either, St Peter Port.

My name, in a sense, was called in vain because Deputy Brouard in his interesting historic and
thought-provoking speech, which did not finish really, made a lot of reference to PERRC. Well, I am
a perky little character, but he did not mean it in that sense. But the PERRC for some newer Members
was the Parochial Ecclesiastical Rates Review Committee, and I had the honour of being the longest
1275 serving member of that, because I was at every meeting from the start to the finish, and it lasted
11 years and arguably did not complete its task, although I think we did. I was the final president of
it as we went through several presidents.

Our role was to consult with the churches and other stakeholders and bring back a finished
policy letter. We did that, and a law which was the completion of our work. Now it was not an easy
1280 Committee to be on, it had many changes of membership and changes of direction and changes of
advice. The Law Officers has changed during the period, which made a subtle difference as well, I
think.

The human rights question that Deputy Brouard has started and may continue with, and respond
to me, is very interesting because I have had pushback from one or two venerable Constables as to
1285 whether I should be alluding to the human rights of the church or the incumbent rector. But the
rector has not just got a contract to live in that place, they have an established role in our society.
We still have not seen from SACC any review of the States' election, which as we all know the Deputy
Bailiff and the Bailiff ably preside over, and that includes rectors of all the traditional country
parishes. Some might say why are they there and no representative of the Methodist or Catholic
1290 church will come to that, humanists or Buddhists or Muslims, but they are there because of a historic
reason, that they were a Member of the States. They are part of the established church and its
connection to the royal family is very much linked to that.

The human rights is the right of the incumbent rector to continue with their traditional Crown
duty. But I appreciate that ratepayers have human rights as well and taxpayers, and it has to be said
1295 that the very reason PERRC was created at all by the then Policy Council was because I think the
Policy Council believed, and I was really a bit of a rogue member, a maverick member, along possibly
with Deputy de Lisle who is very steeped in the churches, but the purpose of the Committee was
that there was a widespread view that Guernsey and the parishes were vulnerable to human rights
challenge, for precisely the issues Deputy Brouard has gone into about freedom of association, and
1300 the 1868 issues that Deputy Aldwell referred to as to why non-believers or people of other churches
should be obliged to contribute towards one denomination. We believed that that was the situation.

1305 Deputy Ferbrache raised the matter as well, but where I do not agree with Deputy Ferbrache is although I think PERRC did its work in getting to the point whereby we resolved that the churches belong to the parish – effectively they are held in trust with church management boards – I think it has worked better since then. We effectively entrusted the ancient churches to the parishes, although technically Torteval Church was paid for largely by the States of Guernsey because of course it is not a medieval church, because the old church fell down because the Torteval ratepayers at the time were so poor they could not afford to keep it up.

1310 But I will make a point here, not in correction of Deputy Aldwell, but it is something that I am aware of that is relevant to Alderney as well. We believe that Alderney people have a lower average income than people in Guernsey, but when you look at pages 19 and 20 of the Guernsey Household Income Estimates Report for 2022, but published in 2024 – I think there may be an update – very interesting figures. Torteval recorded the highest mean income, £89,056 per annum (**A Member:** Wow.) and St Pierre du Bois, £80,459. Not St Saviour. St Sampson recorded the lowest mean income of only £60,090 and Vale the second lowest at £63,472. We see clearly Torteval recorded the highest mean income in 2022 of £60,906, St Sampson the lowest at just over £51,000. St Sampson had the highest proportion of households with the lowest income quartile and Torteval had the highest proportion of households who were in the highest income quintile.

1320 Now, I accept Deputy Aldwell's point that there is a huge variety of people in every parish and some are tenants, some are on mortgages and some cannot afford to pay. I also accept that Torteval, because it is the smallest population, has the greatest burden in keeping up the church. But as a generalisation, the country parishes, especially in the more rural areas, do have higher incomes per person. As Deputy Matthews and others have said, our rates are comparatively low.

1325 Where Deputy Ferbrache made a crucial point is he, in a pragmatic way, supports the destination PERRC ended up with, because actually we went through lots of iterations. We thought about handing over the rectories to the church. Not surprisingly, the parishes did not like that idea, and we also thought about allowing an opt-out, but again, that could have led to complications of doing the rates. But the thing with PERRC is we were trying to please everybody and possibly ended up pleasing nobody, but we brought a solution whereby the churches were still the duty. That was widely accepted by the States.

1330 Remember Deputy Trott did an amendment, a sursis, because he was concerned that if we went into it blind, we would end up having unnecessary confrontations with the Archbishop of Canterbury, maybe the royals, because there are constitutional issues here. There are human rights issues. Another area where Deputy Trott made a contribution, if he will forgive me for raising it, is when PERRC, in its many years of deliberation, consulted Treasury & Resources when he was Minister. Not surprisingly, Deputy Trott was always very concerned about the taxpayer and always concerned about making allowances we could not keep.

1340 It was made clear that T&R would be unlikely to support what happens in Alderney, whereby the States' finances the ancient churches, which you could do, of course, and treat them like Castle Cornet and fund them with general revenue. We concluded that the best way forward was for the 10 parishes to fund their own churches, but our thinking, which may not have been fully recorded in the report, was that the parishes themselves make an individual decision. I do not want to get into the customary law – I might in a subsequent point – but we thought that the parishes would work: Douzeniers and Constables put policies to the public meeting and move on from there.

1345 I would also say Deputy Aldwell and other Members have raised an interesting point, that maybe they could not reuse the money from the sale of a rectory in a constructive way. I do not know about that. The Vale built their own rectory, Castel several times, which has actually one of the more supportive parishes perhaps of the P&L line here. They have changed their rectory twice and may do so again. Of course the old Rectory Hill is named after the classic rectory that is still there, but it is occupied by non-church people. They built a house that possibly was not as sound as it wanted to be and then they built another house.

1350 I would argue that you have a very unusual situation. Some of the rectories, especially in the country parishes, are open market. They are Regency, Georgian and Victorian piles. I believe if they

1355 were sold on the property market, local or open, they would raise substantial amounts of money. I believe that out of the residue the parishes could, if they chose, either provide a much cheaper property or flat and/or give a rental allowance or a housing allowance. So I think the parishioners are entitled to that money, should the assembly of the parish decide. It is their asset; it is not the church's asset.

1360 I do not see the necessity there for the Brouard/Aldwell amendment, because I think the parishes are already empowered to go down that route, and should a subsequent amendment from ourselves be laid, I think that would clarify the situation further –

The Deputy Bailiff: This is your two and a half minute warning, Deputy Gollop.

1365 **Deputy Gollop:** Oh, I am running out of space and time.

My point is that this has had a history. Somebody might say, 'Why is it that this was not resolved by PERRC?' We were not spooked. We felt we had done the job and the States at the time adopted it, nor did the States put an Assembly. We knew about the rectories and plurality, but researching that, that goes back to 1994, so it has been a little bit of a thistle that people have not wanted to touch. What I think has changed, and maybe in that respect there is a mood of change around, is the parishes have become less contented in the countryside. There has definitely been a feeling – I cannot say I am not listening to it – from many of the Douzaines and Constables. They want change.

1370 I think there is also a viability problem for the Church of England. What Deputy Ferbrache said, which concerned me, is he said the consensus is to support the parish churches but not the rectories. Of course the rectories are involved with accommodating a person of religion. I would argue the person is also a parish servant and works as a kind of social worker. I would also argue that some of these issues should have been raised in litigation rather than politically. My problem – and we may come back to this later – is if we defund the church, we are making a mistake potentially because the church is not as wealthy as it appears.

1380 The Diocese of Salisbury has made an arrangement with Guernsey that it cannot fund new properties and, most significantly of all, supposing in the future the churches no longer have incumbents, then we will have historic buildings, and under scheduled legislation protected buildings cannot be reformed, cannot be changed, cannot be amended, unoccupied, underused. So we will have a huge expense problem, rotting churches, a problem of architectural loss (**A Member:** Hear, hear.) and actually I would argue a loss of parochial traditions and country life, because many of the churches provide everything. Admittedly, I go to some of them for breakfasts, to dinners.

1390 **The Deputy Bailiff:** That is your 15 minutes, Deputy Gollop.
Deputy Roffey.

Deputy Roffey: Thank you, madam.

1395 Some people think that the time has arrived for change. I disagree. I think it arrived at least 200 years ago. (*Laughter*) Throughout my life, I have been absolutely banjaxed by this concept that somehow people who have got nothing to do with the Anglican faith should accommodate the clergy of that denomination. What on earth is the logic of that? Now, some people would say, 'Well, you would say that, you are an atheist.' Yes, I am an atheist, but actually I think my position is far less prejudiced by the arrangement than people of other faiths because at least I only have to pay against my will for the accommodation of Anglican clergy. A lot of other people of other faiths are presumably providing the accommodation through whatever they do, their tithes or whatever else, for their own clergy and then expected to do it through their rates for the Anglican clergy as well. It is absolutely nonsensical in the modern world.

1400 I am afraid I do not agree with Deputy Ferbrache. I would go further. I think expecting ratepayers to support the parish church is absolutely nonsensical as well. That does not mean I do not want these very important ancient monuments supported – with the exception of Torteval, they are

1410 basically Norman constructs – but why the ratepayer? Possibly if you were a church, you could have a £1 million bill coming and it just happens to be in that generation and that part of the Island. I think it would be far better off being done centrally. Deputy Gollop said, ‘What about the poor taxpayer?’ The taxpayer and the ratepayer are basically the same people in this Island, but it is ecclesiastical, it is the church rates bingo really whether you happen to live in a parish where your church needs major repairs.

1415 That is particularly true for the smaller parishes. They may have slightly higher average earnings. Deputy Murray may describe his own parish as the parish of the advocates, which reminds me of a very old joke about, ‘Why did St Saviour get all the advocates and why did the Vale get all of the waste sites?’ They do not anymore, that is gone. The answer of course is, ‘The Vale had first choice.’ (*Laughter*) Oh, I am upsetting the Presiding Officer. Never a good idea, never a good idea. (*Laughter*)

1420 I will be supporting this amendment, although I do think 10 years is far too long. This human rights business, there are so many people in this Island who are really struggling to afford accommodation, that for Deputy Gollop to be saying, ‘Well, the church is not as wealthy as you may think’ – yes, I know the Church Commissioners have made some very bad mistakes in the 1990s noughties and lost a huge chunk of the Church of England’s wealth, but compared with lots of others, they are still in a far better position to provide tithed accommodation for their employees, if that is what they choose to do, or just pay them sufficiently that they can sort out their own accommodation.

1425 Deputy Gollop posed a question – and it is slightly off-piste – about why are the Anglican rectors still in the States for election. I can tell him the answer. It is because the States, back in the 1980s, very foolishly voted against the Roffey requête to remove them, but I think the zeitgeist has changed since then. Why on earth should one religious denomination choose the people to administer justice on behalf of the whole community? I accept that SACC has had a lot on its plate and very few resources, but in principle that ought to change. Basically I am a disestablishmentarianist or whatever the word is, but I accept that it is still the Established Church, but it is the Established Church in the UK, and they stopped actually funding accommodation for rectors there hundreds of years ago. The argument that it is because it is the Established Church and we have to carry on doing so here makes a nonsense.

1435 Even with five years, I think the idea that that is not enough time for people to make adjustment – we will come on to that later, but I am going to support this. For some people to think it is hard and it is a difficult decision, to me this is an absolute no-brainer. The current situation has for decades, if not centuries, been an anomaly and an utterly unfair anomaly and it is time we brought it to a stop and as soon as we possibly can.

1440 **The Deputy Bailiff:** Deputy Inder.

Deputy Cameron: 26(1), please, madam.

1445 **The Deputy Bailiff:** I am sorry, did you want a guillotine motion, Deputy Leadbeater?

Deputy Leadbeater: Not me, no.

1450 **The Deputy Bailiff:** Oh sorry, was it you, Deputy Cameron? He was talking at the time. I am going to the guillotine. You are rather fond of them as well, Mr Inder, so I think it would be a little bit rum for me not allow it. So Deputy Cameron has called for a guillotine motion in relation to this debate on the first amendment. Those who still wish to debate the amendment, stand in your seats. Do you wish me to put it to the vote, Deputy Cameron?

1455 **Deputy Cameron:** Yes, please. Could I have a recorded vote on it as well?

The Deputy Bailiff: Yes. States’ Greffier, when you are ready.

The motion should now be on your screens. That is to guillotine the debate on Amendment 1. Please would you open the voting now, please, States' Greffier?

1460

There was a recorded vote.

Rule 26(1).

Not carried – Pour 9, Contre 21, Ne vote pas 3, Did not vote 6, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Burford, Yvonne	Aldwell, Sue	de Sausmarez, Lindsay	Ferbrache, Peter	Helyar, Mark
Cameron, Andy	Blin, Chris	Prow, Robert	Mahoney, David	
Kazantseva-Miller, Sasha	Brouard, Al	St Pier, Gavin	Matthews, Aidan	
Le Tocq, Jonathan	Bury, Tina		Queripel, Lester	
McKenna, Liam	de Lisle, David		Soulsby, Heidi	
Meerveld, Carl	Dudley-Owen, Andrea		Taylor, Andrew	
Murray, Bob	Dyke, John			
Parkinson, Charles	Fairclough, Simon			
Trott, Lyndon	Falla, Steve			
	Gabriel, Adrian			
	Gollop, John			
	Haskins, Sam			
	Hill, Edward			
	Inder, Neil			
	Le Tissier, Chris			
	Leadbeater, Marc			
	Moakes, Nick			
	Oliver, Victoria			
	Roffey, Peter			
	Snowdon, Alexander			
	Vermeulen, Simon			

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A Member: Thanks for coming. *(Laughter)*

The Deputy Bailiff: Voted in relation to the motion to guillotine the debate: pour 9, contre 21, there were 3 abstentions and 6 Members were not in the Chamber at the time of the vote, therefore the motion failed.

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Deputy Inder.

Deputy Inder: Thank you, madam.

Just remind me, madam, are the two amendments combined or am I –

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The Deputy Bailiff: No, you are debating this one –

Deputy Inder: Right, okay.

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The Deputy Bailiff: – and then you are debating Amendment 3 immediately after it.

Deputy Inder: Oh well. This will probably save me a speech for another one.

Anyway, to paraphrase Deputy Helyar, if in doubt break the human rights glass, and that is effectively the speech that we got from Deputy Gollop. What a load of nonsense. Interestingly, Deputy Roffey declares his atheism and Deputy Le Tocq declares his faith. There are around 3,000 deities in the world and the only real difference between them is that Deputy Roffey believes in one less god than Deputy Le Tocq. *(Laughter)*

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The first thing I would like to do is thank the rectors and the priests of the Island for the exceptional work that some of them do with those of faith and even extending into the secular community. I think we should recognise that the rectors and the church have a role. **(A Member:** Hear, hear.)

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1495 The rector's role is essential to their congregation's health and direction, chiefly overseas worship, discipleship, evangelism, ministry programmes and administration. For those that do not necessarily have God on their side, there will be hardly a Member of this Assembly that will not interface with the church, neither the hatch, matching or dispatching through their lives. I would also commend the rectors of the Island for the pastoral work they conduct around the Island for those that are less fortunate or troubled within the Island, particularly those that are in the town.

1500 Given that they provide such a service for the Island, why would I support this amendment? Simply, the church is not the only sector that provides the services I have mentioned. As someone who was formerly the honorary secretary for the Association of Guernsey Charities, and only last week attended the most recent AGM, simply, Deputy Bailiff and Members, the church does not own the spirit, the care or the central services anymore. The world has moved on. There are hundreds of good humans that raise money for their communities, hours and hours of work from parishioners, and we, as an Island, give that charitable sector very little help.

1505 The Association of Guernsey Charities is around 400 registered charities. From memory, the taxpayer or individual parishioners do not pay for the houses of the myriad of volunteers that give their time for free. We do not do it. I do not particularly believe that custom should advantage faith or Island services, and in a changed world, perhaps parishioners of the Island are not prepared to pay a God tax anymore.

1510 Members, I have seconded the Le Tissier amendment and I would like to thank Deputy Brouard and Deputy Aldwell. It is on their back our amendment actually goes, but I will not be supporting the Brouard and Deputy Aldwell amendment because I think ours is better. Ten years is far too long. That is three Assemblies away and there is every danger that this will get long-grassed or ignored. Five years focuses the mind and the next Assembly are more likely to deliver on that.

1515 Again I repeat thanks to Policy & Resources for bringing the plurality policy letter because it allows, as Deputy Brouard says, the ability for us to discuss other issues. Sometimes it is just simply the case it can be dirty, it has got to be opportunistic, and this is the opportunity that we would have not had had P&R not brought the policy letter in the first place. So that is where I am with that and that should save some of the speech for the amendment which will follow from Deputy Le Tissier.

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The Deputy Bailiff: Deputy Helyar, do you wish to be relevéd?

Deputy Helyar: I do, ma'am, thank you.

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The Deputy Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam.

1530 I will be very brief, because Deputy Roffey pretty much nailed it, as far as I am concerned. We have a housing crisis. We cannot adequately house our population, we cannot adequately house key workers, but we have rectors living in often large period houses for free. It is not a good look, being paid for, being maintained by the ratepayer, which cannot be acceptable in the modern day. I think, as was pointed out by Deputy Roffey, it probably was not acceptable a couple of years ago.

1535 The human rights thing, I have heard a few people mention human rights, but that is absolutely nonsense in this situation, surely, is it not? Can someone spell out exactly how it is engaged here? Because if you have accommodation that comes along with your job and that changes, that is a contractual issue. It is nothing to do with human rights, in my opinion, because if so, everyone has a human right to live in a massive period house being maintained by the ratepayer. I really do not get the human rights arguments. If somebody wants to justify that argument in debate, then I will probably listen to it, but I really cannot see that being engaged whatsoever.

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I will support this amendment, but as Deputy Inder pointed out, I think the timescales are a little bit long, in my opinion, so I am going to support this amendment and I will also support the Le Tissier/Inder amendment.

Thank you.

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The Deputy Bailiff: Thank you.
Deputy Gabriel.

Deputy Gabriel: Thank you, ma'am.

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I have got a couple of questions. One is to Deputy Brouard and one is also a procedural question, ma'am, which maybe you might be able to address or even His Majesty's Comptroller. The first I will address to yourself, ma'am. If this amendment passes and subsequently Amendment 3 passes, which takes precedence, the 2035 –

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The Deputy Bailiff: It will be the five-year one that would –

Deputy Gabriel: The five-year one.

The Deputy Bailiff: – effectively obliterate this one.

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Deputy Gabriel: Okay, thank you very much.

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The question to Deputy Brouard when he sums up: I fully agree the principle that he has described, but this deletes Proposition 1 and, from my understanding, then puts the abolition in place after 10 years to 2035 because of the compensation arrangements which he has described in his explanatory note, which I understand, but what about the plurality arrangements? Those will, in my view, still be in play and so we will have an anomaly of Torteval versus St Saviour for the next 10 years, which does not sit well with me, and which is why I would have been supporting the policy letter in its totality, but I prefer the amendments as well because of the timing. Yes, if he could address that in his summing up, because it is not clear to me around the plurality arrangement if the amendment is successful.

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While it is probably not a direct conflict, I should mention and declare that I currently sit – and have done for two or three years – on St Sampson's Church Management Board, albeit that is only around the church management, not anything to do with the rectory because of course, as Deputy Aldwell said, back in 2020 St Sampson's Constables sold the rectory and it is now in private ownership.

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Thank you.

The Deputy Bailiff: Thank you.
Deputy de Lisle.

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Deputy de Lisle: Thank you, ma'am.

As a member of the church and the Douzaine at St Pierre de Bois, I value of course the customary law protection that it provides because in our parish it actually holds together, if you like, the church and rectory properties together as an enclave, which I think is very important to preserve.

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However, I have to say that being a member of the Douzaine of course, I understand the points that are being raised by Douzeniers really against of course maintaining the rectory free of charge and the cost being taken up by the ratepayer, because I also feel that we have got to get our rates down as much as we can, and we have to be looking in the parishes at additional incomes that we can derive from rental of the properties that we own. There I am torn with the problem of providing monies from the rental properties to offset the rate bill.

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Another point that I am really worried about here is the availability of housing to the rector because at the moment in St Pierre du Bois we have a rector with housing. We have the housing that we can offer to any incumbent rector that comes from, let us say, the UK or anywhere else, as we have had in the past. We can offer accommodation. The importance of this really is bound up in the issues that we have heard with regard to St Saviour and Torteval. Torteval has gone to renting

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their rectory out and splitting it up into units, five units. They do not have a place for the rector, so they are depending on another church in another parish through plurality for their services and their service provision throughout the parish of Torteval on the back of St Saviour and that community. Thereby that is the issue that I have with regard to housing and the availability of housing for a rector within the parish and to serve, which is a social function as well, which Deputy Gollop has mentioned.

There is also the problem of loss of tradition, if you like. We have seen so many of our traditions in Guernsey being lost through the last number of years since I have in the Assembly here, and English ways, if you like, permeating into our society and our traditions, which is another problem of loss. *(Interjection)*

The Deputy Bailiff: Do carry on, Deputy de Lisle.

Deputy de Lisle: The final point that I would like to make is that in reality this is the customary law duty to provide suitable accommodation for the rector of a parish and the rector's household, which should be abolished. It is not saying that customary law should be abolished, it is saying simply that the customary law duty to provide suitable accommodation should be taken out. I would be against taking out customary law altogether, but here it is just a matter of that applied to suitable accommodation, so I think that is a very important point.

The other important point is that we need to know more. That is brought out in another amendment here, which is to undertake consultation with affected stakeholders, including the rectors and the Church of England, to assess the legal, financial and practical implications of repeal. That needs to be done before we hastily move with regard to this repeal, if you like, so that we know what the legalities are, what the financial implications and the practical implications are of doing this.

I understand that the Douzaine that I sit on is very pro the need for the rectors and the church paying rent in the building, and of course that can be negotiated in the future, so I am not against that. I think that we have got to be looking at that at the current time, but I am very concerned that we look at the human rights challenge, if you like, and the constitutional issues that are bound up with all this and that that would be looked at during the consultation phase with respect to this change.

While I respect the customary law protection within the Island's social establishment, I think that we need some change here, and I think that this particular amendment gives us 10 years to look at all that, so there is no real reason why consultation cannot be actually going forward with the church during that 10-year period. I think that that would be quite useful and we can iron out perhaps a lot of the issues during that period. So it makes sense actually to look at this and, as I say, it is customary law, only the duty to provide suitable accommodation. The only concern there I have is the availability of housing to attract a minister in to continue the church faith and the social responsibilities that go with that through our parish, because without that we find ourselves, as Torteval is, really with a hole in a bucket, if you like, which tends to leak and provides this sort of problem with St Saviour in terms of the situation that we find ourselves in in those two parishes in the west.

Thank you.

The Deputy Bailiff: Thank you.
Deputy Fairclough.

Deputy Fairclough: Thank you, ma'am.
I would just like to declare an interest, in that I am a member of the Church of England.
Thank you.

The Deputy Bailiff: Thank you.

Deputy Blin.

1650 **Deputy Blin:** Thank you, ma'am.

I find it quite interesting. Like many other situations, this has come about through almost a separate dispute building up and T&R taking an action. I am not going to start on how secular or tradition is changing, because that is not how this came about, but the amendment does propose the abolishing of this sort of longstanding customary law placed on parishes to provide the accommodation for rectors, and it makes it effective from January 2035. Maintaining this historical obligation imposes an increasingly unjustifiable financial burden on all parishioners, regardless of their individual affiliations.

1655
1660 This amendment directly addresses that concern by providing a progressive solution, reflective of the values and expectations. The amendment thoughtfully introduces this generous 10-year transition period and this timeframe will allow opportunity for meaningful dialogue, negotiation between parishes and church authorities – in fact, very similar to the lines of Deputy de Lisle – giving a time. I picked up on the speech by my colleague, Deputy Inder, and I actually take on board as well the five years, which actually does not allow to transgress a whole new Assembly, so I will be supporting this, but I will also be looking at the second amendment following this.

1665 Another important point I think needs to be made is that this amendment does not imply any diminution of respect for tradition or valuable contributions made by the Church of England within our communities, but it is more about establishing a balanced and pragmatic approach so that we adapt our framework responsibly to align with present day economic realities. I do support this amendment. I am saddened by the aspect that it feels like there is a slight loss of tradition, but I am convinced that it is the right course of action, given the changes in our society, a sensible, balanced and forward-thinking path. So I will be supporting this amendment and will consider the amendment following, but as I say, not based on the purely secular, but more about the pragmatic approach.

1670 Thank you, ma'am.

1675 **The Deputy Bailiff:** Thank you.
Alderney Representative Hill.

1680 **Alderney Representative Hill:** As you may be aware, St Anne's Church in Alderney has been slightly nicknamed 'the cathedral of the Channel Islands' so it is of key interest, certainly touristically as well as part of our community. The interesting thing is that we have slightly been ahead of the wheel on this one. I actually agree with Deputy Brouard that you cannot ask people to subsidise rectories and things like that. In fact, we sold our rectory and we moved them into more modern accommodation that was much more manageable, much cheaper. Indeed, that is paid for mainly by the people who go to the church.

1685 I would also like to propose that there is another solution that we have introduced, which was called Friends of St Anne's. Friends of St Anne's is something where people of any faith or no faith at all, but they just appreciate what a church really does, its look, its feel, they take up quite a lot of the financial costs for certain things. There is a midway solution to this, which therefore totally non-faith people do not have to pay, but people do respect what the building is and what it stands for.

1690 I would also like to point out one important thing, that the clue is in the name: parishes. You do have a religious background, whether you like it or not. You have the Ecclesiastical Court, which approves wills, so you need to think. Also you are under the Duke of Normandy, who is the King, who is head of the Church of England. I am sorry for those with other faiths, but actually that is the situation that we find ourselves in. I think you need to slightly respect that in this, but of course it is right that people should not be forced to keep expensive rectories going, but there are other solutions which you can find in the 10 years that will be much cheaper.

1700 But also I would like to issue a word of warning, because I have been involved with the Church
of England in Spain and also here, that they are quite tough about vicars. They do not grow on
trees, all right? Normally to replace a vicar it can take up to 12 to 18 months of an interregnum.
They run it as a franchise, literally, 'This is the product, this is what you do' dah dah dah and they
do not necessarily – so be careful what you wish for because you might end up in a situation, given
1705 your geographical size, that they say, 'Right, okay, Guernsey. We will give you two vicars and they
can do the whole thing.' They are of that mind as well, so just be a little bit careful. They are not
going to produce vicars, 'Here is another one. There we are, there we are. Actually, no, you can have
three' because they will do that.

I agree totally with the Proposition that the taxpayer should not be supporting local vicarages,
expensive ones. Indeed, you could raise the money by selling them and you could have slightly
1710 more modern accommodation and they can drive out to wherever they are, but be very careful what
you wish for, because the Church of England is quite tough and they will definitely take note of this
and you will find it harder to get vicars.

Thank you.

1715 **The Deputy Bailiff:** Thank you.
Deputy Le Tissier.

Deputy Le Tissier: Thank you, ma'am.

I am going to be very brief. I have got my own amendment coming, but as a backstop, I am
1720 going to be supporting this amendment as well.

Thank you.

The Deputy Bailiff: Thank you.

Does anybody wish to speak on this amendment? No. In that case, I will turn to Deputy Le Tocq
1725 on behalf of P&R.

Deputy Le Tocq: Thank you, madam.

I can be brief too. I will be speaking primarily – these comments will be personal. I will try my
best to represent P&R's position to begin with, so I will address some of the concerns that we have
1730 about the legal advice we have had. Now, it has been commented by some that the Church of
England in England got rid of these sort of customary provisions of housing I think some 150 years
ago; somebody will correct me if I am wrong. That is absolutely right, and I agree with everything
really that Deputy Roffey has said in terms of why are we dealing with this today. This is something
that was dealt with years ago and the Church of England continues to exist in England, despite that
1735 lack of provision nowadays.

However, my understanding is at that time there was due provision made in terms of housing,
in that in the majority of cases they were given two parishes to the church, in other words for the
provision of incumbents. I think that is where any existing incumbent who finds himself forced out
of, if that was the case, provision here would have a case in taking their parish – and it would be
1740 their parish, not the States of Guernsey – to court over that. Now, I think the only risk here is with
regards to the parishes taking that seriously if that was to be the case.

Personally, I think it is a risk worth taking because I honestly do not think that it is beyond the
ability of the Church of England – and these are my views – to provide adequate accommodation
for the size of congregations that they want to see in Guernsey. I say that as an ordained minister
1745 of a different denomination. We provide accommodation sometimes, otherwise we pay the
incumbent, the pastors involved, a decent amount of salary so they can choose appropriate
accommodation for themselves. That was always the condition with me; it is a condition with the
churches that I am still involved in to some degree in the French-speaking world.

I do not think it is impossible to do that, but along with that – and I take the comments made
1750 by Alderney Representative Hill, he made some very good comments there – that it may well be

1755 that the Church of England would say, 'Well, in that case, we will just provide two or three vicars, rectors for the whole of Guernsey' which means that your parish church may find itself very much underused. That can be a problem as well because, fine, the parish church is kept as far as its fabric is concerned, but if it is not used to that degree and if you cannot use it when you want to, even if you are of no faith.

1760 I remember somebody once having a long argument in the pub with me, saying, 'Well, you know, I respect you and everything else, but I will never set foot in your church building' and to a certain degree he was right, because years later I was phoned up by his widow asking if I would take his funeral. I thought, well, of course he is being carried in and he did not step foot in it. (*Laughter*) But the point is he had made no contribution ever to our church, he had never supported anything we had done, but he wanted me to take his funeral. Judging by the fact that I would get a small payment for making the funeral, he thought that was fine or they thought that was fine.

1765 Now, I did, and that is that, but I think we, as a community, need to take that seriously because there are many people I meet who say all the things, 'I am not religious. I do not go to church, I do not want to do this and that' but when it comes to a wedding or a funeral or something like that, they do want the church to be there and they want the vicar to be available to take their funeral. So just realise that, and I say that to a certain degree – and it might mean that I am asked to do more of these sorts of things, because that can happen as well – there is another alternative, and that is that the buildings are shared by other denominations, which is beginning to happen elsewhere. It happens, if we come to it, with our hopefully linked town of Biberach in Germany, where the Catholics and the Protestants, the Lutherans, share the same building and they operate that way.

1770 It is down, in the end, to individual parishes. As we have seen, certain parishes have different views on this, which is why Deputy Gollop and I laid an amendment that I guess we probably will not come to, because I think, to quote the Bible, which is appropriate in this particular debate, 'The writing is on the wall' (*Laughter*) which was, if you read the Book of Daniel, '*Mene, mene, tekel, upharsin*' which means, 'You have been weighed and numbered and found wanting and your kingdom will be divided.' Madam, I leave it up to this Assembly to decide whether that applies to the Church of England or to us.

1780 **A Member:** Hear, hear.

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, madam.

1785 I am very lucky I do not have to carry on with the rest of my speech because there is enough material in the questions and comments that people have made. I think Deputy Matthews started it off, and I think the human rights element is heavily weighted on the parishioners' side as to why they are contributing, as opposed to the rectors' side, as to, 'Why are you not?' Now, I have looked at the human rights, as one does, beforehand and Deputy Helyar will help me if I get stuck anywhere here, but there is no human right to ensure rectors are housed free of charge or to be adequately housed. I cannot find that anywhere.

1790 What I do find is that you do have a right: your right to respect for your home does not mean that you have a right to housing, but it protects the home you have. That is Article 17:

1795 no one shall be arbitrarily deprived of their property.

1800 I think it is Article 17, but bear in mind the rectories are not the Church of England's properties anyway, so they cannot be deprived of something that is not theirs. I think Deputy Ferbrache made some very good points, especially the respect for the church. I do too. I am also a parishioner, like Deputy de Lisle, a Douzenier like Deputy de Lisle in St Peter, and I have a lot of time for the church. It is central in our community. I will come on to his speech, but I think we do owe much to the church and it does give us a fabric and some strength for some people, not necessarily for others,

like my colleague next to me. I think Deputy Ferbrache realises it is about time and it is for the Church of England now to do the heavy lifting as they transition, hopefully over the next 10 years. I will come on to a little bit of how they can do that heavy lifting.

1805 Deputy Aldwell, thank you for your support and thank you for kindly seconding this motion. Deputy Gollop, I find at times you are rather like an octopus. I managed to understand where one of your tentacles is going, but the other –

The Deputy Bailiff: Deputy Brouard, you should be addressing through me.

1810

Deputy Brouard: Sorry, madam.

I understand, through you, how Deputy Gollop reminds me of an octopus, because I can sometimes understand where one of his tentacles is, but the other seven seem to disappear in different directions at different times, so it is quite a fluid position. I think he is saying that he is going to support this amendment, but then, if I could just be so kind, in a letter that he wrote or an email that he wrote just only a few hours ago, there seemed to be a different position which he wrote to a Mr and Mrs D from St Martin, who were particularly concerned. This is the impression he gives, and you can read it whichever way you like, but I read it like this. This is Deputy Gollop:

1815

As you may see, I am proposing an amendment that would end parochial obligations to house rectors in expensive properties and allow parishes to make up their own mind.

1820

But today we are in a slightly different position. I give way.

The Deputy Bailiff: Deputy Gollop.

1825 **Deputy Gollop:** Two quick points there. The first is I wrote the letter to the parishioners because, as Deputy Le Tocq has already intimated, we have produced an amendment that actually would – far from the 10 or five years, might actually produce a useful, meaningful result after sufficient consultation in two years. That is the position I hold.

1830

The other point is of course that I made the point that clearly there is democracy in the parishes and they can choose, but if I can give a personal view, I would say that this whole area is dangerous and I do not support the Brouard amendment, but I may abstain on it.

The Deputy Bailiff: Deputy Brouard.

1835 **Deputy Brouard:** Thank you.

I read Deputy Gollop and Deputy Le Tocq's amendment as basically a can-kicking exercise. We all know what the problem is, we all know what the solution is, but we will just leave it for now because it is a little bit too difficult. But if you are going to go into negotiations, and I will come on to this a bit later on – I will do it now. You cannot negotiate with somebody who has got all the cards. The church card that they play is that, 'You, as a parish, need to produce me with a rectory.' That is, in most cases, standard to the Green Book, which is a certain amount of rooms and a certain amount of accommodation to have meetings, etc. How can I negotiate against that? If I say, 'I would like to have £500 a month in rent' they are going to say, 'No, customary law states that you have to give it for free.'

1845

How can I negotiate with one hand behind my back? The time you can do the negotiation – and this is exactly why the 10-year period is, and I can understand with Deputy Inder that it may well be fine – but that is the period you can have a real negotiation because they know in 10 or five years' time the clock is going to stop ticking and they will no longer have that access to free accommodation.

1850

Whatever the parishes decide to come up with will be up to the parishes to make that choice. It may be some parishes – and it may well be St Peter – that might say, 'Actually, we really want to

1855 have a rector. We value that. We are going to continue to provide it for free.' We may say, 'Actually, we would prefer if we have a little bit of a rent roll coming in towards the expenses of the property and we have charged £500 a month.' That might be the negotiation, but you cannot have a negotiation where someone holds all the cards, which is, 'There is a statutory obligation for you to provide free accommodation.'

1860 Deputy Murray I think also made a very good point about the church is a valuable item here, rather than the rectories, and it will give parishioners and the parishes the chance to put more effort into restoring and maintaining the church, so any rent roll that comes in from the rectories, there is every chance – as it did with our own parish – it can be then used towards the upkeep of the parish churches.

1865 Deputy Gollop talked about the different parishes. Well, St Peter, the biggest parish with one of the largest rent rolls coming in from their ratepayers, does not have to fund because the Church of England has its own rectory.

Deputy Gollop: It is historic.

1870 **Deputy Brouard:** Deputy Gollop just said it is historic. Well, it is historic and hopefully tomorrow will be history as well. He mentioned that the church is not as wealthy as it appears. Right, let us have a look. The Church Commissioners or the church has about 200,000 acres of land. The Church Commissioners look after 105,000 acres of land. Do you have any idea how big that is? Is it the size of St Peter? (*Laughter*) Is it the size of Guernsey? Is it is the size of Jersey? It is six and a half times the size of Guernsey. Six and a half times the size of Guernsey is the land that the Church Commissioners in the UK look after.

1875 What about the funds that they look after for their ministry? I do not have a problem with them having the funds: £10.4 billion. It might be a bit less after Mr Trump a few days ago, (*Laughter*) but it was £10.4 billion. They invest in public equities, private equities, timberland, they have got an estate, a shopping mall I think in Gateshead, half of Hyde Park. There is nothing to stop those commissioners, if they choose, to invest in Guernsey rectories if they choose to. It is purely up to them, so please, the wealth card – and one other card they may play is, 'We cannot access it.' Well, they have got 10 years to change their rules and get whatever ducks they need in a row to do it. That was the beauty of the 10 years, but I appreciate they could probably do it in five if they really had to.

1885 Deputy Roffey is not happy with the present arrangements, but he does value the fact of what they do. Deputy Inder: I would urge Deputy Inder to perhaps vote for this amendment as a longstop and then if yours overlays it and it goes for a shorter time, that is fine, but at least it puts this in play rather than having nothing. That is the danger, so a bit like Deputy Le Tissier's point that he will put this one in and then probably try and knock it out afterwards, which I think is the better way to do it. Thank you for the compliment, the plagiarism. I liked that, thank you very much indeed. Thank you. Deputy Leadbeater: I thank him for his support. I have talked about the HR issue as well, and I think he says, 'Get this amendment in as the backdrop.'

1890 Deputy Gabriel asked one of the few questions. The plurality and the anomaly is not sorted, but it is in a way because the policy letters we have, it does not sort it, because it says that it would put Laws in place – well, to put beyond doubt, in fact, because some people believe it is there already, that the ratepayers of Torteval, should they so choose, they can pass the money across to St Saviour if they so choose. We have just had it very clearly from a member of the Torteval community that they have no intention in any shape or form of doing that, so the get out for St Saviour is that they can, over the next 10 years, have those discussions with the church as to how they can help fund that rectory, so that will be the opportunity to do so. It just clears up this idea from a plurality point of view.

1900 I think Deputy de Lisle came very close to some of the dilemmas, and I think he actually raised them. I think that there is a tension between the two, and I think he is one of the few people that raised it. I absolutely agree with him. We are fortunate in St Peter, we have got a nice enclave of the

1905 church and the rectory next to it, and that is reflected in some of the other parishes as well. I, like him, would not want to lose it. I would like to have that negotiation with the church as to how we go forward. Even getting a lease would not be a bad idea so we know who does what, where and when, who looks after the garden on a Tuesday. Yes, it would just be having that ability to have that discussion, knowing that it is our rectory and we can make it as attractive as we can to ensure that we do have a rector, but on the other hand, we can get some recompense to go towards the cost of it. I can understand his (*Interjection*) – hasty is probably not something that I can – this is 11 years, I think, on PERRC. This discussion has been going on in Guernsey for hundreds of years. I think 1921 was the last big one, when they had a big discussion on it.

1910 It is to make it fair in those discussions with the church. This is what this amendment does, because by putting in that 10-year period, it means you can have a meaningful discussion with the church. The church, in their own ability now, is unable to provide a rector in all the parishes anyway, so they have some issues that they need to look at as well.

The Deputy Bailiff: You have got two minutes and 50 seconds, Deputy Brouard.

1920 **Deputy Brouard:** Oh, thank you.

I am just running the clock down. Deputy Blin I think made a good point. It is the idea to have that meaningful dialogue with the church. Deputy Le Tissier mentioned earlier it gives us the backstop.

1925 The other thing I was going to mention, rectors themselves are also individuals who have inheritances, they are normal people, they do not look different, apart from on a Sunday, but they are normal people, so they may well be wealthy in their own right, they may well be poor in their own right, so they can also choose their own houses that suit their particular lifestyle. They may have trust funds; they may not. It is just the idea that a church rector is always poor and unable to afford anything is not necessarily true.

1930 Thank you. I have indulged myself enough this morning. Please vote for this amendment and then, if necessary, if you feel you wish to, then look at the amendment from Deputy Inder, if it is in place, but I would suggest this is the better, more pragmatic route.

Thank you very much.

1935 **The Deputy Bailiff:** Thank you, Deputy Brouard.

You should have on your screens Amendment 1, and I will ask the States' Greffier now to open the voting.

There was a recorded vote.

1940

Amendment 1.

Carried – Pour 35, Contre 1, Ne vote pas 4, Did not vote 0, Absent 0

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Trott, Lyndon	Dyke, John	None	None
Blin, Chris		Gollop, John		
Brouard, Al		Hill, Edward		
Burford, Yvonne		Snowdon, Alexander		
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				

Helyar, Mark
Inder, Neil
Kazantseva-Miller, Sasha
Le Tissier, Chris
Le Tocq, Jonathan
Leadbeater, Marc
Mahoney, David
Matthews, Aidan
McKenna, Liam
Meerveld, Carl
Moakes, Nick
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Prow, Robert
Queripel, Lester
Roffey, Peter
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Vermeulen, Simon

1945 **The Deputy Bailiff:** There voted in relation to Amendment 1: pour 35, contre 1, and there were 4 abstentions. I therefore declare Amendment 1 has passed.

Members, before we adjourn for lunch, just to give you forewarning: if we get to the Policy & Resources Committee Guernsey and Biberach – Framework of Friendship Agreement, apart from Deputy Le Tocq, who will be opening and closing on behalf of the P&R Committee, I will be limiting speeches there to six minutes, so if you are intending to speak for longer, you need to think about how you are going to make it a more sharp and pithy speech.

A Member: Very good, madam.

1955 **The Deputy Bailiff:** Let us adjourn for lunch

*The Assembly adjourned at 12.32 p.m.
and resumed its sitting at 2.28 p.m.*

**Rectories in Plurality –
Debate continued –
Proposition as amended carried**

The Deputy Bailiff: Deputy Le Tissier.

[Amendment 3](#)

To delete Proposition 1 and substitute therefor:

"1. To agree that any customary law duty to provide suitable accommodation for the Rector of a parish and the Rector's household shall be abolished and to amend the Parochial Church Property (Guernsey) Law, 2015, and any other relevant legislation, to give effect to such abolition on and from 1st January 2030."

1960 **Deputy Le Tissier:** Thank you, ma'am.

I do not want to add to the agenda, but I and most of the Douzeniers believe that 10 years is too long, so I would like to thank Deputy Inder for seconding this amendment. I will be very brief. I am not anti-Church of England. They are generally good people. I am pro-choice, pro-fairness,

1965 equality for all. With Amendment 1 passed, you, my fellow Deputies, have approved the principle that it is going to be stopped. The only question now is one of five or 10 years. Now, I think 10 years is unfair because these people that have other faiths or no faith at all, they are going to have to keep paying for up to 10 years. I think they need relief sooner than that, hence my suggestion of five years.

1970 Now, I would have supported – or, sorry, I would have preferred a shorter timescale, end of the year, who knows, but five years is a compromise. It is half the time set out in Amendment 1 and I think that is plenty of time for the church to reorganise their finances. I will always stick up for the local folk, including pensioners and those on fixed incomes, so in a small way, abolishing the obligation in five years rather than 10 helps. ‘Every little helps’ say the commercials on TV and, yes, it is true. These small savings will add up. I am going to pursue these cost-of-living issues in the
1975 future.

Now, my amendment gives the Guernsey Church of England five years to sort out any financial issues and, believe me, they are fixable with goodwill on all sides. I mean, you get 10 years inside for murder and Starmer and Trump I am sure will negotiate a multi-billion trade deal in a couple of years, yet we need 10 years to discuss removing the rectory arrangements. It is crazy. Now, I think
1980 the Church of England in Guernsey – well, sorry, the Church of England, who have, as Deputy Brouard said, assets of over £10 billion, could take this over tomorrow. They have got an income of £1 billion a year, so yes, where there is a will, there is a way. Now, I am saying that this amendment has no financial implications for the States, so please do not hide behind that. This is a straightforward moral judgement. Drag it on for 10 years or get it over with in five.

1985 I am not going to take up any more of your time. (**A Member:** Hear, hear.) This is a minor matter compared to the forthcoming items up for debate this week. Small, but easily fixed, so you know how you should vote, so hopefully you will vote for this.

The Deputy Bailiff: Deputy Le Tissier, can I remind you you are supposed to address your
1990 speech to me, rather than to the Members of the States?

Deputy Le Tissier: Sorry, I apologise, ma’am. Ma’am, I will not take up any more of your time.

The Deputy Bailiff: Okay.
1995

Deputy Le Tissier: This is a minor matter compared to forthcoming items up for debate this week. Small, but easily fixed, so please vote as you really should vote (*Laughter*) –

The Deputy Bailiff: Deputy Le Tissier, I do not think you quite –
2000

Deputy Le Tissier: I have done it again. I am sorry, I will –

The Deputy Bailiff: You do not need to repeat it again, but you understand?

2005 **Deputy Le Tissier:** Let us move on, so I will sit down.
thank you.

The Deputy Bailiff: Yes, thank you very much.
Deputy Inder, do you formally second the amendment?
2010

Deputy Inder: I am not sure anymore. Yes, of course I do, ma’am. (*Laughter*)

The Deputy Bailiff: Deputy Meerveld.

2015 **Deputy Meerveld:** Ma’am, I would like to move Rule 26(1), please.

The Deputy Bailiff: Deputy Meerveld has asked for a guillotine motion on this debate. Those who wish to speak in the debate on Amendment 3, please stand in your places. Do you still wish to put the vote? Yes, thank you.

2020 States' Greffier, I am going to put it straight to SEV, actually. I want to make it clear, so if you put the SEV motion up, please. On your screens now is the motion to guillotine this debate. States; Greffier, would you open the voting, please? Are you not going to vote for that, Deputy Mahoney?

2025 **Deputy Mahoney:** [*Inaudible 2.37.15*]

There was a recorded vote.

Rule 26(1).

Not carried – Pour 15, Contre 21, Ne vote pas 2, Did not vote 2, Absent 0

2030

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

The Deputy Bailiff: In relation to the motion to guillotine the debate there voted pour 15, contre 21, there were 2 abstentions and there are 2 Members who did not vote. I therefore declare that the outcome is that the motion was not passed.

2035 Who would like to speak next in the debate?
Deputy Matthews.

Deputy Matthews: Thank you, ma'am.

2040 I do not have very much to say on this. It was really to say that the Douzaine Liaison Group meeting, which I am a member and Vice-President of, this amendment was not discussed or voted on because it had not been lodged at the time, but some Douzaines did express a view – or representatives of the Douzaines did express a view - that a shorter time period might be useful, but not all.

2045 My own view, I will be voting against this amendment on the basis that I think Deputy Brouard's limit of 10 years is quite sensible and it allows plenty of time for not just adjustments on the church side, but also for Douzaines themselves to be able to make decisions about what it is that they want to do and how it can be done, whether it is legal for it to be done or compliant for it to be done. I think that the 10-year limit, it does seem like a long time, but it does allow for a certain changeover to happen, so I will be sticking with the 10 years myself for that reason.

2050 Thank you, ma'am.

The Deputy Bailiff: Thank you.
Deputy Gollop.

2055 **Deputy Gollop:** Being mindful I said a lot earlier, I concur with Deputy Matthews, that we were both at the meeting. In fact, we were at two meetings, and the view of the parishes was really unanimously for some change, but two or three effectively wanted it to go faster and I think the rest wanted it to go slower. There was a minority who supported the other amendment that has not been placed yet.

2060 I would like to comment perhaps on two points Deputy Brouard raised in his summing up, which I think are material to this because I did abstain from voting on the last one because I can see, wearing my Policy & Resources parochial Douzaine Liaison Group hat, there is a mood for change. But I repeat, I believe that is in the hands of the parishes to organise many different ideas from, as Deputy Le Tocq said, what goes in Biberach, in fact Sark as well I believe shares costs, and there are many different scenarios from the parishes providing alternative accommodation.

2065 I think a historic point that perhaps has not been made is that, as we understood on PERRC, that each parish rectory ideally had to be large enough to house a bishop who is visiting the Island. Now, in modern times the bishop might stay at Les Cotils or other hotels, the bishops' conference, or stay at Government House conceivably, but that was one of the reasons why rectories were so large.
2070 Another reason was people had larger families back in the day. One may recall that Lillie Langtry was the daughter of the then Dean of Jersey and so on. I think the point has to be made, but is not an excuse, when Deputy Leadbeater referred to the large houses of the clergy that vicars – rectors, rather – had a social and insular status, similar to advocates and others. Perhaps some of the representations we have had from the parishes do not fully appreciate that, but then we would also
2075 have to admit that perhaps it is for the best because being obviously brothers of Christ or sisters of Christ, but the status and relative wealth of the clergy per se may have declined.

I think we should not forget that full-time clergy on the Island play a very important role in society, not just with officiating at births, marriages and deaths, like other ministers of other religions, but they do provide all kinds of things: some hospitality. I go for teas and coffees and meals and things, etc. that St Pierre du Bois and other churches have held. I think they have a role in working with the church family and I would say people of the older generation, children, perhaps people who are lonely. I think parishes should bear in mind that they may wish to support Anglican clergy or indeed clergy of other denominations, but again, that is a point –

2085 **Deputy Taylor:** A point of order, madam.

The Deputy Bailiff: Yes, Deputy Taylor.

2090 **Deputy Taylor:** Well, it is 17(6). The amendment is just to change the 10-year timeframe lead-in to five years. I think Deputy Gollop is developing far wider arguments about the role of the church in the community, which –

2095 **The Deputy Bailiff:** No, I think I am content that he is still talking about why it is that the rectories are so important, so I am going to allow him this, but I will keep a careful ear on ensuring that it does not go beyond.

Deputy Gollop: Yes, I think my point is that while we have the rectories, that facilitates the activities that I have described as beneficial to the community. I would also say that of the two amendments, I significantly prefer the first one that we passed from Deputies Brouard and Aldwell.

2100 I think we should also bear in mind we have just heard from the opener of this amendment that the church has £1 billion of assets or revenue or whatever and we heard about the extraordinary

agricultural landholdings. I think it is also fair to say that the speaker who said the church has not been the wisest investment manager has a point too.

2105 I am going to say something that is perhaps – I think is relevant because it puts into perspective why we have to move cautiously in this regard, and that is that we had a debate recently on Deputies' pay. Some would say we are paid too much, some would say we are paid too little, but I will tell you what, disregarding the property, the free use of the rectories or vicarages, the clergy were, two or three years ago, paid a salary of £29,000. I believe it has risen now to £31,000. Now, that is not a high salary for somebody who is ordained, who has extensive university qualifications.

2110 My point is that to expect a clergy person on that salary to pay a rent, especially an open market rent, is unrealistic. That is precisely why I think moving speedily on a five-year basis is unwise. I also think there are implications for people who are still in post, which will be less likely to be a problem in 10 years' time because of retirements and the nature of things moving on.

2115 I would like at this opportunity, if it is possible, to ask His Majesty's Procureur to speak about what the human rights issues are that are perhaps raised by this amendment, should it be passed.

Thank you.

The Deputy Bailiff: Thank you.

2120 Madam Procureur, do you want to have some time to think about it or do you want to respond straight away?

The Procureur: That is kind of you, madam, but I think I am happy to respond straight away.

2125 **The Deputy Bailiff:** Yes, please, if you would then.

The Procureur: So in relation to this amendment, Deputy Gollop's amendment, because it largely simply requires consultation –

2130 **The Deputy Bailiff:** When you say 'Deputy Gollop's amendment' it is Amendment 3.

The Procureur: I must apologise. I am so sorry, this is Amendment 3.

2135 In relation to both Amendment 3 and Amendment 1, which the States has already passed, the Comptroller has given advice, with which I have concurred, that abolishing a customary law right could have potential implications in respect of the European Convention on Human Rights, in particular Article 1, Protocol 1, which is all about property rights.

2140 The reason for that very simply is that at the moment, the customary law obligation, as Members have already heard, involves providing the rector and his family with accommodation, very often at no charge. If that right is to be abolished overnight or without any due consultation, there may be – or there will be an impact on rectors and their families immediately, who will need to find other accommodation. Who will pay for that accommodation will need to be worked through. It is very likely that that will be something that comes out of each parish's individual arrangements that they made for the rectors. There is not a one size fits all with this because each parish does something slightly different.

2145 But in a nutshell, the advice that has been given is that there is potential impact in relation to the Article 1 property rights that occur, particularly if you were to take the benefit of effectively free accommodation away overnight without an alternative. That is why the advice that has been given is there needs to be a period of time for consultation. The reason there needs to be a period of time for consultation is exactly to understand what rights are being affected. At the moment we are simply advising on amendments that have come up in the context of this policy debate. Nothing further has been given, simply that, 'Well, if you try and abolish something overnight without consultation, there may be effects and there may be legal action from people concerned and affected.'

2150

2155 We have not gone into any detail and I am not proposing to go into detail on the floor of this Assembly as to who and why because we do not have that detail, simply flagging that there could be an issue. That is why advice to those moving the amendment has been, 'It would be sensible to have consultation; it would be sensible to have a period of time in which that consultation can occur so everyone can understand who is affected and what the issues are.' It is really no more or no less than that, madam.

2160 **The Deputy Bailiff:** Thank you, that is very helpful.
Yes, Deputy Brouard.

Deputy Brouard: Can I ask a question of Her Majesty's Procureur?

2165 **The Deputy Bailiff:** You can ask a question through me, yes.

Deputy Brouard: Please. Could you ask: Article 20 of the Human Rights, I am thinking from the parishioners' point of view, would they not have a right:

Everyone has the right to freedom of peaceful assembly and association. No one may be compelled to belong to an association.

2170 Is there a case that someone, a parishioner, could bring a human rights the other way round to say, 'Why I am being compelled to pay for an organisation I do not want anything to do with?'

The Deputy Bailiff: Madam Procureur.

2175 **The Procureur:** I have to say, that is not a right immediately that we have gone into detail on. The obvious one which occurs is the Article 1, Protocol 1 right. That is not to say there might be something in that when we look at it in more detail, but more immediately, the advice that we have given revolves around Article 1, Protocol 1.

2180 Thank you.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Thank you.

2185 So the advice from the Procureur is that doing nothing immediate and either 10 or five years, as long as there is due consultation. Both are relevant, and particularly for five.

Deputy Gollop again has smashed the human rights button, and basically the alarm did not go off. It is as simple as that. The only thing I would say – and I will stick to the difference between 10 and five – as I said in the previous speech, we are, what, two or three months away from election. Many people will stand here in this Assembly and some will lose their seats and many will get in, but if you really want agency, if you really want – if Members, rather, really would like to ensure this actually happens over the next five years, almost guaranteed, because resolutions are often ignored, as we found over the time. In all likelihood, if you leave it 10 years, too many people will not be there to advocate for this and it is more likely that those of you who do stand and those of you who

2195 –

The Deputy Bailiff: Deputy Inder, this is the third time this sitting.

Deputy Inder: Sorry, I beg your pardon.

2200

The Deputy Bailiff: It is really important –

Deputy Inder: Yes, ma'am.

2205 **The Deputy Bailiff:** – and at the end of the longest term I think since the Second World War, I would have thought most people would understand things have to be directed through me.
Thank you.

Deputy Inder: Yes, ma'am, I accept that, and my apologies.
2210 The point I am trying to make is that five years is completely reasonable. Those of you who quite clearly – we are going to do 10 or five today, that is quite obvious, ma'am, and through you, and my advice to Members, if they really want to ensure that something actually happens, five years by a country mile is the most sensible way to ensure that any decision by this Assembly is effected over the next five years. I am absolutely sure if you drag it out for – if future States drag it over 10 years,
2215 what I guarantee will not happen will be this.

The Deputy Bailiff: Thank you.
Deputy Brouard.

2220 **Deputy Brouard:** Thank you, madam. I will be very brief.
It literally comes, as Deputy Inder says, on the turn of whether it is five years or 10 years. I prefer the 10. I think it gives the church a little more time. It is a long-term relationship with them. I think Deputy Gollop said it is going to be in the hands of the parishes. It is only in the hands of the parishes if they have the five or 10-year in their pocket because otherwise you have got no chance
2225 of negotiating or consulting with the church.

The 10-year arrangement, I am not sure how much judges would give a stay of eviction these days, but 10 years would be a substantial stay of eviction if it ever came to that particular thing. I think there is less chance of challenge with a 10-year period. As Deputy Gollop says, you want to move cautiously. I do take a little bit of issue with him that £30,000 is not enough for people to earn
2230 in order to pay rent. Welcome to the real world. There are a lot of Islanders on £30,000 a year who are struggling to pay their rent at the moment, so it is happening with people through a lot of hard work. Please, I think the States have made the right decision with either the 10 or the five. My caution to you is to stick with the – I will give way to Deputy Matthews.

2235 **The Deputy Bailiff:** Deputy Matthews.

Deputy Matthews: I thank Deputy Brouard.
There was another point that was raised about the 10-year period. I think it might be a question for Her Majesty's Procureur. Presumably the Article 1 right applies to the individual and not the
2240 post, and so after 10 years presumably – I do not know exactly what the turnover is of parish rectors – at the expiry of the 10-year period, it would not be the same individual at the beginning, so they would have come in knowing that the 10-year was approaching and they would not be being denied in the same way had it been brought in overnight. I wondered if that would be something that would have an effect. I thank Deputy Brouard for –
2245

The Deputy Bailiff: Thank you.
I just ask Madam Procureur to answer that point before you come in.

The Procureur: Yes, the 10-year period is a generous period. It is certainly one to allow for
2250 consultation and anybody that might potentially be affected to have come to an agreement within that time period. So, just to answer your very short point, anybody coming in new would certainly know the position and the same rights would not be affected in the same way, that is correct.

The Deputy Bailiff: Thank you.

2255 Deputy Brouard.

Deputy Brouard: As Her Majesty's Procureur said, 10 years is generous. I think the other point is, it is not so much a consultation with the church, what it is is a negotiation with the church, because there are parishes, and I am guessing St Peter will be one, that we value our rector and we want to come to a new arrangement with the incumbent. I think the same for other parishes. But I do not think the parishes would want to go back to or continue with the free accommodation. I think it is coming to more of a negotiation of what works for the church, but also what works for the community in which that church sits. Please vote against the Deputy Le Tissier's amendment.

2265 **The Deputy Bailiff:** Deputy Trott.

Deputy Trott: Madam, I rise now, rather than general debate, because the conversation has been about consultation. I think this is an opportune moment. There was a correction issued, a corrigendum, as we call it. I do not think it has found its way to your office or indeed the office of the Bailiff, so for good order I mention it now.

The correspondence reads:

Section 5 of the policy letter states in accordance with Rule 4(1) that and 'in preparing the propositions consultation has been undertaken with the Dean of Guernsey' however it is now recognised that this this statement is incorrect. Although the Dean was involved in wider discussions on rectory ownership, he was not consulted specifically on the proposition or the civil dispute between the two parishes in question.

2275 Following publication of the policy letter, the Dean contacted the office for the Policy & Resources Committee to point out that he was not consulted on this specific matter, nor was there any requirement to do so, given that the issue addressed by the Proposition is a civil matter that does not fall within his specific remit. Nonetheless I apologise to him for that correction and I think it emphasises the importance of proper consultation.

2280 I will end this short a contribution, madam, by making it clear that I agree with those who think 10 years is better than five in this instance.

The Deputy Bailiff: Thank you.

Does anybody else wish to speak on the amendment? Deputy Mahoney.

2285 **Deputy Mahoney:** Thank you.

Very quickly. This Assembly seems to make mountains out of all sorts of molehills and this seems to be another one where we are doing exactly that. To me it is quite staggering to hear Deputy Matthews say that five years is not enough time to do something. That is longer than an entire term.

2290 **Deputy Matthews:** Point of correction, ma'am.

The Deputy Bailiff: Yes, Deputy Matthews.

2295 **Deputy Matthews:** The point that I was making previously was not that five years is not long enough time to do something, the point I thought I have made fairly succinctly was that in five years you were much more likely to get a turnover so it would be a new occupant in the role. (**A Member:** Hear, hear.)

2300 **Deputy Mahoney:** That is not how I heard it, but anyway.

In any event, five years is longer than this term which, as you have just said, is I think the longest term since post-war. Five years has seemed a very long time to me in this Assembly. If the parishes,

Douzaines, whoever, cannot get their act together in five years, then you would have to question whether they are fit for purpose. But I am sure they are and I am sure they could do it much quicker.

2305 I have to mention the human rights thing. It is unbelievable how this gets thrown up so many times. Absolute nonsense to me. I am not a lawyer, but how we cannot be in control of something like this just staggers me. If anybody wants to, if this passes – well, the 10 years has passed already, or the amendment has, sorry – and someone wanted to come after us, then perhaps they should do that and roll the dice against the States of Guernsey and see whether their human rights are
2310 being impinged. I cannot, from my own view, see how they are, but in any event, as I say, I am not a lawyer. There are enough of them in the room at the moment.

But, anyway, I will be supporting the five years. I think that is even too generous but clearly the tone of the room is not to try anything less than that. So I will be supporting that amendment. Thank you.

2315

The Deputy Bailiff: Deputy Oliver.

Deputy Oliver: Thank you.

I just rise to say that I will be supporting this amendment. In the last five years it has taken the
2320 IT guys less time to build an automated car than it takes for us to sort out the rectories. It is just unbelievable to me, I just cannot understand why we cannot move quicker, and this is a prime example. Five years is a good allotted time to sort something out for this and for consultation to be taken. At the end of the day, this makes the IDP team look like it is working very fast.

Thank you.

2325

The Deputy Bailiff: Deputy Aldwell.

Deputy Aldwell: I am just going to make a quick point and my point is that in 2019, all of the parishes, bar the Vale, wrote to P&R and asked that it was five years. All of the parishes asked in
2330 2019 and we are 2025 now, so I know the parishes do or did support five years.

Thank you.

The Deputy Bailiff: Does anybody else wish to speak on this amendment? So in that case, I will turn to Deputy Le Tocq to reply on behalf of P&R.

2335

Deputy Le Tocq: Thank you, madam.

I can be brief, but just to pick up on a point that Deputy Mahoney made before, and I certainly do not disagree with him or certainly sympathise with him with some of the feelings that he expressed. But just one point, and the learned Procureur can correct me if I am wrong, but the issue
2340 if people did want to take up an issue, it would be with the parishes, not with the States. So it would not be us defending it, it would be the parishes.

On that basis, it is, madam, down to obviously individuals to decide in terms of this amendment what they consider to be a reasonable compromise. Members will know I am always looking for consensus and trying to find agreement between people, which often means that I settle for something that I would not go for. Here, the complexities, as has been indicated by some who have
2345 spoken, are not just the black and white issues that seem to be before us. If they were that, then we would not be where we are.

It is because each individual parish does have slightly different arrangements existing now, both in terms of whether it has a rector or shares a rector and the property that it owns and the way in which that is upkept. It will take some time to find out, as Deputy Brouard has alluded to, what each individual parish wishes to do, before we can say completely this will be the arrangement in the
2350 future.

2355 On that basis, the majority of my committee certainly agree that 10 years is very reasonable and that is why we voted for that, virtually, nearly unanimously in this Assembly. We should settle for that and move on.

The Deputy Bailiff: Deputy Le Tissier.

2360 **Deputy Le Tissier:** Thank you, ma'am.

Short debate, great. I thought it was going to be even shorter when we heard the guillotine.

Deputy Matthews; yes, some Deputies did want less than 10 years and some in the last week or so have told me they do want five because 10 seems a long time.

2365 Deputy Gollop, I think he made the same points as Deputy Matthews. He referred to the historic PERRC that houses were needed for bishops. Sorry, the size of houses had to allow for bishops to come and stay. I am not sure if that happens these days and rectors and the clergy in general had more status in the past. There are lots of other places that people can go to now for assistance. They do not necessarily go to the local clergy.

2370 Deputy Inder, five to 10 years, he queried with HM Procureur and the human rights, and I think the Procureur said that if we leave it 10 years people will forget. That is very true because it is doubtful anyone more than a couple of people here will be in the States in the term after next. Maybe they will. Who knows? I will not. So five years is sensible according to Deputy Inder.

Deputy Brouard, he prefers the 10. Well, that is fine. That is his view. But he is correct in saying that, without any amendment being passed, it is very difficult to negotiate. So we need something. We have got Amendment 1, but I am suggesting that five is better.

2375 Deputy Trott made a comment on the original policy letter. It is not really relevant to this amendment.

2380 Then Deputy Mahoney maintains that we are making a mountain out of a molehill. Yes, we are. Absolutely. This is why we cannot get things done because we are too risk averse. Five years is a long term anyway. If you cannot get something done in five years, as he said, then something is wrong somewhere.

Then, finally, he mentioned human rights. It is like health and safety. If you have got no other argument, you will bring up human rights. Very few cases go through. That risk is overthought.

Deputy Oliver, thank you. You are supporting my amendment for five years. It is ironic that I have been criticising how long it takes to change the IDP and this will be even slower.

2385 Deputy Aldwell, she is correct. The Douzaines did write to P&R all those years ago in 2019. Obviously, it has been forgotten about. Even now, even the last couple of weeks, three weeks, the Douzaines have been saying, 'Yes, we want five.' Deputy Le Tocq summed up for P&R.

So, with that, I would say, please, can we go to the vote? I am hoping for five years. But, if I fail, then 10 years is better than nothing.

2390 Thank you, ma'am.

The Deputy Bailiff: Thank you, Deputy Le Tissier.

With your permission, I will ask the States' Greffier to open the voting on Amendment 3.

2395 *There was a recorded vote.*

Amendment 3.

Carried – Pour 26, Contre 12, Ne vote pas 0, Did not vote 2, Absent 0

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Brouard, Al	None	Hill, Edward	None
Blin, Chris	Burford, Yvonne		Snowdon, Alexander	
Bury, Tina	Dyke, John			
Cameron, Andy	Falla, Steve			
de Lisle, David	Ferbrache, Peter			

de Sausmarez, Lindsay
Dudley-Owen, Andrea
Fairclough, Simon
Gabriel, Adrian
Haskins, Sam
Helyar, Mark
Inder, Neil
Kazantseva-Miller, Sasha
Le Tissier, Chris
Leadbeater, Marc
Mahoney, David
McKenna, Liam
Meerveld, Carl
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Prow, Robert
Queripel, Lester
Roffey, Peter
St Pier, Gavin
Taylor, Andrew

Gollop, John
Le Tocq, Jonathan
Matthews, Aidan
Moakes, Nick
Soulsby, Heidi
Trott, Lyndon
Vermeulen, Simon

2400

The Deputy Bailiff: In relation to Amendment 3, there voted pour 26; contre 12; and 2 Members were not in the Chamber at the time of the vote. I therefore declare that Amendment 3 has been passed.

Deputy Gollop, are you still going to lay Amendment 2?

2405

[Amendment 2.](#)

1. Immediately following Proposition 1, to insert the following proposition:

"1A To resolve in principle that the customary law obligation requiring parishes to provide rectory accommodation for Rectors should be repealed, and to direct the next Policy & Resources Committee to:

- i. Undertake consultation with affected stakeholders, including Rectors and the Church of England, to assess the legal, financial, and practical implications of repeal;*
- ii. Conduct a full review of the legal and financial consequences of removing this obligation, including compliance with Article 1, Protocol 1 of the European Convention on Human Rights (ECHR), the potential need for compensation, and the impact on parishes and the Church; and*
- iii. Return to the States by December 2026 with either a detailed Projet de Loi to repeal the obligation or further policy proposals."*

Deputy Gollop: I will lay it, but if the States choose not to debate it, I understand.

2410

But I need to make a few points. One can see the direction of travel here. But there are a few points that should be made. Because the amendment seeks to establish a resolution in principle that the customary law obligation for parishes to provide rectory accommodation should be repealed. While the original proposition focuses on the narrow issue of rectory maintenance and plurality arrangements, this amendment addresses the broader issue.

2415

The Committee initially considered drafting an amendment, although this is not necessarily a Committee amendment, it was drawn up by officers and people in the Committee, drafting an amendment to repeal the customary law duly outright. But following legal advice and indeed contemplation, we determined that further work is required before such a change can be enacted. The advice highlighted potential legal risks, including compliance with the European Convention on Human Rights.

2420

I may come back to human rights later today on another issue. But I would say at this point, it is funny, Deputy Le Tissier said human rights cases rarely happen, and when they do they are not very material. But, funnily enough, we had to redraft all our housing Laws and create the population

management regime because of some human rights cases, Deputy Ferbrache may recall. But, anyway, leave that aside.

2425 Financial implications and the need for consultation with key stakeholders, including rectors and the Church of England. By resolving the principle to repeal the obligation and directing the next P&R Committee to conduct the necessary consultation and analysis, this amendment provides a clear policy direction while ensuring that the legal and financial risks are properly managed. This approach balances the need for reform and the importance of due process, stakeholder engagement and legal certainty.

2430 When do I put it? When we clearly had two amendments in succession? One is this amendment is more acceptable to thinkers, including those for the Church of England, and perhaps people who they work with outside of this Island. We have to bear in mind that some of us have had information that the Diocese of Salisbury is not necessarily in a position to make significant financial changes at the present time.

2435 But what is the advantage over this, over Members' clear desire to go for a five-year deadline? My point of view would, first of all, the Procureur gave a very effective response to my question, and she did stress that there would indeed need to be consultation and that consultation could take place within five years.

2440 But what this does is it guarantees consultation of affected stakeholders. It is being seen to do the right thing, including rectors in the Church of England, and I have reason to believe there may be at least one rector who would be affected by what amounts, it is not an eviction, but by a change in circumstances. Yes, Deputy Leadbeater had a point that not everybody lives in a five or six-bedroomed house, but of course there are risks and issues attached with older properties. Yes, I did not mean to imply that anyone on £29,000 or £30,000 a year could not or should not pay rent.

2445 My point was that the contractual obligation they are employed on now does not include the obligation to pay rent, and people usually of their standing and qualifications would be likely to have a higher salary. Indeed, maybe Deputy Aldwell has made many suggestions, useful ones, about parishes giving the church the cost of maintenance or paying rent, and maybe there should be an uptake in ministers' pay, where appropriate, reorganising the church. But that takes time, and it needs consultation to look through any of the implications, some of which go back hundreds of years.

2450 It also says to conduct a full review of the legal and financial consequences of removing this obligation. But to me the point that sells this amendment more than the other two is the third point. Return to the States next term, hopefully Deputy Le Tissier and me might be there next term, but who knows. But by December 2026, that is just over 18 months away, not five years, not 10 years, not forever, with either a detailed Projet de Loi, so we are guaranteeing a law in a speedy way, relatively speedy by the standards of the Church of England perhaps, to appeal the obligation or further policy proposals.

Effectively, that would give the next Assembly –

2460

Deputy Brouard: A point of correction.

The Deputy Bailiff: Yes, Deputy Brouard.

2465 **Deputy Brouard:** I do not see how Deputy Gollop can guarantee that there will be a Projet de Loi in 18 months' time from the new States.

The Deputy Bailiff: I do not think that is a valid point of correction, Deputy Brouard.

2470 **Deputy Gollop:** I thank you, Madam Deputy Bailiff.

Because, no, I am not guaranteeing it. What I am saying is I do not think either of the two successful amendments, and of course Deputy Brouard has now lost his amendment, as I understand it, because the Propositions are now on Deputy Le Tissier's lines, but their

2475 amendments, useful though they may have been, did not guarantee a change with a law potentially as early as the new year of 2027. So that is a speed-up.

For those parishes who would like to see action within three years, I would say this is a superior choice. If it was not possible for some arcane legal or other reason, Policy & Resources would bring back further policy proposals. So, if this is passed, it guarantees action, well, as much as you can guarantee anything by resolution in this Assembly, within two years. It also guarantees the next
2480 Assembly will debate it and hopefully it guarantees that the parishes who want to renegotiate this or go into a new realm would be able to do that quicker than what we have just voted for. So I lay the amendment.

Thank you.

2485 **The Deputy Bailiff:** Deputy Le Tocq, do you formally second this?

Deputy Le Tocq: No, madam.

The Deputy Bailiff: Is anybody prepared to formally second Deputy Gollop's amendment?
2490 Thank you, Deputy Dyke.

Deputy Inder: Can I ask three procedural motions, ma'am?

The Deputy Bailiff: Just do one, and then we will deal with that, and then we will go to two.
2495

Deputy Inder: First, I would like to test whether it goes further than the Propositions.

The Deputy Bailiff: Deputy Inder has invoked Rule 24(6), an amendment which goes further than the original Proposition shall not be called out of order, but will not be debated if supported by a majority of Members voting on the motion. So those who support Deputy Inder's motion that
2500 this should not be debated, please say *pour*. Those against, please say *contre*.

Members voted Pour.

2505 **The Deputy Bailiff:** There was a lack of enthusiasm from the *contre*, but I still think that the *pours* won that, Deputy Gollop. So that is it. Debate is curtailed and there will be no vote on that motion.

So we will now turn to general debate. Who wishes to speak in general debate?

2510 **Deputy Inder:** Then I will try for 26(1), ma'am.

The Deputy Bailiff: Deputy Inder is seeking a motion to guillotine the debate on the general debate of this proposition. Who still wishes to speak in debate?

Do you still wish me to put it to the vote, Deputy Inder?

2515 **Deputy Inder:** Yes, ma'am.

The Deputy Bailiff: We will do it *aux voix* first. Those who consider that this debate should be guillotined, say *pour*. Those against, I declare that that motion has been passed.
2520

Members voted Pour.

The Deputy Bailiff: Deputy Le Tocq, do you wish to say anything further?

2525 **Deputy Le Tocq:** No, thank you, madam.

The Deputy Bailiff: Therefore, we will go straight to the vote on the amended Proposition, which is before you now. Would you open the voting, please?

2530 *There was a recorded vote.*

Carried – Pour 34, Contre 1, Ne vote pas 2, Did not vote 3, Absent 0

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

2535 **The Deputy Bailiff:** The vote is in relation to the amended Proposition, pour 34, contre 1, there were 2 abstentions, and 3 Members were not in the Chamber at the time of the vote. I therefore declare the Proposition passed as amended.

POLICY & RESOURCES COMMITTEE

7. Register of Beneficial Ownership - Access by Obligated Entities with those with Legitimate Interest- Proposition Carried

The States are asked to decide whether, after consideration of the policy letter entitled "Registers of Beneficial Ownership - Access by Obligated Entities and those with a Legitimate Interest" dated 25th February, 2024 they are of the opinion:-

1. To agree that obliged entities should be granted certain access to Guernsey's register of beneficial ownership in line with the EU's Fifth Anti-Money Laundering Directive.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.
3. To direct the Policy Resources Committee to develop proposals to be brought back before the States once the EU's Sixth Anti-Money Laundering Directive has been implemented in respect of access to beneficial ownership for those with a legitimate interest, after consultation with industry and with due regard for international standards.

2540 **The States' Greffier:** Article 7, Policy & Resources Committee – Register of Beneficial Ownership, Access by Obligated Entities and Those with Legitimate Interest.

The Deputy Bailiff: Deputy Trott.

Deputy Trott: Madam, thank you.

2545 Madam, Guernsey has long played a leading role with its approach to the transparency of beneficial ownership information. The Island's approach to regulating trust and company service providers since the year 2000 is exemplary and was pioneering. (**A Member:** Hear, hear) The robust approach we take for verification and know-your-customer due diligence, as well as the rigorous approach for company formation, means that we stand out positively above, not just our peers, but
2550 also most of the G20 countries.

This, coupled with our effective register of beneficial ownership, means that the authorities that fight financial crime can be confident in our data. The data that we collect and store can only be accessed for specific purposes, such as that for the fight against financial crime, both locally and globally. Our recent Moneyval assessment expressly commends the Bailiwick's approach to
2555 beneficial ownership transparency. The Bailiwick needs to continue to evolve with the relevant international standards, regional EU standards and global norms in respect of beneficial ownership transparency.

Guernsey continues to contribute to the development of these global and regional standards. This requires a robust stance that strongly deters nefarious actors, balanced with sensitivity to the rights of individuals who invest through Guernsey for all the right reasons.
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This policy letter is the next stage in the evolution of beneficial ownership transparency. There are two steps which the Policy & Resources Committee committed to bringing to the States when it made a public commitment in December 2023. The first step was to allow access for obliged entities and certain regulated entities for due diligence purposes. That is covered in the first part of the policy letter.
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At the core of that first Proposition about obliged entities is the need to ensure that Guernsey remains in alignment with the other Crown Dependencies and the EU. The proposed legislation has been prepared. It is ready to be considered at the next States' meeting at the end of this month. I am grateful to you, madam, and indeed the Bailiff, for agreeing to allow the legislation to follow slightly earlier than might normally be the case. This pace means that we can fulfil what has already been publicly stated and to honour a particular political commitment to the UK Government.
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The next step will be to move towards allowing those with a legitimate interest to access information from the Register. This is an area of active policy and legislative development in the EU. All three Crown Dependencies are proposing to follow the same model and move with synchronicity. However, the EU is still defining how that access can work for information held on Member States' registers of beneficial ownership. The intention is that Guernsey and the other Crown Dependencies will then build a version of beneficial ownership information access for those with legitimate interests that can work in the Crown Dependency context.
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The EU is working on this now with a view to implement their legitimate interest access by July 2026. So that is the summer of next year. So the policy letter is asking the States to direct the Policy
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& Resources Committee to develop proposals for Guernsey and to return to the States in good time for it to be implemented.

2585 The policy letter stops short of seeking to move to a fully public register of beneficial ownership. Now, madam, the UK has a public register. Its Government has made clear its wish to see public registers as a global norm in other jurisdictions across the world, which includes, but is not limited to, the Crown Dependencies and overseas territories. However, following a Court of Justice of the European Union ruling in 2022, public registers were held to be incompatible with the right to privacy. This has caused a general retreat from the concept of public registers of beneficial ownership. There is a clear read-across between the EU Court judgment and the jurisprudence of
2590 the European Court of Human Rights.

Madam, if I were having to present proposals for a public register of beneficial ownership today, I would have to explain how such a policy should be considered unlawful and that the States should not expect a successful legal challenge. Such is the clarity of this read-across.

2595 Doing that would act against how this Parliament views its commitment to human rights as well as its public duty to act lawfully. However, the EU Court did make clear that access for people who have a genuine legitimate interest, such as those that have a role in fighting financial crime, is permissible and lawful. These categories would include specialist media and civil society groups like non-governmental organisations who have a particular role in fighting financial crime. I make this point clear, who have a particular role in fighting financial crime.

2600 How this will work in practice is what the EU and the CDs need to work out next. I have discussed personally this matter with the UK Security Minister, Dan Jarvis MP, and the Minister with responsibility for the relationship between the UK and Crown Dependencies Governments, Lord Ponsonby from the Ministry of Justice. We have engaged with other MPs and with NGOs on the proposal to move to legitimate interest access. We have also discussed it with some EU Member
2605 States who are grappling with the same policy issues.

The propositions in this policy letter move Guernsey to a stronger position in regard to the UK Government's view on access to information held on registers of beneficial ownership. It is important we keep our momentum to meet our previous political commitments. The propositions in this policy letter are a way to meet those commitments and to demonstrate that we are doing
2610 so.

Madam, I urge Members of this Assembly to give these propositions their full support and, by doing so, to send a message to those who unreasonably and unjustifiably criticise this Island and to those who seek to put undue pressure on the Island to adopt a policy that offends people's rights. It offends people's rights if we do not do it this way.

2615 Those who criticise or pressure Guernsey in such a way should divert their ire elsewhere to those that do not meet our high standards. (**A Member:** Hear, hear.) Those who are at the core of the problem. (**A Member:** Hear, hear.) Put simply, madam, Guernsey is at the forefront of fighting financial crime, including by the sharing of beneficial ownership information with law enforcement and tax authorities here, in the UK and elsewhere. We can be and are rightly proud of that and we
2620 will continue to do so. (**A Member:** Hear, hear.)

The truth is, madam, we are the good guys. What we need are for others to do as we do, rather than expect us to simply do as they say.

A Member: Hear, hear.

2625

The Deputy Bailiff: Deputy Falla.

Deputy Falla: Thank you, madam.

2630 Notwithstanding the Court of Justice ruling, I am interested to know whether the President of P&R thinks it is likely that at some point the UK will force us to adopt public registers.

Thank you.

The Deputy Bailiff: Deputy Mahoney.

2635 **Deputy Mahoney:** Thank you, madam.

I agree entirely with a lot of what Deputy Trott just said. Our KYC regime in Guernsey is probably second to none, a point backed up by the Moneyval evaluation recently, even with, of course, our evolving strictness on those. It is an eight-year, 10-year cycle that they are on. We were told that, in fact, what people had to pass to get a pass now is nothing like it was 10 years ago. It is always
2640 evolving and it is much harder now than for those jurisdictions that got their pass 10 years ago, eight years ago, whatever the number is. So that just backs up that our regime really is second to none, so I entirely agree with that.

I also agree with Deputy Trott when he says this is not the place where you come to launder money. If you really want to do that, in fact London should be looking much closer at itself, and indeed New York, or of course Delaware, which has no registers, no nothing, pretty much do what you want and no one is probably going to find out about it. That is not advice for people, by the way, that want to do it, but it is available to you if you want it.

But I have some issues with some of these things. As everyone knows, until fairly recently, I was managing director of a licensed fiduciary, a corporate services provider on the Island, so I have
2650 some skin in this game, or had some skin in this game. Really this comes down to a couple of things. We were talking about the obliged entities and those with a legitimate interest. Now they are defined in the policy letter. Obligated access, access to the register, which is what we are talking about, to conduct customer due diligence, blah, blah, blah.

But legitimate interest access, this is what worries me about this. Access by certain groups which
2655 can demonstrate a legitimate interest, there is no then definition of what that means, how do I demonstrate, by what means, to whom, and what constitutes a legitimate interest. In accessing relevant information in order to combat financial crime, not for any other reason it does not say, it says to combat financial crime, I fully understand why we would want to do that. But the worrying bit, those groups could include groups conducting business transactions, that is very loose, civil
2660 society, journalists, and law enforcement, and then somewhat bizarrely, perhaps he could expand on it, higher education. I am not sure who from higher education will be looking to combat financial crime, but anyway.

The journalists particularly of course, given that there is no detail on what constitutes a legitimate interest and what does a journalist mean? Because that means dave.com investigative journalist,
2665 and I would like to know the comings and goings of Deputy Haskins, so I say I think he is a crim, and which I do not for the record, and I decide that I want to investigate him. I can say that is why I think anybody is it, and I have got dave.com, you can see I am a journalist, I have got a nice big web page there. Where is the safety net? Who is the gatekeeper to this? I am assuming it is going to be the Registrar, but there is nothing in here to say that. What does 'journalist' mean? I have
2670 concerns over that.

Deputy Trott, I was going to mention the private life, right to a private life, the European courts, they binned this, which did throw a whole lot of spokes in the wheels, which to my mind was running away with itself, so that was not a bad decision as far as I am concerned.

Clause 5.1 says:

2675 For the reasons outlined above, it is necessary now to provide access to beneficial ownership information about Guernsey legal persons for obliged entities.

But the only reason I can see outlined above is pretty much in the paragraph preceding that, which says there is an increased risk of the Island being defined by the EU as a non-co-operative jurisdiction. That is over-egging the pudding somewhat, to then put through what is a fairly
2680 draconian change ahead of others. To me, it does not pass my smell test, sniff test, that we should be doing this.

It does go on to say in 5.2:

Assuming the notification has been validly made ...

2685 But again what does that mean? How do I validly make an application, a notification:

Then the Registrar will provide the obliged entity in question with details about beneficial ownership of the legal person concerned.

2690 Now, bearing in mind that interested person with a legitimate interest might be a journalist, someone from higher education, I do not know what that means. If Deputy Trott or somebody could give me clarity on what civil society means as well, that would be useful. Does that mean just anyone that decides that they are investigating something that they feel might be a money laundering or financial crime risk?

2695 Financial crime, that covers so many sins, again it is incredibly broad. I have a bunch of concerns. It may be that he can comfort me when he sums up about all of those things, which would be great, but I am not sure. There is a lot to me here which is up in the air and 'to be decided', but for something like this, as ever, the devil is in the detail to me and right now I do not see enough of that detail.

2700 So currently I will not be supporting this, but I do sit to be convinced as to why I should, but currently I am afraid I do not.

The Deputy Bailiff: Deputy Dyke.

2705 **Deputy Dyke:** Just to recap for everyone, there are two issues here. Making information available to obliged entities, which, for example, if you are opening a bank account at HSBC, they are obliged to check you out so they can go and check the register. That is one thing. The Law covering that has been through the legislation scrutiny panel and is with us on a separate paper here. That was discussed at some length. So that is one thing.

2710 The extending it to people with a legitimate interest is something completely different. I do not think, and I stand to be corrected, I have checked out the US, that there is any such thing anywhere in the world as yet. The ECJ, which is not strictly binding on us, but it was applying the same principles as the ECHR, which is the human rights, prevented Luxembourg from opening up its registers to the public on the basis that it breached a very important right to privacy. Therefore, Luxembourg was stopped.

2715 The EU has not, to my knowledge, at all come to a conclusion that we should have public registers. Deputy Mahoney has described what this legitimate interest has been defined as, which is basically a totally public register. It is difficult to see, if the *Guardian* and Oxfam and all these people that want to look into people's private lives can go into the register, it is a public register.

2720 So, at the moment, that particular part of it, I find objectionable in the extreme. What the Channel Islands have signed up to, as I understand it, that we will keep pace with the international standards. Well, the EU have not come up with anything. Given the nature of the governments around the EU, I am not sure they are going to. As I say, the US definitely does not. They have only just brought in a private federal register whereby companies have to provide the Federal Government with the beneficial ownership of the companies. But that is not a public register at all, by any means. That is held up in the Supreme Court because they are not as everything else is in America.

2725 So I am not aware that anyone in the world is doing this. What I believe is happening is that we have got a couple of MPs in the UK who are trying to force us into this. There is a dreadful Conservative one and there are a few Labour ones.

The Deputy Bailiff: Deputy Dyke, please be careful of obviously --

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Deputy Dyke: Yes, sorry, ma'am, but they are just so infuriating. (*Laughter*) So where I think we should go on this is that the legislation that has been drafted for opening up the register to obliged

entities, that is not an unreasonable thing to do. But to go on with this virtually public register, I just do not think we should do it now.

2735 So we have got the three Propositions, 1, 2 and 3. So 3, I am definitely not voting for until we have seen more about international standards going in this direction. I do not think they are going to, to be honest.

Thank you.

2740 **The Deputy Bailiff:** Deputy Prow.

Deputy Prow: Thank you, madam.

2745 Yes, I listened carefully to the comments that were made by Deputy Mahoney and Deputy Dyke. But I, for one, will be supporting the policy letter. Those two Deputies have raised concerns, but as I see the Propositions, what we have been asked to agree today is to agree that the obliged entities, which I do not think either of those two Deputies had any difficulty with, should be granted access to Guernsey's registered beneficial ownership in line with the EU's Fifth Anti-Money Laundering Directive. I completely endorse that and I thank the President of P&R for his very clear opening speech.

2750 The second Proposition is to direct the preparation of such legislation as may be necessary to give effect to the above decision. So that seems quite clear.

2755 Now, if you look at Proposition 3, what we are being asked to agree today, which I do support, while I do hear the concerns that have been raised, to direct the Policy & Resources Committee to develop proposals to be brought back before the States once the EU's Sixth Anti-Money Laundering Directive has been implemented in respect of access to the beneficial ownership for those with legitimate interests, after consultation with industry and with due regard for international standards. That gives me the comfort to allow P&R to progress.

2760 There are, flagged in the policy letter, very clear challenges that we would face if we do not take that course of action, not least that the three Crown Dependencies appear to be in lockstep with regard to how we approach this. So, madam, I would urge the Assembly to support the three propositions.

Thank you, madam.

2765 **The Deputy Bailiff:** Deputy Ferbrache.

Deputy Ferbrache: I thought the opening of Deputy Trott was excellent. He set the matter out rightly. There is one sentence that he used, which I would like to go well beyond these shores. We are the good guys. This is a clean jurisdiction. Ever since I have been an Advocate, and that was before the 1987 Law which set up the Guernsey Financial Services Commission, the standards have been high. They have got higher over the years in the sense that more regulation takes place.

2770 Deputy Prow made the point in relation to Proposition or Resolution 3, which is that we are only going to be doing the second part once that EU Directive has come through. So it is not a matter of taking the lead and running a sprint when we are probably in for a marathon.

2775 Now, I know from when I sat in the chair that Deputy Trott now sits, and ably assisted by Deputy Helyar, that we were under constant pressure from the British Government to have a public open register, a constant pressure. Thankfully, the three Crown Dependencies were resolute then, and they are clearly resolute now. They are in tandem, they were in tandem up to then, and I understand from Deputy Trott that is the position now.

2780 But what I was told, and, madam, I fully accept what you said in relation to Deputy Dyke and I think he was not thinking of this anyway. I can remember talking to Minister Tugendhat in the Conservative regime, and they were telling us in the loudest and clearest terms they wanted an open beneficial register. We were telling them in their clearest terms that would break the constitutional provisions between them and the Crown Dependencies, and we were not having it.

2785 Not because we have got anything to hide, because if you had an open beneficial register at the moment, that would be abused. People's privacy would be affected.

Now, I can go back to the days when I first came back, and you had to have seven shareholders in a Guernsey company. My firm used to form 10, 15, 20 companies a week, and the clerks used to get paid £1 each to be on the seven registers. Nick Van Leeuwen and Roger Perry used to go around at the end of the week and give them £10 or £15, or whatever the money was, quite lawfully. Then
2790 of course that has changed over the time. But there are people who would be frightened if their beneficial ownership was disclosed willy-nilly, ad hoc, because they are entitled to their right to privacy.

Now, Minister Tugendhat said that the British Government at the time, and it may have changed, and I fully accept that Deputy Trott, if he wants to comment upon that when he responds, can, or it
2795 may be that it is a matter he does not think is relevant. But we have now got a Labour Government, and that was a Tory Government. But Minister Tugendhat said they were not necessarily going to follow the 2022 European Court decision, that they did not necessarily think it was right, and they might do something different.

Well, they have become besieged with other matters at the moment and we have had a change
2800 of regime. But that said, I very much doubt that the Labour Government will be any less determined than the Tory Government was, seemingly was, just 16 or 17 months ago. So this has not gone away, it is a matter of a staging post. So this is reasonable, this is a well-thought-out, balanced policy letter, and we would be seen to be an outrider if we did not, in my respectful view, follow the provisions, madam, of this policy letter. Because we have to continue to show that we are, to use
2805 Deputy Trott's apposite phrase, the good guys. We are the good guys, but there is a lot of people out there that think that we are not.

Deputy Mahoney was absolutely right when he mentioned Delaware, where there are not any rules. There are not any rules, they just make it up. But remember, if President Trump sneezes, everybody else coughs. So we have got to realise that that is the world that we are living in. But I do
2810 commend both the policy letter and the able address of Deputy Trott.

The Deputy Bailiff: Deputy Helyar.

Deputy Helyar: Thank you, madam.

2815 I do have some sympathy with some of the comments Deputy Mahoney made. I have been involved, as Deputy Ferbrache said, in some of these conversations with Ministers in the UK. One of the points that I made very strongly, and I know has been made repeatedly, and I am sure Deputy Trott has made the same assertion in the conversations that we had, is that Guernsey has been regulating its fiduciary sector now for 25 years. Those who maintain these registers on behalf
2820 of clients have been required to collect this information and have it accurate or face criminal penalties, and many people have been prosecuted for it, for not doing the administration of that information correctly.

What is on the register in the UK, no idea whatsoever whether any of it is true. It does not get checked, it does not get inspected. There is nobody looking through that information to verify that
2825 it is correct, and that is a fundamental difference in the way that Guernsey does things than most onshore jurisdictions, and that does need to be very much taken into account.

The one thing I would say, the devil will be in the detail here, so what comes back is what is important, and there is an undertaking about consultation. But it says in here that the groups for legitimate interest will have to demonstrate a legitimate interest in accessing information in order
2830 to combat financial crime. As Deputy Mahoney says, it goes on to include journalists in that.

It is not journalists' jobs to combat financial crime, that is the agencies responsible for investigating and prosecuting it, and there is legislation in Guernsey, the Disclosure Law of 2007. If you have a reasonable suspicion that somebody is involved in financial crime, you are, even if you are a member of the public, required to report it. So I would like to see the hurdle for that legitimate
2835 interest is there being sufficient information capable of leading to a report, and that a report is

made to the FIU if that information is accessed, because otherwise people are going to go on fishing expeditions here for information that is otherwise private; not secret, but private, and private for a reason. It is a cornerstone of our industry that we maintain that privacy, and I would like to see a significant hurdle put in place to ensure that we do not have that kind of fishing.

2840 Thank you.

The Deputy Bailiff: Deputy Inder.

2845 **Deputy Inder:** Just briefly, I am sorry if I tried to interrupt Deputy Helyar, but I was going to hopefully add that it is worth mentioning to Members that the quality of our data, the beneficial ownership was made mention at the Moneyval. In fact, we were complimented for the quality of all of our data, so it is in a good place, and most of the phrases used already, things like our beneficial ownership registry is private, it is not secret, that is really quite important.

2850 Most of the points of argument have been made basically by Deputy Prow, certainly a good opener by Deputy Trott, and of course it is right, we are the good guys, Deputy Mahoney said that we are second to none.

But just to try and help Deputy Mahoney, potentially Deputy Dyke as well. As Deputy Prow mentioned, the first thing we will be doing will be agreeing the obliged entities and making the legislation to get that out of the way, so there does not appear to be any issue there.

2855 I will be supporting Proposition 3, but could I just ask Deputy Trott if he would speak to the concerns raised, such as things like higher education and journalists, and could he assure Members that, through that consultation, that the reflection of the concerns made in this Assembly will be at least passed on to that consultative group, because that higher education does stand out a little bit to me, as does the word 'journalist'. It could look a little bit like a fishing exercise.

2860 But, in short, through you, ma'am, I will be supporting all propositions even if Deputy Trott does not assure me, which I am sure he will anyway.

The Deputy Bailiff: Deputy Dudley-Owen.

2865 **Deputy Dudley-Owen:** Thank you ma'am.

I have spoken many times before in the Chamber over the years about my concern related to the activities of organisations which report to be charitable in their endeavours, but seeking merely to peddle mistruths about our jurisdiction and seeking to significantly disrupt our well-regulated activities. The concern here is absolutely proportionate, where we see NGOs, journalists and academics are going to be granted potentially access to these registers, which I view as a safeguarding matter, and I would encourage others to see this through the lens of safeguarding clients' privacy.

2870 All I wanted to do was to really put my voice with the others to seek assurance from the President of the Policy & Resources Committee, because I am very interested to know what the filtration process is going to be in NGOs coming forward. There is a particular NGO which seeks to disrupt our activities, and how will they meet the benchmark of criteria to be allowed access or not. I understand from Deputy Trott that he anticipates this legislation coming to the Assembly before the end of term, I do not know if I was correct, and therefore there must be an idea about what that criteria would be already.

2880 So the Assembly does need that reassurance, because I personally cannot envisage a situation at this time that I would be endorsing completely open registers, and given the disruption and issues caused for the jurisdiction from the challenges, and unwarranted challenges, from some organisations, some journalists and some academics in this area, we have a right to be concerned about this, and I would seek the reassurance from the Chief Minister.

2885 Thank you.

The Deputy Bailiff: Deputy Kazantseva-Miller.

2890 **Deputy Kazantseva-Miller:** Madam, as Deputy Trott very well outlined, Guernsey has been a very strong co-operative jurisdiction in relation to combating money laundering, terrorist financing, etc. We have passed the Moneyval inspection with practically flying colours.

Being a co-operative jurisdiction, we want to work with jurisdictions that are important to us in developing our economy on a co-operative basis. I want to refer Members to paragraph 6.7, which very much addresses that point:

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The ability to develop a regime which can further enhance the Bailiwick AML/CFT/CFP regime in line with EU standards may be beneficial in future. This may include any requirements imposed by the EU's Code of Conduct Group on Business Taxation in its desire to develop a criterion on beneficial ownership transparency as part of the third country listing process. Appropriate changes to access to information on Guernsey's beneficial ownership register may provide a mechanism to ensure the Bailiwick remains off the EU tax co-operation blacklist or 'greylist'. Such standards may go beyond the OECD transparency and FATF standards, but may be in the Bailiwick's economic interest due to the potential adverse impact of blacklisting

So, as a co-operative jurisdiction, we want to be working very closely with the EU as a very important trade partner for us in developing appropriate standards.

2900 I think what is important to outline at the same time is that, in relation to potentially enabling access to beneficial ownership information by those with the legitimate interest, which is in relation to Proposition 3, there still remains quite a lot of work to be completed at EU level about what this would look like. I refer Members on page 12 to the footnote 14, which outlines the following:

In order to limit interferences with the right to respect for private life and to protection of personal data, access to beneficial ownership information held in central registers by the public should be conditional upon the demonstration of a legitimate interest. Divergent approaches by Member States regarding the verification that such a legitimate interest exists could hamper the harmonised implementation of the AML/CFT framework and the preventive purpose ...

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I think what it clearly indicates that there are divergent views in the EU currently which remain to be resolved. Currently, the timeline for implementation and hopefully finding a way to harmonise the approaches is due to come into effect in July 2026. But we do not know whether that is going to take place. So right now all of the details around the concerns that Members have very legitimately displayed in the debate today, I do not think the EU knows right now what the outcome of those discussions and negotiations will be.

2910

So all of those details, I do not think Deputy Trott will be able to give the assurance to other Deputies, because that work is yet to be done by the EU themselves. Once that is complete, if and when that harmonised framework for legitimate access is developed by EU and implemented, only then, and which is what Proposition 3 says, the Policy & Resources will then develop proposals based on that framework which will be brought to the States. So realistically we are still looking at potentially years until that will take place.

2915

So I would urge the Members to support in full the policy letter. I hear the concerns displayed but the real details behind how that framework for legitimate access will look like is yet to be developed and we, as Crown Dependencies, through our Channel Islands Brussels office, will be taking very active steps in ensuring that the interests of the Channel Islands are taken into account.

2920

Thank you.

The Deputy Bailiff: Deputy Moakes.

2925

Deputy Moakes: Thank you, ma'am.
Can you just pass my glasses up, I cannot read without them.

The Deputy Bailiff: I will not count this towards your time, Deputy Moakes.

2930

Deputy Moakes: That is fine, do not worry, I will be very quick. Sorry about that, I lost my glasses.

A number of excellent speeches so far today. I think Deputy Trott's initial speech was excellent. Deputy Ferbrache, Deputy Helyar and just now Deputy Kazantseva-Miller as well.

2935 Just to reiterate, without going into great detail, because it has already been covered. This policy letter covers two specific steps. Step 1 is obliged entities, which I do not think anybody has any issues with.

Step 2 is legitimate interests. A number of questions have been raised today about that. But let us be very clear, it is very clear in the policy letter number 3:

Direct Policy & Resources Committee to develop proposals to be brought back before the States once the EU's Sixth Anti-Money Laundering Directive has been implemented ...

2940 So to Deputy Kazantseva-Miller's point, there is a way to go here and nothing is going out there until it has been fully consulted with industry and all of these things in the policy letter have been taken into effect. So it will take a while, then it will come back here, as I say, for approval and I am sure people will have questions.

2945 But consultation is always critical and key to these things. Consultation, consultation, consultation, we often say, do we not, and that has almost started today. Some questions have been asked already. Deputy Helyar raised a few points. That is exactly what is required with this type of thing. Testing, asking questions, making points, making sure things are being thought through properly. So I am pleased with that. It is a good start.

2950 I will definitely be voting in favour of this policy letter. So it is approving step 1, as I have said, and it is developing, not approving, step 2. Starting to work on it. We are already compliant with the EU standards. I am not giving way. We have just received a very positive Moneyval assessment which we should be proud of. But we do need to continue to evolve and this is part of that evolution.

Thank you.

2955 **The Deputy Bailiff:** Deputy Gollop.

Deputy Gollop: Deputy Mahoney, as always, made some very interesting and insightful points and he was not alone. I too, when I re-read it, thought to myself about the civil society and the journalists. I understand definitely what Deputy Trott means. They are specialist journalists who have a renowned reputation for forensic analysis perhaps of corruption in the world. They are not hopefully Mr Johnny Gollop from the *Daily Sport* or something like that. No.

2960 I would imagine the higher education refers to the kind of people Deputy Dudley-Owen perhaps alluded to as academics. That is to say, it would not be a student who has got a maverick political view or belongs to radical organisation. It will be professors who are knowledgeable on forensic intelligence.

2965 I do remember some of Deputy Dudley-Owen's many speeches when she was Deputy President of Economic Development in the last term, she made the point that misuse of registers could put people, not just losing their privacy, but being potentially kidnapped, for example, or tracked or stalked or whatever the word is. So her intelligence here is very well met, very well made, and I entirely endorse all these proposals and note Deputy Moakes's nuanced view that we go in stages and we start of course with the obliged entities and we move later to those with legitimate interest.

2970 The obliged entities, we had some feedback from somebody who has been in politics legislation and compliance, who says that we need greater consistency between, I do not know, the register, the GFSC and things. I did not fully understand it. But no doubt that can be analysed and put into practice if needed. I take the point that this is about proportionality as well.

2975 One query that I wondered about was, if you widen legitimate interest to include potentially civil society and journalists, academics, you sometimes find politicians in various countries who have a background in those. Does that mean to say Members of various States' Assemblies would be regarded as legitimate interests? Much as I do support parliamentarians and their research, I am not altogether sure I would like that because some people might have a political agenda. This report

makes clear this is not just about Guernsey's squeaky clean and impeccable reputation for combating crime, which is second to none. A lot of these issues that Deputy Dyke alluded to are politically driven.

2985 But the main reason I stood up is, apart from endorsing the whole thing, is to have a little bit of
a jest because we have heard lots of eminent right-of-centre Members today and people who are
sober perhaps and not interested in radical rights, praising the judgment and its relationship to
European Convention on Human Rights and saying rights did us a favour here and protecting
people's privacy, reference the last debate, we sometimes have human rights as a remark like health
and safety immediately being scorn. Here it has worked perhaps in our interests and other offshore
2990 dependencies and likewise it appears the European Union with its broader and more diverse
approach, as Deputy Kazantseva-Miller mentioned about how some countries are very keen on
privacy, others less so.

They have shown that they are more aligned with our way of thinking and the other Crown
Dependencies than the United Kingdom Government. Therefore we take our friends and supporters
2995 where we can and, in answer to Deputy Falla, well I cannot answer his question, Deputy Trott will
make a better job, but I imagine that, given the evolving situation with international crime,
worldwide developments, and especially human rights and the need to protect people, that the
European Union view will prevail over the UK view. So I would hope that we will not have the political
pressure that Deputy Dyke saw perhaps in the past.

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The Deputy Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, madam, I will be very brief.

I was just standing in relation to something that Deputy Gollop said about it, an email that we
3005 did receive, it really is not relevant to this debate. There are points that were made that have been
looked at but we should put that to one side. It is not relevant to what we are talking about here,
which is access for obliged entities.

I am very happy to support this policy letter. I have spent many years in the finance industry.
I am very proud to have done so in one of the top international finance centres in the world and
3010 the Moneyval inspection showed how good we are and we should be singing that from the rooftops
and not letting those who want to do us down get away with it.

I do thank Deputy Trott for his opening speech. I thought it was excellent. But say that this policy
letter demonstrates our commitment to follow international standards and I ask Members to
support it.

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The Deputy Bailiff: Deputy Le Tocq.

Deputy Le Tocq: Thank you, madam.

Just very briefly, I rise to support this. Obviously it has been a part of my job in different
3020 environments to defend the regulatory system and the information that we allow access to by
appropriate entities to do that in a number of different environments, both in London and in the
EU. I am very proud that we have a system that demonstrates that we are a safe haven for investment
and for business.

Particularly so in that the *Guardian* has recently reported, and backed up by a UK Parliamentary
3025 Select Committee, that recently just 2% of total penalties paid were raised by Companies House in
the UK, a total of £1,250 in fines were recently collected in a corruption crackdown, which
demonstrates to me when others have been saying to us that we should follow the example of the
UK Companies Register, that that is the last thing we want to do and therefore we need to
unanimously support these propositions.

3030 We are moving forward in a sensible way, taking stock of developments elsewhere, and yet
maintaining a robust regulatory and information framework appropriate for the size of jurisdiction
that we are.

3035 **The Deputy Bailiff:** Does anybody else wish to speak in general debate? In that case, I will turn to you, Deputy Trott, to reply.

Deputy Trott: Thank you, madam, which I will do with a great pride.

3040 Because I honestly believe that, if you transcribed every single word of this debate and sent it out globally, it will do two things, (a) it will demonstrate a very strong understanding by this parliamentary Assembly of the matters at hand and the intelligent and authoritative way that every Member who has spoken has done so.

3045 Now, the key theme here for me, and it has been throughout, is that privacy is not a dirty word. It is not a dirty word and the example that I have given, when I have been on the road, not as well I hasten to add as Deputy St Pier did when he kicked off the defence of our regime many years ago when he held the office, or for that matter as well as Deputy Ferbrache did when he took over, but nonetheless I have made a contribution.

3050 What I have said personally is that I have absolutely nothing to hide in my business interests but I do not want my children to know what I am worth. I want them to find their own way in life. As far as I am concerned, my 11-year-old's £20 a week pocket money is already excessive and no need for it to be any further. No, the sensible point here is that one's own interest, privacy is not a dirty word and there are a number of reasons why people require that privacy, and I completely understand that.

3055 Now, moving back to the theme of the questions. Deputy Falla started off by asking really one of the crucial questions in all this and it really comes to the point of self-determination. He asked, 'Will the UK force us to adopt public registers?' The answer is there are four points that are worthy of mention. The first is the relationship between the UK and the overseas territories and separately between the UK and the Crown Dependencies are fundamentally different. The powers of the UK Government to legislate for overseas territories is also different, reflecting the differing constitutional relationships.

3060 But there is an Act of Parliament that requires the UK Government to prepare an Order in Council which would impose the UK model on public registers on the overseas territories. No such Act of Parliament exists for the Crown Dependencies and in fact an amendment to propose a similar clause about the Crown Dependencies was dropped on constitutional grounds. It has been tested. So that very relevant question is dealt with in the knowledge that there is precedent. They cannot legislate on our behalf without our consent and that is extremely important. But Deputy Kazantseva-Miller made a point equally important, which I shall come to in a moment.

3070 I understand completely Deputy Dyke's concerns. They are not dissimilar to mine, but I shall address it later because Deputy Mahoney sensibly asked, and from a position of lengthy experience within the sector, explain legitimate interest. Well, he will remember I am sure that in my opening remarks, let me first of all say legitimate interest is currently defined as access by certain groups, including some media and civil society organisations, who can demonstrate legitimate interests. The key word there is 'demonstrate', in assessing relevant information in order to combat financial crime.

3075 In my opening remarks, I made the point that the EU Court has made clear that access for people who have a genuine legitimate interest such as those that have a role in fighting financial crime is permissible and lawful. These categories would include specialist media and civil society groups, so this would not include the red tops. It might include the group of investigative journalists, but they would have to demonstrate what their legitimate interest was. I made the point because this is relevant, how this will work in practice is what the EU and the CDs need to work out next.

3080 So, I am not able to tell him precisely how it will look, but it is not something that we will work out on our own, but this is not something where we would entertain, let us say, the *Sun* newspaper. I give way, madam.

The Deputy Bailiff: Deputy Dyke.

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Deputy Dyke: I thank the President for giving way and I note the point that Deputy Kazantseva-Miller said that this should be brought back to the States once the EU Sixth Anti-Money Laundering Directive has been drafted. But my question is, how can we know what we are drafting towards now if it is not being drafted by the EU? That is point 1.

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The second point that I should have made and I meant to but perhaps the Chief Minister could comment on that. If we pass this now, and it is already appearing in the press, the message going out to the world and to our clients most importantly is that we are going to have registers open to journalists and media and the public and just about everyone, just short of a public register. So, if we pass this Resolution 3, we send that message out and we potentially lose a lot of business because people value their privacy for many reasons.

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Many wealthy people, particularly in countries like South America, Mexico, Africa, whether at threat of kidnapping, all these things, will not want their affairs made public any more, in fact less so, than Deputy Trott would or I would. So, if we start this now, we are sending out that message. If we start it after we have heard what the EU has got to say, and as I say, I do not know whether they are going to come up with anything or not because they are very disparate governments over there at the moment, then if we do it after that we can know what we are targeting and what we have to do, but we will not have sent out a message today that we are heading in the direction of more or less public registers.

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So perhaps the Chief Minister could comment. It will be in our best interest not to pass 3 now and wait to see what the EU come up with.

3105

Thank you for letting me in.

Deputy Trott: Not at all. No, it is a very valid intervention. Do not forget, we have made commitments to the UK Government and part of this journey is an adherence to those commitments. But I can envisage a time well into the future when we have fully open beneficial ownership registers. I can see that. It is way in the future, I think it is a long way off, but everybody else will not only have beneficial ownership registers that are public, but they will also be populated with accurate information. That is really the key here.

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Deputy Mahoney made reference to where would we choose to do something untoward? Well, London may be such a centre, and that is evidenced by the fact that a gentleman by the name of Michael Mouse, no one is quite sure where he lives, is a director of many hundreds of UK entities, or at least he was. That is one such example.

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Deputy Mahoney made the point that, if we as a regulated person of a corporate service provider, allowed information like that to go forward, we would be at risk of not only having very heavy fines but possibly even a custodial sentence. The standards here are so much higher and they have been for 25 years and the international community knows that.

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So, we will not find ourselves in a position, I genuinely believe this, where we will be at a competitive disadvantage, which is one of the things that Deputy Dyke fears. If anyone at any stage in future wants to know the personal interests of Deputy Dyke, unless he has done something wrong, and that would be a matter then more for the law enforcement agencies than for any snooping journalist, then they would be refused access. I mean that is the point, it is just for legitimate, justifiable access by the specialist media, and not anyone who just wants to pry.

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The EU have made it very clear about privacy; privacy is absolutely a right that we should enforce. But we must not lose sight of our commitments, we are playing or we are not playing, we are very serious, but we are on a journey that requires an awful lot of stakeholders to make decisions which we will consider as to whether they are appropriate or not.

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Now Deputy Prow made a very supportive and knowledgeable speech for which I am grateful. But Deputy Ferbrache echoed a point and it is an important point to make, and that is that we are the good guys and that privacy is not a dirty word. Now, I have personally invited some of our detractors to come to Guernsey, to shadow me for a day or two if they wish, so that they can see exactly what happens at the coalface, how it happens, the veracity of the information that is

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submitted, the various KYC processes that are gone through. I am even willing for them to watch how a suspicious activity report may be raised and how it will go through the system.

3140 Now, these offers have been made face to face with certain of our detractors. I have never heard a word back. There is a reason why we have never heard a word back and that is because they know we are telling the truth and they are playing, in many cases – not all – politics. I have personally not been afraid to tell them and I suspect my predecessors and other Members of this Assembly have done the same.

3145 Next was Deputy Helyar and he made a very valid point about the fact that CSPs have been regulated for 25 years, a point that was made by others. It is really important. The quality of the information rests with those who are administering these entities in a way that you do not see in the UK. They can say whatever they like without fear of a custodial sentence or a massive fine. That is not the case here. So it is so important for service providers that the information they have has the depth and clarity needed.

3150 Deputy Inder said, madam, we were complimented for the quality of our information on beneficial ownership by Moneyval, and he is absolutely right. So the international community scrutinised our regime in great detail and they did not just say it was adequate, they said how good it was. How good it was. It is a tremendous achievement and one that we are all very proud of. It is an inconvenient truth for some who look at us in an unfair way. That is independent scrutiny at its best.

Now, Deputy Kazantseva-Miller emphasised how we are, and it remains in our best interest to remain, a co-operative Member of the international community. That is precisely what we are doing. But there are a lot of details to be hammered out and this journey is far from over.

3160 Now, Deputy Moakes, madam, in another thoughtful speech – but the whole debate has been excellent in my view – touched upon legitimate interests and it is a question that we on P&R have asked many times. It is a concern of Deputy Dyke and others. We believe that the legitimate interest test will provide access purely for the fighting financial crime and that is a priority of this Assembly. We must not lose sight of that.

3165 Access will not be provided for other uses, which would amount to an invasion of someone's privacy. This should continue to complement rather than undermine our reputation for being a well-regulated international financial services centre. It should be positive for our economy rather than undermining it. That is a really positive message about how we are currently and remain at the vanguard of international co-operation.

3170 The difference between us and many other jurisdictions is that legitimate law enforcement can absolutely rely on our information as being accurate, whereas in many other parts of the world it is anything but.

3175 Deputy Le Tocq and others have asked for unanimity on this policy letter. I very much hope we have done enough to persuade both Deputies Dyke and Mahoney in particular – I give way to Deputy Mahoney, ma'am.

The Deputy Bailiff: Deputy Mahoney.

3180 **Deputy Mahoney:** Thank you to the Chief Minister for giving way. It is really just a question, because I sense he was drawing very much for close, a demonstrated legitimate interest, quite right, but has consideration been given or has the decision been made about who will be the gatekeeper for that? Who will I have to demonstrate to? Will that be the Registrar of Companies or P&R or the FIU or a mixture of those people? Has that been decided yet?

The Deputy Bailiff: Deputy Trott.

3185 **Deputy Trott:** It is one of those important details that is ongoing and it could well be that there is a gatekeeper. How that looks and how it is delegated remains to be seen, but it is part of the development on this journey. So if I could give an unequivocal answer I would, but I am not certain

3190 how it will look. But what I do know is it will be the appropriate professionals who will consider these requests without prejudice, but bearing in mind that it must be legitimate and it must be evidenced. A snoopers charter it will not be.

I very much hope that we can reach a unanimity. I think it will send out, as others have said, a very strong message. But, notwithstanding that, it has been an outstandingly good debate and I thank you for it.

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The Deputy Bailiff: On your screens should be the three propositions. Is anybody seeking for them to be separated? No. In that case, States' Greffier, would you open the voting on the three propositions please?

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Deputy Dyke: Ma'am, could you separate out --

The Deputy Bailiff: Deputy Dyke, I addressed the entire Assembly approximately 22 seconds ago. I am afraid the Propositions have already been set as three.

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There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Dyke, John	None	None	None
Blin, Chris	Hill, Edward			
Brouard, Al	Mahoney, David			
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
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				

3210 **The Deputy Bailiff:** The vote in relation to three Propositions: pour 37, contre 3. I therefore declare that the Propositions have been passed.

DEVELOPMENT & PLANNING AUTHORITY

8. Local Planning Brief for the St Peter Port and St Sampson Harbour Action Areas – Proposition Carried

Whether, after consideration of the Policy Letter 'Local Planning Brief for the St Peter Port and St Sampson Harbour Action Areas' submitted by the Development & Planning Authority, they are of the opinion:

1. To adopt the Local Planning Brief for the St Peter Port and St Sampson Harbour Action Areas, as set out in Appendix A to the Policy Letter, comprising the proposals and policies for development in those Harbour Action Areas as published on 17 September 2024 (Appendix F) and as amended in accordance with recommended changes of the Development & Planning Authority set out in Appendix E to the Policy Letter, comprising;

- a. the recommendations of the planning inspector supported by the Authority, and*
- b. the Authority's own recommended changes.*

3215 **The States' Greffier:** Article 8, Development & Planning Authority – Local Planning Brief for the St Peter Port and St Sampson Harbour Action Areas.

The Deputy Bailiff: Deputy Oliver.

3220 **Deputy Oliver:** Thank you, ma'am.

This Local Planning Brief represents an integral element of the States of Guernsey wider aspirations to deliver co-ordinated development along the east coast. The harbour action areas were identified in the Island Development Plan as areas which are critical to the functioning of the Island as a whole and so established a requirement for a Local Planning Brief to be prepared in order to facilitate and support critical uses which take place within these areas and to ensure development comes forward in a co-ordinated and comprehensive manner.

3225 Preparations of the Local Planning Brief have included a detailed desktop primary research which has ensured the policy proposed within the Local Planning Brief have a robust, evidence-based and are aligned with the strategic objectives of the States of Guernsey.

3230 Furthermore, a preparation of the Local Planning Brief also involved considerable amount of stakeholders consultation, including continuous engagement with the Guernsey Development Agency. This has meant that the guidance within the Local Planning Brief is closely aligned with the Guernsey Development Agency's strategic vision of the bridge which was endorsed by the Assembly in December 2024.

3235 Once approved, the Local Planning Brief will provide another tool for Government to effectively facilitate the delivery of this vision. There are 18 new policies proposed in the Local Planning Brief which will be applied to the Harbour Action Areas and which must be adhered to by all development proposals within these areas.

3240 When preparing the Local Planning Brief, key considerations for the Development & Planning Authority was ensuring that the guidelines strikes the right balancing between facilitating and promoting investment to the east coast while also supporting the positive cultures of those areas and protecting critical activities such as the safe operations at the ports.

3245 It is important to note that the Local Planning Brief is not a master plan for these areas and intentionally does not identify specific developments on sites. Instead, the Local Planning Brief provides a high level policy framework which sets out the broad parameters within the proposals

for the development can come forward and which provides guidance to developers as to what considerations they should take into account when preparing the planning application.

3250 It is also important to note that the Local Planning Brief does not propose a new commercial port infrastructure and does not support or favour any option for the location of the harbour development. It is clear however that any future decision regarding the location of the future harbour infrastructure would have considerable impact on the application and policy guidance provided within the Local Planning Brief.

3255 Accordingly, the Local Planning Brief has been drafted in such a way in order to adapt to key strategic decisions which may be made during its 10-year lifespan. To further support this, a focused review of the Local Planning Brief within five years of its adoption is proposed in order to ensure that the Local Planning Brief continues to provide accurate and effective policies and guidance. In the absence of approved Local Planning Brief, planning application within the harbour action areas will be guided by the IDP policy MC10, which represents a significant restriction to the ability to deliver development opportunities. While this would apply to all proposals for development, both private and public, it would have a significant impact on Guernsey's Development Agency whose remit currently is to focus on the development of the east coast. Fundamentally, the Guernsey Development's strategic vision for the Bridge cannot be realised without this local planning brief and its enabling gateway policies.

3265 By approving this Local Planning Brief, the Assembly will not only be removing a significant barrier to development opportunities along the west coast, it will also be supporting delivery of the Guernsey Development Agency's vision and signalling to investors that Guernsey is open for business.

I hope you can support this policy letter.

3270 **The Deputy Bailiff:** Deputy Roffey.

3275 **Deputy Roffey:** I do strongly support this policy letter. Not only is it important for the GDA, and it certainly is important for their ambitious plans, it is also very important, I think, for some of the commercial non-maritime income generating activity that Guernsey Ports would like to see around both harbours. That is why Guernsey Ports put in a very strong statement of support at the planning inquiry.

3280 Madam Deputy Bailiff, I have almost never had a speech written for me in my time in this Assembly, but I am going to use somebody else's words on this occasion because I think they sum up my feelings. They are the paragraphs 170 to 172 of the conclusions and recommendations of the planning inspector, Philip Staddon. What he says is:

My overall finding is that the Local Planning Brief is a very good and well-written planning document. It provides an appropriate vision and planning policy framework for the complex harbour action areas, where there are many competing demands and considerable regenerative opportunities. However, for a planning brief, the LPB is rather high level and strategic, and it does not allocate any specific development on any specific site. This is largely a consequence of currently unmade major decisions, including those relating to the future harbour.

3285 One of those inabilities to make a decision that I think is coming back to haunt us time and time again. Strategic flood defences. I think things may be moving in that respect, thank goodness and parking strategy.

So while the LPB is approach is appropriate now, it would need to be reviewed in the light of these big decisions being made.

3290 He has more confidence than me that that is actually going to happen. I really hope it is, because that is what is going to turn this high level document into a real tool for spelling out developments.

I recommend that a review mechanism and provisional timetable be included.

So I just really want to hammer home that, yes, this is a good start but it has had to be incredibly high level because this Assembly has failed to make some big strategic decisions. I will just go on, I am not going to take long, but paragraph 172:

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I found all the policies within the LPB to be acceptable in planning terms, with some being subject to recommended amendments. One notable amendment, which I consider is required to ensure soundness, is to revise a policy that addresses car parking, and I recommend that policy 5.3 should be expanded to explore a reduction in overall parking numbers, notably in the St Peter Port Harbour area in the interests of sustainable transport and to potentially create more opportunities for beneficial development within the HAAs.

If I can go to that actual recommendation, that amendment that he put forward, it was Change Policy 5.3 text to state:

To support measures that would lead to a planned reduction in the quantum and visual impact of car parking on the harbours, primarily in St Peter Port, for example, through changes in management arrangements, improved signage and better travel choice, particularly where those changes create space for new or diversified land uses and improved public realm.

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I have been critical of this Assembly for not having the courage to do some of the things it should do, and I was actually expecting an amendment to this document for those who felt that this was a direction that we should not be going in, but unless we are going to throw the whole thing out – I cannot conceive that we are, I know amendments will come forward – this Assembly is about to endorse a policy of reducing parking around St Peter Port. Well, that is the way I read it.

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I will read it again:

To support measures which would lead to a planned reduction in the quantum of visual impact of car parking on the harbours ...

particularly in St Peter Port. I give way. I understand I am a virgin in planning terms so I will give way to somebody with more expertise.

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The Deputy Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, madam.

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If I am correct, Deputy Roffey is reading from the planning inspector's recommendations. This was the one recommendation we did not accept because we thought the inspector was going too far in suggesting an actual policy change. We thought this has to come from the Committee whose mandate it is to enact policies. So we are waiting for the Committee *for the Environment & Infrastructure* to come with those very specific policies to endorse that.

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I just wanted to clarify that we did not accept that recommendation from the planning inspector.

Deputy Roffey: Well, I think we have all been slightly victim of trying to read huge amounts of material and maybe that one slipped past me. But I do hope that this House does follow the advice of the planning inspector in this respect. It is not a question of reducing parking around St Peter Port, but actually around the harbour where their public realm could be so much better used than single storey parking on absolutely prime public realm.

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If it is now waiting E&I – what I am trying to say is the planning inspector got it right and I hope that this Assembly finds one way of actually making it so.

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The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Yes, I kind of endorse a lot of what Deputy Roffey says but in a different way. He is right, we are being overloaded with material. This document comes in 260 pages and the wisdom of some of our colleagues who say we should slow down is there. Like Deputy Roffey,

3335 perhaps, we need to be more radical with our decision making. Certainly it is a disappointment to
me, even if I voted the wrong way, about the way. We have not moved forward with the harbour
this term, but at least the Development Agency are a blessing. They are working at levels both in St
Sampson and hopefully St Peter Port and there have been other ideas for the town and I was one
of the representors.

3340 Now, Deputy Roffey has reminded me of a time when I sat on a brave Traffic Committee as
brave, possibly even braver than Deputy Burford's. We decided when we had yet another rejection
of an integrated strategy involving pay parking, etc., just to reduce the number of commuter parks
available, turn them into short term. This is possibly not a million miles from the Quantum of Solace
thing. I cut to the chase here and I noticed that the DPA agreed with the inspector's
3345 recommendations, with two exceptions, one of which Deputy Kazantseva-Miller has already put to
us.

The policy is to improve travel choice and sustainable car-parking management to create new
opportunities. The idea was to reject that because the DPA's conclusion was it is not considered
necessary at this time. The core intention is to create space in the harbour action areas for new and
3350 diversified uses, which can be achieved through improvements to management arrangements of
parking and measures to reduce demand for car parking and better travel choice.

Now, I suspect Deputy de Lisle will not want to hear that. Deputy Vermeulen might if it led to
more tourists on certain days, but not other days, and does not directly require reduction of the
quantum of parking. So real nuanced approach but it does strike me that the DPA, at least at this
3355 time, is not being particularly radical and saying, 'Move slowly and gradually to reducing demand
and providing alternatives rather than the jetty'.

The main thing I can add to this debate is the other rejection is all about the favoured issue of
Deputy Brouard about architecture. We have already heard one or two people earlier today saying
that they are not keen on the glass boxes some people might perceive as architecture out of
3360 character in Congress or the west coast, Deputy Dudley-Owen, I think, referred to the changing face
of the Island.

Well, the inspector said he wanted a change to responding positively to the strong character of
the harbours, who considered selection of materials, a good design, as well as appropriate-built
form and character. This does not mean it should all look like the historic buildings in the town, but
3365 it should be the highest design quality as appropriate for the use of location. Then he goes on to
say:

Within the landmark opportunity zone, such developments will also be expected to provide appropriate and active uses
at ground level, which support public access and uses such as arts and cultural uses.

Now, some people roll their eyes when I talk about public arts, but I think there is a place.
3370 Obviously areas like the North Beach are being looked at. Mignot Plateau is another area. I have
seen a lot of work DPA, Deputy Oliver's team, have done on that. The DPA, though, have rejected
this amendment. Although they considered the idea sensible, they would like to see alternative
wording of high standard of design as it catches the ambition of the policy and more realistic and
flexible metric, whatever that means. But, effectively, it does seem maybe that they are dumbing
3375 down, because this did suggest more impact with the environment. Instead of just being a high
standard of design, it should be of the highest design quality and with a clear design response for
context.

I think the Island does design pretty well. I think it is something we could specialise in. It is
evolving, a creative industry, a new industry kind of thing where we will see in the Victor Hugo
3380 Centre, for example. I just believe we can be more ambitious. Why not, when we rebuild parts of
the Island, perhaps especially the Bridge, we could not have the kind of designs that bring loads of
tourists, architects, students, surveyors, aesthetic consultants and so on. Let us go higher with the
arts and make it work for us, not just intellectually, but commercially.

3385 **The Deputy Bailiff:** Deputy Inder.

Deputy Inder: Ma'am, thank you.

I have got to say, in response to Deputy Roffey, I do object to this false narrative the States failed to make a decision on the harbours. What Deputy Roffey did, he failed to deliver a solution. It is as simple as that. I will remind Members, unlike last time, the Committee *for* Economic Development, his team came into our meeting to propose what the harbour was going to be like, Deputy Roffey was in there for about three minutes, jumped up out of his seat, left the office, said, and said, 'Talk among yourselves'. He was in our Committee *for* Economic Development meeting for less than three minutes on a multi-million pound budget, and he left me saying, 'Talk among yourselves.'

3395 Deputy Roffey and his team did not deliver the harbours. It is as simple as that. But I will move on to something a bit more – I am happy to give way if anyone would like to deny that it actually happened, but I see no one standing up. Try it.

The Deputy Bailiff: Deputy Inder, that sort of language is not appropriate in this Chamber.

3400 **Deputy Inder:** Of course it is not.

Deputy Roffey: I did not catch what it was but firstly about my appearance at the meeting. It was being presented by the person who was leading the project, which was Stuart Falla who was a voting member of the STSB who had worked on it from the beginning. He and all of the officers were there for an extensive period of time. I had to be somewhere else but I decided that I would pop in at the beginning as a courtesy because I was the President, but I was not the person best across it. This constant repeating of this as if I did not care about it is really getting aggravating, to be honest.

3410 We gave a number of different opportunities and options to this Assembly. The fact is that the Assembly did not choose any of them. I gave the opportunity to do further work on it, which was decided it would be done by another Committee, which has not yet been progressed. I characterise that as failing to make a decision and even to fail to move towards a decision on something that is so crucial to the future of the Island and its land planning, that I do not apologise for that at all.

3415 **The Deputy Bailiff:** Deputy Inder.

Deputy Inder: Thank you, I will give way.

3420 **The Deputy Bailiff:** Deputy Vermeulen.

Deputy Vermeulen: Thank you for giving away, I appreciate that.

3425 Would Deputy Inder, ma'am, through you, perhaps agree that the reason we did not adopt the plans for the different harbours were that mostly they were far too expensive, they were made to look far more expensive than perhaps what other harbours cost to develop, and the favoured one, which was presented to us would only permit a boat to enter that new harbour if built, but would then subsequently run aground because of the tide?

The Deputy Bailiff: Deputy Inder, I realise this is a subject that came up partly because of what Deputy Roffey said in his speech, but can I remind everybody we are talking about the Proposition that is before us? We are under a time pressure, we have still got that pint to fit in this half pint pot and we have still got a lot of business just for this Assembly's session this time. I just set that out.

Deputy Inder: Yes, understood.

3435 But Deputy Roffey did not deny that as he walked out his words were, 'Talk among yourselves.' Now, I do not think that is a President taking the job seriously.

3440 But back to the main part of this debate. I am really glad that Deputy Oliver and her team made reference to the GDA because ultimately there are five key objectives from the GDA. Two of them are around infrastructure, including flooding, and potentially harbours and the rest of them are based around transport, housing and activity. The GDA has been one of the success stories of this States. As long as we fund it, as long as we keep working with the DPA, with this Harbour Action Plan, for once we are actually seeing something that looks like joined-up Government.

3445 I am reminded that – I think it was Deputy Trott who said that driving the economy will be through infrastructure investment. As long as you have the funding for it, I think the Island is in a pretty good place. I will keep this as brief as I possibly can be. There is more I could say on where I think the harbour is going, but I am under direction to say nothing on the subject. But what I will guarantee it will never be St Sampson and it is more likely to be in St Peter Port. (**A Member:** Hear, hear.)

3450 Thank you.

The Deputy Bailiff: Deputy Ferbrache.

3455 **Deputy Ferbrache:** I would like to turn the debate back to something constructive. This is an excellent piece of work; an excellent piece of work. It follows on from the previous debate where that was constructive. We are not quite at the end, but we are getting into the last 385 yards of the 26 miles, 385 yards, so let us be constructive in relation to this.

3460 Also Deputy Inder mentioned the GDA – sorry it was Deputy Roffey first and then Deputy Inder mentioned it afterwards. The person who was the driving force between the GDA overwhelmingly and by a country mile was Stuart Falla. He was the one who drove it forward. It was his brainchild and we are now all commending it, we are all saying how wonderful it is, which it is, but it is because that he had the courage – and there was opposition to it at the time – to bring it forward.

3465 Now, I am going to conclude on again another mark, which I think Deputy Roffey is probably pleased he is sitting down, because I agree with his comment about paragraph 172, 173 of the planning inspector's report in that we should, as far as is reasonable, keep traffic away from the harbours. There are other ways of doing it. It is a constructive way of going forward, so there we are. We are at the end of this debate and Deputies Ferbrache and Roffey are agreeing on traffic.

The Deputy Bailiff: Deputy Burford.

3470 **Deputy Burford:** Thank you, ma'am.

3475 I am perhaps one of the more vociferous critics of some of the things that the DPA do, but I will stand up to say on this policy letter, I am very happy to support it. I carefully looked at the areas that the DPA rejected in terms of recommendations from the planning inspector and I felt that the reasons given for those rejections were adequate. This is not a debate about what harbour option one likes, so I am happy to support this policy letter and hope we can move on swiftly.

Thank you.

The Deputy Bailiff: Deputy Prow.

3480 **Deputy Prow:** Thank you.

3485 Having said I will be brief, I messed up on my microphone. Yes, I do support the policy letter and I support the comments that are made by the President of Economic Development and, indeed, Deputy Ferbrache in regard to the work of the GDA. However, I think it would be remiss of me not to repeat some of the concerns I have had, which are reasonably detailed, which I have made to the DPA. My concern is around – and I do appreciate this is a very high level brief, I certainly absolutely appreciate that. But I do believe that there is insufficient focus in the report around the Ports' action areas in that both harbours are designated in statute as customs ports, which contain considerable designated security areas for unloading, examination of goods and vehicles, and the movement of

3490 persons both on arrival and disembarkation. Indeed, the storage of goods not cleared from customs charge.

These inevitably will impinge upon any delivery of the brief. I would have liked more consideration to have been put into those areas which might save time further down the road. There are challenges in the action areas and the surrounding areas around emergency planning and fire and rescue considerations. These do appear on States of Guernsey risk registers.

3495 I still believe that I would have liked more detail and consideration, even at a high level around those areas and I just really want to note that so it is noted in that debate. But I do support the paper.

Thank you, madam.

3500 **The Deputy Bailiff:** Thank you. Deputy Gabriel.

Deputy Gabriel: Thank you, ma'am.

3505 It would be remiss of me not to mention the Bridge as quite often it is a poor relation when we are talking about areas of harbour because, of course, it is more a commercial harbour than the leisure facility that we have in St Peter Port, although of late there are marina berths there. But I do welcome this policy letter from the DPA and I think it is quite well constructed, although albeit lengthy with the report in there.

3510 One of the key things for me was the 18 new policies it mentions – well, it describes in 1.6 – and the themes around them. I think various people have picked up certain aspects of them. But I think it is very important to note that those themes are addressed. Right top of the list, which most people have mentioned already, resilient harbours and infrastructure. Of course, Deputy Prow just picked up on the ISPS requirement.

3515 Moving on, supporting the marine sector and to provide jobs and leisure opportunities. But a note not including there is the retail sector because that is extremely important, especially on the frontage of the Bridge, which proves a very good second, perhaps poor, relation for many people in the north of the Island, because they do not like to go down to the metropolis of St Peter Port, because they do prefer the more relaxed atmosphere on the Bridge. Again, for them, it is a shorter distance.

3520 Again, expanded uses and activities, and the report highlights those which, again, is fantastic around the HAAs, including the relation to the drawing on our culture, heritage, tourism and leisure. Much has been made already about getting the car parking sorted and circulation. I had a brief discussion with Deputy Kazantseva-Miller and she reminded me that the Committee *for* Reducing Costs of Public Services went out to survey a long while ago and there was a significant amount of public response. While some of those responses were not actually about reducing the cost of public services, some of them were revenue raising and, to maybe set Deputy Brouard a twitching, I recall
3525 that the highest on that list was paid parking, which, of course, could have an impact in next term and could well drive some direction around what we can do to alleviate, or indeed encourage, all sorts of activities around the harbour action areas.

3530 I am not necessarily saying that I support it, depending of course how it comes out. That would of course include making it a safe, healthy, efficient and easy way for people and goods to get around, especially on our piers, which are wonderful examples. The last theme, of course, which I think some have touched on already, climate resilience. E&I are already well ahead with measures to introduce interim flood measures for the Bridge, which again we are desperate for because of all the land that that could release and the protection it offers to anyone doing any sort of activity
3535 there.

So, again, I will be supporting the policy letter and I thank DPA for bringing it.

The Deputy Bailiff: Deputy Meerveld.

3540 **Deputy Meerveld:** I would like to test the Assembly's will on 26(1).

3545 **The Deputy Bailiff:** Deputy Meerveld is seeking the guillotine motion. Those who still wish to speak in debate stand in your places. Do you wish to vote? Yes. Greffier, when you are ready, will you put the motion on the SEV? Members you should have before you the motion to guillotine the debate on this Proposition. Please start your voting now.

There was a recorded vote.

Rule 26(1).

3550 *Not Carried – Pour 15, Contre 18, Ne vote pas 3, Did not vote 4, Absent 0*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	Blin, Chris	de Sausmarez, Lindsay	Gollop, John	Note
Burford, Yvonne	Brouard, Al	Leadbeater, Marc	Mahoney, David	
Cameron, Andy	Bury, Tina	Oliver, Victoria	Matthews, Aidan	
Dudley-Owen, Andrea	de Lisle, David		Trott, Lyndon	
Dyke, John	Fairclough, Simon			
Ferbrache, Peter	Falla, Steve			
Helyar, Mark	Gabriel, Adrian			
Le Tocq, Jonathan	Haskins, Sam			
McKenna, Liam	Hill, Edward			
Meerveld, Carl	Inder, Neil			
Moakes, Nick	Kazantseva-Miller, Sasha			
Murray, Bob	Le Tissier, Chris			
Parkinson, Charles	Roffey, Peter			
Prow, Robert	Snowdon, Alexander			
Queripel, Lester	Soulsby, Heidi			
	St Pier, Gavin			
	Taylor, Andrew			
	Vermeulen, Simon			

3555 **The Deputy Bailiff:** In relation to the motion to guillotine debate, they voted: pour 15, contre 18, there were 3 abstentions and 4 Members were not in the Chamber at the time of the vote. Who wishes to speak next? Deputy Blin.

Deputy Blin: Sorry, ma'am, a tech issue.

3560 I am very pleased to support this policy letter. The local planning brief for St Peter Port and St Sampson. I am going to keep this at a high level, because I can see that these were very large documents, especially the brief itself, and people are itemising different aspects of it. I just want to just speak in support of this, but at a higher level, because what this framework has done, it is going to unlock all the significant opportunities along our coasts. If adopted, it will set the foundation for co-ordinated sustainable development that secures resilience and prosperity, which is the part of the growth. We know it focuses on the themes and that they have all been explained by different people for different sections, but by developing or rather adopting this brief that, this way, development will continue and will not be fragmented, so opportunities will be less missed.

3570 We can channel the investments, foster innovation, improve public spaces, significantly boost our Island's resilience against future challenges, including against climate change and economic uncertainty. I think the other key part is, is the work that is being done with the Guernsey Development Agency. It is pragmatic, ambitious and flexible and yet focused. So this gives us a chance to go ahead. So this is really an overview of the impact it is going to have and why I support this policy.

Thank you, ma'am.

3575 **The Deputy Bailiff:** Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Madam, I will be very brief because hopefully we will have absolutely unanimous endorsement of this policy letter. (**A Member:** Hear, hear.) But I think it is really important to highlight a number of key areas. So, first of all, while this remains a planning framework, really the exciting action that we all really want to see being taken in the ports will be really down to other Committees and the community and industry developers to go out and actually make something happen.

The last thing we all want is for this document to be yet another nice planning document that lays somewhere on the shelves and nothing gets done. (**A Member:** Hear, hear.) So I really urge all Committees that are responsible for delivering the infrastructure, the decisions, the decisions on parking, development, etc., to really get behind this planning brief and actually make something happen. Some of those key committees will be the STSB with the Ports, obviously it will be also E&I engaged on flooding and infrastructure, parking side of things and other elements, and GDA, just to mention a few of the key Committees involved.

I think Deputy Roffey made a very good summary of some of the key outstanding issues that we need to get on with in order to enable some of the development in harbours. One of the decisions will be around the harbours, the operational location of the harbours. Deputy Inder also indicated that that is going to be very important. That remains really outstanding. That is one of the key decisions that will need to be made of what happens to the operational harbours in the future.

The second point I really wanted to highlight is the flood risk assessment, because it has not actually been appended to the policy letter. But as part of the local planning brief process, we commissioned an up-to-date flood risk assessment, which we received last summer, which we have shared with the key Committees *for the Environment & Infrastructure* and also Policy & Resources Committee. So we do now have a much more up-to-date flood risk assessment and I do not want to tell the Assembly, but it is not looking great. Okay? The flood risk that our eastern seaboard and other parts of the Island are subject to will only get worse, driven by climate change.

I think this piece of work has really helped highlight the sensitivity the eastern seaboard has to flood risk. We know, and we have known for a while, about the flood risk of St Sampson, and absolutely the Committee *for the Environment & Infrastructure* is undertaking interim flood risk measures. Guernsey Development Agency has come up with proposals for longer-term potential of blocking off the whole of the harbour mouth to create more strategic flood defences. But I think what really remains not talked about a lot at all is flood barriers in St Peter Port, because St Peter Port will face very similar issues. The slight difference is that St Peter Port is on a slope, so not as much risk below the actual harbour and the sea front as well. But that is going to be absolutely critical in any future decisions about a future pool marina, etc. We will also need to take that into account.

The last but not least area is very much around the parking provision because currently it does absolutely block, and is that missing piece which can unlock development across the harbours and especially in St Peter Port. That is a key part of the puzzle that really needs to be addressed so that we can start moving those puzzles in unlocking areas for development.

The parking issue seems to be one of those issues that seems to be split between whether it is Environment & Infrastructure or STSB, because they actually control the land. I think there is maybe some finger pointing going around about who should actually be making decisions on parking, etc. I really hope we can get on with it because otherwise very little can happen in the harbours.

I really urge the Assembly and whoever is listening to really use this LPB as an enabling platform through which to really rally behind the much-needed developments that we need across our harbours and really make it happen next political term.

Thank you.

The Deputy Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

3630 I will be really brief. Part of this policy letter includes the letter of comment from the Committee
for the Environment & Infrastructure and it just touches on a few of the points that have been raised
so far in debate, so I thought it was worth just tidying them up. But I will confine my comments to
a very short space of time, because I think it is really important that – we know this will be very well
supported and rightly so. I think it is just important that we can move on as well through the agenda.

3635 In the letter of comment, we do note how this harbour action area LPB will enable the work that
we so desperately need on traffic and transport, coastal flood defences, protection and conservation
of the natural environment, biodiversity, energy and renewable energy and climate change
adaptation and mitigation, which are all the things that are in our mandate. However, our letter of
comment does stress, and this speaks to the point that Deputy Kazantseva-Miller has just made,
that it is critical that the necessary work to gather the evidence to inform the consideration of
options for future harbour infrastructure is progressed without delay, as any such decision would
3640 effectively represent the cornerstone of any wider plans to attract investment in the development
and provision of infrastructure along the east coast. That is the cornerstone decision that needs to
be made in order to tackle the parking, in order to put in place any meaningful flood defence,
including in St Peter Port.

3645 These are issues that we cannot progress until a strategic decision is made on the future
harbours. So I really would urge P&R and its successor to use the money that I believe was approved
by this Assembly to do that work, to help inform that decision, because that is what is stopping the
progress that we so desperately need.

The Deputy Bailiff: Deputy de Lisle.

3650

Deputy de Lisle: We certainly need progress, ma'am, (**A Member:** Hear, hear.) and to be quite
honest we are not getting much of it. In fact, we have regressed in the past few years by developing
so much of the lands outside the main centres. Whether you believe it or not, it has been going on
in quite a rife way, rather than developing in the centres, which is the way for economic growth. If
3655 we want this Island to grow and compete with other growing centres around us, then we have to
invest in developing the town centres.

I welcome these reports in many ways in terms of concentrating development and growth, if you
like, for the future within the town centres, both our town here and also at the Bridge. As I say,
developing outside is just a matter of countryside development, which does not make any sense in
3660 terms of growth of the community as a whole. The growth of the community is in the centres. You
just have to look at London, Manchester and the other centres in the UK. That is where the growth
is, not out in the wild areas outside of those centres.

If we want to have growth and if we want development of this Island, and we do not want the
Island to fall back as a backwater, then we have to invest in our centres and compete then with
3665 St Helier, Southampton and other centres around us.

Now, one of the big problems here is the frustration in town with regard to parking. Every time
a person is frustrated here, they turn around and saying, 'I am not going to shop there again. I am
not going to stop there again.' That is something that we have to overcome. So one of the points
that is made very clearly here in the policy, IP8, here, public car parking, it notes that the net increase
3670 in parking within the main centres and the main centre outer areas may be acceptable for major
development if brought forward through the LPB. So this is a drive to try and solve that problem.
But people are going round and round trying to find a parking space in town and, as a result, not
shopping. You have to realise that footfall too has declined a lot in town and we have to do
something about that. We have to encourage people into town and we have to encourage parking
3675 on the piers.

The points of Deputy Roffey and Deputy Ferbrache are right out of kilter, because if you want to
see growth in town you have got to allow people to come in (**A Member:** Hear, hear.) and do their
shopping, and you have to allow people to come in and use the commercial space. One of the
problems we have in the offices at the moment in town is the relocation constantly into Admiral

3680 Park. The failure of companies, some of our financial companies, they die, they disappear from Admiral Park and fairly quickly those spaces are reoccupied again by companies moving out of the middle of town. That, of course, is another problem that we have of relocation from the main centre itself, the dynamics of that centre, which has caused an issue.

3685 Some people are suggesting, for example, that we have a mini bus routing from Admiral Park into town, which would provide perhaps that ability of people to come into the town during lunchtime, populate the facilities that we have in town and make the town a lot more vital to sustainability for the future.

3690 So I think we have a major problem here. We have a major problem. Whereas in Jersey their town is expanding and there is a real thrust forward; here we are going backwards. We are going backwards. We have to go forwards and we will go forwards only with growth in the central pole. If you take a look at central pole theory in economics, that is all about concentrating growth in the main centres and deriving economic development as a result of that.

3695 I find it very disappointing that we seem to be going in the wrong area. For example, the town in terms of population has not increased essentially since 1800. Its proportion, if you like, of the population in the Island has not been growing. We have to be looking at that. Another issue with regard to parking, it is frustrating also for people living in town to find parking. You just go along the streets and you think, good gracious, how are people managing? How are people managing to park their cars? We need facilities in town for greater parking to accommodate the needs of the resident population, not just the tourist and the people coming in to the town for shopping, work and leisure.

3700 I will leave it at that. There is a great opportunity here, in other words, to promote the main centres and I just hope that this will have some significant impact on developing both towns, actually, and providing increased parking so that people can stimulate the growth of those towns.

Thank you.

3705 **The Deputy Bailiff:** Thank you, Deputy de Lisle.

Does anybody else wish to speak in general debate? No? Deputy Oliver to respond.

Deputy Oliver: Thank you.

3710 As always, this has been a very interesting debate and it has gone in all different directions, which I thought it would do. I think I am just going to go in chronological order because it is going to be the easiest. Deputy Roffey, through you, I think there was a misunderstanding. We did not want to do the car parking, as Deputy Kazantseva-Miller said, because it would have brought this out as very controversial. It is really not our job to sort out the car parking. That is E&I. We have just kept to the policies, IP6 and IP8, to make sure – however we have inbuilt that there should be a five year review because if E&I do come out and say this is the new parking strategy and the States adopt it, then we will be more than happy to follow suit.

3720 Deputy Gollop said that that there was lots – I do not know what he – I got a bit confused, but just to let him know, we do have the St Peter Port Conservation Area Character, which actually guides planning to say what things would be suitable here, to what things are more suitable there, to give a guide on what would be good.

3725 I thank Deputy Inder and Deputy Ferbrache. Deputy Ferbrache also noted the car parking and I will not repeat what I have already said, but I did not think we should lead on that. Deputy Burford, thank you for that. With the comments that Deputy Prow made regarding the safety, particularly regarding around the ports, I thought it was really interesting because the Home Affairs Committee did write a representation, and I do think we actually covered that representation quite well within this process. We definitely changed something. I did ask an officer to come back to say which paragraph it was, because I was desperately trying to find it within the report, but we actually added a paragraph for Home Affairs to make sure that was carried out because it is an important thing.

3730 I do notice that safety is mentioned 74 times within this thing. Most of it is to do with pedestrians and the safety of the highways.

3735 Deputy Gabriel said about the length of this. Again, it will be reviewed in five years to make sure that it is still currently up to date. I really do hope that during this time that we will have the flood defences in a much better position, we will know where the harbour is potentially going, even if it is just remaining where it is. That would be of a benefit. This is definitely much higher level than I would have liked, but without any of these actual concrete decisions made, it is very difficult. So this is where it had to lie, really.

3740 I totally agree with Deputy Kazantseva-Miller, please do not let this just be another piece of consultation that is done to then sit on the wall. I really hope this becomes an enabler to development, and I do hope that whoever is in this position next year actually really keeps up a very good relationship with the Guernsey Development Agency, because I think the DPA and the GDA can actually do really good things working together with this and making sure that it heads in the right direction.

3745 Deputy de Lisle; I really got confused because within that you mentioned the main centres and I think you were confusing the IDP, which we have said that, yes, a location for affordable housing should be out in St Peter and the local planning brief. But just to set a few matters straight. The main development is within the main and local centres and, yes, there is GP16, which helps limited development happen outside the local and main centres. I completely agree that we need to invest in our main centres and this is why the DPA has been so proactive in trying to get this to the States in order to get things moving, because it really does facilitate development and it will facilitate it in a co-ordinated way, which is what we actually want.

3750 I can get really technical about why offices are moving to Admiral Park when there becomes an office vacant and much more offices want open plan rather than on lots of different floors and different offices. I know landlords and owners are really trying to do a fantastic job of actually renovating some of the office space when it does come available, and I have seen some excellent things coming forward, so I hope that continues.

Thank you all for your really positive comments and please vote for it.

3760 **The Deputy Bailiff:** Greffier, would you open the voting in relation to the Propositions, please?
There was a recorded vote.

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

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	Snowden, Alexander	Mahoney, David	None
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Helyar, Mark				
Hill, Edward				
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
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

3765 **The Deputy Bailiff:** They voted in relation to the Proposition: 38 pour, there was 1 abstention and 1 Member was not in the Chamber at the time of the vote. I therefore declare the Propositions to have passed.

I am going to put a motion to the Chamber in relation to the next item, which is that we continue until we finish it. This is the Guernsey and Biberach an der RiB - Framework of Friendship agreement. I am not expecting it to be very contentious. I have given time limits of six minutes in speeches. Do not feel the need to fill your full six minutes. That time limit is not for Deputy Le Tocq, who will open on behalf of P&R.

3770 So those who support the motion to continue until we finish the friendship agreement, please say pour; those against?

3775 *Members voted Pour.*

The Deputy Bailiff: All, right, so we will carry on until this has been dealt with. Greffier, would you kindly read out the next item of business for the sake of the listeners?

POLICY & RESOURCES COMMITTEE

9. Guernsey and Biberach an der RiB Germany – Framework of Friendship Arrangement – Proposition Carried

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Biberach Framework of Friendship Arrangement' dated 25th February 2025, they are of the opinion:

- 1. To agree to enter into the Framework of Friendship arrangement between the States of Guernsey and the Town of Biberach an der RiB.*
- 2. To agree to delegate the signing of the Framework of Friendship between the States of Guernsey and the Town of Biberach an der RiB to Deputy Trott, as Chief Minister, and Deputy Le Tocq, as Minister for External Relations, or any other member of the Policy & Resources Committee if Deputy Trott and Deputy Le Tocq are not available.*
- 3. To direct the Policy & Resources Committee, together with the Committee for Education, Sports & Culture, to continue to facilitate cultural and educational exchanges between Guernsey and Biberach from time to time.*
- 4. To reaffirm Guernsey's commitment to the international principles of peace, human rights, and reconciliation, as embodied in the Framework of Friendship and to agree to support collaborative projects that promote these values between Guernsey and Biberach.*

5. To direct the Policy & Resources Committee to oversee the implementation of the Framework of Friendship and conduct a review within three years to assess its impact and propose any necessary changes or enhancements.

The above Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

3780 **The States' Greffier:** Article 9, Policy & Resources Committee - Guernsey and Biberach an der Riß, Germany – Framework of Friendship Agreement.

The Deputy Bailiff: Deputy Le Tocq

3785 **Deputy Le Tocq:** Thank you, Madam Deputy Bailiff.

On behalf of the Policy & Resources Committee, I am very pleased to present the Biberach-Guernsey Framework of Friendship Arrangement. The Committee views this as a meaningful and historic initiative, which seeks to formalise and strengthen the relationship between Guernsey and the German town of Biberach. I am sure several here, like myself, have been on exchanges or met

3790 people from Biberach and therefore it is timely, particularly in this 80th year of our liberation.

This arrangement is more than a symbolic gesture. It is a reaffirmation of the values of reconciliation, cultural exchange and international friendship that we have defined Guernsey's relationship with Biberach for decades. It is a relationship built on shared history and reconciliation. Our ties with Biberach are rooted in the events of the Second World War, when approximately 1,000

3795 British citizens from Guernsey were deported and interned in Camp Lindele in Biberach.

What began as a very painful chapter in our history has since transformed into a remarkable example of reconciliation. Since 1997, former deportees and their families have visited Biberach and, in turn, Biberach citizens have engaged with the people of Guernsey. This has fostered genuine friendships between individuals, families and institutions. The framework of friendship is a natural

3800 extension of this relationship. It allows us to formally acknowledge our shared past while looking forward to a future built on mutual respect, cultural understanding and co-operation.

There are many benefits of the Biberach-Guernsey framework. The framework of friendship fosters cultural exchanges and will help future generations to understand our shared history. It creates opportunity for our students, community groups and interested Islanders to meaningfully

3805 engage with communities and individuals, perhaps including student exchanges and joint historical projects. Music, art and heritage festivals will continue to play a key role strengthening community and creative ties between us. By formalising this relationship, we honour the experiences of those deported during the Occupation and ensure that this dark chapter of our history is formally recognised and remembered.

During an era where global challenges threaten our mutual values of peace and reconciliation, this arrangement underlines Guernsey's steadfast commitment to these enduring principles. Beyond cultural and historical significance, this arrangement also reinforces Guernsey's international reputation as a community which values co-operation. It also creates opportunities for economic co-operation with potential for business exchanges, tourism and investment. Indeed,

3815 there are already ideas along those lines which are set to go.

Why does this matter now? The mayor of Biberach is due to visit Guernsey for the 80th anniversary of Liberation Day. He will be accompanied by other members of the town council and their towns administration, and by musicians from the Biberach Youth Orchestra. The 80th anniversary seems to be the perfect moment to approve this framework, sending a clear message

3820 that Guernsey values its history and embraces partnerships that produce and promote peace and reconciliation.

This arrangement is resource efficient, requiring no additional budget around what is already allocated for cultural and civic engagements. The Policy & Resources Committee, in combination

3825 with the Committee *for* Education, Sport & Culture, will oversee its implementation, ensuring it remains meaningful, beneficial and cost effective.

Today, we have an opportunity as an Assembly to transform a longstanding friendship into a formal partnership. This is not just about remembering the past, it is about shaping a future where cultural understanding and international co-operation thrive.

Thank you.

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The Deputy Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam.

3835 I fully endorse and support this framework of friendship for all the reasons outlined by Deputy Le Tocq. While we are talking about friendship, I would just like to wish Deputy Burford a very happy birthday.

Several Members: Hear, hear.

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The Deputy Bailiff: Does anybody else wish to speak in general debate? Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, ma'am.

3845 This is probably the most personal contribution I have made to debate in the Chamber in the last nine years that I have been here. While I feel I should apologise because it is not in my normal way to make such personal statements, it is entirely relevant and many Members will know why.

3850 Ma'am, not too long ago, a couple of young boys were playing in a garden in the forest, both firing their make believe stick guns running around, arms outstretched like aeroplane wings, shouting, laughing, making rat-a-tat noises as they played their battle game. They had found some interesting items of household ephemera for their role play, and on their heads they wore original World War Two soldier's helmets, one German, one British. Blissfully unaware of the poignancy of their play acting, their parents watched them from a distance, catching their breath because that poignancy was not lost on them. Those boys now young men, one from Guernsey and the other one from Germany, are both the fourth generation of two families whose friendship goes back 70 years. When their great grandmothers met through the turmoil of the Second World War in the town of Biberach in Germany.

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Just over 1,000 Channel Islanders were selected for deportation as a result of a retribution order from Adolf Hitler himself, in response to the expulsion of Germans from Persia, what is now Iran. The criteria were that either they or their spouses or a parent had been born in England. My maternal grandparents, Guernsey girl Gladys, with her English husband Sydney Skillet, and their year old son, my uncle Colin, were among the 800 men, women and children from Guernsey to go. Some went from Sark, others from Jersey. At least one on the deportee list never went, choosing instead to take their own life.

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3865 My grandmother was five months' pregnant with her second child at the time of deportation, and was the first of the Channel Island wartime deportees to give birth while interned. Like many local people, I was brought up acutely aware of the wartime experiences of my family. My grandmother always remembered her experience without emotion. She would recall the hurried, then delayed departure, the long await on the Avenue, the food prepared by Frank Stroobant, the filthy coal boat, the awful journey and then walking along the railway tracks in St Malo lined by armed German soldiers while she showed no fear holding her little son's hand, pregnant with her second child, unknowing about what lay in store for her family.

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So deeply embedded was their experience within our family, it only really struck me as a young woman that my grandparents had dealt with the whole experience in a stoic, self-sacrificing way, as many did during that time, accepting their faith fate without complaint. But it was the kindness shown to my grandmother some months later by a young German woman of a similar age, Maria

3875 Koch, also expecting a baby. That, in my view, is one of the few long lasting relationships from that episode in our history, which is at the core of this friendship agreement.

My grandmother was taken to the Biberach hospital to give birth months later. She was left in a freezing cold corridor to continue her labour and await her baby, because the doctor considered her an enemy. Maria objected to this treatment and insisted Gladys be allowed on to the ward. Both
3880 women had sons, David and Heiner, bonding over their babies and despite the circumstances, managed to communicate and support each other. The boys became lifelong close friends, so-called Milchbrüder, milk brothers.

In early 1945 a third Skillet baby arrived. Again born outside of the camp, this time in Ochsenhausen. This was my mum, Gloria. One of the last of 100 or so Channel Island babies born
3885 in captivity in Germany in the last months of the war.

This relationship was rekindled in the early years after the war in 1955, with a visit by the Skillet family to see their German friends. Then followed by longer visits with Gloria, living with the Koch family in 1962 for some months, and continued correspondence and visits between the Milchbrüder.

I tell this story because, in my view, ma'am, this paved the way for the start of a special
3890 relationship between Guernsey and the Swabian town of Biberach an der Riß where the deportees were held in the nearby Lindele Internment Camp. The friendship between the Koch and Skillet families grew deep and lasting, continuing to this day.

Ma'am, the Committee appreciated being consulted on the agreement and provided feedback. Maintaining these friendships requires more than goodwill, especially given the current financial
3895 circumstances. Travel and accommodation are not cheap and the States of Guernsey will likely need to bear some costs for continued support, ensuring that the relationship remains vibrant and relevant. And I believe that this is acknowledged by the Policy & Resources Committee. EU funding is generous for partnerships of this type, but here in our small Island we have no such access to funding.

I make this point because, notwithstanding my support for this friendship agreement, the reality is that there will be a cost of ensuring that the relationship remains vibrant and relevant. We have other European town relationships born out of conflict, such as that with Masnières, who are
3900 coincidentally ma'am visiting this week. These relationships are strengthened annually by volunteers. Similarly, our friendship with Biberach requires substantial effort, often by volunteers and their goodwill.

In the late 1990s, reconciliation efforts led to the formation of the Guernsey Friends of Biberach, spearheaded by the then Deputy Bailiff, Chris Day, whose godfather had escaped from the former
3910 prisoner-of-war camp. This group included those Biberach-born Skillet children and other deportees. It would be remiss for me not to mention the significant efforts made by the Music Centre to leverage the relationship, which began all those decades ago, which was then built upon by the Deportees Association and funded by generous sponsorship for Guernsey children to visit Biberach.

The Deputy Bailiff: Deputy Dudley Owen, I hesitate to interrupt what is a very moving speech
3915 and very personal to you, but that is your allocated six minutes, so if you are close to finish?

Deputy Dudley-Owen: I have one more paragraph, thank you.

Ma'am, in closing, when I was growing up, my grandmother and Maria would frequently
3920 correspond to share news, and I wonder what those two women would have thought if they knew their friendship would contribute to such an important relationship for their respective Island and town in years to come. What we know is that we stand on the shoulders of those who have gone before us, and this friendship agreement between Guernsey and Biberach is a fine example of this, the roots of which must never be forgotten.

Thank you.

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The Deputy Bailiff: Does anybody else wish to speak in general debate?

Deputy Inder.

Deputy Inder: Only briefly, ma'am, and I will be short.

3930 It was April 1945, the Battle of Okinawa had begun, sovereign had been captured, Italy was about to fall, the prisoners of Buchenwald had been force marched away from allied lines, Mussolini will be dead in a month and Germany will have surrendered two weeks after that. In Guernsey, Islanders were starving. An average weight of Guernseyman or woman was around 7 stone. Years after that, hundreds did die post-war, actually, from the effects of malnutrition and starvation. One my uncles,
3935 Wilf Major, was one of those.

Now, madam, Members of the House, there appear to be only four Members of this States whose parent was either interned, deported or evacuated. That was myself, Deputy Dudley-Owen, Deputy Trott, and I believe Deputy Gabriel. Deputy Falla as well, apparently. Well, six of us by the sounds of it but I did ask the question.

3940 Anyway, so I asked my mother about this when I saw her and for all her family suffered during those years, the evacuation, the death of her aunt fighting in Lille, the death of her mother, and the fact that her father never saw her mother again because she died in Yorkshire while he was fighting through Sicily. She just laughed and she said, 'It is over, Neil, we have all moved on now. It is 80 years and it is time for that friendship to be cemented'.

3945 Thank you.

The Deputy Bailiff: Does anybody else wish to speak in general debate?

Deputy Le Tocq.

3950 **Deputy Le Tocq:** Thank you, madam.

I do think this is a historic occasion and therefore emotion is totally appropriate. I was sent, just a few days ago, a copy of a report in Biberach's local paper from someone who has become a good friend of mine, Rotraub, some Members here might know her. She has been an instigator, really, of this friendship agreement, a supporter right from the start. It has a picture of the mayor of Biberach, Herr Norbert Ziegler, and myself signing the initial stages of this agreement, which we are ratifying
3955 today. I will make it available for anyone that wants to see it. I will probably a copy it on to my social media as well, because it is just to demonstrate the fact that from Biberach's point of view, they take this very, very seriously indeed. They want to make every opportunity for us to not just celebrate the fact that we have this reconciliation and friendship agreement, but that future generations should be able to make something of the fact that we have this connection with them on every
3960 level, including economic and business ties as well. The doors are well open. It is one of the most economically successful parts of Germany and I do believe that there is more to this than just what we are talking about today.

3965 So the doors are open, but in this year where we celebrate 80 years of liberation, I hope that, certainly in this instance, this Assembly can ratify this agreement completely unanimously and we can see it signed officially and brought into force so that all the opportunities and those doors that I have spoken about can be opened for not just us today but future generations as well.

Thank you, madam.

3970 **The Deputy Bailiff:** Thank you, Deputy Le Tocq. Members, do you have before you the Propositions? States' Greffier, would you open the voting, please?

There was a recorded vote.

3975 *Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 3, Absent 0*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue Blin, Chris	None	None	Haskins, Sam Mahoney, David	None

Brouard, Al
Burford, Yvonne
Bury, Tina
Cameron, Andy
de Lisle, David
de Sausmarez, Lindsay
Dudley-Owen, Andrea
Dyke, John
Fairclough, Simon
Falla, Steve
Ferbrache, Peter
Gabriel, Adrian
Gollop, John
Helyar, Mark
Hill, Edward
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
Snowdon, Alexander
Soulsby, Heidi
St Pier, Gavin
Trott, Lyndon
Vermeulen, Simon

Taylor, Andrew

3980 **The Deputy Bailiff:** They voted in relation to the Propositions: pour 37, and 3 Members were not in the Chamber at the time of the vote. I therefore declare that this proposition has been passed, and I am delighted to say that.

Right, Members, that is the end of today. There are two fines, that is Alderney Representative Hill and Deputy Gollop for their telephones going off, and a happy birthday to Deputy Burford. (**A Member:** Hear, hear.) We will start again tomorrow at 9.30 sharp.

The Assembly adjourned at 5.40 p.m.

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