



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Wednesday, 30th April 2025**

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**Law Officers**

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**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 S. E. Aldwell (*relevé à 10h 07*) ; Deputy A. H. Brouard (*relevé à 9h 39*) ;  
Deputy M. P. Leadbeater (*relevé à 10h 07*) ; Deputy A. W. Taylor (*relevé à 10h 01*)

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# States of Deliberation

*The States met at 9.30 a.m.*

[THE BAILIFF *in the Chair*]

## PRAYERS

*The States' Greffier*

## EVOCATION

# Billet d'État IX

## COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

### 6. Establishment of Guernsey's Offshore Renewable Energy Commission – Debate continued – Propositions carried as amended

5 **The States' Greffier:** Article 6, Committee *for the* Environment & Infrastructure - Establishment of Guernsey's Offshore Renewable Energy Commission, continuation of the debate.

**The Bailiff:** Deputy Gollop.

10 **Deputy Gollop:** I was not going to speak on this but as we adjourned overnight I thought, 'Okey doke.'

15 But I was interested in the debate yesterday and I would certainly declare myself, as somebody who speaks of it, that I am definitely not an expert or particularly knowledgeable on any of this, even if I go to the Channel Island Professional Engineers Group talks and the previous Alternative Energy Society. But we had some interesting and thought-provoking speeches yesterday, particularly from Deputy Murray and Deputy Dudley-Owen, who questioned some of this. We supported an amendment, which I did support, but it is a curious thing because the amended Propositions now give flexibility to the States and Environment & Infrastructure to work towards the most appropriate regulatory model for us, and I concur with that. But I do not quite understand how it differs from what is set out in the paper.

20 But I think my message is that – I get criticised if I talk about left-wing Deputies and right-wing Deputies, because they are a bit meaningless in a Guernsey context, but you can also talk maybe about conservative Deputies and more radical Deputies, and also between interventionist Deputies and *laissez-faire*, to me, those who get on with things and say action this day, and those who want to block things or by default block them. I think the really important thing on this is I appreciate in a way it is a gamble, in a way it is an investment that could go up and down. But I think it is a real opportunity, a once-in-a-generation opportunity for the Island, and we should grasp it.

Everything tells me that in order to attract governments – I would like to see Alderney involved, but particularly France and the UK – we need to have the right regulatory structure. Maybe GCRA is the right one, but we did not quite get to reforming it this term from Economic Development, but I think it needs reform, but perhaps it could be restructured to embrace this, or perhaps we go for the more safe option of an offshore commission, but one that is not overly expensive.

Deputy Dudley-Owen and others were right to point out about the use of civil servants, and one oddity in the policy letter is it very much stresses the risk of being politically involved. Yet again it is another one of these messages which says the one risky element in life is Deputies. (**A Member:** Hear, hear.) Just keep them away from everything. That is a message I get from lawyers sometimes, from civil servants, from officers, from advisers, and I hate that message because I want to be involved. We contribute what the public want perhaps, and also what we need.

Because the thing that worries me about commissioners who are arm's length is that they will be paid, possibly more handsomely than Deputies, and I cannot remember the number – is it four in this or whatever – but what expertise will they bring? Because sometimes the Island puts on high quality lawyers and accountants, which we need, but there is also a hint that the technical resource will come from officers. I suspect in this we need finance procurement experts, we need engineering experts, people with real experience in this area internationally, and possibly environmentalists. But that raises a question I suspect Deputy de Sausmarez will partially answer or completely answer, that on the one hand you definitely need ecological and biodiversity and marine biologists, but on the other hand you do not want to overload it in such a way – I have asked questions exploring my lack of knowledge on the subject about fish, but how far do you prioritise marine life against our energy goals and our economic aspirations?

If you had a commission that was all one way or all another, that could be a concern. So I do not quite know how it will be politically managed and environmentally managed. I do think that the view we heard that we should leave it until it is needed because after all the Renewables Law goes back now 15 years, it is all very well, and had we formed it 15 years ago we would have put several million down the sinkhole really. But I think now is the time, with the government in the UK, with the government in France, with the Trump administration, and everything else, to really push this. If we are putting the resources as we are into the legislation and the contracts and stages three and four that Deputy Meerveld outlined, then we need its companion, which is this offshore renewable commission in one form or another.

So please vote for it today and make it a priority by the end of the year.

**The Bailiff:** Deputy Brouard would you like to be relevéd?

**Deputy Brouard:** Yes, please, thank you.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Let me say this, the sun is shining today, the air that blows across this Island is pure and clean, that is the high spot of my optimism in relation to where we are.

I know the answer is blowing in the wind and the actual line, I have got to get it accurate, otherwise Deputy Queripel will correct me, is, 'The answer my friend is blowin' in the wind' so I say the answer, Mr Bailiff, is blowing in the wind.

I know in relation to where we are, I supported Deputy de Lisle who made a point in the previous debate; there were 16 Deputies who sat in a room at Frossard House a few years ago in support of general renewable energy, I was one of those. Despite one Deputy seeking to rewrite history, I have been in support of those proposals ever since, and devoted time and concern to them.

But do we need another quango? I know the amendment has been passed and we are dealing with an amended Proposition. Do we need another quango? Is it absolutely necessary? If it is absolutely necessary, whatever form that we need it in needs to happen. I know Deputy Meerveld, Deputy Blin, Deputy de Lisle, Deputy de Sausmarez think the answer is blowing in the wind. The

80 States, at a meeting or two ago, decided – and I was in favour of it too – that we are going to spend over £1 million of public money going to the next stage of that development.

But let us look at where we are. I looked at the figures in the original Proposition, sir, and I think we have got to put them into context. The original resolution said:

To agree that the Committee *for the Environment & Infrastructure* may make a grant of up to £346,000 to the Renewable Energy Commission, towards the cost of the Commission carrying out its functions during the first 12 months of the operation and each year thereafter.

85 So £346,000, plus there was going to be another £121,000 or thereabouts of officer time. I looked, there are 40 elected Members in this Assembly, 38 from Guernsey, 2 from Alderney. If you take the average income of say something over £50,000 of those people, take off tax allowance, you have got taxable income of £40,000. That is £8,000 a year Income Tax; £8,000 by 40 is £320,000. Therefore, if we agree a cost like that in relation to where we are, sir, you, the States' Greffier, the  
90 other court officials and everybody else in Guernsey is going to have to pay for the health scheme, the education and everything else, because all the money that we pay in taxes will be spent on paying for the Commission. So we add another £340,000 a year, or whatever we end up doing as a result of the amendment, to the wage bill, the cost bill of the States.

Where are we? We are coming to the end of term. We have only got another couple of days. Let  
95 us mark our homework. We have done very little to achieve anything in relation to housing. Both the school building project and the hospital building project will cost millions and millions more. Alderney still has not got a runway. We have got a fiscal deficit that is unmanageable in the sense that it is a structural deficit unless we take difficult decisions, which we are not prepared to take, and we have not taken.

100 So where are we? We are going to get marked, I think, by the public at one out of 10, and that is because they are generous because it is summer. But in relation to what we are actually talking about, I think we have got to put all of this on hold, unless it is absolutely necessary and it is going to prevent wind farms, other kinds of renewable energy, etc. If it is going to prevent that kind of thing, then we just kick it into asunder. Because we cannot afford another quango. We cannot afford,  
105 whether it is £346,000, £450,000 or somewhere in between, we cannot afford it. We just have not got that money anymore to do that. We should only spend money when we are as sure as we can be that it is going to earn us money. If it does not, we do not spend it.

**The Bailiff:** Deputy Queripel.

110

**Deputy Queripel:** Thank you.

Even though I had written a speech on the next steps policy letter in the previous debate, I did not make it because I was conscious of the fact we were up against time so I did my best to exercise self-discipline in that debate. But on that note, I actually wrote eight speeches and only made three  
115 in that debate. They are all fairly short, as this one will be up, but what I want to do, I really want to put on record my gratitude to all the people who have driven this initiative, starting with Deputy Meerveld, because he is the one who has worked tirelessly throughout this whole term, promoting and progressing the wind farm.

He first spoke to me about this four years ago, and I truly believe if it was not for his dedication and his belief, we would not be where we are today. So I thank him most sincerely for his efforts.  
120 He has been unjustifiably ridiculed by some members of our community, and I think they owe him an apology. They probably will not apologise, but they certainly should do, in my view. And also to commend and put on record my gratitude to those who have supported Deputy Meerveld in his quest to alert everyone to the fact that the only chance of bringing big money into the Island, to  
125 add to the big money finance generates, is via the wind farm, renewable energy in general. I am talking about Deputy Dyke, Deputy de Sausmarez, Deputy de Lisle, and Deputy Blin primarily. And I apologise if I have missed anyone out, but they have all made monumental efforts to alert us to the amounts of money the wind farm will bring into the States' coffers.

Having said that, I am only too aware, we are told in paragraph 3.1, the States has been investigating the potential for offshore marine renewables in local waters since 2008 and that a lot of work has gone on behind the scenes since then. But the way I see it, and certainly this is the case for me, the reason it is now a major focus of attention is down to all the hard work the Deputies I have just mentioned have put in throughout the term of this Assembly.

It seems to me it is the only major source of income that is on the horizon. What else is there that is going to bring in the amount of money that a wind farm is going to bring in? The answer I see is nothing. There is nothing. Which is why we really do need to get behind these Propositions before us and stop ridiculing the people who are driving this whole initiative and doing their absolute utmost to bring this to fruition. We all know we have a huge black hole that needs to be filled and our investing in offshore renewable energy is going to go a long way toward filling that black hole.

So what is not to like about putting a commission in place? Some of my colleagues have expressed concerns. But I understand that, I get that. But of course, it is going to need money to do this. The figures we are talking about here are quite minute and minuscule compared to the amount of money this whole initiative is going to bring in. I am confident it is going to bring in tens of millions of pounds every year once this whole initiative is in full swing.

I ask colleagues who are thinking of voting against these Propositions to bear that in mind, sir, come the time to vote. Because where is the money going to come from to fill the black hole? Deputy Ferbrache has already stolen my thunder on this one because I was going to end by saying, 'I will quote the title of a song my good friend Deputy Ferbrache has referred to on more than one occasion in his speeches over the years. It is a song that was a huge hit back in the day when his hair was so long, he was refused entry into nightclubs here in Guernsey.' And I know that because he used to try and get into these nightclubs with my older brother, who also had long hair. Of course, the song, he has already mentioned – where is the money going to come from? – 'the answer is blowin' in the wind' by Bob Dylan.

There is another song title that refers to this as well. It is a song by Donovan, 'Catch the Wind'. So I truly believe this is the way to go and we really should not put obstacles in the way of any progression to bring this initiative to fruition.

Thank you, sir.

**The Bailiff:** Members of the States, if anyone wishes to do so, you are able to remove your jackets again today.

Deputy Dyke.

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

Well, the answer, my friends, may or may not be blowing in the wind. Nothing is certain in this world, but I have been a member of the Offshore Wind Committee, and I have seen the work done particularly by Deputy Meerveld, Deputy Blin and Deputy de Sausmarez. We have progressed quite a long way with our very good professional advisers. There is a path that we can clearly see in the way we have divided the programme into four. We have done the first two parts and are heading into the third, which is bringing it to market.

It is clear that there are some hurdles, which is: can we do contract for differences with the UK; what will they offer? Can we land on the south coast the power supply? On that, there is some real hope on that because the UK has most of its offshore power coming off the east coast, not on the south coast, and they have great demand for power on the south coast. So to the UK, it should be very good for them to have our power. Obviously we do not know.

We do not know if Mr Miliband may be replaced by someone else and the enthusiasm for wind may drop. A lot of things are uncertain. But there is clearly some hope in this and there are potentially some big numbers going along. You have had those explained. Those relate to a tiny part of our seabed; not all of it that is capable of supporting a wind farm. So this could be a very big economic advantage for Guernsey, along with possibly secondary things maintaining the wind



farm once it is up with boats possibly based here. It is very important to my mind that we should proceed with this.

In terms of the policy paper, I would ask you to focus on paragraph 5.14.

For the purpose of budgeting, it is assumed that the actual establishment of the OREC ...

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Alas, poor OREC, I knew him well:

... will only occur once there is a greater certainty around a potential offshore renewable project or projects ...

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So once we have greater certainty, then this commission will be set up. So it is not an immediate thing, and it will require some judgement, which the Offshore Wind Committee, P&R, the Assembly itself will probably get to determine where we should go on this and when.

195

It is difficult to know what level of certainty one looks at but there will – in most transactions, there comes a point when you pretty well know you have got a goer and you can go. The point is, this paper is not contemplating that we start this now, and that is quite right. I share Deputy Ferbrache's concerns. Another £450,000 is a lot of money. We deal with these big figures here and do not quite sometimes, I think, see the implications.

It is a lot of money, but we are not going to start spending it until there is much more income in prospect from the wind farm. So I agree with him, but that would not change my conclusion that we should vote for these proposals.

200

I would have possibly, if I may, just make one more comment on what Deputy Ferbrache has said, namely that we will not have any appetite for controlling our costs, cutting costs or anything like that. I think we will have to. There is no question about that. Whether we like it or not, that is one thing we are going to have to be doing in the next States (**A Member:** Hear, hear.) to the point of employment caps, all sorts of things; we are going to have to get on to that, but that is not for now.

205

In short, I would say that we should vote for this. You will note the amendment that we have passed, which is to ask for the other cheaper options to be developed, possibly using as a basic structure one of our other Committees and giving it a dual role. I strongly hope we do that because when we say, 'Oh, well, we can make the developer pay the fees.' Well, if the developer is paying more in fees, then it will pay us less in lease payments. So at the end of the day, if we spend £400,000, it is likely to be on us. So we need to reduce the cost as far as possible. So I will certainly be voting for the amendment that we have inserted.

210

But on balance, this is something we really must do. It is a real pity that we are not farther ahead. If we look south of us there is a huge development by Iberdrola that has been up and running for some time. That might be one of the companies that is interested in us. We will see. But we absolutely must vote for this.

215

Thank you.

**The Bailiff:** Deputy Blin.

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

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I am just going to take a slightly different angle on the same basis. From the end of yesterday's meeting we could see there were various Deputies, including Deputy Dudley-Owen and some comments again from Deputy Ferbrache. So what is today about? It is about establishing the OREC. Some colleagues have voiced a perfectly understandable worry, which is why create another body that will cost the taxpayer more than £300,000, although we have explained that part of it was already included before a single megawatt is generated.

230

Let us look at the cost in context. That headline, the £300,000 headline, equates to a fraction of 0.1 or less of general revenue, less than the States spends each year on other utilities. But on the FID, or the final investment decision, one offshore wind is measured in hundreds of millions of

pounds. So it shaves even 1% of that project's weighted average. It will save us and bring that money back entirely for the OREC over a number of years.

So the Committee has baked in certain commitments into this. It was the phase ramp up, legal and seabed specialists, market operation staff, only once a developer is in exclusive negotiations, i.e. we will not start this until we have the opportunity. The Gate(? 9.57.36) review, which is mentioned about the Assembly can halt or trim the budget if progress stalls. The cost recovery model, it is the licence fees, the premiums that flow back to the States, reducing net expenditure going forward. So there is a way to get this.

What worries me more than anything is we passed in the Assembly unanimously, 33 to zero, supporting the project, and now we are arguing on what we understand is an essential. I do take the comment of Deputy Ferbrache. He said if this is essential then we have to have it. But this is the essential, it needs to be connected and the greater cost of doing nothing will have an impact. We support one side to push forward on to it but without this side we cannot continue. We are all very, very aware of the cost involved, and I do remember, and I think we mentioned it yesterday with Deputy de Saumarez, as soon as the policy letter first came out, we asked questions over the cost. Could we not do – I think the referrals to a quango, but could it not be through the GCRA, could it not be a pop-up? But we are going to need this to continue.

The investor perception as well. The developers will not and should not – well, they will not – invest the capital. Unless they have a single authoritative counterparty, you cannot do this through some virtual committee, as we are a nation-state, just giving teeth to it. We will not have the credibility or the support or the investment from the developers.

Delay is going to be an extravagancy. We cannot delay. Prudence is our duty, and it is the leadership, and approving OREC today will secure that professional capacity, the regulatory certainty, and investor confidence essential to turning the wind potential into an energy reality. I do commend this policy letter and I hope it is fully supported.

Thank you, sir.

**The Bailiff:** Deputy de Lisle.

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

We have, as an Assembly, to be looking forward for new initiatives of economic development for the Island and, of course, diversification of our economy Island-wide. That has to be number one. Also we have to be looking at the actual trends which are within our key economic areas currently. As a result of that, we have to be looking for new initiatives going forward.

I think particularly with finance there are some that are saying that there is growth there. There are others that are saying that we have had some shocks recently, particularly with the Royal Bank of Canada leaving. Then we have also had certain shocks again with the Swiss bank rationalising and moving elsewhere.

As a result, we have to be proactive in Guernsey and we have to be looking to the future. We have to be also looking towards a new growth industry for Guernsey, and certainly this is one area where we have to be proactive. Guernsey's marine offshore renewable energy is something that we have to desperately consider. One thing I want to mention with regard to some of the concerns, it is not just a matter of wind power. This is a matter of tidal power, wind power, barrage developments, floating solar; this is a lot more than just wind power. It is just that wind has been really an initiator, to a large extent, of the interest in relooking really at OREC,; the establishment of OREC again. Doing so, of course, will establish the OREC to undertake the licensing process around marine offshore renewable energy projects in the sea around Guernsey. It is quite a broad function and it is something that we need to be supporting currently.

One of the most powerful underwater tide turbine projects has secured just recently funding from the European Union's Innovation Fund. That project by title 'Energy Developer Normandy Hydro' in France has been granted €31 million in funding from the European Union's 2023 Innovation Fund. This is very significant actually because it means that France is very keen on

investing into the Alderney race, and that is the French side of it. I think it is giving confidence, really, in the industry, particularly the tidal side of things.

285 France, of course, has been a leader also in barrage development, as we know in St Malo, very close to us. This is something else that we can be looking at here in Guernsey as well as wind, as well as solar. I say that solar and wind really the States are starting to work on. But in terms of solar, the solar developments that we have had here have been mainly community oriented. In other words, they are initiatives from essentially the Guernsey Electricity for the community as a whole  
290 but we need to be stimulating all householders in Guernsey to start looking at possibilities for them with regard to solar PV developments on rooftops or gardens or wherever. That is something else that we need to be moving on.

But this investment is only small relative to the actual impact and the returns to Guernsey in the future.

295 My basic point is approve the proposals contained here for the establishment particularly of OREC here in Guernsey, so that we have got that as a base for going ahead and talking really with some backup, to industrialists and developers in the energy area for the future.

This, as I see it, is Guernsey's new challenge for the future. Because this is our new opportunity. It is a new opportunity for growth in Guernsey and we are desperately looking for another sector,  
300 and this is where we need to be really taking every possible opportunity to move forward as rapidly as possible.

Thank you, sir.

**A Member:** Hear, hear.

305

**The Bailiff:** Deputies Aldwell, Leadbeater and Taylor, is it your wish to be relevéd?

**Deputy Taylor:** Yes, please

310

**Deputy Leadbeater:** Yes, please.

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

315

**The Bailiff:** I will mark the three of you as present.

Deputy Meerveld, you have already spoken in general debate.

**Deputy Meerveld:** Have I?

**The Bailiff:** Yes, you did, yesterday afternoon.

320

Deputy Haskins.

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

I have not heard many naysayers to this so I do think that this policy letter will sail through. So I will keep this brief.

325

I was listening longingly to Deputies Ferbrache and Queripel thinking of a song that I could, or lyrics that I could just put in so I have some, sir. To them, sir, 'You've got to know when to hold 'em, know when to fold 'em'. (**Deputy Gollop:** The Gambler.) The Gambler, that is it, Deputy Gollop, by Kenny Rogers.

330

I do maintain that this is a gamble and not a high-risk investment, as I think Deputy Meerveld likened it to. The reason I say that, because in a gamble you could lose everything. You could set this up, if you do not get the buck at the end that is it, it was all for nothing. I am just making sure that Members are going in with their eyes wide open.

The one thing that I do want to remind Members, because I think I said this in a different debate, in the wind farm debate before, the wind route is predicated on technological advances on the

335 depth and price of fixed installations. Which, if there are, it opens up opportunities elsewhere, not just to our seabed, to other seabeds. That would be a higher supply, which would then diminish the return that we would have. I say this to highlight the impacts of the odds.

But, Members, I do think that this will sail through. You have had Deputy de Lisle and many others; the potential impacts of a wind farm can be hugely positive. Not just in income but in labour, education, skills, diversifications. It can be hugely positive.

Members, as we have heard, the wind farm, the route, and I appreciate Deputy de Sausmarez could stand up and say it is not just about a wind farm, it could be tidal. It is just offshore. I will support this. I just want Members to have their eyes wide open, that this is a risk. It is a high risk, and we are just all hopeful. It just cannot happen unless we do this. So for that reason, I will support this.

Thanks.

**The Bailiff:** Deputy Falla.

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

I am not a fan generally. I am sure not many of us, if any, would be of layering up on regulation and bureaucracy, but I do see this one as a necessary evil. There are no guarantees, but I think it is a leap of faith that we have to take on the closest thing that we have got right now to a dead cert on diversifying our economy for the future, which we desperately need to do. Needless to say, I will be supporting it.

Thank you.

**The Bailiff:** I will turn to the President, Deputy de Sausmarez, to reply to the debate. You were too late, Deputy Le Tissier.

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

I am trying to find my notes in order. I did have a first page of them somewhere. In an effort to not miss anyone's points or questions, I am going again to work through chronologically. But I will do so succinctly, because I know we have got a lot on.

Deputy Murray talked about trigger points, and he is right that our policy letter was a bit vague. Deliberately so. I think it was Deputy Dyke, actually, who quite well articulated this afterwards. Is that we need to apply a degree of common sense. It would be foolhardy, I think, at this stage to set out some linear pathway, especially when some of those pathways are not linear to say, 'Well, at this specific point, we will do this and that will trigger this.'

This is preparatory work. We know that we need a commission. We know that we need this function in order to enable offshore wind. We need to do that work now so that we have all our ducks in a row. But we do not intend, as many speakers have reiterated, to actually pull the trigger on that and set it up a moment before we need to, because we do understand that that will incur expenditure.

In terms of some of the specific points that Deputy Murray raised, he talked about access to CfDs, which of course, is a pretty fundamentally important component. I think it is logical that we would not be establishing a commission and OREC, until we have confidence that we will have access to CfDs, whether that is UK or indeed France. In fact, meetings and conversations on that are very much ongoing. I have got another one next week, in fact.

The Marine Spatial Plan is a bit of work that is ongoing. He will be aware that P&R have kindly provided some funding to expediate that work. That is already in progress. It is important that the Marine Spatial Plan is completed before we go to market, but not necessary for the MSP, the Marine Spatial Plan, to be completed before the OREC is established. So those two bits of work can indeed work slightly more in parallel.

I thank Deputy Meerveld for the comments that he had forgotten he had made. *(Laughter)* I think actually, had he stood up today, he would have impressed upon the Assembly some points that he

has handed to me in barely legible scrawl, so I will do my best. I think the points that he wanted to make, particularly today, were that we are not agreeing today or this policy letter is not asking the Assembly to agree today to set up a commission. We are asking the Assembly for the aspects of it that we need in order to do that at a future point. We need to do that because certain things are defined in Law. However, if we can find a way, subject to the Proposition that was inserted by amendment yesterday, of structuring that differently, and if that does require some change to legislation, then that anyway will come back to the Assembly in good order, and we anticipate before the end of this year. Actually, the States will have another opportunity to look more closely at any details that may have changed.

I am probably going to touch on some of his points in response to other speakers. But one of the points I think he would have made is about this is about avoiding delays. The reason we need to get started on this work now is so that we are ready, and so that we do not get to a point where we go, 'Well, everything is in place and we would be in a position to be going to market, except that we have not done this absolutely essential bit yet, so we cannot.' What we want to avoid are any future delays as a result of not making a timely decision and doing the work that we need to do now.

Deputy Kazantseva-Miller raised a good question about the independence of the commission and whether that could potentially be undermined in any way because some of the function, as proposed in the policy letter, could be provided or shared by the States.

I can give her some assurance on that fact that those are not decision-making functions or anything about any determinations. We do not think that that is an issue at all. The reason it has been suggested is because there has been quite a lot of work to look at the best way of doing that. Actually it was far more cost efficient, partly because I know Deputy Kazantseva-Miller was not necessarily suggesting that the commission itself might want to directly employ IT function, legal, etc. But actually it just makes sense from the resources available that if any of those roles were to be recruited to or indeed outsourced, it is likely that they would be a bit under-utilised. This gives us the sharing, gives us better ability to make more efficient use of existing resources that are already structured.

But again, it is only there if we need it. Some of the work will look at whether we can do things a bit differently. If those functions can be provided, if we are looking at, for example, an existing regulatory body, and there are some of those administrative functions that could be shared, then that is again something that will come back in a policy letter towards the end of the year.

Deputy Gollop talked about the ecological or environmental considerations. He talked about a balance. I would say that these are essential. I am standing dangerously close to Deputy Meerveld so he might kick me in the ankles for using him as an example. But I think it is fair to say that he has had a bit of an epiphany on this point. I think it is probably not unfair to Deputy Meerveld to say that they were not uppermost in his considerations coming into this work, but multiple conversations with developers and other professionals in this area have, I think, changed his view. He does appreciate that the environmental considerations are actually fundamentally important. Whether or not for their own right is immaterial.

I think Deputy Meerveld looks at it from a purely business perspective that these are very important to developers to give them confidence that their reputations are not going to be damaged. It is also very important in respect of access to markets. For example, if we are looking at a route to market to, say, the UK, they will want the confidence that we have got the necessary processes in place to ensure that their reputation is not going to be similarly damaged by association. It is important at a number of different levels, and not just in and of its own sake.

Deputy Ferbrache asked: do we really need another quango? Is it absolutely necessary? That is quite a straightforward one to answer, because the answer is yes. This function, however we set it up, is absolutely necessary if we want to fulfil the potential for marine renewables in Guernsey's waters. We will, of course, be making sure that we are setting it up in the most cost-efficient way possible.

Deputy Queripel, I thank him for his acknowledgement of all the work that has gone in. I have been involved, actually, in looking into Guernsey's potential for marine renewables for even longer, for nine and a half years now, because I was an active member of the Renewable Energy Team back in the day, which did a lot of the groundwork to prepare that we are now basing this work on. But I think more recently it has been a very good example of cross-Committee and collegiate work across the States. So I would echo his thanks for the team effort.

He is also right, and he was not the only one to point to the income generation potential, and that was also something that Deputy Dyke picked up on. I think Deputy Dyke made his point well, that where on the one hand, yes, this is a not insignificant amount of money, we will not be spending it until we have a realistic prospect of generating substantially more. I think that was a very good point well made.

He also talked, and this was a point I touched on yesterday, he did make the point that actually the more we charge in licence fees, the less we may well get in terms of our lease income. That is absolutely right. That was a point that I talked about yesterday. That is why the policy letter, which also acknowledges the same, has got various options around the funding in there. That is why there is in the Law various different mechanisms, such as grants and loans, because it may well be that actually, if the cookie crumbles more beneficially, a different way than you might want to actually take a lower licence fee in order to get higher income in other ways. So there is the flexibility in the Law and indeed in these proposals to enable that.

I thought Deputy Blin's speech was really good. He made the point that this is, to Deputy Ferbrache's question, yes, this is absolutely essential. It is essential to our credibility. It is essential in order to give confidence to potential investors. He talked about the greater cost of doing nothing. Actually, I would take that one step further because we have decided not to do nothing. We have decided already to commit to the next phases of this work. Again, that comes at a material cost. There is some risk involved with that, and we know that if we do not put this function in place, then that cost is frustrated at the very best and it just cannot progress without a commission to carry out the functions stipulated in the policy letter.

Deputy de Lisle's speech was quite wide-ranging, and in fact, I think it ranged further than the policy letter, because I think at one point he was talking about rooftop solar, which I should clarify is definitely not in the remit of the Offshore Renewable Energy Commission. But he was absolutely right to say that this commission, this remit will be far wider than wind. He is absolutely right to say that any form of marine renewables of a particular scale would be dealing with the Offshore Energy Renewable Commission. He is absolutely right about that.

My notes at this point get really quite chaotic. I was squashing things into little gaps. Deputy Haskins talked about the risk again, and I think actually to build on his point about viability and feasibility. I think that underscores the point that actually it makes sense for us to be up there and one of the first to market in order to make the most of that opportunity in terms of the depth of the water. And he is nodding in agreement.

Deputy Falla really talked about diversifying the economy, and I think it is important to keep that bigger picture in mind. This, at the end of the day, is what it is all about. There are multiple potential benefits from marine renewables, but certainly potential income is one that has to be taken seriously and is not to be sniffed at in terms of its potential.

I think in summary, this policy letter sends a clear message, if it is supported, to developers and to any watching governments that we are serious about this initiative and we are proceeding at pace. The Assembly's fulsome support for this will, I think, be a factor in its own right to encourage them to engage with us so we can keep this project moving forward at pace.

Thank you.

**The Bailiff:** Members of the States, there are six Propositions. I am trying to work out who wants to vote differently on any of them. The impression I got yesterday was that Deputy Kazantseva-Miller would like Proposition 4 done on its own. Is that right?

Deputy Murray?

490

**Deputy Murray:** Propositions 2 and 6, please, sir.

**The Bailiff:** Two and 6, half a crown. *(Laughter)*

495

**Deputy Dudley-Owen:** May I request that we have each of them split out separately?

**The Bailiff:** Showing my age. What we will do on that basis, because Deputy Dudley-Owen is suggesting, let us have all six Propositions done as six votes; so that is what we will do, please, Greffier.

500

There will be a vote on Proposition 1 only first, and I will invite the Greffier to open the voting on Proposition 1, please.

*There was a recorded vote.*

505

*Carried – Pour 32, Contre 4, Ne vote pas 3, Did not vote 1, Absent 0*

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

510

**The Bailiff:** In respect of Proposition 1, there voted in favour 32 Members, 4 Members voted against, 3 Members abstained, 1 Member did not participate in that vote and therefore I will declare Proposition 1 carried.

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

*There was a recorded vote.*

515

*Carried – Pour 35, Contre 1, Ne vote pas 3, Did not vote 1, Absent 0*

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

520      **The Bailiff:** In respect of Proposition 2, there voted in favour 35 Members, 1 Member voted against, 3 Members abstained, 1 Member did not participate. Therefore I will declare Proposition 2 also duly carried.

We will move on next to Proposition 3 on its own. Once again, I will invite the Greffier to open the voting on Proposition 3.

525      *There was a recorded vote.*

*Carried – Pour 32, Contre 5, Ne vote pas 2, Did not vote 1, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	Dudley-Owen, Andrea	Hill, Edward	Mahoney, David	None
Blin, Chris	Ferbrache, Peter	Snowdon, Alexander		
Brouard, Al	Helyar, Mark			
Burford, Yvonne	Le Tissier, Chris			
Bury, Tina	Murray, Bob			
Cameron, Andy				
de Lisle, David				
de Sausmarez, Lindsay				
Dyke, John				
Fairclough, Simon				
Falla, Steve				



Gabriel, Adrian  
 Gollop, John  
 Haskins, Sam  
 Inder, Neil  
 Kazantseva-Miller, Sasha  
 Le Tocq, Jonathan  
 Leadbeater, Marc  
 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

530

**The Bailiff:** In respect of Proposition 3, there voted in favour of 32 Members, this time 5 Members voted against, 2 Members abstained, 1 Member is not participating in the process, and therefore I would declare Proposition 3 duly carried.

We will now move to Proposition 4, and I will invite the Greffier to open the voting on Proposition 4.

535

*There was a recorded vote.*

*Carried – Pour 30, Contre 6, Ne vote pas 3, Did not vote 1, Absent 0*

540

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

**The Bailiff:** In respect of Proposition 4, there voted in favour of 30 Members, this time 6 Members voted against, 3 Members abstained, 1 Member was absent, and therefore I will declare Proposition 4 also duly carried.

545 Proposition 5, and similarly I will invite the Greffier to open the voting on Proposition 5, please.

*There was a recorded vote.*

*Carried – Pour 36, Contre 1, Ne vote pas 2, Did not vote 1, Absent 0*

550

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

**The Bailiff:** Will you now please close the voting, Greffier? So in respect of Proposition 5, there voted in favour 36 Members, 1 Member voted against, 2 Members abstained, 1 was absent, and therefore I declare Proposition 5 duly carried.

555 Finally, Proposition 6, which comes from the successful Amendment 1, and again I will invite the Greffier to open the voting on Proposition 6, please

*There was a recorded vote.*

560

*Carried – Pour 37, Contre 0, Ne vote pas 2, Did not vote 1, Absent 0*

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

565

**The Bailiff:** In respect of Proposition 6, there voted in favour 37 Members, no Member voted against, 2 Members abstained, 1 Member was absent, and therefore I declare Proposition 6 also duly carried, which means that all 6 Propositions have been carried.

## LEGISLATION LAID BEFORE THE STATES

**The Land Planning and Development (Appeals) (Amendment) Regulations 2025;  
The Plant Health (Amendment of Preserved Phytosanitary Conditions Regulation and  
Transitional Provision) (Guernsey) Regulations 2025**

570

**The Bailiff:** Can we now please mention the legislation being laid before the States, Greffier?

**The States' Greffier:** The following legislation are laid before the States: The Land Planning and Development (Appeals) (Amendment) Regulations 2025; the Plant Health (Amendment of Preserved Phytosanitary Conditions Regulation and Transitional Provision) (Guernsey) Regulations 2025.

575

**The Bailiff:** Thank you very much. I have received no motions to amend in respect of either of those statutory instruments, but there will be another opportunity for anyone who wishes to do so in July.

## LEGISLATION FOR APPROVAL

### POLICY & RESOURCES COMMITTEE

#### 7. The Bank Resolution (Bailiwick of Guernsey) Law, 2025 – Proposition Carried

*Article 7.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft Projet de Loi entitled "The Bank Resolution (Bailiwick of Guernsey) Law, 2025", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.*

**The States' Greffier:** Article 7, Policy & Resources Committee – the Bank Resolution (Bailiwick of Guernsey) Law, 2025.

**The Bailiff:** I will invite the President, if he wishes to do so, to say anything about this draft Projet, please.

**Deputy Trott:** Sir, I simply so move.

**The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Yes, sir.

I just thought I might give a brief explanation of this rather long Law on the basis that Deputies might have not had time to study it very carefully, so I will just explain it.

It is something that the GFSC have wanted for a long time, which is to have an arrangement whereby, in the event of a banking crisis, a 2008-type thing, they can step in if necessary to rearrange banks, make different arrangements with creditors, and all that sort of thing.

The reason they want it is that Jersey have got it, the Isle of Man have got it. We do not have it and, if we do not have it, the Bank of England will not talk to us unless we have got this structure in place. So to have a place at the table in the event that there is one of these crises, we need this sort of legislation in place.

As a practical matter, the four big clearing banks here are not incorporated in Guernsey, they are incorporated elsewhere, so our contribution to all this is likely to be minimal. We might have more involvement in a thing like Skipton Guernsey or that sort of thing. So it is to allow reconstructions where it is necessary, subject to the basic provision that creditors of the relevant bank cannot, at the end of the day, be made worse off than they would have been if the normal corporate winding up provisions are provided. So, basically, the GFSC wanted to get a seat at the table.

How effective it is, how important it is going to be in practice, I do not know, but it is important, I think, that we have a seat at the table. When I spoke to them, they were very keen to get this done. This has languished for a long time. The Legislation Scrutiny Panel set aside an entire day to go through it. The drafting, we are assured, is based on Jersey and the Isle of Man, which itself is based on some drafting from EU provisions. So some of it reads slightly curiously, but there is a reason for that. It is something that I think we should pass, and I will certainly vote for it.

Thank you.

**The Bailiff:** Deputy Gollop.

620

**Deputy Gollop:** I think it is important that we in the States – there is a curiosity about the way candidates and the public view us because this kind of material is the real heavy lifting and so essential to our economy and society. I thank Deputy Dyke, because we forget the Legislation Select Committee have hundreds of pages to go through, which they do, and there are at least 6 Members on that.

625

I know we on P&R worked really hard on this, which included perhaps coming up with the right structure for the Board, which of course is both a part of, with the Chairman appointed by the Guernsey Financial Services Commission, but separate from in operational and decision-making terms. Two of the four members may be civil service officers or non-GFSC people, but the Chair I believe will be GFSC. So there will be a balance, but hopefully not political interference.

630

So I think we have found the right way of going forward on an essential structural situation for the reasons Deputy Dyke has explained, and it has cost us 300 pages of legislation that hopefully will be rarely, if ever, used because of the success of our financial subsidiaries.

635

**The Bailiff:** Deputy de Lisle.

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

As I understand it, this is a resolution for the banks being a process whereby a bank, which is failing, is not necessarily wound up in liquidation proceedings, but can have its shares, business and undertaking transferred. I think that is what this is all about, but I would like perhaps for the public at large to know exactly what their position is in holding their funds in the banks and what guarantees that they have at the current time with respect to their accounts within the banks, because this is part and parcel of this package. But it is just a matter of explaining the most current information to the public in terms of the guarantees that are provided for their accounts.

640

645

Thank you, sir.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I need to help Deputy de Lisle. If he has concerns, if any member of the public asks him, may I ask that he refers them to the Guernsey Banking Deposit Compensation Scheme and that will give the background to the rights and responsibilities of our Government and the regulators around should a large bank fail and which of their deposits are protected or not.

650

**The Bailiff:** As I do not see any other Member rising, I will turn back to Deputy Trott to reply to that short debate, please.

655

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

I thank all Members for their useful contributions. There is no question that in the lead up to the policy debate on this matter, as Deputy Gollop has referred, there was an enormous amount of engagement, both with industry and with the regulator. Industry supports these proposals, but it is an opportunity for me to make clear my appreciation, my Committee's appreciation to the Legislation Review Committee, which I know Deputy Dyke is a valuable member of, for the many hours of careful deliberation that they gave this matter.

660

Deputy Inder has already answered the only question that was placed by Deputy de Lisle, and it refers to the Depositors' Compensation Scheme that was set up after the global financial crisis. From memory, it is denominated in euros, so I cannot give him a precise sterling figure, but it is something around £80,000 or £85,000 worth of depositors' funds are protected under that scheme. So depositors can be certain that their deposits are protected up to certainly that level.

665

I am aware that there are negotiations with regards a deposit-taking institution, a new deposit-taking institution for the Island, something that we should be proud of. We are open for business, we are always willing.

I give way to Deputy Inder.

**Deputy Inder:** It is only that I have gone on to the internet quicker than Deputy Trott has, just to assist on the DCS, just to read from the leaflet:

The scheme provides a maximum compensation of up to £50,000 for each qualifying claimant, as below, who held deposits with the failed bank. This compensation may be reduced, as is found below.

But I am not going to go into it now, but what I will do is I will share the DCS scheme with Members.

**Deputy Trott:** I think that is the most welcome intervention because it was materially lower than I had indicated, and it is denominated in sterling. There was a time when I do not think it was, but that is irrelevant. It is £50,000.

But the important message here is that there is another deposit-taking institution that wishes to make its home in Guernsey. We are told that it intends to asset-back all of the deposits in such a way that it will guarantee total depositors' security. That, for some, particularly those who exceed £50,000 in total, will be welcome news, and I am sure that my successors will do everything they can to ensure that that deposit-taking institution has every opportunity to do its business here.

**The Bailiff:** Members of the States, there is a single Proposition as to whether you are minded to approve the draft Projet de Loi, and I will invite the Greffier to open the voting on that Proposition, please.

*There was a recorded vote.*

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

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	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

700     **The Bailiff:** On the Proposition to approve the draft *Projet de Loi*, there voted in favour 39 Members, no Member voted against, no Member abstained, 1 Member was absent, and therefore I will declare the Proposition carried.

## COMMITTEE FOR HEALTH & SOCIAL CARE

### 8. The Children (Guernsey and Alderney) (Amendment) Law, 2025 – Proposition Carried

*Article 8.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft *Projet de Loi* entitled "The Children (Guernsey and Alderney) (Amendment) Law, 2025", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.*

705     **The States' Greffier:** Article 8, Committee for Health & Social Care – the Children (Guernsey and Alderney) (Amendment) Law, 2025.

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

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

I was going to risk it with Deputy Trott, just to lay it, but I think I will just say a few words, if I may, sir.

715     In November 2022, the Committee for Health & Social Care brought a policy letter to the States of Deliberation entitled *The Review of the Children's Law and Outcomes, Improvements to the Family Care and Justice System*.

The policy letter outlined a wide range of proposed amendments to the Children (Guernsey and Alderney) Law, 2008. The agreed policies intend to address necessary improvements to the Law and to rectify issues which had been identified during the previous reviews of the legislation, including the 2014 Professor Marshall Report.

720     In close consultation with stakeholders, such as the Office of the Children's Convener and representatives of the Guernsey Bar, extensive work has taken place to develop these proposals into the amendments to the Law. These amendments to the Law will have far-reaching benefits for children and families involved with the family justice and care system, which will include reducing delays in determining outcomes for children in public family law proceedings, avoid duplications within the public family law part of the system, and ensuring clearer thresholds for State involvement in family life, offering additional protection for children by addressing areas of identified risk.

725

There are at least 13 discrete areas where there are changes. These changes have been the result of complex and extensive cross-committee and multi-agency work, including with the Children and Young People's Board. All parties involved are at least very pleased at best and content at worst. This has been a complex issue with different views. The result is a real consensus piece of work, and I would like to take this opportunity to thank my fellow Committee members and all stakeholders and Committee areas who have helped to enable this piece of work to return to the Assembly today.

These are real changes, which we believe will have a direct impact on improving the outcomes for some of our most vulnerable children in Guernsey and in Alderney, once fully implemented in the coming months.

Thank you very much, sir.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, thank you.

In the previous debate in March on this issue, I am sure my colleagues will recall, I said I thought we owed the children of the Bailiwick and their families an apology for this whole issue taking so long when it could and should have been laid before us a lot sooner than it has been. In my speech back then, I held my hands up and I apologised. When he responded to debate, Deputy Brouard was gracious enough to also apologise on behalf of his Committee and his Department, and I commend him for that. I am not aware of any other Member apologising.

He also said, in response to my questions during that debate, as he reiterated today, HSC have had resource issues. It is a complex issue and there are quite a few reasons for the delay. He gave me an assurance that a lot of people were working extremely hard behind the scenes to progress this, so I am really pleased to see this paper before us just seven weeks after that last debate. I also commend everyone who has been working hard behind the scenes for getting this back to us in such a short timeframe.

However, it concerns me greatly that some parents and their children are still falling between the cracks and the gaps, and many of us in this Assembly recently received an email from an extremely distressed parent telling us there were still failings in the system. That is causing a lot of upset to families out in our community. I know there are two sides to every story – there always is – and we have to be mindful of that and consider both sides.

So, can the President please tell me if he or any of his Committee have reached out to this distressed parent in an attempt to resolve the problems they and their children are having to endure. Because surely we do need to plug any cracks and gaps and address failings in the system to ensure the well-being of our children and their families.

In fact, I will give way to Deputy Prow.

**Deputy Prow:** I thank Deputy Queripel for giving way.

I am not sure how relevant this is to the legislation. The President, I think, will reply on that. But his specific question, on behalf of the Committee for Home Affairs, I have reached out in an exchange of emails. I am very grateful for Deputy Queripel not giving any more information on highly sensitive matters. But I can give Deputy Queripel an assurance, I have reached out, and I will meet with that individual. I hope that that gives him, as far as the Committee for Home Affairs is concerned, some reassurance in that area.

Thank you, sir.

**Deputy Queripel:** I take great comfort from Deputy Prow saying he has reached out. That will mean a lot to this distressed individual and their children. In fact, it will mean a lot to our whole community because, in reaching out, Deputy Prow may identify one of those gaps, one of those failings in the system. So I thank him most sincerely.

On the issue of how relevant what I am saying is to the debate, section 3 on page 7 reads as follows:



780

The States must have regard to the importance of parents and other persons caring for children in improving the well-being of children.

So surely we cannot allow those words to remain just as words. Surely there needs to be an action attached to those words, and so, as I have already said, I very much appreciate there are two sides to every story.

785

I have been trying for several years to ensure any gaps and cracks and failings in the service have been plugged, as I am sure many of my colleagues have. But it seems that there are still gaps and failings in the system, hence my looking to the President of HSC and his Committee to look into whether or not any of those gaps and cracks and failings do exist and come up with solutions.

790

At this stage, I was also going to say, not only HSC, but I also put the question out to members of Home Affairs, so I am grateful for Deputy Prow for pre-empting that. Because Home Affairs are mandated to oversee the association between justice and social policy. Their purpose is to maintain and promote an equitable society which values public protection and respects the rights of every person here in the Island.

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I have said all what I have said in the hope that colleagues can understand why I have asked this question. Because I have also reached out to this individual on several occasions in the past and I have not had a great deal of success. So it obviously needs someone with a lot more influence than me, and those people with influence, of course, will be the people on the relevant Committees.

800

In closing, sir, I did ask HM Comptroller some time ago during a debate if he could please tell me the legal definition of the word 'reasonable'. I think I am right in saying, he said, 'The legal definition is that which is not excessive.' So, if that is the case, can HM Comptroller please tell me if I am right in saying the legal definition of the word 'reasonable' is that which is not excessive.

805

The reason I want to clarify that in relation to this motion in front of us is because we are told on page 2, section 12 provides that a police officer can use reasonable force when exercising the power to remove a child when a recovery order has been made. So, sir, I will end there and I will look forward to HM Comptroller's response.

Thank you, sir.

**The Bailiff:** You get a bit of thinking time, Mr Comptroller, because Deputy Gollop is going to be called next.

810

**Deputy Gollop:** Not too long.

815

I know a lot of people want to get on to the main debate, but it is important we go on to the legislation too. I know the States' Comms Department have already prepared a press release in the happy hope that this is passed, preferably unanimously. Because, the thing is, I need to thank Deputy Queripel for his involvement and interest in this subject over many years. But also I think we need to thank other States' Members, Deputy Brouard and Deputy Le Tocq, who have been a driver both during the policy stage and subsequently.

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But in recent times I took over the chairmanship of the Corporate Parenting and Children and Young People's Plan and the bad news is the Children and Young People's Plan Board may cease to exist from today because, if this passes, that is the end of its task and finish. But it has been an interesting group to be with, with colleagues like Deputy Matthews and Deputy Haskins and Deputy McKenna and so on.

825

There is work. We do not interfere or get involved in individual cases and of course there is a dilemma in the states, as Deputy Prow identified, how far States' Members can take up cases which perhaps have a social or legal dimension. That is not where this is coming from, although the Law and the Committee should be open to looking to right any remedies.

I personally think, but this goes off the subject, that we would benefit from a children's commissioner at some point, but that is not where we are today.

Deputy Queripel has raised the issue about the reasonable force. Deputy Brouard has spoken of the overriding principles. I think the secret of this has been to keep all the stakeholders, including the Children Youth Tribunal, on board and to make progress on both the political and an operational and a professional level.

To point out things that are important, it is about safeguarding, but it is also about finding pragmatic solutions. Section 4, for example, widens eligibility to be a member of the Children, Youth and Community Tribunal and it creates a duty on specified individuals to attend tribunal hearings and potential penalties of £1,000 for those who fail to attend.

We are trying to get the Children's Convener Service and the courts and the Social Services to work together as much as we can. There are paradoxes because some of our system is based on Guernsey Law and perhaps elements of the Scottish system, whereas professionals have invariably been trained in England. But we want a system, which we have got, I think, tailormade for us.

There will be adjustments to circumstances for a community parenting order and child protection may be made, and a power for the Court to make a community support order or child assessment order in certain circumstances. Amendments are made in which the court can make an exclusion order.

The point is sometimes you had a conflict between orders whereby one order would potentially cancel someone out, which would not be quite appropriate. What we want is to bring the maximum safeguarding so that we can ensure that the children we looked after are not put at risk in any way and have professional protection as well as perhaps reconciliation with their families.

Indeed, we may make amendments to the names and functions of the safeguard of service indeed, and I know there will be some people perhaps being aware of this debate or listening to the debate, and for them it will be extremely relevant and I just hope that we get this through in the next few minutes.

**The Bailiff:** Deputy Matthews.

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

I was not going to speak on this Item, but I thought that I would respond a little bit to Deputy Queripel because I think he has done some really sterling work over the years in taking up some casework on some difficult cases. It is not at all easy to do that when you are approached by individuals to try and help out and to try and resolve issues. It is really a very difficult thing to do. I was very pleased to hear that Deputy Prow, whose Committee has responsibility for the Family Proceedings Advisory Service (FPAS), will take up some of those issues and see if there are potential resolutions that can be found.

Although issues inside the Family Court are not always related to this particular piece of legislation, because the Family Court deals with a number of issues, I do think that there is a relevance in part. One of the things that I have looked at doing, or a couple of the things that I have looked at doing on the Children and Young People's Board this term, is to try and improve the service that we offer, because it is always sometimes difficult.

There are a few things, I think, that we could do. One of them, which we have not really managed to progress, is looking at opening up the Family Court system a little bit. In the UK, Family Courts have opened up. There is an open courts initiative, which, although it still aims to protect identities and the rights of the child, does allow a little bit more access to proceedings of the Family Courts. That is, I think, something that Guernsey ought to be considering looking at, although it is a difficult area in this Island.

But one of the other issues that the Children and Young People's Board has looked at, and I have really tried to impress in the Children's Law – I will give way to Deputy Prow.

**Deputy Prow:** I thank Deputy Matthews for giving way.

Just to perhaps add to the point he has made, as part of the Justice Framework and the Justice Action Plan, family justice is a subject, which is something that the Committee *for* Home Affairs

wanted to review this term, but it did not make the cut in the Government Work Plan for the resource that is needed.

So I think I am very pleased that Deputy Matthews has made that comment, because I think that the review of the justice piece within Assembly is something that I would encourage the next  
885 Assembly to take forward. So I am very pleased that he has mentioned that.

That is not a criticism of the Government Work Plan. There is a huge agenda of work that Home Affairs and other Committees have had to get through. But I think the time has come where the justice piece generally, and family justice, does need review, and some of the suggestions that have been made by Deputy Matthews are welcome, in my view.

890 Thank you, sir.

**Deputy Matthews:** I thank Deputy Prow, and I hope that in the next term that is one of the items that can be progressed. I do realise that Home Affairs has obviously had a very full slate this term with Moneyval and Brexit taking up an awful lot of time.

895 One of the aspects that the Children's Law does seek to address is the issue of children that are under the care of the States of Guernsey. Really, a lot of the Children's Law is about improving the service that we can offer. We should always bear in mind that the best place, whenever possible, for children to be brought up is with their parents and the Children's Law looks at, really, the instances where that is possible or not possible, or the right thing or not the right thing to do.

900 One of the things that I have looked at and pressed the Children's Services to try and make some more progress on is to implement a reunification framework to allow children who have been in care to return to their parents when that is appropriate. I am pleased to say that the option of a reunification will be considered for all children in care and, where indicated, careful and robust assessment and intervention will be provided. We have set up a Task and Finish Group to establish  
905 a pathway, or develop a pathway to improve what Children's Services is able to offer in there.

But I think my message really to Deputy Queripel is to say, yes, I do appreciate these cases are very difficult, and they do sometimes benefit from the intervention of States' Members.

Thank you, sir.

910 **The Bailiff:** Mr Comptroller, who needs friends like Deputy Queripel with questions like that? Can you assist?

**The Comptroller:** Sir, I can make some observations. In fact, Deputy Queripel was very kind, he did give me some advance notice that he might raise this issue. So I have had some prep time.

915 I think it arises in the context of, not so much reasonable, but reasonable force. Because what this Law does is to amend the 2008 Law in order to make it clear that a police officer, when exercising a power to remove a child, may use such reasonable force as may be necessary. That is all it does. That is probably implicit anyway in the power to remove a child that there is a power to use reasonable force when removing the child. But that is what the Law does.

920 So it is quite a narrow set of circumstances in which reasonable force may be used because the power to remove a child arises only in certain specified circumstances in the Law. For example, when the child is at serious risk of harm, a police officer has a power to use reasonable force when removing that child. This Law will make it, for the avoidance of doubt, that that force may be used.

Reasonable force in that context has no statutory definition. I am not sure there is in other  
925 legislation where there is a reference to reasonable force, although I will stand corrected on that one. But in the context of the Children Law, there is no statutory definition. But I think the courts can draw on a lot of jurisprudence from England and Wales, dealing with when reasonable force may be used and how it may be used, and I think it is also important to note that, when police officers are trained, they are trained in the circumstances in which the power may arise and what  
930 they may do and what may be considered to be reasonable when removing a child.

Just to give it some context, I have had the opportunity just to draw out some of the cases that related to the use of the power, and I think there are quite a good number of judgments which we

can use in the Bailiwick, certainly in Guernsey and Alderney, when it comes to what may be reasonable force.

There are a variety of factors that will be needed to be taken into account because all circumstances may be different. The age of the child will be appropriate. The vulnerableness of the child in the circumstance in which the child may be have to be taken into account. These are judgments that individual officers will need to take, do take, and are trained to take. I hope that is of some help to Members and to Deputy Queripel.

**The Bailiff:** Thank you very much, Mr Comptroller.

As I do not see any other Member rising to speak on this matter, I will turn back to the President, Deputy Brouard, to reply to the debate, please.

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

The debate was started with Deputy Queripel, he has been a keen advocate of improvements and support for children and families. So I thank him for his encouragement over the years.

As pointed out by Deputy Prow, this arena here in the Assembly is not the place to discuss individual cases, so I thank Deputy Prow for his intervention as guardian of the Independent Family Proceeding and Advisory Service.

It is a very emotive area, sir, where parents fall out over children. It is an area where even hardened angels will fear to tread, but we have to and we do. So that is the context of it. It does not happen often, but there are times when we do have to get involved and it is sad when we do, but we do without fear or favour.

Deputy Gollop, as Chair of the Children and Young People's Board, I thank him for his support, and our own Committee member, Deputy Matthews, as our HSC lead on children's matters, I thank him for his support.

These are live documents. These laws will be used on a daily basis. But over time, they will also need to be changed again as circumstances change and methods improve. So, we are at a snapshot in time. So we will continue to look to make improvements. We will also continue to need resources. We need to make sure that those resources are used effectively for families and for the Island's children. So I encourage you all to support these amendments to the law.

Thank you.

**The Bailiff:** Members of the States, there is a single Proposition, whether you are minded to approve the draft Projet de Loi, which in accordance with clause 18 will come into force by way of an Ordinance. I invite the Greffier to open the voting on the Proposition, please.

*There was a recorded vote.*

*Carried – Pour 40, Contre 0, Ne vote pas 0, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	None	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  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

975 **The Bailiff:** So in respect of the Proposition, whether you are minded to approve the draft Projet de Loi, there voted in favour of 40 Members, no Member voted against, no Member abstained, everyone participated, and therefore I will declare the Proposition duly carried.

## POLICY & RESOURCES COMMITTEE

### 9. The Machinery of Government (Transfer of Functions) Ordinance, 2025 – Proposition Carried

*Article 9.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Machinery of Government (Transfer of Functions) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

980 **The States' Greffier:** Article 9, Policy & Resources Committee – the Machinery of Government (Transfer of Functions) Ordinance, 2025.

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

985 **Deputy Trott:** Sir, I so move.  
Thank you.

990 **The Bailiff:** No one is rising on this occasion. I am just waiting for the Proposition to appear on my screen, which it has done now. Therefore, I will invite the Greffier to open the voting on the Proposition, whether you are minded to approve the draft Ordinance.

*There was a recorded vote.*

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

995

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	Taylor, Andrew	None	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				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

**The Bailiff:** Will you now please close the voting, Greffier. So in respect of this draft Ordinance, there voted in favour 39 Members, no Member voted against, 1 Member abstained, everyone participated, and therefore I will declare the Proposition carried.

POLICY & RESOURCES COMMITTEE

**10. The Criminal Justice (Proceeds of Crime) (Access to Beneficial Ownership Information) (Amendment) Ordinance, 2025 – Proposition Carried**

*Article 10.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Criminal Justice (Proceeds of Crime) (Access to Beneficial Ownership Information) (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

**The States' Greffier:** Article 10, Policy & Resources Committee – the Criminal Justice (Proceeds of Crime) (Access to Beneficial Ownership Information) (Amendment) Ordinance, 2025.

**The Bailiff:** Once again, I will turn to Deputy Trott to see if he has anything he wishes to say.

**Deputy Trott:** Only that this was a matter that was debated extensively, very recently by this Assembly, and as Members will recall, is in place in order to ensure that we fulfil our international commitments and obligations.

Thank you, sir.

**The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Just a quick word, just to confirm to Deputies, this particular statute only extends to obliged entities the right to information from the Registrar of Beneficial Ownership. It does not go to that point that we discussed and I was quite upset, about the second part of this, which is going to suggest that it is rather more open than that. That rather more controversial area would be the subject of a separate statute, so this is the safer half of it for those who might want to know that.

Thank you.

**The Bailiff:** So I will turn back to the President, Deputy Trott, to reply to that point.

**Deputy Trott:** Deputy Dyke's comment is welcome. He reminded the Assembly that the debate focused on the importance of us maintaining our international commitments and obligations, but also made the point that privacy are not dirty words. This is a view that is upheld by the European Court and that we intend to watch developments very closely, particularly in that regard.

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

*There was a recorded vote.*

*Carried – Pour 40, Contre 0, Ne vote pas 0, Did not vote 0, Absent 0*

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	None	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  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

1040 **The Bailiff:** In respect of the draft Ordinance, there voted in favour of 40 Members, no Member voted against, no Member abstained, everyone participated. Therefore I declare the Proposition carried.

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

### **11. The Long-Term Care Insurance (Guernsey) (Rates) Ordinance, 2025 – Proposition Carried**

*Article 11.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

1045 **The States' Greffier:** Article 11, Committee for Employment & Social Security – Long-Term Care Insurance (Guarantee) (Rates) Ordinance, 2025.

**The Bailiff:** I turn to the President, Deputy Roffey, to open the debate if he wishes to do so.



1050 **Deputy Roffey:** These are changes recently approved during the Supported Living and Ageing Well Strategy (SLAWS) debate and I ask Members to put them into Law.

**The Bailiff:** As no one is rising, I will ask the Greffier to open the voting on the single Proposition, whether you are minded to approve the draft Ordinance.

1055

*There was a recorded vote.*

*Carried – Pour 38, Contre 2, Ne vote pas 0, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	Inder, Neil	None	None	None
Blin, Chris	Murray, Bob			
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				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

1060

**The Bailiff:** In respect of this Proposition, there voted in favour 38 Members, 2 Members voted against, no Member abstained, everyone participated. I will declare the Proposition duly carried.

**COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

**12. The Social Insurance (Guernsey) Law (Amendment) Ordinance, 2025 –  
Proposition Carried**

*Article 12.*

*The States are asked to decide:–*

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

**The States' Greffier:** Article 12, Committee for Employment & Social Security – The Social Insurance (Guernsey) Law (Amendment) Ordinance, 2025.

**The Bailiff:** Again, I will turn to Deputy Roffey to open the debate if he wishes to do so.

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

This one is slightly more complex in the sense that what the Law does is to vest certain powers and functions in the Director of Revenue Services, but the drafting instructions for vesting those powers come from two different sets of States' debates. One was this Assembly in passing the secondary pensions legislation, and one was a previous Assembly when they first set up the Revenue Services and transferred the responsibility for collecting contributions from ESS to Revenue Services.

It has been done under a workaround up to now. It has taken a while to come through the legal machine, as it were, so I think St James' Chamber has just taken advantage of bringing both of these sets of drafting instructions that vest additional functions and powers in the Director of Revenue Services in one Law.

**The Bailiff:** I do not see any Member rising to debate the draft Social Insurance (Guernsey) Law (Amendment) Ordinance, 2025, so I will invite the Greffier to open the voting on that single Proposition.

*There was a recorded vote.*

*Carried – Pour 40, Contre 0, Ne vote pas 0, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	None	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  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

1090

**The Bailiff:** In respect of this draft Ordinance, there voted in favour 40 Members, no Member voted against, no Member abstained, everyone participated. Therefore, I will declare the Proposition duly carried.

#### COMMITTEE FOR HEALTH & SOCIAL CARE

#### 13. The Capacity (Commencement and Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2025 – Proposition carried as amended

1095

*Article 13.*

*The States are asked to decide:–*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Capacity (Commencement and Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

**The States' Greffier:** Article 13, Committee for Health and Social Care – the Capacity (Commencement and Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2025.

1100

**The Bailiff:** I will invite the President, Deputy Brouard, if he wishes to do so, to open on the Ordinance, and if you have got nothing to say, then we will move straight on to the amendment.

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

1105

This is another milestone with regard to the legislation. Just a reminder, this is the Law, this is not a discussion on the policy, which you have already done that piece of the work.

The Capacity (Commencement and Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2025, commences parts 5 and 6 of the Capacity (Bailiwick of Guernsey) Law, 2020, which is the umbrella Law. This specifically relates to the advanced decisions to refuse treatment and advanced care plans, respectively. If approved, these will come into effect from 8th May.

1110

Advanced decisions to refuse treatment and advanced care plans are important tools to allow Islanders to plan for their future at a time when they may not have capacity to make decisions about their care and treatment themselves. Advanced decisions to refuse treatment are legally binding and will allow Islanders to set out specific treatments they would not wish to have carried out on

1115 them, and this can extend to life-sustaining treatment. Advanced care plans set out where and how they would like care to be provided for them when they lack capacity to make such decisions.

I am not going to say much more, sir. I would just ask for the Law to be approved.  
Thank you.

1120 **The Bailiff:** You do have an amendment, Deputy Brouard. Do you wish to move the amendment now?

**Deputy Brouard:** Please, sir.  
Can the Greffier read it, please?

1125 *The States' Greffier read out the amendment.*

**The Bailiff:** Now I invite Deputy Brouard to move the amendment, please.

[Amendment 1.](#)

*To amend the Capacity (Commencement and Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2025 as follows:-*

*(a) for section 1(c), substitute "(c) sections 71A and 72,"*

*(b) insert the following section as section 6 and re-number the following sections accordingly - "Applications for declarations under section 37.*

*6. Where the person wishing to make an application for a declaration under section 37 of the Law in a relevant Court set out in section 37(5)(a) or (c), is –*

*(a) the States of Guernsey Committee for Health & Social Care, or*

*(b) the provider of medical treatment at the request, or with the agreement, of the States of Guernsey, no permission is required for the purposes of section 21 of the Law.", and*

*(c) in subsections (1) and (2) of section 8 (as originally numbered), for "6 and 7" substitute "7 and 8"*

1130 **Deputy Brouard:** I would like to move the amendment. I think this amendment has come through from the courts, I believe, sir, to give further guidance as to how it should be interpreted. So I would like to move the amendment.

Thank you.

1135 **The Bailiff:** Deputy Leadbeater, do you formally second the amendment?

**Deputy Leadbeater:** Yes, sir.

**The Bailiff:** Thank you very much.  
1140 Deputy Soulsby, on the amendment.

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

1145 I will be speaking in general debate if we get there. Anyway, I do not think I need to take any longer on this. I do welcome both the Ordinance and this amendment. I thought it was worth just following up on something Deputy Queripel spoke about earlier, sadly he is not in the room at the moment, but it is around the time it takes for such legislation changes to take. This legislation has taken 11 years from the moment the work started.

1150 I might deviate slightly from the approach of Deputy Queripel when he talked about the need to apologise. I say, yes, I do not see this as a criticism of the Committee at all, because, yes, it is regretful that things take so long, but at the same time it is understandable. So I am not going to criticise the Committee for this at all. At the very beginning, I know it had a very difficult start with certain States' Members at the time, and former Deputy Hadley, God rest his soul, who took quite

umbrage at what was being suggested and that took such time, even before we had even drafted a policy letter.

1155 There are other views. The reasons why these things take so long, there are so many different variables for one reason, and so many people involved. Certainly with the Children's Law, you have got the courts, you have got convener, you have got social workers, you have got the Committee itself with its own views, you have got the public's own views, and those people at the very heart of the issue that you are trying to manage.

1160 In the same way with the Custody Law, there are so many various elements to this with some of the same actors around as well, but also medical professionals, yes, social workers again, families, and just a lot of people, it is very complicated and these things take time.

There are those who might think, and they will say Government takes ages, and it should be run like a business. But this is a classic example of where we are not a business and we have got to consider all the different viewpoints. We have to consider the interests of the various numbers of people. We cannot just go on and say, right, we will write an executive order to put this in place. Well, executive orders are good at getting rid of things and much harder at putting very complicated things that impact people's lives in place very quickly.

1170 I know with the Capacity Law, during this time we had the UK Royal Commission over the problems of the Capacity Law in the UK and that needed time to both wait for the judgment there and to interpret it for Guernsey.

Human rights, obviously, are an element. I know some people think that they are two dirty words, but this is important when we are dealing with the lives of people and trying to take their rights away. Whether you believe in various institutions that purport to be about human rights, this is an absolutely important area when we are dealing with the lives of people on this Island and the most vulnerable.

1180 Also, things can change overnight. We saw that during both the times we have had these pieces of work in progress, not only have we had the pandemic, we had Brexit. I know when it came to the Capacity Law, some of the Law Officers were diverted on to Brexit, which was urgent at the time. So these things do take time. Sadly, it does generally tend to be these areas of social policy that tend to suffer compared with other areas.

1185 So, although I agree it is regretful that this has taken a long time, I think we could say, we can apologise for it taking a long time, I think we have to remember it is understandable because these are very difficult areas. I am pleased to see, and I believe that there have been no problems since the introduction of the first elements of the Capacity Law and I hope that is the case. I think it will be the case because so much work has been put into it.

1190 But, as Deputy Brouard said on the previous Item that he led, it is likely that this will change as evidence changes, best practice changes. So this will not be the end of it but I am pleased to see that we are nearing the end and hopefully the full Capacity Law will be in place during the next term.

So I do thank the Committee for getting it this far.

**The Bailiff:** Deputy Inder.

1195 **Deputy Inder:** Only briefly, sir.

I am just going to draw Members' attention to the explanatory notes. It is just a question of possibilities. An Advance Decision to Refuse Treatment (ADRT) appears to be a declaration while a person has a certain illness heading towards a possible point where they may not have capacity. I understand that.

1200 Could I ask, is there ever likely a scenario where, for example, an ADRT could be used while a person does not have an illness? Could they ever go to a doctor and declare that, 'I do not want X type of treatment should I get X type of disease', that really is the simple question?

I understand the ADRT is while a person is under the care of a doctor, heading towards a certain outcome which does not appear to be particularly good. Is there ever a scenario where a well person

1205 could go to the Health and Social Care and say that, 'Under this law, I am declaring that I do not want to be treated for this disease or condition'?

Thank you.

**The Bailiff:** Deputy Brouard to reply to the debate on the amendment then, please.

1210

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

Basically two people have spoken. Deputy Soulsby, and I thank her very much for the work that she did in her time to bring this forward and thank her for her comments today.

1215 With regard to Deputy Inder, the idea as far as I am aware, and I am looking to the Law Officers when they can correct me, is that it is very much a well person can say now whether they want to have treatment continued or refused or whatever.

1220 What I will pick up at this point is that there will be some special forms available that we are producing or have produced, which will be available to the public to use. They can use their own forms or write them out themselves, but they need to contain all the different information that we have on the official form to do so.

If you are doing one of these things, if Deputy Inder decides that he does not want to be resuscitated, I can understand that, but if you do that, please make sure that you tell your family and tell your doctor, etc. So make it widely known that that is your intention so that, should it unfortunately ever get to that situation, people are aware that you have made a choice.

1225 I will give way to Deputy Inder.

**Deputy Inder:** Just so I am clear in my mind, should this get through, anyone can pre-declare that they were a well person with no conditions or no illness, so basically a 20-year-old could pre-declare for something he or she may have when they are in their 80s and say, 'I do not want to be treated for X, Y, and Z', just so I am clear? Maybe some help from the Law Officers on this.

1230

**Deputy Brouard:** Certainly, that is my understanding, Deputy Inder, but I look to Her Majesty's Comptroller and Her Majesty's Procureur, just to confirm that.

1235 **The Bailiff:** Which one of you? Mr Comptroller, are you able to assist on what an Advance Decision to Refuse Treatment is under part 5 of the Capacity (Bailiwick of Guernsey) Law, 2020?

**The Comptroller:** Sir, it is not my specialist topic, I have not made one myself yet, although I may do, but I am just looking at the Law itself and section 35 of the Law defines what an Advance Decision to Refuse Treatment is. What it states is that:

1240

A decision may be made by a person that if at a later time, and in such circumstances as P may specify, a specified treatment is proposed to be carried out or continued by a person providing healthcare for P, and at that time P lacks capacity to consent to the carrying out or continuation of the treatment, the specified treatment is not to be carried out.

**The Bailiff:** So you have got to have capacity to make your advanced decision?

1245

**The Comptroller:** Yes.

**The Bailiff:** But it is going to take effect when you do not have capacity?

**The Comptroller:** Correct.

1250

**The Bailiff:** You can vary the decision as well under part 5 if you wish to do so to change what you had declared earlier?

**The Comptroller:** And you can specify the treatment, sir.

1255

**Deputy Inder:** If I may, sir, I just want to be clear. From what I glean from how the Comptroller has read out, is that it appears to be, and my interpretation is, while the patient is in care of the doctor with a known disease, it does not sound like, if you could just clarify, that a well person with no conditions or no diseases can pre-declare that they do not want to be treated for X, Y, and Z in 60 years' time when they get a certain disease. Is that correct? Do they have to be within the care of the doctor?

1260

**The Comptroller:** No. As long as you have capacity, the person has capacity to do so.

1265

**Deputy Inder:** Thank you. I understand, thank you.

**Deputy Brouard:** An advanced care decision can be made by someone who is aged 16 and over who has the capacity to make this decision. There is no requirement to also have an illness.

So, on that basis, I will give way to Deputy St Pier.

1270

**Deputy St Pier:** I am grateful to Deputy Brouard for giving way.

I think from the exchange that has taken place, what has not become absolutely critically clear is it is in relation to specified treatment. So it is quite difficult to imagine circumstances where a 20-year-old is able to make that advanced decision for a very specific treatment, 40 or 50 years hence.

1275

I hope that addresses Deputy Inder's point, you can only give an advanced decision in relation to specified or specific treatment.

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

1280

**The Bailiff:** All Members of the States, this is the vote on Amendment 1, proposed by Deputy Brouard, seconded by Deputy Leadbeater, which, if it is approved, will make a few changes to the draft Ordinance, but in particular putting in a new section 6.

I will invite the Greffier to open the voting on the Amendment 1, please.

1285

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	Inder, Neil	None
Blin, Chris			Queripel, Lester	
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				
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  
 Roffey, Peter  
 Snowden, Alexander  
 Soulsby, Heidi  
 St Pier, Gavin  
 Taylor, Andrew  
 Trott, Lyndon  
 Vermeulen, Simon

1290

**The Bailiff:** In respect of Amendment 1, proposed by Deputy Brouard, seconded by Deputy Leadbeater, there voted in favour 38 Members, no Member voted against, no Member abstained, 2 Members did not participate in that vote, and therefore I will declare Amendment 1 duly carried.

1295

Does anyone wish to speak in general debate on the draft Ordinance as amended? No. In that case, there is nothing to respond to, Deputy Brouard.

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

1300

**The Bailiff:** There is nothing to respond to, because there has been no debate. I am just waiting for the Proposition to come up. I am going to invite the Greffier to open the voting on the single Proposition, whether you are minded to approve the draft Ordinance, but as amended, as you have just approved. So we open the voting, please, Greffier.

1305

*There was a recorded vote.*

*Carried – Pour 40, Contre 0, Ne vote pas 0, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	None	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  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

1310     **The Bailiff:** In respect of the Proposition, whether you are minded to approve the draft Ordinance, as amended, there voted in favour 40 Members, no Member voted against, no Member abstained, everyone participated, and therefore I will declare that Proposition duly carried.

#### COMMITTEE FOR HEALTH & SOCIAL CARE

##### 14. The Vaping Products (Guernsey) Ordinance, 2025 – Proposition carried as amended

*Article 14.*

*The States are asked to decide:–*

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

1315

**The States' Greffier:** Article 14, Committee for Health & Social Care – the Vaping Products (Guernsey) Ordinance, 2025.

**The Bailiff:** Once again, I will turn to the President, Deputy Brouard, to open the debate, please.

1320

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

I will say a few words. I think I got caught out last time because I had a few extra words that I could have said, which may have helped some Members like Deputy Inder with some of the information.

1325

Sir, I am delighted to bring this Ordinance to the Assembly for approval. It is made under the Vaping Products (Enabling Provisions) (Guernsey) Law, 2024 legislation, which was unanimously supported by this Assembly in November 2024.

1330

The Ordinance, once enacted, will fulfil the States' direction to regulate vapes in the following ways: through the implementation of a ban on the sale of all vapes to children who are under 18; by introducing a licensing scheme for retailers and wholesalers; by prohibiting the advertisement of vapes on and around premises selling vapes; and banning disposable vapes. These measures will support the policy objectives of the legislation, namely to reduce the exposure, availability, and consumption of vapes, especially to children.

1335 We have some statutory instruments which have been prepared ready to introduce the introduction, and I understand that just recently the Regulations have been approved by His Majesty, and that hopefully they will be registered with the Guernsey Court on 12th May.

How we propose to do this is the commencement of the ban on vapes on the sale to children under 18 as soon as possible, and we hope to bring this ban in on 1st June. We hope to do the prohibition of advertising on or around vape premises from 31st October 2025, and the  
1340 implementation of a licensing scheme and a total ban on disposable vapes from 31st January 2026. This allows the shopkeepers plenty of time to dispose of stock, etc.

I would heartily recommend this new Law to the States.

Thank you.

1345 **The Bailiff:** There is an amendment. Madam Procureur, you are the proposer of Amendment 1. Is it your wish to move that amendment now?

**The Procureur:** Yes, please.

I do not intend to ask that the Amendment be read out unless Members particularly wish that  
1350 the amendment be read out. I would simply propose to speak to it.

**The Bailiff:** It was circulated reasonably far in advance, so if you are happy to push straight on, please do.

[Amendment 1.](#)

*Immediately after ""The Vaping Products (Guernsey) Ordinance, 2025"" , insert ", subject to the amendments below" and at the end of the proposition, insert the following:*

*"Amendments:*

*1. In section 27 (prohibition of importation of disposable vapes)-*

*(a) in subsection (1), delete ", in the course of business," , and*

*(b) in subsection (2), delete "in the course of a business".*

*2. In section 55 (extent), immediately after "Jethou", insert ", and the territorial waters adjacent to these Islands".*

*3. In section 58 (commencement of the Vaping Products (Enabling Provisions) (Guernsey) Law, 2024), for "immediately", substitute "when it is registered on the records of the Island of Guernsey".*

*4. In section 59(2) (commencement of this Ordinance), for "immediately", substitute "when the Law it brings into force is registered on the records of the Island of Guernsey"."*

1355 **The Procureur:** Thank you very much.

Sir, Members will see in the amendment before them, it looks like a fairly technical set of amendments, but effectively it does three things. The first amendment is aimed at removing the words 'in the course of a business' from section 27. That section simply deals with a blanket ban on  
1360 importing a disposable vape. I am just bringing up the legislation in front of me now. So effectively at the moment a person who, in the course of a business, imports a disposable vape would be guilty of an offence. The amendment seeks to remove the words 'in the course of a business' and the reason for that is that, in consultation with Customs, it has become very apparent that it would be much easier for Customs to enforce the ban at the border if there is not this prescription on 'in the  
1365 course of a business'. Therefore the suggestion is to remove that, the effect of which would be that section 27 is effectively a blanket ban on importation of disposable vapes.

If there are any concerns that Members may have about having a blanket ban, there is a power for the Committee to amend this by way of regulations and there can be exceptions to that ban, but that is effectively the first part of the amendment.

1370 The second part is to insert the words 'and territorial waters' and that is simply in relation to the extent clause of the legislation. It is to make it absolutely clear that the legislation would apply to

other passenger vessels, for example, while they are in Guernsey territorial waters. There is an argument that it is implicit anyway, but this makes it absolutely explicit.

1375 The third and fourth elements, which effectively are covered in Proposition 4, as noted, is simply to account for the delay, which the President of the Committee has just referred to, in obtaining Assent to the enabling Law. It means that registration will – of the Law is effectively going to occur after the Ordinance is made and so this is a technical amendment to make it clear that the Law and Ordinance will take effect once registered on the records of the Island of Guernsey.

1380 That is effectively the three substance elements of this amendment. I hope that it is clear, sir, but obviously I am happy to take questions if Members would like that.

Thank you.

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

1385 **Deputy Brouard:** I do, sir.

**The Bailiff:** Deputy Dyke.

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

1390 Could I ask His Majesty's Procureur a question regarding territorial waters? Does that mean that it would be illegal to have vapes in your possession if you come in on a cruise ship?

1395 **The Procureur:** Thank you for the question. It is a good question. No, section 56 of the Ordinance, which hopefully Members will also be able to see, provides a specific exemption for cruise ships. This is just very much, for example, passenger ferries and others, but cruise ships would be exempt.

**Deputy Dyke:** Thank you.

1400 **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thanks.

1405 Clearly, there was consultation at a later stage with Customs. I do not know whether some of it went through the Legislation Committee as well, probably did. It did. But, I too, like Deputy Dyke, wondered on the cruise ship issue, but also on ferries from – will this include Sark. Obviously it would include Herm. So there might be a notional issue with Sark. That is a question I might ask. And also Alderney and – it probably does include Alderney, but also potentially France, Jersey or anywhere else. I also wondered about fishing individuals, but I suspect they are not caught up in passenger.

1410 But my concern, and I am pleased to hear His Majesty's Procureur say Health & Social Care can exempt, is it seems we are amending the Law relatively late in the process in order to make life more efficient for the Customs and Revenue Service. But, effectively though, this goes further than the original Proposition does. It seems to me, if I have understood this right, that an individual in Guernsey who comes back from holiday or has a friend or an aunty who sends them vapes or they order vapes – disposal vapes online, they will be creating an offence, because although they are not importing them in the context of a business, they are potentially importing them to Guernsey.

1415 So I would like perhaps advice from Deputy Brouard and His Majesty's Procureur if that is the case.

1420 **The Bailiff:** Deputy Leadbeater.

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

I just rise to inform Deputy Gollop, cruise ships are exempt. If you are coming into the Island via one of the ports, on a plane, on a ferry or something like that, that is applicable, because it is a ban on the importation. It is not just commercial importation, it is the importation. Those coming in on cruise ships will be advised that they cannot take disposable vapes on Island and there will be a bin to dispose of any as they come off their tenders anyway. So that is how it is covered. But anyone else coming into Guernsey, be that on a ferry, be that on a plane, be that on a pleasure boat, will not be able to import these vapes.

**The Bailiff:** Deputy Le Tissier.

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

Deputy Leadbeater has clarified one point I was going to make, but the other one is – and I am looking for some advice from His Majesty's Procureur, there are ferries that come from St Malo to Guernsey to the UK. So people that do not get off in Guernsey and they go on to the UK, can they do that?

Thank you.

**The Bailiff:** I do not see any other Member rising to speak – Deputy Blin.

**Deputy Le Tissier:** I apologise, sir, I thought there would be a response from His Majesty's Procureur.

**The Bailiff:** No, as the proposer of the amendment, His Majesty's Procureur can reply to the entire debate and it is probably simpler to wait until the end.

Deputy Blin.

**Deputy Blin:** It was just on a couple of matters. I am a little bit nervous of these sledgehammering the nuts. We are in a situation where the UK is already going to enforce this and it is taking place on 1st June, I understand. I am aware, from Members in the retail selling debate that they are very pleased if it could align with that 1st June, for the reason of holding any stock before, but they are all in support of it. We are now creating a whole series of additional workload, having information on cruise ships. I can imagine they have to put a sign on the thing there. on the harbours.

I would like to ask, if it could be in his summary, if there is any consideration on what this fine or prosecution could be, what scale are we talking about? It is a minor thing. I would like to enhance why I am so concerned about this minor thing is that because the UK – and I do not know about Europe – they are already looking into the ceasing of the disposable vape. They found actually another way round, which is quite concerning. It is basically taking the disposable vape, putting in a socket to recharge, and the price on it will be about £1 more.

So it is the same as a disposable vape, plus. So I think we are doing a lot of work and creating Law, to put us in the situation where we are going to be more or less at the same spot.

Thank you.

**The Bailiff:** Am I right in thinking, Deputy Blin, that you are speaking in general debate there, for Deputy Brouard to respond to in due course, rather than on the amendment? As far as I could work out, nothing that you said had anything to do with the amendment.

**Deputy Blin:** Yes.

**The Bailiff:** All right. Does anyone want to speak on the amendment before we move into general debate? Just so that – Deputy Haskins on the amendment.

1475 **Deputy Haskins:** Sir, it is a question really which is about the territorial waters. Am I right in  
thinking that anybody who, let us say, takes their own pleasure vessel – their yacht comes from  
England, over into Guernsey, into the territorial waters, say 12th mile, can, with the powers of search  
and entry, the – I have no misconceptions, I do not think that the Coastguard or whoever are actually  
1480 going to go and board a vessel and search just for a disposable vape, but the question is: do they  
have the power to do so and then you are – one is having an offence by simply having a disposable  
vape? That is up to level 4 on the uniform scale. I believe that is the case. So clarification would be  
good, because that, as Deputy Blin has mentioned, does seem a bit like a sledgehammer to crack a  
nut.

1485 **The Bailiff:** I do not see any other Member rising to speak on the amendment, so,  
Madam Procureur, if you would like to reply to the debate on your amendment, please?

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

I will do my best to cover all of those queries, starting with Deputy Gollop. I understand that  
1490 Deputy Gollop was concerned that the amendment was going slightly further. It is indeed creating  
a blanket ban, as I said at the outset, but I also noted that there are powers for the Committee by  
way of regulation to make exemptions from that, so it does not need to come back before the  
States. This is something the Committee can do and they can also make exceptions and  
amendments.

1495 It is not a power that is set in stone. That is set out in section 27, if Members have it before them.  
They may not – I appreciate I am flicking backwards and forwards on my screen, with apologies –  
to make it absolutely clear, so I can get the wording for Members. But, yes:

The Committee may make Regulations authorising any person to import disposable vapes and providing for exemptions  
and defences.

1500 That is very clearly set out in the legislation currently. In terms of the meaning 'the territorial  
waters' the Law has effect in Guernsey, Herm and Jethou, and the amendment would have the effect  
of adding territorial waters adjacent to these islands. So that is where it would be covered, so it  
does not cover Sark as such, but insofar as there is a median line between those waters and Sark's  
waters, it would be there, but it is very much the territorial waters adjacent to these islands.

1505 In terms of – Deputy Le Tissier, I believe, had a question in relation to the types of vessels. The  
types of vessels and definition of cruise vessel is in fact set out in the legislation. It is very particularly  
described. I am just scrolling back to the section. Apologies for the slight delay. But it is very clear  
that in section – sorry, the exemption provision that I noted in section 56:

Nothing in the Ordinance prohibits or restricts the sale, supply or possession of vaping products, display of such  
products, the importation of those products aboard any vessel described in subsection 2.

1510 That relates to a cruise vessel within the territorial waters; a vessel carrying passengers for reward,  
which is sheltering in the territorial waters; a vessel which is not carrying passengers for reward  
within the territorial waters on passage to or from a place, so if you are just on passage and you are  
passing through, effectively. Those definitions of cruise vessels are set out in the legislation and also  
1515 of passengers. So that is set out very expressly in the legislation.

Deputy Haskins also raised a question as to the enforcement powers. The enforcement powers  
do relate to premises, yes, of course, customs officers can board vessels. But one has to bear in  
mind that having a definition in the legislation or a blanket ban does not, of course, mean that every  
single vessel within the territorial waters is going to be inspected. The ban, insofar as it is a ban, is  
1520 very much for Customs and the amendment is very much because it is much easier for Customs to  
enforce a blanket ban.

It is not, as far as I am aware, and nobody has notified me otherwise, the intention of Customs  
to start boarding individual vessels. It is just that this is a policy that has been brought by the

Committee for Health & Social Care in relation to vapes. They do wish it to apply at the borders and they wish it to be enforced at the borders. So there will be practical application of this. That will be a matter for customs to determine, but I do not envisage that they will suddenly enact a policy. It would simply be unenforceable to board lots of different private vessels.

I hope that assists with those queries, so far as I am able to do so. The legislation is quite lengthy. I appreciate Members may not have had a chance to read all of it, but I hope that has helped.

**The Bailiff:** Members of the States, it is time to vote on Amendment 1, proposed by His Majesty's Procureur and seconded by Deputy Brouard. I will invite the Greffier to open the voting on Amendment 1.

*There was a recorded vote.*

*Carried – Pour 37, Contre 1, Ne vote pas 2, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	Haskins, Sam	Blin, Chris	None	None
Brouard, Al		Oliver, Victoria		
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				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

**The Bailiff:** In respect of Amendment 1, proposed by His Majesty's Procureur and seconded by Deputy Brouard, there voted in favour 37 Members, 1 Member voted against, 2 Members abstained. Therefore, I will declare Amendment 1 duly carried.

Does anyone wish to debate the Draft Ordinance as now amended?

Deputy Le Tissier.

**Deputy Le Tissier:** I apologise, sir, I should have raised this on the amendment, but Deputy Brouard can probably answer this, it just occurred to me. Does this Law apply where passengers are transiting the Island, where they remain airside? One would have thought it does not apply, because things like duty free are available if you are airside. Perhaps he could answer that query.

Thank you.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, of course I am going to vote for this, but just in my own aged mind – ageing and aged mind – I am having a little difficulty with logic. We are restricting tobacco use, we are restricting vaping use, but we are all in favour of cannabis. There must be a logic there somewhere; it defies me.

**The Bailiff:** Deputy Leadbeater.

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

It is just to answer to Deputy Blin's point earlier on about the fast-changing pace of this industry and the evolution to try and get in front of legislation. The Committee is well aware of that. The officers behind this in Public Health are well aware of that. We are always looking at future improvements but, as Deputy Blin pointed out, it is very quick.

Our Government, we make steps to try and pivot something, the industry tries to change tact, to try and introduce new products or, as Deputy Blin pointed out to me, certain products appear like they are not what they are. There will be some new changes. I certainly hope that the next HSC is on top of it and is concerned about it the same as the current Committee is.

We can see future changes will need to be taken and officers are currently looking at other products that are being introduced in that sphere at the moment. I will not go into too much detail about this. But, yes, it is a fast-changing, ever-evolving industry and Government needs to keep up and keep one step ahead.

**Deputy Haskins:** Sir, can I ask for 26(1), please?

**The Bailiff:** All right, can I invite those Members who wish to speak in debate on the Ordinance as amended to stand in their places? Deputy Haskins, is it still your wish that I put a motion?

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

**The Bailiff:** The motion is that apart from hearing from Deputy Brouard replying to the debate that there be no further debate. Those in favour? Those against?

*Members voted contre.*

**The Bailiff:** I will declare that lost.

**Deputy Haskins:** Can I have a recorded vote, please, sir?

**The Bailiff:** There has been a request for a recorded vote on the motion proposed by Deputy Haskins, pursuant to Rule 26(1) and I will invite the Greffier to open the voting on that motion, please. Can we now close the voting, Greffier.

*There was a recorded vote.*

*Carried – Pour 17, Contre 19, Ne vote pas 2, Did not vote 2, Absent 0*

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

**The Bailiff:** In respect of the motion pursuant to Rule 26(1) proposed by Deputy Haskins, there voted in favour 17 Members, there voted against 19 Members, 2 Members abstained, 2 Members did not participate in that vote and that is why it was declared lost.

Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** I will stand up quickly before it is too late. I just wanted to understand, in relation to sale and supply to children – so sale is clearly illegal, supply is also illegal. I just wanted to understand whether, for example, situations such as if a parent bought vapes for themselves but their children somehow get access to those vapes, whether they saw them lying in the house or a parent might have said, 'You can give it a try', etc. at what point is an offence committed and how the circumstances where the children get access without maybe parents fully understanding is covered?

The other question is: do those provisions, effectively, under section 25 mirror the same regulations we have in relation to alcohol and tobacco products. In case, for example, children do get access to alcohol and tobacco at home, are parents also effectively committing an offence?

I just wanted to understand what happens in those circumstances of in the home when parents might be buying those products for themselves and children may have access to supply by a different means or methods.

Thank you.

**The Bailiff:** Deputy Bury.

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

I would just like to commend the Committee for getting this through. This is one of the speediest pieces of work that we have seen this term. It is something brand new, it is not rolled over from a previous term and it is coming to fruition. The public have been really strong in support of this and reminding everybody one of the primary reasons of getting rid of disposable vapes is to protect our children, because they are cheap and easily accessible. There is also an environmental factor as well that they really impact the environment. Rechargeable, reusable vapes, the whole kit and caboodle that you have to invest in at the start is more expensive and so not as accessible to children. I think that is one of the primary things that needs to be taken from this.

I think the phrases around sledgehammer to crack a nut about the import I disagree with. If we are going to have a ban of official sales of disposable vapes, if we do not have a ban on import



someone is going to jump on it and start selling them on the black market. I think it is not a sledgehammer to crack a nut; it is an important loophole to close.

I think as for the nitty-gritty of will someone know if they are coming in from wherever that they are not allowed to bring a disposable vape, well, whenever any of us travel anywhere we have to be aware of the rules in the other places we are going to. Whether it is LGBT people in 70-odd countries in the world, whether it is how women are to dress appropriately for the certain culture you might be visiting, we all have to be aware of the rules in different places. This will be a rule in Guernsey that people need to be aware of, much like our drug laws differ massively to other places. People do get caught out by that, but that is your responsibility as a person moving around the world.

Thank you, sir.

**The Bailiff:** Deputy Blin.

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

I would like to start off referring to a comment my colleague Deputy Bury just made about the sledgehammer and the nut. Part of it is because my reference was not about that the Law is not necessary, my reference (*Interjection by Deputy Ferbrache*) –

**The Bailiff:** No, he spoke on the amendment. (*Interjection by Deputy Ferbrache*) Yes, I did say you were speaking in general debate so I should not have called you, Deputy Blin. Deputy Ferbrache is right.

**Deputy Blin:** Sir, I did refer to cruise ships during my question on the amendment, which was part of this.

**The Bailiff:** No, I asked you at the end whether you had spoken in general debate and you did, so you cannot speak again. Anyone else?  
Deputy Gabriel.

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

I will be brief and pick up on something which Deputy Leadbeater said, I think, when he was given way to about a disposable – sorry, the disposal of the disposable vapes, that anyone coming in from a cruise ship a bin would be put out for them. I am glad that a separate bin is available because we cannot put disposable vapes into general waste because of the fire risk. We do recycle them and we used to do that on Island here via a third party but they are now sent away to be recycled because of the lithium battery and the fire risk. So maybe I am not sure that Deputy Brouard will be able to respond to it, but I would much prefer the cruise ship to get rid of their passengers' waste rather than Guernsey folk to get rid of the cruise ship passengers' waste. Maybe he can speak with STSB or Ports around the disposable routes and what we do with the disposal of disposable vapes.

Thank you.

**The Bailiff:** Deputy Matthews.

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

I was just going to briefly say that Deputy Bury mentioned that this is one of the rare examples of a piece of policy and legislation that we have actually managed to be able to turn around inside a full term, which is quite an accomplishment. So many policy letters start off in one term and then have to be executed in the next or the one after that. This is quite a rare instance of this having been brought to fruition during the current term.

It could actually have been even quicker. One of the initial proposals was to look at putting a tax or a duty on to disposable vapes in order to discourage their use, but that got overtaken. Partly it

was difficult to get the definitions together, but that fed into this legislation. It did get overtaken by the fact that other jurisdictions are looking at a complete ban anyway, so the fact that the UK and the EU are looking at this, it did not seem sensible to go with a tax. But I think that does answer some of the questions that people have put about what happens if you are travelling, for example, from Guernsey onwards to the UK or something, as had been mentioned previously. I think we will not be because the UK is going to ban them anyway, so I do not think that question will be likely to arise.

Yes, I will give way to Deputy Blin.

**Deputy Blin:** I thank Deputy Matthews for giving way and it was just literally on the last aspect that the UK has already agreed. They are going to have their ban, I believe, in June, 1st June. It would be appreciated if we could actually have ours – I had been in communication with Deputy Leadbeater, which I know on the passing of this Law it will take effect hopefully very quickly, but the June date is important for two sides. Because it is also the industry will then move to importing from other sides for the difference of time between the time the UK stops and the time we may stop. So if we are able to stop in line with the UK, that would have a very positive impact because we all agree that this change has to be made.

Thank you, sir. Thank you, Deputy Matthews.

**Deputy Matthews:** I thank Deputy Blin and that issue I think that retailers had raised, that we might ban disposable vapes ahead of the UK, will not arise. I think there was some concern that people had expressed, looking at the legislation, that it would be effective immediately, which was really the enabling ordinance. It was not the ban on the sale of disposable vapes. So I do not think that that will be a problem for retailers. They will be able to get rid of the stock that they have, such as they have, prior to a ban coming in.

I think it is just in general disposable vapes is something that I am very keen to see – I am a member of the Committee for Health & Social Care and Environment & Infrastructure and one of the real issues I think that we have seen on Environment & Infrastructure is that these disposable products, it is very difficult to recycle and quite a lot of them just end up in the environment. So they are dumped around on pavements and all over the place, or just in the waste stream where they are then difficult to deal with in the general waste stream. So disposable products like this have been an absolute nightmare and we would be very pleased to see the back of them. Of course, obviously from Health & Social Care, they have been very popular with children and young people and it is something that is not helpful and we would like to see the back of if possible, which we will be doing. So I am fully supportive of this.

Thank you, sir.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I was not going to speak but I just wanted to make a comment on something Deputy Blin said. Yesterday we had representations on the minimum wage from the Guernsey Retail Group, 4,000 they are responsible for, and the Guernsey Building Trades Employers Association (GBTEA), which is 2,000. That is 6,000 people. Today Deputy Blin tells us that those who sell disposables are an industry. They are not an industry. It is a product on a shelf in three shops in Guernsey in the main, who built their business around it. I genuinely do not know why Deputy Blin is supporting this. This is not an industry. This is something that is sold to children and this is –

**Deputy Blin:** Point of correction, sir.

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

**Deputy Blin:** On the contrary, I am totally opposed to disposable vapes. It was about the date and the ban being enforced here should be in line with the UK. There is a danger that if it is not that when the UK stops the importation for anyone here in that interim would come from very dangerous manufacturers in other countries. I hope that is clear.

**Deputy Inder:** No, it is entirely unclear and it is inappropriate. My criticism around Deputy Blin's response was calling it an industry. I was hoping he was going to get up and tell me it was an industry. It is not an industry. It is a set of products sitting on some shelves within retail, it is as simple as that. Three jobs are not an industry, unless Deputy Blin would like to get up and tell me that it is an industry. I will give way.

**Deputy Blin:** Point of correction, sir. I did not say an industry, I just said the sales of it. It is the ban timing of it, sir.

Thank you.

**The Bailiff:** Just a minute, Deputy Inder. Deputy Blin, when you want to make a point of correction, as you know you stand up and you say "point of correction" and you wait to be called, which you did not. Deputy Inder to continue, please.

**Deputy Inder:** Well, anyway, Deputy Blin, the records will show that Deputy Blin did call it an industry and I will repeat for the third time it is not an industry. It is a number of products within three retail sections which he appears to be supporting. The fact remains it is something that is pushed to children by those three retailers. It is no different to alcopops. It is exactly the same product and they should be got rid of with immediate effect. So I will be supporting this amendment and the following legislation.

Thank you.

**The Bailiff:** Deputy McKenna.

**Deputy McKenna:** Sir, I am going to support the amendment 100% from Deputy Brouard. I agree with everything Deputy Inder said. I agree with everything Deputy Ferbrache said before. I remember Deputy Brouard said a while ago that anything you put a battery into to heat up a liquid and then inhale into your system cannot be good for you. Sir, I am sure you remember a couple of years ago when I said that vaping can cause gingivitis, which is inflammation of the gum, periodontitis, which is disease of the gum, which is irreversible, which will cause tooth loss. But worse than that, some of the illegal liquids that have been imported from America that did not have FDA approval caused bronchiolitis obliterans, popcorn lung, popcorn lung that restricts your airway, COPD, which in its most extreme term when you become oxygen dependent can cause a myocardial infarction, a heart attack.

At the time, the media in Guernsey went to one of the vape shops, who said, 'Oh, it is completely safe'. They then got a professor from Edinburgh University to go on Radio Guernsey to discredit me for what I was saying, saying, 'We need a 10-year study.' What, a 10-year study of killing our community? (**A Member:** Hear, hear.) So although we are doing it, I am sure Deputy Ferbrache and Deputy Inder would agree, if anything, I would have banned it two years ago, not next year. (**Several Members:** Hear, hear.)

So, fully behind it but we have to realise that there is a lot of our children vaping who have never smoked before. There is a lot of the vapes put out with candy flavour and fresh watermelon flavour, fresh watermelon flavour that the Chinese are producing at 0.05 of a cent that they sell to the western world but they will not let their own people have it. It is illegal. So they are happy to poison us but not (*Interjection*) – well, I stand by what I have said. (**A Member:** Hear, hear.) So I support Deputy Brouard. If it was anything, I say the sooner we ban this the better.

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

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

I cannot let the debate pass without a comment from Education insofar as we know that an inordinate amount of time is spent within schools by staff members tackling the scourge of disposable vapes. It has been a perennial problem for many years. It is not just the vapes. Before that it was smoking. At least with the smoking you could smell the tobacco. Nowadays you cannot because these vapes smell just like a body spray or a perfume. It is very difficult to tackle and I know that some schools have installed detectors in the private sector, and that is certainly something that is being looked into by the state sector. It has been a real difficulty.

A related matter, but not related specifically to this debate, though the paraphernalia for it is the same, is actually the scourge of diversion forward for medicinal cannabis and that young people are getting hold of medicinal cannabis and they are vaping it. So that is something that an Assembly really needs to get to grips with and to look at the data which is now available around this and to start to look at that scourge, which has an equally destructive – but in a different way to what Deputy McKenna was talking about – effect on our young people's health and mental health. (**A Member:** Hear, hear.) So I wholeheartedly support this and I am really pleased that the Committee has moved with due haste in order to put this legislation in place before we finish this term.

Thank you.

**A Member:** Hear, hear. Well said.

**The Bailiff:** So I will turn back to the President, Deputy Brouard, to reply to the debate on the draft legislation as amended.

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

Thank you for everybody who has contributed to the debate. I just want to read out a little bit of a paragraph which basically sets the scene for most of the questions, etc., that I have received. We hope what the Ordinance will do is from 1st June, we hope, the commencement of a ban on vape sales to children under 18. That is all vape products, not just disposable. That is vape products and that is highlighted, as you can see, in page 30 and I think it was drawn to our attention by Deputy Kazantseva-Miller, section 25.

Just picking up on that, there is a ban. It will not be allowed for somebody to give somebody under 18 a vaping product. How you enforce that is going to be exactly the same way that you will enforce your children not getting cigarettes or your prescription drugs or whatever, and it will be done proportionately. If you blatantly do it in front of a police officer when you are walking in the high street, then the officer may well pull you to one side and caution you for the first time, etc. It is one more of education, but we have to have that blanket ban to start all the legislation through. I think that goes on. I think somebody mentioned about what the fines would be. Again, that is on page 70. It is a list of all the offences and the scale of the fines.

The idea of what we are trying to do, again I think a lot of it came up with territorial waters and cruise ships and ferries. Taking a cruise ship, if a cruise ship is coming from the UK they are already in a position where they have banned disposable vapes anyway. Most of our cruise ships will come from the UK. You may well be able to buy your vape on a cruise ship, they may well sell them, but they cannot sell them – or if they do sell them on the ship you keep them in your cabin. When you land on terra firma, in Guernsey, picking up Deputy Gabriel's point, do not bring your vape. Hopefully the cruise ship will make that absolutely clear: do not take your vape on to the rock of Guernsey. Our intention was to be able to supply some bins for people who do forget and they have ended up with that particular product on them. Again, the Customs is not going to be rummaging around, standing there at the cruise ship embarkation point trying to catch how many people have brought disposable vapes with them.

1840 With regard to ferries, the idea – and that is where the amendment really came from – was to stop our ferry services selling the vapes in our territorial waters to passengers on the ships. That was the intention of that.

Picking up Deputy Le Tissier's point, we are not interested in the sailing yacht that is transiting from St Malo through to Portsmouth through our waters. That is not an area of interest for us. It is when they land on our rock is the point and again, like you do not bring your dog from a rabid area on to our land, you do not land in Guernsey with a disposable vape. That is the message we need to get across.

Picking up Deputy Bury, that is exactly the same point for travellers, she makes it very well, that if you are coming to Guernsey do not bring disposable vapes. Deputy Matthews, thank you for his support, and Deputy Inder. Of course, Deputy McKenna has been very supportive of this legislation coming in.

So the plan is the commencement of a ban on all vape sales to children – that is also handing them to children – which we will bring in as soon as possible. We think 1st June will be about the fastest we can go on that. The prohibition of advertising on and around vape premises will be brought in from 31st October and the implementation of the licensing scheme and a total ban on disposable vapes from 31st January 2026. So, please, I look forward to as many of you supporting this as possible, and I hope I have covered off the questions that everybody has asked.

Thank you very much, sir.

1860 **The Bailiff:** Members, it is now time to vote on the single Proposition whether you are minded to approve the draft Ordinance entitled 'The Vaping Products (Guernsey) Ordinance, 2025' as it has been amended, and I will ask the Greffier to open the voting on that Proposition please.

*There was a recorded vote.*

1865

*Carried – Pour 40, Contre 0, Ne vote pas 0, Did not vote 0, Absent 0*

<b>Pour</b>	<b>Contre</b>	<b>Ne vote pas</b>	<b>Did not vote</b>	<b>Absent</b>
Aldwell, Sue	None	None	None	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				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				

Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

1870 **The Bailiff:** In respect of the single Proposition to approve the draft Ordinance as amended, there voted in favour 40 Members, no Member voted against, no Member abstained. Everyone participated. Therefore, I will declare it carried.

## COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

### 15. Driving Licence Category – D1 Not for Pay or Reward

*Article 15.*

*The States are asked to decide:–*

*Whether, after consideration of the Policy Letter entitled "Driving Licence Category – D1 Not for Pay or Reward", dated 21st March 2025, they are of the opinion:*

- 1. To approve the introduction of a new driving licence category, D1 Not for Pay or Reward, as set out in section 6 of the policy letter.*
- 2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.*

1875 **The States' Greffier:** Article 15, Committee for the Environment & Infrastructure – Driving Licence Category – D1 Not for Pay or Reward.

**The Bailiff:** I will invite the Vice-President, Deputy Gabriel, to open the debate please.

1880 **Deputy Gabriel:** Thank you, sir.

I will try and be brief so Members can get to lunch and cogitate over lunch. This has come about following a charities workshop convened around barriers that their service users faced and a presentation I gave to that sector. It was confirmed then to me and subsequently to the Committee that the voluntary and charitable sector faces difficulties in securing volunteers and minibus drivers, which impacts on community services. Those community services are provided typically away from the resident's home so community transport is essential for vulnerable members who cannot use public transport or even afford taxis so they rely on volunteer drivers.

1885 So the current situation around minibuses is that typically they have 16 seats and a special licence, a D1 licence, is required to drive that minibus. With that, there are various costs which are prohibitive to some people, especially charities. There is the actual cost of getting tuition to pass the theory and practical test. There is the actual cost of the test and, if you are over 45, a medical fee as well, which is currently around a double appointment cost. The three surgeries or branches of surgeries charge around £170 for that. So we know that some charities are asset rich but volunteer poor, and for some it is relatively easy to fundraise for a minibus, or they may even be  
1890 gifted one from another charitable organisation. But it is so much harder for regular volunteers to  
1895

staff that bus, so those costs and requirements as I explained earlier are a real barrier for getting volunteers to commit.

So the proposed solution, as Members will see in the policy letter, is that a new class is created, the D1 Not for Pay or Reward licence, which allows volunteers to drive minibuses without specific D1 theory and practical driving tests and, of course, those costs that go with it. One of the conditions is that volunteers must meet certain criteria, which includes holding a full category B licence for at least two years. A category B licence is the old category 4, some people may know it, or a car licence. So the Committee believe that this is a fair and proportionate way to support the voluntary sector while maintaining the safety of road users.

There are plenty of benefits to this: the cost reduction, as I have explained; the simplified requirements so volunteers can drive a minibus without undergoing the specific D1 practical test. As explained in the policy letter, that is geared to minibuses for hire and reward, which includes stopping at bus stops and the like, driving, starting off down a hill and paying attention to passenger safety as well.

So again, as part of the mandate we want to support the charitable and voluntary sector so they can provide those services and the volunteers can get them to those community events. What I mean by community events, typically some people think of the older sector of our community, but of course this will also help the younger sector of our community for sports teams or youth events, anything like that, if a charitable organisation is holding a youth event and to transport the participants to that event.

It also as part of helping the older senior community will strengthen community engagement and perhaps improve mental health and well-being. It in my mind fits with the SLAWS principle. We know that social interaction and access to community activities can significantly improve the mental health and well-being of isolated individuals, therefore reducing the feelings of loneliness and depression.

Some people have asked me, 'What about road safety concerns? What about the size, the weight and the experience?' That is not my size, weight and experience; the size, weight and experience of the vehicle and the experience of the person driving it. So let me just go into a little bit of detail around that. The current B class licence entitles a qualified driver, after they have passed the test, a theory and a practical test, to drive – and they might have done that in a small vehicle such as a Fiat 500 with a maximum authorised mass – and that is the important part, the MAM – of about a tonne. The issuing of that licence allows them to drive a much bigger vehicle still in that category of licence with a MAM, maximum authorised mass, of up to 3.5 t. So that enables them to straightaway jump into a Fiat Ducato chassis motorhome or a Mercedes Sprinter delivery van with no previous experience. So we have built in some checks and balances and one of those is that the driver on the new D1 category, Not for Pay or Reward, has to have a minimum of two years holding a full licence.

Again, there will be medical checks involved for drivers over 70, which aligns with the UK standards, to ensure that they are fit to operate minibuses. We will also be able to monitor this because this will not be carte blanche. If this passes, Driver and Vehicle Licensing will still be issuing the licence so still will ask the charitable sector, people who want to upgrade their licence, to do so but at a very modest fee of £36, which is the current rate of upgrading that licence. Also, do not forget that these volunteers will not be able to go and travel long distances and drive for not for hire or pay and reward in the UK or other jurisdictions. This licence will have a category on it, the 130 code, which ensures that it is only valid in Guernsey. So it will be short distances, a lot lower speeds, and so to my mind and the Committee's mind the road safety mitigations are in place.

I invite debate on it, perhaps after your lunch.

**Deputy Inder:** Sir, I am going to try a 26(1) before lunch.

**The Bailiff:** All right. Can I invite those Members who wish to speak in debate on this matter to stand in their places? Is it still your wish, Deputy Inder, that I put the motion?

**Deputy Inder:** Yes, it is.

**The Bailiff:** So the motion is that there be no debate on this matter and because the –

**Deputy Gabriel:** Sir, I have a point of order. Normally, I would have expected a 26(1) to be called after the policy letter had been seconded.

**The Bailiff:** There is no seconding of – so that is an invalid point of order.

**Deputy Gabriel:** My mistake, sir. I agree with your ruling, sir. It is my mistake. I was thinking it was an amendment.

**The Bailiff:** I am going to put the motion that there be no further debate and effectively that a vote be taken on the two Propositions straight away. Those in favour; those against.

*Members voted Contre.*

**The Bailiff:** I will declare that lost. *(Laughter)*

**A Member:** Sir, could we have a recorded vote?

**The Bailiff:** Yes. So this is the motion proposed by Deputy Inder pursuant to Rule 26(1) that there be no further debate and I will invite the Greffier to open the voting please.

*There was a recorded vote.*

*Carried – Pour 15, Contre 23, Ne vote pas 1, Did not vote 1, Absent 0*

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

**The Bailiff:** Will you now please close the voting, Greffier? So on the motion pursuant to Rule 26(1) proposed by Deputy Inder, there voted in favour 15 Members, there voted against 23



1980 Members, 1 Member abstained, 1 Member did not participate in the vote. That was why it was declared lost. So debate will resume at 2.30.

*The Assembly adjourned at 12.35 p.m.  
and resumed its sitting at 2.30 p.m.*

**Driving Licence Category –  
D1 Not for Pay or Reward –  
Debate continued –  
Propositions carried**

**The Bailiff:** Deputy Mahoney.

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

Sir, I fully accept and support the sentiment behind this policy letter in terms of making it easier to find people to assist local charities, third sector groups, etc. However, I do have a concern around safety, which I just want to air in case others may share it.

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I have a D1 licence, the full D1 licence, and as I am over 45 I have to get a medical sign-off every five years per the regs to continue to maintain that category on my driving licence. That medical form runs to four pages and is pretty comprehensive, including all sorts of sections on vision, your nervous system, epilepsy, multiple sclerosis, Parkinson's, brain diseases, lesions, diabetes, any malignant growths, psychiatric illnesses, musculoskeletal systems, cardiac issues, blood pressure disease, artery diseases, blah blah blah. It goes on quite a lot, for good reason. I have no issue with the form itself but it does go on quite a lot. So in short, a lot of matters that would preclude someone from gaining a D1 licence, and as I say I entirely understand why driving around a minibus with 16 people in it should not be taken lightly.

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So my concern is the risks. What risks are we authorising by not including medical under certain circumstances? The policy letter does speak to that partly under 5.1.5, so two separate parts. One is effectively the speed, etc., in Guernsey. In the UK obviously speeds are much faster. You are driving further distances; 5.1.5 says the distances and speeds that will be driven by these volunteers are relatively low – I accept that – and would align to those as allowed in the UK for the not for hire or reward abilities. The volunteers, as outlined by Deputy Gabriel, would need to have at least two years on a full B category in any event.

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It says here that the physical restrictions of Guernsey's road networks do not engender excessive speed risks, and I agree with that, although even a 35-mile-an-hour shunt really is not much fun. So I agree re the speed but, of course, most roads in the UK are not thin and bordered by granite on all sides, so I am not entirely sure I agree from that point of view.

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Also under 5.3, it then talks about the requirements for medicals and states, as outlined quite correctly by Deputy Gabriel re the medical side. Under 5.3.2 D1 not for hire or reward, no medicals required until the driver reaches 70 years old and then annually after that. The D1 licence is 45, as it states in the policy letter, and thereafter every five years. So my concerns are some of those issues on that medical form would potentially only come out on medical examination or at the form that you have to put in, so I have that concern that we may be allowing people that are not actually medically fit to be driving a 4.5 t vehicle around the Island.

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For those like me that have a D1 licence, frankly every five years it is a bit of a hassle and expense to go through to maintain that licence. I could just accept this is going to make it much easier for me because although I have had a D1 licence for 20-something years, I have never used it for hire or reward. It is just me for if I want to drive a minibus, sports teams and those kind of things. So I will now just choose the new D1 not for reward licence and then not have the hassle and expense of the medical side. I question whether that makes things safer or less safe for me, anyone I might

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hit should I have an incident, a personal health incident. So the risks of allowing an individual to take charge of 4.25 t of unfamiliar vehicle – because you would have only been driving a normal car – containing up to 16 perhaps vulnerable people on narrow roads without at least some comfort they are medically fit to drive that vehicle and those 16 occupants is just a step too far for me. I think there is a risk there. Others will not share my concern and I respect that fully, but for those reasons, sir, I am afraid I am unable to support this policy letter today.

**The Bailiff:** Deputy Falla.

**Deputy Falla:** Some of us recently attended an event hosted by the Association of Guernsey Charities, which was a very timely reminder leading up to the election of the contribution that the charitable sector makes in our community. I was very interested to hear Deputy Mahoney's view and it has made me pause slightly, but I think on the whole I do applaud these Propositions on the basis that it is one small way in which we can show our recognition and value of the great work that the third sector does. They face increasing regulation and barriers to being able to do what they have always done, and I think this might be a small way of easing up one of those. So I am minded to support it.

Thank you.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, I feel the need to start by declaring an interest seeing as I have been heavily involved with Age Concern for almost 13 years now. I was Chairman for three years, Chairman of the Age Concern Fuel Fund Committee for six years, and I was Centre Manager of the Vale Age Concern Centre for a year. I am still involved with the charity now, so hence the need I feel to declare an interest.

Having done that, I want to move on to say that Age Concern have got 14 volunteer minibuses, and if it was not for them there probably would not be an Age Concern here in Guernsey. I say that because many of our members rely on our minibuses to take them to our centres and back home again, four days a week, four different centres, week in, week out. They also rely on them to take them to and from all the events we stage throughout the year. We at Age Concern, sir, are extremely grateful that you are our patron. That means a lot and we have had the pleasure of your company at some of those events, so you will have seen for yourself the need for our minibuses and our minibus drivers. I am not aware of you travelling on any of our buses, sir, but you would be most welcome if you ever wanted to.

**The Bailiff:** I could not drive one. *(Laughter)*

**Deputy Queripel:** As with every other charity, we rely on our volunteer minibus drivers. This is going to save us a considerable amount of money if this succeeds today, bearing in mind every licence costs £302 as we are told in the policy letter, at a time of course when we all realise charities here on the Island are feeling the pinch financially. So I commend E&I for adopting such a considerate and compassionate approach because it means an awful lot to charities at this current time. I do hear what Deputy Mahoney said when he spoke, but on balance in general I feel the need to support these proposals all the way down the line.

We are told in paragraph 3.2 and 3.3 there are thousands of voluntary sector journeys undertaken each month and the service users rely on the availability of drivers to provide the services they need. Enabling those most vulnerable in our community to have access to community transport has a wide range of benefits. It is known to improve the well-being of those who rely upon it and in some circumstances it can help reduce pressure on our healthcare services. As we are also told in paragraphs 1.5 and 1.7, the Committee agree that the most efficient and effective way to support the voluntary sector is to introduce a new licence category, a D1 Not for Pay or Reward

2075 category. The Committee believe this is a fair and proportionate way to support the voluntary sector while maintaining the safety of road users. I repeat, I listened to what Deputy Mahoney said so it will be very interesting to hear what Deputy Gabriel says in response to Deputy Mahoney's safety concerns.

2080 We are also told that the main challenge identified by the charitable sector is the need to secure volunteers to enable them to survive because as volunteer hours reduce so do skills and experience, which results in a detrimental impact on the community. If we link that with the fact that eight conditions need to be adhered to and complied with in order for an applicant to secure a licence, as laid out in paragraph 6.2, what is not to like about these Propositions in front of us?

Thank you, sir.

2085 **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thanks.

2090 Deputy Le Tissier, I beat him to it, but he voted to have a recorded vote on whether we guillotined or not, Deputy Inder did. I thought it was interesting that because I know we have to get on but this is an interesting topic for many people. (**A Member:** Hear, hear.) I often think the public do not – perhaps some Members and their alliances think that all we should do is strategic policy, but actually it is the little things that the public are interested in (**A Member:** Hear, hear.) and this is something that is quite important.

2095 I commend Environment & Infrastructure too for bringing it back on short notice. Deputy Soulsby made a great speech this morning. I do apologise to Deputy Queripel and others for the slowness of some of the things we have, whether it be health or Children's Law or environmental or transport stuff, but this has actually been done in a commendable time and is a very useful piece of work. Remember it has come out of a workshop that happened really less than a year ago that Deputy Gabriel referred to. He made an excellent and well-received speech in a packed meeting workshop. I was there too. One perhaps downside is that although this is an important outcome of these meetings and sometimes people say people meet for no purpose, well, this did have a purpose and it is being achieved. I hope most of us at least – I will come on to Deputy Mahoney's interesting contribution in a minute – will support this.

2105 As Deputy Soulsby was, things do go on too long and there is another outcome I felt from the meeting which has not been achieved yet, but maybe soon, and that was the charitable and voluntary sector delegates there really wanted to work together more but could not necessarily find a way forward with the States on co-ordinating minibus and voluntary sector because there is so much that is done, whether it be perhaps sports teams but also disabled adults, disabled young people, people in Age Concern, Health Connections, lifts to medical centres and so on. That is an important consideration and we do not make best use of the resources, and yet we do rely on volunteers. We have to really look at that.

2110 I did not know about you, sir, but the patron and President of Age Concern, I remember when Dame Mary Perkins was very much involved and others, and I used to occasionally go to the Age Concern, but the most recent AGM, they would not let me in because they said I was too young. I think they thought I was there for the tea and I wanted the policy advice, but never mind. Age Concern and other organisations have a role.

2120 Deputy Queripel and Deputy Mahoney have provided two cogent arguments on either side of this issue. One is a responsible attitude based upon safety issues, on need of our roads, of our unique – I would not say uniquely dangerous roads but we have certainly seen some nasty accidents. But then that risk is balanced against the community need.

2125 I think the Committee have tried to find a way forward here, and I think that they are arguing that we should emulate the UK more while being aware that we do not, of course, have UK road speeds or conditions, and that should be a benefit. Sometimes I think there is a little too much zealous issues with health, but health is important. But I understand it. What this does primarily is not only save cost to voluntary sector people and their drivers and make the things easier, but also

facilitates a special not-for-reward and therefore it cuts out drivers who are effectively commercial school bus drivers or whatever.

2130 This is specifically for people who occasionally do it and the fitness checks are there anyway for older people. It is less onerous, as Deputy Mahoney says, but one feels that the arguments that are made about there being perhaps less use of the road, about only occasional transport, has to be taken in the balance and I think at the moment, at least, without the evidence that there would be substantial harm.

2135 What we do know is what Deputy Queripel has identified, that ever since COVID there has been an increased demand for charitable services and it has been a black swan situation event, really. It has been a kind of, what do you call, perfect storm because the voluntary sector have less money, less volunteers and more demand, and we do not want to see their contribution in any way eroded. They come to us for a partnership, they give us their feedback, we have had professionals on the Committee looking at it, and I think we should say yes to these changes and hopefully approve the  
2140 legislation later, while taking on board Deputy Mahoney's comments and encouraging responsible management of people's health risks in driving these minibuses and panel van conversions.

**A Member:** Hear, hear.

2145 **The Bailiff:** Deputy Le Tissier.

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

I rise just briefly to say I agree with the sentiments of this policy letter. Who would not want to help the voluntary bodies? But I have got a lot of sympathy with Deputy Mahoney. You have got  
2150 two of these vehicles driving down the road, full of people, 16 in each, and you think, 'Oh, well, that is okay' and then there is an accident. The risks to the people in the van being driven by the new category of licence, he puts his passengers at more risks. He has not gone through practical and theory tests. He has not had the medical. So it is going to be more risky.

2155 What level of risk that is going to be, that is open to debate as we do not go very fast. But my specific objection to this policy letter is in 6.2 and it is the fourth point down; sorry, third point down:

The applicant has held a full Category B licence for at least two years prior to their application.

2160 Two years may or may not be okay, but what I think the policy letter misses out is that really that licence should be clean. You could have an applicant with a whole string of motoring offences where he has not lost his licence or he has lost it and it has come back, but there is nothing in this requirement to specify that they have to be a good driver, evidenced by having a clean driving licence. So unless that can be addressed, I am reluctantly going to vote against this.

Thank you.

2165 **The Bailiff:** Deputy Soulsby.

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

I was not going to speak but it was Deputy Le Tissier that made me rise to my feet. I think this is an absolutely sensible policy letter. I am thankful to E&I for expediting it. I was aware of the issues  
2170 for the charitable sector. I think it was actually known as an issue in the Island Games, trying to find suitable people who could ferry lots of participants all around the Island. So I know it was a problem then, but people in cars and 4x4s carrying about six people, I really do not see the problem. If there is a concern then it is up to the organisation to determine whether they think that somebody has to have a so-called clean licence or not. If they are able to drive, I think that is the key thing.

2175 But what this does is ease the restrictions that were more than the UK, and I do not know why, but they were, to something where organisations can make their own judgement about the extent

of the proficiency of the person driving, and I think it makes total sense and we should just move on to the next item for debate.

2180 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you.

2185 Just really quickly, could Deputy Gabriel actually just explain to me why two years, why not five years after driving because that was bit – I was reading the policy letter and I did think, okay, this is really good because I do know a lot of the charitable sectors really need more drivers but when you are talking about two years or potentially even five years or 10 years, why did you go for two?  
That is what I would like to be answered, please.

2190 **The Bailiff:** Deputy Blin.

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

2195 I think this is a really strong amendment, especially on the basis, as mentioned by others, Health Connections always looking at the drivers, all these groups. We need it. It is so important. However, Deputy Mahoney has put a concern – a fair concern – in my mind and I am hoping that Deputy Gabriel, when he sums up, will be able to justify some things. One of the points that Deputy Victoria Oliver said, a minimum two years. If you have driven large vans, and I have, they are quite tricky to do and you need quite a bit of experience. Of course, you generally do not do this every day of the week, so you might be doing it once a month, so you have to get used to it. It is a lot.

2200 Will there be a different stamp on their licence to demonstrate that the D1 is a different category of volunteer D1V? I suppose. Also, the comment that Deputy Mahoney said about he could drop the D1 for the D1V, I will call it. Is there any thought or plan on doing this as a trial period? Because I do strongly believe it would work. If there was a trial period, they could assess any potential accidents or risks or anything like that.

2205 The last question is: has this taken into account what insurers may say about a driver of a category D1 with a larger – 16 passengers, and the insurer, will they be supporting that? So I hope those questions could be answered in summing up.

Thank you, sir.

2210 **The Bailiff:** Deputy de Sausmarez.

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

2215 I am just going to put on record my thanks to Deputy Gabriel in particular who has been most closely involved in this, but it is also a matter very close to my heart. I was going to make the same point as Deputy Soulsby has just made about people being able to take some reassurance from the organisations that are involved. Obviously it is very much in their interest to oversee some of those safety concerns that people have understandably raised. But I would just like to add something a little bit further on a similar theme.

2220 There are all sorts of different organisations in the Island, all sorts of different third sector causes, and many of them do have transport. But one area which is already being raised by Deputy Queripel, he mentioned a particular organisation which is Age Concern, and there are other organisations as well which do help to transport people who are older, and many of those people struggle to travel independently, but where there are not transport options available to them through such organisations they may actually be very tempted to try to get themselves somewhere by driving themselves, for example. So I think actually being able to help and support these organisations does  
2225 have wide benefits. I give way to Deputy Oliver.

**Deputy Oliver:** Thank you ever so much.

2230 Taking it back the other way, because you have a lot of children's sports and everything and some of them go off, would this apply to children as well? I know as a mum I would be a bit wary about a potential two year after passing their test they can take my child off in a 16-seater van. That would be really worrying. It does apply for that as well, though.

2235 **Deputy de Sausmarez:** I think it is like all these things, I do not think anyone is going to be forcing Deputy Oliver to put her children in a vehicle that she is not happy with, but presumably that scenario would come about through an organisation, which she would also have to be reassured is doing everything in the right way. She, like me, has young children and she knows that the level of admin and all the checks that go on, so actually I hope she can be reassured on that particular point.

2240 But really what I was trying to say is that these organisations do provide a very valuable function in all sorts of different ways. Is Deputy Queripel asking me to give way? I will give way.

**Deputy Queripel:** I thank Deputy de Sausmarez for giving way.

2245 She makes a very good point about if drivers were not available, people might be tempted to drive themselves and put themselves and others at risk. I know on Age Concern we have got several members that are not able to drive and they would not be able to go anywhere, and then they would be at home alone, which is focused on in the policy letter.

That is a big issue; a really big issue. Our centres, for many of our members, are the only time they get out in the week, so the loneliness issue is big issues.

2250 Thank you.

**Deputy de Sausmarez:** Yes, I thank Deputy Queripel for bringing Members attention back to that bigger picture. This is indeed what it is all about. I think it is just important to remember that actually the availability of drivers is a key constraint on some of these organisations and this is just something that we think is a proportionate measure in order to help those organisations responsibly meet that need. It is part of a bigger picture, hopefully more details of which will come out in the not too distant future.

Thank you.

2260 **The Bailiff:** Deputy St Pier.

**Deputy St Pier:** Sir, I rise briefly just to observe this debate highlights the inherent tension which exists when we attempt to deregulate. Many times in this Assembly we push against the regulatory environment, we have too much paperwork, and of course we have had this recently in relation to the challenges around the depth under a diving board, and whether that is reasonable or not. Of course the reality is regulation is there often for a reason, and actually there are real challenges in removing regulation, and I think this is reflected in this debate.

2270 But I think the Committee *for the Environment & Infrastructure* have attempted in this term to tackle a number of these issues. I would also observe in relation to, for example, the licensing of taxi drivers, where there was an extensive regulatory environment before which they have sought to address because of the pressures on that particular sector. I really have nothing further to add other than just simply to draw attention to that inherent tension which we will face again and again every time that we do seek to deregulate.

2275 **The Bailiff:** Deputy Taylor.

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

2280 I am in the Mahoney camp here because, like Deputy Mahoney, I have the full D1 licence, the full fat version, I did the full 100 question theory test. Even though I have done a theory test for a car, I did it for a motorbike, I then had to do another one for a bus, I have done one for a lorry, so I

do take Deputy St Pier's point about deregulation and how necessary are some of those things. But there is merit in those theory tests. There are additional questions. There are 50 more questions for a bus driver than there are for a car driver because there are other scenarios that flag up.

2285 I think unless you have been a bus driver and taken passengers who ask you all sorts of questions, distract you in different ways – believe me, 16 passengers can distract a lot more than eight passengers can. So there are fairly reasonable reasons for having these tests. Similarly, as we are told in 5.1.3 – actually 5.1.2, another one that is quite key on the theory test questions is about the driving limits and the length of time you should be driving if you are doing it commercially. When you are doing it commercially or taking charitable people, the issue is the amount of time  
2290 you are driving. But the practical test requirements is set out in 5.1.3.

There are more onerous requirements. You have to demonstrate a higher standard of driving to pass the D1 test than you do to pass the B test. Yes, it is fair, the example given is that you could drive a 3.5 t under a B licence with 8 passengers, why would it be any difference with the 16 passengers? The vehicles are same. But it is also fair to say you do not need to wait 2 years to drive that big 3.5 t van that could take the 8 passengers so why is there a 2-year requirement that you have to have your B licence for 2 years to then be able to drive the same van that you would be able to drive anyway?

2295 So the question I would probably pose is why are we not increasing the category licence to allow 16 passengers. Because we are creating – it is already a double standard in the category D1, but the weight limit in D1 is not 3.5 t for the full fat one. You can drive a much heavier vehicle under a D1 licence. I think it is about 7.5 t is the limit. Deputy Gabriel is shaking his head but, yes, 7.5 t is the D1 limit. We have this funny hybrid rule and really the weight is the important part, it is a very important part. I do not know if the Committee ever gave any consideration to that, why they could not increase the B licence to allow more passengers. I am looking at Deputy de Sausmarez but it should really be Deputy Gabriel.  
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Another area that I do just take a bit of issue with is paragraph 5.1.5. It is the justification for not needing these extra checks is that:

The distances and speeds that would be driven by these volunteers are also relatively low and would align with those in the UK. Therefore, the risk associated with the removal of the specific theory and practical test is low.

2310 Frankly, I do not find that particularly good justification. I have heard just recently from Deputy de Sausmarez about the demand for these D1 drivers. There is a big demand, there is a lot of them needed. So they could be quite busy and there is no restriction on how many hours you could drive for. There is no restriction. What exactly do Members think the full-time role of a D1 minibus driver might be? Is it that you are driving along motorways for hours on end in Guernsey?  
2315 No, it is short distances, whether it is for charity or it is for Island Coachways, if you are doing the school drop-off, the distances are going to be largely the same whether you are doing it for charity or you are being paid for it.

The difference is if you are doing it strictly for a business, they have more employer responsibilities to make sure you are safe and if it is fare-paying passengers then there is a heightened requirement on them.  
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The other issue I do have is it is just a question of are there shortages elsewhere? We are hearing this from – we are looking at reshaping our vehicle licensing rules to suit this one specific shortage that we have got. But I hear anecdotally that there are shortages of the C1 drivers and C drivers. Actually in the UK, the routes to getting your C, that is a large goods or medium-sized goods vehicles, the routes to getting those is much easier in the UK. So why are we not addressing those?  
2325 If we are looking to upscale construction capacities and we need more of these big vehicles, even if we are looking at modular routes, we are going to need more cranes on the Island which will require these other licences.

I commend the Committee for looking at this issue and looking to find a workaround, but I am just not satisfied that it is being thought through properly. I am going to be, I think, siding with Deputy Mahoney and Deputy Le Tissier in voting against this.

Thank you.

**The Bailiff:** Deputy Vermeulen.

**Deputy Vermeulen:** I have had five driving licences over the years, for a motorcycle under 100 cc, for one above 100 cc, for a car, for a tractor, which I am particularly proud about – I had to get a licence back in the day for a tractor – and for a category 5, as it was known back then, a heavy goods vehicle. In our firm, we had lorries and trucks, big ones, which would need a category 6, and it was all about driving those, it was all about the quantum leap for the weight that you are carrying and how you reverse, it was all about that. Back in the day, it was all on your mirrors, whether you could reverse on your mirrors, and that was it. But times have changed, and now most cars, most lorries, most vans have got reversing cameras on them, and audible beepers.

But I do have concerns when I look at perhaps my wife, who drives a car, but is very wary of driving something even medium size and possibly large. So what I would say is that this should be reviewed, should this go through, after six months to see what effect these changes have made. Bear in mind, safety is paramount here, especially when talking about school children and reversing and blind spots and all the rest of it. I am probably going to support this, but I just want Deputy Gabriel to be aware of the pitfalls there and perhaps he can give me his assurance that this will be reviewed in six months.

Thank you.

**The Bailiff:** I will turn back to the Vice-President, Deputy Gabriel, to reply to the debate, please.

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

Thank you, Members, for some decent questions, decent debate and some challenge. I did not mention it in my opening speech, but my colleagues up in Alderney and the General Services Committee have also approved the introduction of this and backed the policy letter.

Moving on to specific Members' questions, to allay some fears around road safety, Deputy Mahoney mentioned the D1 licence which he holds. Of course, that D1 licence enables him to drive anywhere which has a reciprocal arrangement with Guernsey, including the UK. That is a group 2 licence, which is why he has to have a medical over 45. The B category licence which we are upgrading effectively to a D1 for Guernsey only, and remember that it is for Guernsey only, and the 130 code on the back of your licence, some of you may have it already if you have got a higher category, only enables you to circulate that vehicle in Guernsey. That is one of the fundamental differences. The group 1 medical requirements are significantly lower, again. Some of the conditions that Deputy Mahoney read out would trigger a medical on renewal of your B-cat licence anyway and it is up to your medical practitioner and also you, if you are aware, to self-declare that or declare it on application, re-application, renewal of your licence.

He also went on to say that we are not driving at speeds – and I reiterate 5.1.5 that we have shorter distances, a lot lower speeds, and local knowledge as well. Any responsible driver would drive to the conditions, and that includes their passenger requirements. At the moment, a car driver licence holder, a B driving licence, can drive a large vehicle. They can drive it with eight passenger seats in it and themselves, nine. So Deputy Mahoney could put all his forwards of his rugby team in there. This enables him to put the backs in, too. It is the same size vehicle and with relatively the same conditions and driving responsibly in Guernsey, I do not see an issue with that at all.

I thank Deputy Falla for his support. Like Deputy Queripel, I too must declare an interest. I hold a D1 licence and I drive occasionally for Guernsey Voluntary Services, so I see the challenges they are under. When I have the limited spare time, I am always on their rota and get weekly emails from them, always requesting cover about who can drive the minibuses today or next week.



Deputy Gollop, I can allay your fears. You asked about what is next and what happens about the findings of the Health Connections and the Unlimited Services Review, which was commissioned by the SIF, and there is a presentation to Members and the wider community happening in early June, I believe, although the date is yet to be confirmed. Deputy Le Tissier again mentioned the safety requirements and the practical and the theory tests, lack of knowledge effectively, but those are as per group 1 or the B category licence. So there is practical knowledge, experience and theory, and I can build on that. It is two years' experience but one of the other requirements taken into consideration is that you have to be 21.

So, in all reality, perhaps you might have three and half years' experience on the roads because 17 and a half, you are not going to wait two years – you cannot have your two years and be 17 and a half, it will be 19 and a half. So another criteria is being 21. You could have had four years driving on the road. So I hope that helps to allay some Members' fears.

Deputy Soulsby helped me out because, again, this is all a voluntary situation. Charitable organisations are not going to be going up to their members and saying, 'Right, you have got a car licence, you have to drive the minibus'. Again, it is down to – I will give way, I have just marked my place where I am but I will give way to Deputy Le Tissier.

**Deputy Le Tissier:** Thank you for giving way.

I just wondered if you could address my question which was about you could have the worst driving record in the world but you still got your licence. Why can you not insist that they have a clean licence?

Thank you.

**Deputy Gabriel:** I was just coming on to that, Deputy Le Tissier, because Deputy Soulsby helpfully answered that question for me. So as I was saying, it is a voluntary aspect, charities are not going to force car drivers to jump into minibuses, especially if they have got no experience. It is down to the organisation to risk assess who is suitable to go into that. If it were me, if I was a transport manager, I would be wanting to see copies of licences before anyone is let loose on any vehicle. Guernsey Voluntary Services run a car service and also deliver Meals on Wheels, so they are not going to let people, I would hope, into their vehicles, their assets, without doing their own risk assessment. That could form part of this.

I hope I have answered Deputy Oliver around the two years' experience, because it is not going to be a 19-year-old, it is going to be a minimum 21 years old, so there is that built-in experience there. Deputy Blin asked about insurance and whether this could be a trial. In my view, and it is my own limited view of insurance, I would imagine an insurer would want to know that a valid licence is in place. This would be a valid licence by the legislation we are putting in place and on the back of that as well. It cannot be a trial because we are putting legislation in place. In my view and officers' view, you cannot have a trial while making a legislative change.

I thank Deputy de Sausmarez for her support and her valid points about combating risks which I had not covered off, but if there is no service available, then jumping into a car, overloading a car, or perhaps not being available. I take the point that Deputy St Pier went through about deregulation and he brought up a good example about taxi deregulation. Way back earlier in the term, we also deregulated and made it easier to get an alfresco licence. So, again, I thank him for his support on that.

Deputy Taylor went on at length about safety concerns again. Again, he was talking about group 2 licences, which is the higher category of licence. This is an enhancement to a group 1 licence. He also talked about driving hours and tachometers, which are not applicable in Guernsey in any category. There is a UK and EU review coming and that could affect other categories of licence. It could affect commercial operators, it could also affect the people he described about bus drivers and the various providers. But that review is in its infancy and it is likely to take a while, because it is UK and EU-based and so we thought it most pragmatic to adjust this situation for what has been identified to us as a problem in Guernsey. We are not trying to legislate for the EU or the UK and

when we are driving over there. This is a problem in Guernsey which is why, like I said earlier, the 130 code limits the upgrade to Guernsey.

2435 I cannot give Deputy Vermeulen any assurance about that this will be a trial, for similar reasoning that I gave Deputy Blin. Again, he gave us a real world example. I will give way to Deputy Mahoney.

2440 **Deputy Mahoney:** Sir, I thank Deputy Gabriel, I feel he is just about coming to an end and that he has covered most of the points. But he had gone past Deputy Taylor's comments and I think there was one question which perhaps was not answered where this is an upgrade to the level 1 or category 1, whatever they are called, regs. But I think Deputy Taylor raised the point, well, then why not just upgrade the B category to include 16 seats rather than eight seats? So I just wonder whether that was considered and, if so and rejected, why?

2445 Secondly, the points that have been raised re safety and we will just leave it up to the charity or the voluntary group to make sure someone is fit to drive. I am not talking about points on your licence or anything like that, but from the medical side, I think it is pretty unreasonable to expect any charitable group is going to say, 'I really need you to drive for me, now just give me your medical records so that I can check that.' I do not think anyone is going to do that and, if they did, I am pretty sure it would put people off from actually doing it anyway. Is that a realistic expectation for 2450 any of the groups to say, 'Hand me your medical records to prove you do not have any of those long list of things on that form.'

I do thank Deputy Gabriel for giving away, if he could just comment on the question from Deputy Taylor, thank you.

2455 **Deputy Gabriel:** I think I got two questions out of that, why is the B licence not upgraded to include 16 passengers. That may well come as part of the EU Fourth Directive, if Members want to look it up, which is what is being consulted on and reviewed. That may well be an output of that. It is not yet and so this is the solution for Guernsey.

2460 As regards to medical records, to clarify, it is the driver's responsibility when renewing a licence to make a declaration to the driver and vehicle licensing if they have those conditions, not necessarily the operator, the organisation, the charitable organisation. A responsible driver, if they know they have that condition, should be reporting it anyway. In some cases, a doctor will also advise driver and vehicle licensing. For example, sleep apnoea is a regular condition which precludes people from driving or holding a licence. So it is self-reporting rather than asking the organisation 2465 to get medical records. I would never support an organisation asking for medical records for a volunteer. That goes too far, in my view.

I hope I have answered all of Members' questions. I would just ask for your support on implementing this pragmatic solution to help the charitable sector in a meaningful way.

Thank you.

2470 **The Bailiff:** Members of the States, there are two Propositions. They are, in my view, interlinked so I am going to put them to you together and I will invite the Greffier to open the voting on both Propositions, please. Can we now please close the voting, Greffier?

2475 *There was a recorded vote.*

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

**Pour**

Aldwell, Sue  
Blin, Chris  
Brouard, Al  
Burford, Yvonne  
Bury, Tina  
Cameron, Andy  
de Lisle, David

**Contre**

Le Tissier, Chris  
Mahoney, David  
Murray, Bob  
Taylor, Andrew

**Ne vote pas**

Leadbeater, Marc

**Did not vote**

Roffey, Peter

**Absent**

None

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 Tocq, Jonathan  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Trott, Lyndon  
Vermeulen, Simon

2480      **The Bailiff:** So in respect of the two Propositions, they voted in favour 34 Members, 4 Members voted against, 1 Member abstained, 1 Member was absent. Therefore I would declare both Propositions carried.

## COMMITTEE FOR POLICY & RESOURCES

### 17. Future Inert Waste Disposal and Water Resource Management Including the Future Strategic Use of Les Vardes Quarry

*Article 17.*

*The States are asked to decide:*

*Whether, after consideration of the Policy Letter entitled 'Future Inert Waste Disposal and Water Resource Management Including the Future Strategic Use of Les Vardes Quarry' dated 24th March 2025 they are of the opinion:*

*1. To approve the Black Rock Land Reclamation project as the preferred way forward for the next inert waste disposal site, subject to obtaining the necessary permissions, noting the intention of the States is that stockpiling should continue in the interim until such time as the next inert waste disposal site is available, and to agree that Les Vardes Quarry shall be the preferred option for freshwater storage once quarrying activities there cease.*

2485      **The States' Greffier:** Article 17, Committee for the Environment & Infrastructure – Future Inert Waste Disposal and Water Resource Management, including the Future Strategic Use of Les Vardes Quarry.

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

2490      **Deputy de Sausmarez:** Thank you, sir.

This is one of those rare things, the opportunity for the States to make a decision on long-term infrastructure based on comprehensive analysis that takes the bigger picture and time horizon into account. It is a decision that will affect generations to come. If the Assembly supports the proposal set out in this policy letter today, we will be putting in place a strong foundation to enable economic growth and community well-being over the coming decades. If we do not make that decision, we will be creating a less secure and more expensive legacy for our political successors, our fellow islanders, and our own children and grandchildren.

This policy letter addresses two strategically and practically interconnected issues, inert waste and water supply, and proposes the use of Les Vardes Quarry for fresh water storage and Black Rock for inert waste.

In July 2021, the Assembly approved the Government Work Plan Stage 2 policy letter, which directed the Committee *for the Environment & Infrastructure* to determine the future strategic use of Les Vardes and its suitability for either inert waste disposal or water storage, they being realistically the only two feasible uses for the quarry once its stone reserves are exhausted. We have carried out that work to help this Assembly to make that decision that has been a very long time in the making.

As far back as 1988, the States recognised that waste, water and stone reserves in Guernsey are inextricably linked and should be considered in a co-ordinated way. A review of the strategy on waste, water and stone in 1994 decided that:

The future of Les Vardes Quarry should be considered in the context of these three interlinking issues.

In 2006, it was identified as an important strategic asset for future freshwater storage, noting that:

Guernsey has virtually no underground sources, so it is reliant upon the water stored in the Island's reservoirs.

The same is true today, obviously. Planning permission to extend the quarrying operations at Les Vardes was subsequently granted to Ronez to help meet the Island stone requirements in the short to medium term and because it would also increase the space that could be used for water storage once mineral extraction had ceased.

The 2006 policy letter concluded that the need and demand for water in the long term is paramount. However, notwithstanding these conclusions, the Committee *for the Environment & Infrastructure* was tasked through the GWP with recommending the best strategic future use for Les Vardes, so we took a fresh look at these three interlinking issues of stone, waste and water, accounting for current needs, projections, data and modelling.

Les Vardes is still operational today, of course. It is where the stone crushing and tarmac operations are based. Stone extraction has moved to the Chouet headland. But in about four years' time, Ronez plan to move the plant to Chouet and extract the remaining stone reserves from Les Vardes that are currently constrained by that facility, by that equipment.

It is anticipated that stone extraction at Les Vardes will be exhausted in 2034. However, while Les Vardes is still operational and still in private ownership, realistically the States of Guernsey is the only potential buyer, and once stone extraction is finished, it could be a stranded asset for Ronez, so a change of ownership could be of mutual benefit to both parties.

The policy letter deliberately avoids specifying certain costs, the reason being, and I hope this would be obvious to States' Members, but it is a point that is worth repeating for those that did not manage to attend the briefing, that the acquisition of Les Vardes is subject to a commercial negotiation. As a general rule, it is not a particularly sensible idea in that context to discuss details that could be commercially sensitive in public. For that reason, I hope debate will be mindful of that consideration.

Suffice to say that whatever its eventual use, the States' acquisition of Les Vardes will likely be necessary, so it is perhaps a bit of a moot point in this debate anyway. With respect to its strategic

role, there are two feasible options. It can either be used as a water reservoir, or it can be used as an inert waste disposal site. Our work looked at both of these options in detail to understand their relative merits and, in order to come to an informed and rounded conclusion, we also looked at all other options for meeting the Island's short, medium, and long-term objectives with respect to both water supply and inert waste. That work has been comprehensive and it was necessarily technical and complex. Detailed engineering and environmental assessments have been undertaken on a number of potential sites for water and waste. Guernsey Water has undertaken a full review of the Water Resources and Drought Management Plan which looks forward 50 years into the future to understand the Island's water requirements based on projected levels of net migration as well as considering potential water quality risks and climate change impacts.

High-level indicative costs and timelines have also been compiled for options and combinations of options in recognition that there are dependencies for the water, waste and stone elements of some sites. As part of a detailed options appraisal, a short list of 11 technically feasible options was produced in consultation with Guernsey Water and Guernsey Waste. With respect to water, there are only two options, using Les Vardes Quarry as a freshwater reservoir or a desalination plant.

For inert waste, there are many more options. The sites we considered were Les Vardes Quarry, Longue Hougue South land reclamation, Longue Hougue Reservoir, or Longue Hougue Quarry as it is sometimes known, two smaller quarries, L'Epine and Guillotin, and the Black Rock land reclamation. The Committee also considered the dual use of Les Vardes Quarry. In other words, inert waste followed by water storage, so a combination of the two, and various iterations of that actually.

Various assessment criteria were applied at the options appraisal, including cost and affordability, environmental impact, operational and delivery risk, resilience and reliability, and customer and political acceptability. Taking all of the evidence into account, the Committee identified its preferred options as being Les Vardes Quarry for freshwater storage and Black Rock land reclamation for inert waste, for reasons that I will expand on now, starting with inert waste.

Partway through the process of analysing the shortlisted options, the Guernsey Development Agency, or GDA, advised the States that it would require significant quantities of inert waste to develop a land reclamation scheme at Black Rock. That development will need at least 12 years' worth of inert waste, or possibly more, depending on the final design.

Using inert waste to reclaim land at Black Rock will not only provide us with an inert waste disposal site for about 12 years, but it will also support the GDA's work to create much-needed housing and flood defences and regenerate the Bridge, which will play a key role in growing our economy. In fact, we had an email earlier today confirming that the potential for housing at Black Rock is in fact even greater than previously assumed. So this one development has an important role in meeting the Island's housing need, as well as playing a part in the wider investment and regeneration of the Bridge area.

Members already know that there is an urgency to get on with this because we are currently stockpiling waste at Longue Hougue reclamation site, which is time limited to three years, meaning that we have two and a half years left. Stockpiling is expensive because of the double handling costs, so delays are also very costly, another reason to support this proposal and crack on.

The Committee has met with the Guernsey Development Agency to discuss timelines, costs and environmental impacts and is satisfied that Black Rock represents the best value solution for the Island's next inert waste disposal facility. Preliminary environmental studies have been carried out and we have taken reassurance from the fact that the GDA is working with environmental stakeholders to ensure any necessary mitigations are carefully and sensitively thought through.

A full Environmental Impact Assessment, as required as part of the planning process, is already underway and should be complete early next year. An ambitious but viable indicative timeline shows that the site will be able to receive inert waste within that stockpiling timeline. At this early stage, all costings are indicative and are for comparison purposes only, as detailed costings will be worked up as projects progress. I should probably explain that the costs provided in relation to Black Rock are the one set of costings that are not directly comparable to the other options, because they were

provided by the GDA having been worked out on a slightly different basis. However, it is reasonable to assume that were the costings to be worked out on a like-for-like basis, Black Rock would require less initial capital expenditure than Longue Hougue South, not least because it is shallower so requires a smaller bund, which tends to be a major part of the expense.

There is also a further strategic cost saving arising from Black Rock, in that the flood barrier that will be needed at the harbour mouth will not need to be anything like as long, with a projected saving of tens of millions of pounds compared with a full-length defence. The GDA anticipates that the cost of the Black Rock inert waste site will be recovered through tipping fees, as set out in the Policy & Resources letter of comment, and it will be bringing further details to the States during 2026 in its business and funding plan, which will:

... identify options for how surplus profit will be returned to the States or reinvested to further support delivery of the States' strategic objectives for the east coast.

Having explained why Black Rock is the preferred option for inert waste, I will quickly run through some of the main issues with the other options. Longue Hougue South was agreed as the next inert waste disposal site, twice in fact, in both 2017 and 2020, but for reasons Members will be familiar with, it has not been progressed this term. That has left Guernsey Waste in the situation of needing to stockpile, but the Committee considers that any decision made in relation to the land reclamation at Longue Hougue South would be better made when a decision on the Island's future harbour requirements has been made, which I hope the next dates will be able to progress swiftly now that we have approved the local planning brief for the harbour action areas.

For a number of reasons set out in the policy letter, Longue Hougue Reservoir is not a suitable option for the next inert waste disposal site. The primary reason is that it is currently full of water, it is in fact the Island's largest reservoir, and it is vital for our water supply. Should Les Vardes be approved by the Assembly as a water storage site, there is a possibility that Longue Hougue Reservoir could in future be converted for inert waste disposal. But because it currently stores 27% of Guernsey's water supplies, that could only happen once Les Vardes has been plumbed in, so to speak.

However, even after that, using Longue Hougue Quarry or reservoir for inert waste is not as straightforward as it sounds because there would be considerable engineering challenges. One of those is that the quarry is very deep and very steep, and we believe it would take some pretty radical reprofiling even to enable vehicles in and out in order to tip inert waste. Also, the reservoir is used as a source of water for the St Sampson's fire main, which protects the Island's fuel storage sites. So if it is used for inert waste in future and decommissioned as a reservoir, an alternative water source would need to be found for that. There are also significant costs associated with the decommissioning, estimated at approximately £17 million.

The two smaller quarries, L'Epine and Guillotin, would only provide an estimated four years of inert waste disposal between them. There have also been concerns raised previously about the impact of infilling these quarries and the impact on neighbours and the rural environment. There is a neighbour actually in this Chamber; we are always very aware of that.

Indeed a previous P&R rejected the funding requests for EIAs for these quarries on the grounds that they were unlikely to be progressed as future inert waste disposal sites above other options. We did of course look carefully at Les Vardes Quarry for inert waste. It could provide a long-term inert waste disposal site, potentially up to 60 years' worth, but there are several reasons why it is not the preferred option. First of all, while there are multiple options for inert waste, there is only one option for increasing our water storage capacity. So using Les Vardes for inert waste would remove a valuable strategic water resource for the Island.

Secondly, designating Les Vardes for inert waste would be taking inert waste away from Black Rock, which could frustrate the GDA's ability to progress their plans. Thirdly, the GDA has confirmed that they have a need for inert waste for projects well beyond the completion of Black Rock, so we are not anticipating the need for an inert waste disposal site for decades to come. Fourthly, Les

Vardes is still in private ownership and still very much operational and will be for the best part of another decade.

2645 Finally, the land that would be created at Les Vardes would not have the same kind of strategic value as land created at Black Rock and the GDA's projects planned beyond that. Unlike Black Rock, Les Vardes would not be creating land for housing if filled with inert waste, for example. To summarise, there is not a strong case for using Les Vardes for inert waste, especially in the wider context of better options and strategic directions before we even consider its use for water. We did look into whether we could put some inert waste into Les Vardes before filling it with water to  
2650 potentially leverage some benefits on both sides of that equation. However, there are some key risks of doing this, which the Committee ultimately determined would not be acceptable.

No precedent was found anywhere in the world for the construction of a drinking water reservoir above an inert waste disposal site, which means that there are no standards that can be followed with respect to protecting water quality. There was also no evidence available to demonstrate that  
2655 the capping material which would be needed to separate the waste from the water would not degrade before the end of the life of the reservoir. So the Committee agreed with Guernsey Water and the STSB that dual use would be likely to undermine public trust in the water supply. As such, dual use was ruled out as a viable option.

Our work has identified that Black Rock is by far the most preferable route for the Island's inert waste for a range of reasons. I do not know why that is there, I think I have talked about the inert waste, yes. Yes, well, basically, to summarise, our work has identified that Black Rock is the most preferable route for the Island's inert waste for a whole range of reasons. As I mentioned earlier, the GDA assures us that even beyond that, that particular project, there will be a considerable requirement for inert waste for their developments for many years beyond.

2660 So turning now to water. Identifying Black Rock for waste, inert waste, frees up Les Vardes Quarry for water. I would ask Member not to underestimate the importance of making this decision today. Having an adequate supply of water for the Island is essential for daily life as well as business. Water restrictions and droughts would have a seriously damaging effect on our lifestyles and on our economy. The Water Resources and Drought Management Plan shows that we need to act now.  
2670 We do not currently have adequate supplies today in the event of a severe drought, and given the growing uncertainty over water supplies or water availability, this is something we need to address. We need enough for the future as well to cater for our growing population and allow for climate change impacts and water quality risks. Water quality risks do decrease the availability of water, so that is quite a key point. So we have a growing population, which means that the demand for water is growing, and we have also simultaneously got reducing availability of water, partly because of  
2675 water quality risk, which does constrain the Island's ability to use all the water that it can collect.

This is, however, by no means a gold-plated solution, as some might suggest. Water resilience has been an increasingly sharp focus around the world given increasing population, demographic, economic and climate pressures. I hope it is stating the obvious to say that water is a fundamentally  
2680 necessary resource. Water authorities across the UK and beyond are investing in new reservoirs and desalination to address water supply deficits and to ensure that they are prepared for increases in population and those climate change impacts. Jersey and the Isle of Man also have plans to increase their water storage, having both experienced droughts in the last five years, with restrictions imposed I think three times in the Isle of Man in the last five years brought about by reduced rainfall.  
2685 I can say from my limited personal experience that the Isle of Man does seem to get a lot of rain.

So why do we need to act now on water? Can we not wait a few years? I am afraid that we cannot. The Island does not currently have enough water to supply homes and businesses in the event of a severe drought. In those circumstances, with current water storage resources, there would be a deficit of approximately 3 million L of water per day. Infrastructure projects of this scale and  
2690 complexity take many years to investigate, plan, develop and deliver. This requires a significant commitment of time, resources and investment. Guernsey Water therefore needs clear direction to commence planning.

Members will also recall that the Fiscal Policy Panel Report 2025 highlighted the need for the Island to invest in its infrastructure to support economic productivity and growth and in turn, fiscal sustainability. Now is our chance to do exactly that. The alternative to using Les Vardes Quarry for water would be to construct a desalination plant. Desalination was considered at the options appraisal. However, as well as being very much more expensive with ongoing maintenance and operational costs, it has a significant negative environmental impact on the marine environment, and a high energy requirement and emissions footprint. There are a couple of other points worthy of mention.

The first is that we do not have the expertise to operate a desalination plant on Island. However, even more pertinent is that there is a lack of suitable locations for any such plant to be sited. Desalination plants have some specific requirements with respect to where they can reasonably be located, particularly in relation to their access to sufficiently deep water and the amount of infrastructure required to facilitate that. The only realistic option locally that we are aware of is at Longue Hougue, which is one of the most pertinent reasons why the GDA are strongly opposed to desalination, because space at Longue Hougue is already oversubscribed. So adding in another space and energy-hungry facility on that site is a confounding factor that will have a material impact on the other uses that the GDA is trying to progress in the area.

Also, desalination is by no means a silver bullet. Desalination plants do not just suck in salt water and spit out fresh water. A lot of fresh water needs to be added before the water can eventually become possible. It is worth noting that Jersey, which has such a desalination plant is having to expand its capacity by some additional 50%, in addition to very materially increasing its water storage capacity as well.

I am going to mention, although I should stress this was not a factor in the options appraisal, my personal opinion is that desalinated water can taste horrible. Details on the potential cost of the quarry have not been included, for the reasons that I mentioned earlier. However, it has been a matter of public record for decades now that Les Vardes is likely to be acquired by the States as a strategic asset for either waste or water.

The Policy & Resources Committee is under resolution to negotiate this with the landowner in conjunction with negotiations for Chouet Headland. We have been advised to keep discussions on these negotiations out of the public domain and so I would politely remind Members to please respect that during debate. So in bringing these proposals to the States I would like to thank not just the Committee's officers but also the States' Trading Supervisory Board and officers at Guernsey Water and Guernsey Waste for their assistance in compiling the evidence and data required to analyse the options considered by the Committee. The next Assembly will play a role in endorsing these workstreams when the necessary business cases and funding requests come back to the States for approval. However, clear strategic direction is required now. These decisions must not be delayed any longer. This Assembly and the last, have failed to progress an inert waste disposal facility for eight years now, and we have demonstrably run out of time, to our cost.

Action is needed today. Strategic direction is also needed now on future water storage so that Guernsey Water can put the necessary plans and investment in place to secure the Island's water needs, the fact that we have a supply deficit today, which is set to worsen, given the increasing constraints on our fresh water supply, changing rainfall patterns, and growing population. Making the decision now to secure our water supply through the use of Les Vardes will also make the best use of that quarry, as the lead-in time required to prepare it as a water reservoir dovetails neatly with the timeline for when stone extraction from the quarry will cease. In other words, by agreeing the strategic direction now, the quarry can be a useful asset pretty much seamlessly, if you will pardon the pun, throughout until 2034 in terms of mineral extraction and from 2035 for water. Any delay in the decision will have economic and practical impacts.

Also, if there is one thing that we have learnt to our cost the hard way over the years, it is that the greater the delay, the greater the expenses that tend to accrue and the greater the compounded impacts. So I urge Members for the sake of the economy and for the benefit of all Guernsey people



to embrace these proposals and make a decision that our successors and generations to come will be thankful for.

Thank you.

**The Bailiff:** Members of the States, there is a single amendment at the moment to be proposed by Deputy Helyar. Is it your wish to move that amendment now, Deputy Helyar?

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

**The Bailiff:** Thank you. Please do.

[Amendment 1.](#)

*In Proposition 1, to delete “, and to agree that Les Vardes Quarry shall be the preferred option for freshwater storage once quarrying activities there cease” and to insert a new proposition as follows: “2. To agree that Les Vardes Quarry shall be the preferred option for freshwater storage once quarrying activities there cease.”.*

**Deputy Helyar:** Thank you.

Members, this really should not be a contentious issue for anybody. If you look at the Propositions that accompany, or the Proposition which accompanies this policy letter, it ties together the decision about Black Rock and the decision about Les Vardes in the same Proposition. So you can only vote yes for both. It does not give you the option to vote yes or no for one or the other. So for those who intend to support the policy letter entirely, supporting this amendment will make absolutely no difference to the intended outcome which you intend to vote for. It will be identical in every way. What it does do in a democratic society where some of us – I believe there is more than one, certainly Deputy Murray – would like to have the option to vote no for one of those, what we are doing is separating, we are decoupling Black Rock from water. We have already heard from the President that it will be at least four years until Les Vardes is ready.

There is no reason whatsoever why we need to commit to doing it now. None. We have heard none in the speech we have just heard. There is no reason for doing it now. There is no imperative to do it. We could not do it even if we wanted to. We do not even own the quarry that we are talking about. There is absolutely no imperative.

**Deputy de Sausmarez:** Point of correction.

**The Bailiff:** Point of correction, Deputy de Sausmarez.

**Deputy de Sausmarez:** I did mention that there was a lead-in time which dovetailed perfectly with the use of the quarry, so there is absolutely a need to start now because otherwise we will not be able to move seamlessly from 2034, so enabling work starting now will enable that, whereas a delay would be incurred if we make a decision any later.

**The Bailiff:** Deputy Helyar.

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

In my opinion, there is absolutely no imperative on us to do this with a quarry which we do not own, which will not be finished for another four years. People do not want their water bills to go up. I would prefer to decouple these arrangements so that we can vote for them separately. That is all this amendment is about.

We heard or saw on the front of the newspaper today that a local organisation would like Members to be respectful of one another (**A Member:** Hear, hear.) and, respectfully, I would like to decouple these arrangements so that I can vote for one and not the other. I would ask Members if

you intend to support both, there is absolutely nothing wrong with you supporting respectfully that request and allowing this amendment to pass. (**A Member:** Hear, hear,)

Thank you.

2795 **The Bailiff:** Deputy Murray, do you formally second Amendment 1?

**Deputy Murray:** I do, sir.

**The Bailiff:** Deputy Burford.

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

I fully understand, sir, where Deputy Helyer is coming from and only in the last meeting, I myself laid an amendment to split out a Proposition into two parts so that they could be voted on separately. However, I think the difference is that in that case the two parts of the Proposition were unrelated. I do not feel that these parts are unrelated. I think they are very intertwined and that will be the reason that I will vote against this amendment.

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While taking on board the comments that Deputy Helyar has said, I really think these things are hand in glove and, if we are going to move forward and actually make some progress and maybe even have some action this day in this Assembly, I think we need to approve both of these things and for that reason, because I think they are totally interlinked, I will be voting against this amendment.

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Thank you.

**The Bailiff:** Deputy Dyke.

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

I, respectfully to everybody, would respectfully suggest that Deputy Burford is not being respectful enough to Deputy Helyar on this. These are two separate subjects as far as I am concerned. I can see the broad thrust of everything the Deputy de Sausmarez has said, and I do not disagree with it. But I would say the disposal of the waste is more urgent and has to be started now. I will speak to that later. So that is more urgent.

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The reservoir, or using Les Vardes as a reservoir is inevitably a longer-term decision because they are still using it, they are not going to be out of there for quite a few years. We do not own it as yet, so in terms of a lead-in period, there is not much we can be, even if we said, 'Let us do it, let us start today', there is not really much we can do because we cannot start working on it to make it a reservoir while they are still quarrying in it. So the timelines for the two things are rather different, whatever view you take on both of them.

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I actually agree with the thrust of what Deputy de Sausmarez said, but I do think it is reasonable that you can separate these into two different items given the two different timelines.

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Thank you.

**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Yes, sir.

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These two issues, the inert waste disposal and water resource management, are totally unrelated. In fact, that is the very reason that we will not put the waste in Les Vardes because, in fact, they do not mix. All you would wind up with is a contaminated water resource, if not particularly careful. So I think it makes a lot of sense to separate these two issues because they are totally unrelated.

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**The Bailiff:** Deputy Le Tocq.

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

While for me the jury is out as to the long-term use of Les Vardes, I do remember Deputy Burford persuading me, I think she did, a number of years ago that Les Vardes could be used for modern landfill in the future. I am pretty convinced that it will need to come into States' ownership. However, I do not think we do need to make this decision now, and so I do respect the views of those who want to vote separately on this. I think we can proceed with one, which is certainly, in my view, very urgent, and then take a separate vote on this.

So I will be supporting this amendment.

**The Bailiff:** Deputy St Pier.

**Deputy St Pier:** Thank you.

I would be grateful for both Deputy Helyar and, indeed, Deputy de Sausmarez when they respond to the debate to address my concern or anxiety, which is the consequences of the entire policy letter being lost and therefore not being able to proceed with Black Rock. I am seeking to really understand the consequences of that risk and the mitigation of that risk. Clearly, the intention of those bringing this amendment, I would suggest, is certainly to vote against in due course, no doubt after substantive debate, and the new second Proposition, as indeed of course is their right.

However, in the absence of this amendment succeeding, if the entire Proposition as currently drafted is lost, I need to understand the consequences of that in order to be able to make a proper assessment of how to vote on this amendment. So I would be grateful if somebody could address that before this debate closes.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I am going to speak hopefully just directly to the amendment and echo what Deputy Dyke said about Deputy de Sausmarez's desire for putting a strategic view together, which I think is commendable. As someone who voted against Longue Hougue South as much as possible, for the reasons I will not go into and I will save for general debate, there can be no criticism for trying to tie this into one single strategy.

The view from, I believe, obviously Deputy Helyar and Deputy Murray along with those who have spoken so far, including Deputy Le Tocq, I do not think we need to entirely make the decision on Les Vardes today, even though I have just supported the long-term strategic vision. I will give a reason why, which refers back to what would be the change Proposition. I genuinely believe Black Rock is very important, but what concerns me about this, and Deputy de Sausmarez is one of the members of the Project Oversight Group along with Deputy Murray, is a similar argument actually Deputy Ferbrache made about using the East Arm as a potential inert waste site for when the harbour proposal is.

Actually, if we cast our minds back, part of the setup of the GDA was to look for areas where they can create earnings, and quite clearly they are focused on the tipping fees. The tipping fees will generate revenue for the GDA. But there is a minor problem with that, the concentration or the laser focus that they have on earning revenue potentially means that the Black Rock could take 12 years to fill. The argument might be that if we decide to identify Black Rock as a land reclamation area, the difficulty with that if it is that strategically important we simply cannot wait 12 years. It might be the case that we need to backfill it pretty damn quickly to get it into any strategic use.

Now that decision is not here today for us to make. It is whether we determine that Black Rock is the preferred way forward for inert waste disposal, which I would like to agree with. But I would ask Members to give some consideration that while the GDA is by the terms set out by this Chamber. If we really want to get on with housing, we probably need to be able to build that bund within two to three years and backfill it within three. I am expressing an opinion but I will give way.

**Deputy Burford:** I am not going to contradict the opinion of Deputy Inder. What I am going to say is that when I have, not so long ago, met with the GDA, there is a suggestion I understand that

2895 that site could be developed in part, so his concern that it would all need to be filled before some development occurs may not be accurate.

Thank you.

2900 **Deputy Inder:** I was expressing an opinion but the most sensible thing would be to build the bund pretty quickly, however long that takes, backfill it pretty quickly and it may be the case of reminding Longue Hougue South itself to move some of that dirt in there. But to get that into some sort of strategic use is the same argument I made against Longue Hougue South five or six years ago because there was no strategic use for Longue Hougue South. It was going to be filled via tip fees, but I think it was about 15 years ago, and no one had any idea what they wanted to do with it, but today we actually have an idea.

2905 With Black Rock, I suspect the argument has been solved. I am suspecting that, generally, the States are going to agree, but my great fear is that it will not be built quickly enough to serve the purpose of the housing that we so desperately need, which could unlock Griffith's Yard itself. So I have gone all around Sark probably to get to Norway or Herm, but all I am saying at the moment, 2910 to answer Deputy St Pier's question in a way, is there is a danger here that if we do not adopt the amendment, we end up losing Black Rock quickly and Black Rock is too strategically important.

There is not a Member in this Assembly who puts their name forward in the next few months who probably is not going to mention housing in a manifesto. The distinct difference between Longue Hougue South and Black Rock is we had no plan for Longue Hougue South whatsoever. 2915 Black Rock is important for this Island and for its housing needs to get it moving quickly, and my fear is that the GDA who, rightly so, put this together along with the work from the DPA who supported that quite massively, will just take too long.

I genuinely believe the bund should be built as quickly as possible, backfilled quickly possibly reminding where the tips are and get that ready for building. In short, sir, Members of the States, 2920 I will be supporting the amendment so we can get to Black Rock.

Thank you.

**The Bailiff:** Deputy Murray.

2925 **Deputy Murray:** Thank you, sir.

I think there have been some valid points made. I do not disparage E&I or the Deputy's summary from looking at this strategically at all. In fact, obviously, I think she is right to say it is something we do not do often enough. The difficulty is how far out we can look with any certainty, and the other complication that has not been mentioned is the availability for finance that we need to deal 2930 with things that we want. I know we keep harping on about this but it is important because we do not have it.

To address particularly Deputy Inder's point, which I wholeheartedly agree with, the fact that we did not have a GDA vision for the Bridge regeneration 10 years ago when we were looking at what our options might be for Les Vardes Quarry, etc. shows how things can change and evolve over a period of time. I doubt there is anybody in this Assembly at the moment who actually has a problem 2935 with that vision, from what I recall from the support that the GDA policy paper was given.

The point that the Deputy also makes about the necessity for housing as soon as possible is incredibly valid, and so if we are going to talk about where we are going to put our resources – and I mean financial resources – it may very well be that we might want to actually promote the time period much further forward than waiting for another 10 years to have what now appears to be at 2940 least 500 units of accommodation.

Now if we are going to put it into that, I do not think we have got the money to put it into the water infrastructure that we are going to require, which we may very well need in the fullness of time. It is difficult to predict how far forward that is because it is all modelling at this stage. So, for 2945 me, a bird in the hand is actually far better to consider at this stage because it is strategic that we get the houses we need for our economy.

Deputy de Sausmarez mentioned our economy and infrastructure and she is absolutely right but infrastructure we need right now is houses. Some of these bigger projects obviously are going to take time and they will of course contribute to our economy. In fact, some of them are well overdue. But at the moment, I do not think any candidate standing has got any doubts that our focus and the focus of the next Assembly is the building of housing (**Several Members:** Hear, hear.) and we have that opportunity right in front of us that we could progress if we are prepared to put sufficient resources behind it.

But I know for a fact we have not got resources to do everything that we want to do and I know that there will be a reluctance towards borrowing. This Assembly has expressed that and I am quite sure the next Assembly will be exactly the same once they realise how little or no money we actually have. So here we have a project that I think everybody here would actually say yes to right now, which is the Black Rock for inert waste for all the reasons we now know.

But why do we complicate that or risk that at this stage, however strongly or otherwise people feel at the moment, by tying it to another project that has some linkage? I understand that, if we are going to build 500 houses, it is going to obviously require greater water support and everything else. We all understand that, but at this point, we cannot even access Les Vardes Quarry.

What I understand Deputy de Sausmarez is hoping to do is to put the infrastructure in place – and I think she used the word ‘seamless’ – but when that quarry becomes available, and I am not entirely sure whether it is four or 10 years at this point but certainly somewhere in between, we can switch on as a reservoir. Now we cannot just switch it on because it will not be full of water but I do understand that pre-planning, and particularly for Guernsey Water, that is now going to be looking at actually what its requirements are going to be for investment and they are going to be massive.

The States are going to have to sit behind it in the same way the States is going to have to sit behind what Guernsey Electricity needs to do. These are vast sums of money that we need so we need actually the housing to have the workers to earn the money to give us the Income Tax that we need to actually improve the situation we have in terms of our fiscal deficit. So housing, housing, housing.

I do not necessarily disagree with E&I’s summation that maybe in the fullness of time Les Vardes might be the right move for us but, at the moment, what I am saying is resources need to go into housing so let us actually push forward with Les Vardes and support this amendment so that we do not have a problem and lose the lot.

Thank you, sir.

**The Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Sir, I think these projects are linked in more ways than what has been suggested so far in the debate. If Les Vardes in the future becomes the Island’s largest water storage reservoir, it would potentially allow the States to fill in Longue Hougue Quarry and develop that land as commercial land whether for commercial activities or for housing or whatever. It would become valuable land in the centre of our second largest town and, therefore, has a further potential benefit beyond Black Rock, and I think that is the direction of travel.

Obviously, at the moment, Longue Hougue Quarry is actually the Island’s largest water storage reservoir and it cannot be taken offline now but it has suffered occasionally from pollution incidents and so forth, and I think it would be desirable in the long-term to replace Longue Hougue Reservoir with a water storage reservoir which was not as exposed to pollutants as Longue Hougue Reservoir.

I actually think the commitment to use Les Vardes Quarry for water storage is part of the longer-term plan or should be. It is part of the longer-term solution to the Island’s housing problems and to the regeneration of St Sampson and the Bridge, and I think it would be a great shame if the States rejects the opportunity today to take a holistic view of these things and move the whole scheme forward. It would be very short-sighted, in my view, for Members to vote against that commitment.

3000 **Deputy Dudley-Owen:** Sir, may I call 17(6). Is it 15(6)? Apologies. Relevance. Relevant to the debate.

**The Bailiff:** Okay, well, the way to do it, Deputy Dudley-Owen, is to stand up and call point of order which you did not do.

3005 **Several Members:** Hear, hear.

**Deputy Dudley-Owen:** Apologies, sir. May I call a point of order?

3010 **The Bailiff:** All right. Point of order, Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Yes, a point of relevance. I think it is rule 17(6). I do not call these very often so I am looking for it. Deputy Taylor perhaps could help me out.

3015 **The Bailiff:** I think what is being suggested is that you need to concentrate on the amendment. I think, to a certain extent, you are. So if you can try and focus on why it would be good to split the two or not to split the two, then that will help.

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

3020 But the argument has been put for those who wish to split the Propositions into two is it is clear, and they have admitted as much, that they intend to vote against committing to the use of Les Vardes Quarry for water storage. I am saying, sir, that actually Les Vardes for water storage is part of a holistic view of what the future of what used to be called the Stone, Water and Waste Strategy might be.

3025 That therefore, although I do not strongly object to splitting the two Propositions, I do think it is unnecessary because I think the States would be unwise to vote against designating Les Vardes Quarry for water storage.

Thank you, sir.

3030 **The Bailiff:** Deputy Ferbrache.

3035 **Deputy Ferbrache:** Sir, I think Deputy Parkinson is looking for bogeymen that may well exist in relation to where we are, but what is the danger? There will be others that could give more authoritative views than mine in relation to Deputy de Sausmarez's question which is that, if the application to amend is unsuccessful, there may well be a number of people that will vote against the whole Proposition because they have got no option because, if they do not, they accept it all and we would be in an absolute pickle.

3040 Because there is sufficient information in my opinion in the policy letter, which has been well expressed and well laid out by Deputy de Sausmarez, which shows where are we going to put our inert waste? We are storing it and we are paying a great deal of money to move it, store it, etc. I accept the vigour of Deputy Inder's speech that we should be building housing, we should be building housing, we should be building housing, but we have not built houses, we have not built houses so we have not built houses.

3045 If we continue with the same system until the next election, we will be saying, 'Well, we built 36 houses this year and that is 33 more than we built last year.' That will be measured as a success which once would have been an abject failure. All this does, if the amendment is successful, is to put it into two different Propositions. Now that could mean that both Propositions pass, that one passes, or whatever.

3050 I think it is very likely indeed that a separate amended Proposition 1 that says you get on with Black Rock would pass. Deputy Helyar did not deal with it, and neither did Deputy Murray, in their speeches because they are dealing with the amendment at this stage about the problems with Black

Rock and the overall costing, etc. I would anticipate – and it is a matter for them – that they would deal with that at a later stage.

So all we are doing is giving everybody, if the amendment is successful, those options and it may be that 1 passes and 2 fails and even if 2 fails, it is not the end of the day because all it says is that that decision could be made at a later time, and that is all we are talking about in relation to this. So I think, sir, in my opinion, it would be very dangerous indeed to reject the amendment because it does give options to the Members when we come to generate debate.

Thank you, sir.

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

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

I was not going to speak but Deputy Parkinson has enticed me to speak in terms of some of the comments that he made after I had called my order.

**The Bailiff:** Badly.

**Deputy Dudley-Owen:** Badly. I do apologise about that. I am not very good at calling the Rules.

But he said that it would be very unwise for us to vote against that particular provision within the Proposition, but that is up to Members if they wish to cast their vote in the way that they want, and that is entirely the point that Deputy Helyar and Deputy Murray are making. They want the choice. They want that choice to be available to Members to cast their vote in the way that they want to either for or against separated decoupled provisions.

Whether Deputy Parkinson, in his opinion, feels that is unwise, is irrelevant. He can state that, but actually in stating that really speaks strongly to what Deputy Helyar said before about this being a democratic choice. Just because Deputy Parkinson does not think it is wise does not mean to say that we should not have the democratic choice to be able to exercise our vote in the way that we want. To me, that makes it even a stronger compulsion to vote in favour of this amendment because I want to be able to be unwise if I want to with my vote.

I feel quite, I suppose, professionally irritated, sir, to be given a bit of a dropping down by Deputy Parkinson that it would be unwise to vote this way. People in this Chamber will use their vote in the way that they wish to and to be told that it has to be coupled together because otherwise it would not be at the stage to vote in that way is not true.

Deputy de Sausmarez obviously comes from the same school of thought as Deputy Parkinson, but I think it is rather patronising, to be honest with you, so I would urge people to vote in favour of this amendment to exercise their democratic right to vote in the way that they wish.

**The Bailiff:** Deputy Mahoney:

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

I probably do not feel quite as annoyed or patronised perhaps as Deputy Dudley-Owen does but we take people's opinion and we can take them or leave them depending on who is giving it. But, as ever, we have done what we do really well, which is take a really simple amendment and then go way off subject. There is plenty of off-roading going on here. This is really simple and, in fact, it is as simple as it gets. Take Proposition 1, the only Proposition, and split it into two and then vote on 1 and then vote on 2. That is it in essence. We have got a 15-minute debate so far out of this so this does not get any simpler.

If anyone is going to follow me and speak, please just speak to that. Why should we do it or why should we not do it? I think we should do it because some might want, as was said, to vote for just one of these, in which case it gives them the option of 2. But what I expect we might be about to witness is the political voting that has gone on at various points and I am not supporting this because Deputy Helyar proposed it.

You watch right now about what happens in the next few minutes about people's votes on this. This is really simple. Just give those that want the option the option to do it. It is as simple as that.

**Deputy Haskins:** Can I ask for the 26(1), please, sir?

**The Bailiff:** Yes, Deputy Haskins. Can I ask those Members who wish to speak in debate on the amendment to stand in their places? Is it still your wish, Deputy Haskins, that I move the motion?

**Deputy Haskins:** Yes.

**The Bailiff:** The motion is that, subject to hearing from the President and the proposer of the amendment, there will be no further debate on the amendment.

Those in favour? Those against? I declare that carried.

**A Member:** Can I request a recorded vote, please, sir?

**The Bailiff:** So this is the recorded vote on the motion proposed by Deputy Haskins pursuant to Rule 26(1) and I will invite the Greffier to open the voting on that motion, please.

*There was a recorded vote.*

*Not Carried – Pour 17, Contre 18, Ne vote pas 4, Did not vote 1, Absent 0*

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

**The Bailiff:** So on the motion to curtail debate proposed by Deputy Haskins. There voted in favour 17 Members; there voted against 18 Members; 4 Members abstained; and 1 Member did not participate in the vote so I will declare it lost.

Deputy Leadbeater.

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

I am going to support the amendment. We have heard that these two parts of this Proposition 1 is potentially going to be two separate Propositions are interlinked and we have been told that it will be a world first to use a facility like Les Vardes Quarry for inert waste and then to have it for water storage afterwards. But one thing I do not think has been touched on is the fact that all of the overburden from the new Chouet Quarry is being tipped and has been tipped in Les Vardes Quarry. So it already has taken inert waste and we know that the overflow contained contaminates, etc. I would give way to Deputy de Sausmarez.



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**Deputy de Sausmarez:** Yes, I think Deputy Leadbeater is not wrong but that is overburden and it is not an inert waste disposal site as a result. It is very different, and we have looked into it in some detail, but it does not mean that it is being used as an inert waste disposal site.

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**Deputy Leadbeater:** I thank Deputy de Sausmarez for that. I was not saying that it was being used as an inert waste disposal site but it is having inert waste tipped in it. The effects of that are exactly the same because overburden can contain lots of chemicals and hazardous things exactly the same as potentially inert waste can as well. This is why I think it is a bit of a misnomer because I do not how many tons of overburden has come from Chouet and it is all in there.

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So if we are going to use it for water storage, we are not going to be removing that, are we? It is going to be staying there. So I think, effectively, it is exactly the same as using it for inert waste and water. This is just a point that had not been mentioned and I thought I better raise that because the whole debate has been silent on that.

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Anyway, getting back to Deputy Mahoney's wise words, I think the amendment should carry because I would like to support the Black Rock part of it, but like some other Members, I do not think that it is a real necessity that we look to commit a lot of money and Les Vardes Quarry to water storage at this point.

**The Bailiff:** Deputy Matthews.

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

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I am going to vote against the amendment and the reason is that the Committee *for the Environment & Infrastructure* made a decision to put these Propositions or to put these items together for good reason. The reason was that part of the justification for doing that is that, if you have designated Black Rock as a site for inert waste and that will be the site for inert waste for the next 12 years whether or not, as Deputy Inder says, you want to put some other stuff in there, so it is to hurry it up.

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Why would you then want to leave open the possibility of having another site for inert waste in Les Vardes Quarry? That I think, sir, would be the only possible reason to vote for this amendment, which would be to leave Les Vardes Quarry open as a potential site for inert waste. I think Deputy Helyar, in proposing it, said that that would be the reason to support the amendment. I will give way to Deputy Mahoney.

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**Deputy Mahoney:** Thank you, Deputy Matthews, for doing that. My reasoning behind that is there is no guarantee that we will be going ahead with Black Rock. This Assembly may say, 'Let us vote for it' and I suspect it very likely will, but unless the funds are there to do this, then it will not be happening.

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So nobody here can guarantee that Black Rock is going to happen. Deputy Matthews seems to be coming at this from, 'This is going to happen. It is a done deal. We are done and therefore what is the point re Les Vardes?' when in fact no one here can guarantee that Black Rock will happen. Even if all 40 Members say yes, that is not going to guarantee that Black Rock happens.

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**Deputy Matthews:** I thank Deputy Mahoney for his intervention and view that Black Rock might not happen. I would like to really support Black Rock and to make sure that it does happen. What actually surprised me about part of the rationale that Deputy Ferbrache gave was that he said that a number of people might vote against the policy letter or vote against the combined Proposition if unamended because it would be their only option. Even though they strongly support Black Rock, they would be so vehemently opposed to the idea of using Les Vardes Quarry for water that they would vote against the Black Rock reclamation.

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I find it extraordinary that there would be Members who would vote against what could be a really useful long-term housing proposition for the Island purely on the basis that they think that

there might be a better use for Les Vardes Quarry. I appreciate Deputy Ferbrache is representing perhaps his view of what some Members' views might be, but I would find those views utterly extraordinary that really people would vote against the potential to reclaim land at Black Rock on that basis.

I do understand that some people might feel, as Deputy Dudley-Owen does, professionally irritated about not being given the opportunity to vote for one or the other, but that was the decision that was made by the Committee, which was that these two were intrinsically linked and that was part of the basis of how this Water, Waste and Stone Policy had developed over a number of years, if not, decades.

I think there is a credible argument for saying, 'Let us have the vote separately' but the argument against it I think was actually put best by Deputy Helyar in the Requête that he brought a couple of meetings ago where he said, 'All too often, years of work are being undermined by an ill-considered sectarian highly responsible amendment which was brought without consultation or proper financial consideration.'

That was in the explanatory note for the Requête, so I think that there is a case perhaps for having the two separated,. But the combined Proposition was there as the Committee's view that these two were intrinsically linked and should progress as one and, for that reason, I will not be supporting the amendment.

Thank you, sir.

**The Bailiff:** Deputy Taylor.

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

The principle reason for standing is really just to make it clear that I do not want to be in either camp. I do not want to vote one way and be associated with Deputy de Sausmarez or vote the other way and be somehow associated with Deputy Helyar. I wanted to make my own decision. I am standing with a completely blank sheet of paper for my speech and I should probably sit down because I am probably disrespectful from hereon in.

It seems to me though, sir, reading between the lines, I think everyone in this Assembly is going to be voting for the first part of Proposition 1 on to Black Rock and then separating Les Vardes I feel is done because the proposer and seconder do not think it should be used for water storage. That is what my interpretation of their position was, but I just do not see the working in the Proposition to be particularly watertight, dare I say.

It is to agree that Les Vardes Quarry should be the preferred option for freshwater storage, it is not agreeing that the preferred option for Les Vardes Quarry will be freshwater storage. This is a slightly different way of understanding it. Deputy Inder is shaking his head. That is how I am reading it. I suppose the only other point I want to make is a similar point that Deputy Matthews has just made which is not hypocritical because we cannot use that word in here. When it suits, I think as Deputy Queripel says, that often here Deputy Murray will stand up and say, 'We cannot make these decisions in isolation, we need to consider them in the round, we need to put it all together' and it is almost expecting every single decision of this Government will be made in one single policy letter. Then we get two issues that are linked; we have got these two sites that we need to think about for inert waste storage and storage of water potentially, and we just want to separate them because we should not make these two decisions in one go. So there is a bit of contradiction, I think is the phrase there.

I am probably going to vote against this amendment because I am intending to support Proposition 1, and I would hope that if this amendment did lose that Members would swallow that pride and get behind the whole proposal to see it all go through. But I will sit down on that point.

**The Bailiff:** Deputy Haskins.

**Deputy Haskins:** Yes, I genuinely was not going to speak because I asked for a 26(1) and I almost stood and asked for the same thing.

3245 I just wanted to mention a couple of things. Someone mentioned these are just intrinsically linked, therefore, we must. I am not sure whether that was Deputy Parkinson or not. I just do not think so. I do not. I just do not think they are. As has been mentioned I think part 1, yes, absolutely, we are all going to vote for it. The second part; what happens if we do not? What happens if there is no decision? I think this is what Deputy St Pier was asking.

3250 The reality is there is more of a risk that given in the one in 500 event – this is in the policy letter – the assumption is that we do not limit our water supply. If we want to remain as is then we are going to need extra for the increase in population and the one in 500. But if we do not, for X amount of time, we just run that risk of having an increase in restriction. But at some point we are going to need an increase; that is for security reasons.

3255 But as Deputy Murray has said, now is not really the right time from a financial point of view, we might as well run the risk and have more of the ration. Members, you can split out the vote – through you, sir – and it is our democratic choice to do so. So I will support this amendment.

**The Bailiff:** I am going to invite the President, Deputy de Sausmarez, to speak to Amendment 1, please.

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

Deputy Helyar says there is no reason to make this decision now and I will come back to that shortly. I would say, as he has been honest enough to admit, the only reason for supporting this amendment is if Members do intend or are considering voting against one element of the proposal. Deputy Helyar has made his intention known that he does not see any reason to make a decision on Les Vardes. I will come back and explain why it is indeed timely to do so now and why we do need to do that, and there is a very good reason why we do need to do that.

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Deputy Dyke says – I cannot read my own writing there so I hope Deputy Dyke did not have any questions for me. Deputy de Lisle talked about them being totally unrelated. Deputy St Pier said what is the risk of the entire policy letter being lost. None. There is very strong support for Black Rock and I think there is also a very strong case for Les Vardes, which I hope to be able to articulate slightly more clearly in a moment. But absolutely we know that there is very strong support for the Black Rock proposals within this Chamber, so we do not consider there is to be any risk. Indeed, obviously if Members vote against splitting out the Propositions we know that the single Proposition is very likely to carry.

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Deputy Inder talked about Black Rock, and actually Deputy Burford did interject on this point. My understanding is the same as Deputy Burford's, that there is already indeed an intention to phase the work at Black Rock. Deputy Inder may well want to tune in for this bit because it is addressing the question that he asked. My understanding is the same as Deputy Burford's in that the work at Black Rock is already planned to be phased so that development can start ahead of the infill, the land reclamation project as a whole, having been complete. We do need to bear in mind that this is not – as most housing developments are not – an overnight solution; it does have a significant lead-in time, and this has got an additional lead-in time.

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3285 So we are looking at more medium-term housing needs but it will help to meet those housing needs nonetheless. However, that said, my understanding is that the project will be phased and it will be, therefore, possible to bring forward some housing ahead of that 12-year timeline. That said, as Deputy Matthews pointed out, having Les Vardes potentially available makes absolutely no difference to that whatsoever. It is not going to make housing appear any quicker at all.

3290 Deputy Murray was talking about – I think Deputy Murray's main concern, and I know that he likes to have all the bits of the jigsaw puzzle in place before he is comfortable moving anything forward, but I think his main concern was actually the affordability of this. He somehow is under the impression that taxpayers are going to be needed to progress the work on Les Vardes, which is not correct. There is a very significant amount of enabling work that needs to take place and it needs

3295 to start now. This is the point. But taxpayers of the States; the reason Guernsey Water need that strategic direction is so that they can put the pieces in place that they need. But, yes, the idea is that this will be funded by Guernsey Water as part of their investment – and I think I saw the other day that there is a similar amount of investment that has actually taken place in Guernsey Water over this political term. It is absolutely part of their investment horizon planning.

3300 I will talk about the enabling works that are required in a moment. Deputy Leadbeater talked about the overburden. We actually addressed this in our FAQs, I do not know if Deputy Leadbeater had a chance to read those. They were circulated maybe a week or so ago, but for his benefit and anyone else that might be wondering about the overburden. The FAQ's relevant section says this:

Quarry operations have moved to Chouet Headland but processing is still taking place on site at Les Vardes. Not all material extracted from the upper layers of the quarry at Chouet are suitable for us in stone products ...

3305 In other words subsoil, granite, etc.

... so that material is being used to stabilise the quarry floor at Les Vardes. This material does not pose any further contamination risk than existing quarry operations. It is anticipated that while planning work can start now the quarry will not be converted to a reservoir before 2035 when it will be prepared and made safe for water storage.

3310 So I do appreciate his concern, it is a good line of thinking, but it is something that has already been considered and is not considered to compromise the quarry's future use as a water reservoir. Otherwise it would not have been allowed because it is currently designated for water storage in fact.

3315 So just to go back to really what is the core concern I think, and it is this core question of why is the Committee putting this together as a holistic package, as described by Deputy Parkinson. To explain a little bit more about that, we know that we have our current water resources; the Island faces significant water shortages in the event of a severe drought. Deputy Haskins was talking about the risk of that; he mentioned one in 500. Another way of expressing that is that there is a one in 17 chance of that event happening in the next 30 years or so, so it is not an immaterial risk and because of changes in the climate we are increasingly seeing weather events of that order of risk occurring increasingly frequently, so actually that level of risk is likely to increase as time goes on as well.

3320 It is something really serious. As I mentioned when I opened on this debate, we do not have any underground water reserves or anything like that. What we can capture and store is the water availability that the Island has, so it is really important that we are sensible about it. We do have a growing demand for water, and we do have a decreasing availability of water for reasons we will probably get into in general debate, I would imagine. In the event of a severe drought usage restrictions and rationing would be required to safeguard those water supplies, with potentially serious social, health and economic impacts. Again, I do not think this is the right time to go into it but those health and social impacts we have seen in very close neighbouring jurisdictions have been quite pronounced, even in very recent years.

3325 Planned investment in improving water treatment will help to alleviate the situation and the resource plan identifies demand management measures, such as universal measuring that will help to further mitigate the risks. But under the current reasonable modelling assumptions the deficit is still likely to increase, with forecast population growth being the primary driver of that. The deficit can only be fully addressed by the creation of a new water storage resource. A new reservoir will take several years to deliver.

3330 Ideally reservoir conversion would not begin until the end of stone extraction in order to maximise the storage capacity, but to enable this a great deal of work needs to be done before that, including hydrological surveys, groundwater monitoring, design, planning and environmental impact assessments and so on. So this can only commence if a decision in principle is made now, and this is the core reason, this is why we need about a 10-year lead-in time to basically bring Les Vardes online because there is so much enabling work that needs to be done. There is all that work

that I just mentioned and then there is – I am going to say it in my layman's terms – the physical plumbing, there is the network extensions and all of that to be done. There is a lot of work.

3345 If the enabling works start soon because the States has made a strategic decision, then the timing will work brilliantly. But if we delay that decision – and there is no good reason to delay that decision because we know that there is not a need on the inert waste side of things and that is the only other viable use – then we know that we are going to have problems and it is going to be increasingly costly. The longer we delay that strategic decision the more it is going to cost us.

3350 I talked about the plumbing. In terms of connecting the new reservoir to the existing mains network, it will require pipework similar in length to that being installed in Guernsey Water's Ring Main project, which is a five to seven-year programme. This is why the timings work if we make this decision now.

The two decisions do have interdependencies and they are concurrent, and they are both urgent. 3355 I do not think there is a single person in this Chamber that does not understand the urgency on the inert waste side of the equation, but I think there is a lot of confusion still about why a decision on water is just as urgent. Any delay in agreeing the future use for Les Vardes for water storage risks prolonging the potential deficit in the Island's future water resilience and the exposure to serious consequences in the event of a severe drought.

3360 Water treatment improvements and an additional water resource are both needed in the next 10 years, with a new reservoir at Les Vardes being the preferred water storage option. At the same time, Guernsey Water needs to continue investment in maintaining existing water and wastewater infrastructure. A decision on the future of Les Vardes as early as possible will enable this to be delivered in a way that spreads the cost to customers over several years and avoids sharper 3365 increases in bills. As far as possible it will also enable delivery within the constraints of our on-Island resources, suppliers and contractors, which all require more time.

Hopefully that explains all the enabling work that has to go in and explains why we need to get this decision made now and why we need to get this ball rolling. I will give way to Deputy St Pier.

3370 **Deputy St Pier:** I am grateful to Deputy de Sausmarez for giving way because I sense she is drawing to a conclusion.

I fear that she has not really managed to address my question. She has made a very good case in her summing up for why she believes the second part of the Proposition needs to be passed today. What I am continuing to struggle with is understanding the interdependency between the 3375 first part of the Proposition and the second part of the Proposition and why they need to be linked in one single Proposition. That has not come through at all during this debate to this point and it sounds as if it probably is her last opportunity to persuade those of us who are struggling to understand that.

As I say, I understand she has been very clear about her views in relation to the need to develop 3380 additional reservoir resources but the connection with the Black Rock decision is not at all clear to me. Forgive me if I am being rather thick, sir, but I would be grateful for that.

**Deputy de Sausmarez:** I do not think Deputy St Pier is being thick at all. I will explain it.

They are very much two sides of the same coin because in terms of the potential uses for Les 3385 Vardes it is a binary choice. It is either inert waste or it is water. It is one of the two. There are no other viable potential uses for Les Vardes.

We know that we do not need an inert waste facility of the size of Les Vardes probably ever, and for the reasons that I spelt out when I opened on debate, it is a suboptimal option for inert waste, especially in the context of the much greater need for inert waste in other areas. For example, the 3390 Black Rock project, but then thereafter the various projects that the GDA are very keen to progress, which would probably include a new harbour somewhere or new harbour facilities. We have got flood defences, we have got all sorts; and there are various other areas that the GDA have got their eye on. They are going to need inert waste for a very long time.

3395 This is why it is two sides of the same coin. We can either make a strategic decision about the future use for Les Vardes, we can get that ball rolling and we can bring the benefits I have just described in terms of spreading out any cost to customers. We can make sure that we keep costs as contained as possible because we know that any delays are likely going to add cost and they are going to add additional time pressure because we already have a water supply deficit. So the sooner we can start work on preparing Les Vardes for water, assuming we can make that strategic decision today, the better it is going to be in terms of everyone in the Island and the economy.

3400 There is no point in not making that decision because its only alternative use would be for inert waste. We know that there are other much better options for inert waste and so we know that Les Vardes is not going to be necessary as an inert waste disposal site. They are two sides of the same coin.

3405 Deputy Helyar has argued that there is no point in making this decision. There is no point in not making this decision on Les Vardes now. That is really the point. Because the only thing that will bring us is further delay, further cost --

**The Bailiff:** Deputy de Sausmarez, your 15 minutes are up.

3410 **Deputy de Sausmarez:** Thank you. So I would urge Members to reject the amendment.

**The Bailiff:** I will call Deputy Helyar, as the proposer of the amendments, to reply to the debate.

3415 **Deputy Helyar:** Thank you, sir. Call on me. My head hurts.

This is a really simple amendment, just separating the Proposition into two parts. I really cannot see why we have got to the position we are in. Deputy St Pier got to the crux of the matter. What is the danger if none of this goes through? The danger is we have got nowhere to put our inert waste when we cannot stockpile it anymore. That is a very short period of time and that is the issue that I have with putting these two things together, because it is a racing certainty that we will not get Black Rock done and finish planning and all of the other things that need doing before the stockpiling runs out.

3420 If we have decided today to keep these things conjoined and we decide that Les Vardes is sidelined for water, Guernsey Water will go off and do some investment, which is a euphemism for costing people more on their water bills, and when we find that Black Rock is not ready and we have run out of stockpiling we will have only one choice, which is to put stuff in the bottom of Les Vardes quarry. That is the risk, as far as I am concerned, and that is why I want these two things separated because I think we should not make a definitive priority for Les Vardes until we are absolutely sure.

3430 I support Black Rock. I want to see it happen; I want to vote for it. That is the reason I would like these separated. I think it is very bad strategic planning to back ourselves into a corner on Black Rock being our only option. That is my view, and I know other people do not share it but I think the problem would be if we say Les Vardes is definitely water and then Black Rock ends up costing £100 million we will have no choice but to spend £100 million on it, and we do not know what it is going to cost yet. We do not know what the tipping charges are going to be.

3435 They have a huge amount of impact on inflation and if we have got nowhere to store waste, as we have been told by several organisations, building will grind to a halt. There will be nowhere to put it. We create over 100,000 t of this waste every year. It needs to go somewhere and we are running out of space for it. So that is why I want them separated.

3440 I would just ask Members, please support this amendment so that we can have a proper debate on both issues, rather than saying, 'Here is a gun to your head, you like Black Rock so you have got to have this as well' because that is what this is starting to look like and I really do not think it is the right way for the States to approach this kind of planning.

Thank you.

3445 **The Bailiff:** Members of the States, it is time to vote on Amendment 1, proposed by Deputy Helyar, seconded by Deputy Murray, with a view to splitting the single Proposition into two parts. I will invite the Greffier to open the voting on Amendment 1 please.

*There was a recorded vote.*

3450

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

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

3455 **The Bailiff:** In respect of the amendment proposed by Deputy Helyar, and seconded by Deputy Murray, there voted in favour 25 Members, 12 Members voted against, 2 Members abstained, 1 Member was absent but I will declare it carried.

We now move into general debate on the two Propositions. Deputy Kazantseva-Miller.

3460 **Deputy Kazantseva-Miller:** Sir, I will be supporting both Propositions and I am absolutely in support of the GDA plans for the Bridge. But I do want to have a word of caution here because I think the timings of both projects, whether it is the Les Vardes quarry or the GDA, they are medium and longer-term projects and I think with the best will of the world, if we are looking at housing sites and constraints, the Black Rock is the most constrained site. So with the best will of the world they still have to go through a planning application, probably undertake environmental impact assessments, to be able to even start to do land reclamation and inert waste disposal. I do not know how long but we are probably a year away from the ability to be able to start reclaiming land at Black Rock.

3470 For enough land to be reclaimed we talked about that potentially there will be phases through which the land could be reclaimed for the development to start. All that needs to be assessed, and I think with the best will of the world I do not see any commencement of housing to be built on that land in the next five years. I think that is really being realistic and optimistic.

3475 While absolutely we all support the GDA and we all want to address the housing crisis, this is not going to be happening in the next five years. This is just the reality of where we are with that site. We have almost got two competing timescales here because with inert waste ideally you want to have sites and you want for them to be filled and for that time to take as long as possible. With

Longue Hougue that has been 30 years in the making; we have been reclaiming land at Longue Hougue for about 30 years. Here with Black Rock we almost want to do the opposite; we want to fill it up as soon as possible but if we do that means we will have to find other inert sites to be able to fill if Black Rock is filled because we will need alternative sites.

3480 So I think there are opposing objectives that we are trying to achieve in terms of trying to progress critical development, that is really important for our community, but at the same time with inert waste ideally we need sites which will take as long as possible to be filled up. So while I think it is still really the right thing to do, I do think there are competing objectives in terms of what Black Rock as an opportunity presents to us.

3485 So while it is very exciting and absolutely needed, I do want for us to be realistic about the timescale. Absolutely, as has been said before, there are still many constraints to be gone through in terms of enabling Black Rock to get started as an inert waste site, and that land reclamation.

Thank you, sir.

3490 **The Bailiff:** Deputy Gabriel.

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

We know that existing reservoirs may not meet future demand, especially during severe droughts. The Island does not currently have enough water to supply homes and businesses in the event of a severe drought. In those circumstances, with current water storage resources there will be a deficit of approximately 3 million L of water per day.

3495 We have all talked about new houses and new houses are all of our aspirations, and new houses need water in their taps. Infrastructure of this scale and complexity will take many years to investigate, plan, develop and deliver. That requires significant commitment of time, resources and investment. Guernsey Water, therefore, needs a clear direction to commence planning. The Fiscal Policy Panel Report highlights the need for the Island to invest in its infrastructure. This is the very opportunity to do so because it will support economic productivity and growth and, in turn, fiscal sustainability.

3500 We know that larger quarries are more cost effective for water storage because we have discounted L'Epine and Guillotin quarries because they are the small ones. With every quarry needing to be kept safe, secure, and in good working order, smaller quarries are less cost-effective for water storage than a larger quarry like Les Vardes. Technology will be no different to what Guernsey Water already has and they have operator knowledge and commonality of spare parts held in stock, which will make any issues that they come across easier to deal with.

3510 We have heard about alternatives to not using Les Vardes and those are desalination, and I would like to focus on that and why it is an expensive alternative. There are several factors which make it expensive. There is a high capital cost to start with. Desalination requires massive investments in infrastructure including the actual plant itself, the pipes and storage ponds. We have already heard that a desalination plant will also need to be sited close to the sea – the clue is in the title – and I understand that the GDA plans for Longue Hougue are already fully allocated and do not include any space for a desalination plant because easy access to deep, fast-flowing water is very important for the feasibility of the desalination plant. As one of the most costly elements, just over a third of the total cost of the plant, is the intake and outfall pipes, hence the ideal location is Longue Hougue.

3520 Do not forget that when the desalination plant is running, even though it would not produce treated drinking water, it produces raw water to put into one of our reservoirs for blending and further treatment by one of our existing water treatment works. It is not a case of just turning on the tap and out comes clean water. There is also the high energy consumption associated with a desalination plant. The process is energy intensive, particularly reverse osmosis, which significantly contributes to the overall expense.

3525 There are the ongoing operational costs; maintaining and operating desalination plants is costly, especially with the need for specialised skills and technology. The BBC reported in 2022 that at the



Jersey plant at La Moye, to combat their drought cost £371,000 to run for 77 days. I will leave you to use your own actuarial analysts to form a view of what that cost might be at 2035 rates.

3530 Notwithstanding that, there is also the environmental impact. The discharge of hypersaline water can negatively affect marine habitats, adding to the environmental cost. Desalination can still have these major environmental impacts: fish can be killed when they are trapped against screens that protect desalination plant intake valves, and small organisms such as bacteria and plankton can be sucked into the plants and killed when they pass through the treatment system. Desalination plants  
3535 also discharge brine and wastewater which can also kill nearby aquatic life. The discharge waste stream will potentially increase salinity, temperature and other water quality parameters in a localised area which could impact habitats, which could also have an impact on the Ramsar site.

We know that maerl beds are prevalent in the proximity of Longue Hougue, which could be in the proximity of the proposed outfall. These habitats, which support diverse ecological  
3540 communities, are known to be sensitive to changes in temperature, flows, and other physical characteristics of the marine environment, and are categorised as having very low resilience to change.

I am coming to a close but I would like Members to remember that a desalination plant has a finite life and will need replacing or renewing, whereas a hole in the ground does not need renewing.

3545 Thank you.

**The Bailiff:** Deputy Le Tissier.

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

3550 If I may, I am going to address each of the Propositions separately. Les Vardes first. I do not disagree with anything Deputy Gabriel has said. It is likely that much of north-west Europe will experience more rainfall over the winter months and drier summers over the next 50 years, and that is due to climate change. According to current climate model projections from the UK Met Office and the IPCC, that drier overall but with an increased risk of sudden heavy downpours due to  
3555 extreme weather patterns – and this is the key takeaway – more variability from year to year making long-term planning more difficult.

Yes, the experts say this, not us Guernsey Deputies, however, with absolute respect Deputy Helyar knows better. We have too much water. More than Jersey. As Deputy Gabriel said, Jersey have a desalination plant. The figures I have researched were £8,000 a day or half a million  
3560 pounds for a two-month, plus or minus, summer run.

Apart from these huge costs, there is the quality of desalinated water. I know it is raw water and I think Deputy de Sausmarez said it tastes bad. I do not know; I have never tasted it knowingly. But I have a slightly different take on this. I think I heard Deputy de Sausmarez say one location might be Longue Hougue if we can shoehorn it in there, but the pipes for the plant go out into deep water.  
3565 Just a few yards away we have a major sewage outfall and remember, the discharge is only screened. Also remember the type of flow is mainly south to north, straight from the sewage outfall into the input for the desalination plant. I say no thanks.

Guernsey's population is, I think everyone would agree, plus or minus 63,000 and the average water use I am told is 130 L to 150 L per person per day. If you are quick with the calculator – and  
3570 we will assume a middle course of 140 L – that is 8.8 million L a day. In a year that is 3.2 million m<sup>3</sup>. We all know that the population is growing and climate related increase in demand, for example for irrigation or cooling, will exist. Let us assume that is a 25% increase in the next 50 years up to 2075. That works out at 4 million m<sup>3</sup>.

To bridge a three-month dry summer you would need storage to cover about 25% of the yearly demand, so 25% of 4 million m<sup>3</sup> is 1 million m<sup>3</sup>. Even I can do that in my head. I think Les Vardes is  
3575 around 1 million m<sup>3</sup>; magically the same as we are likely to need, so to me it is a no-brainer.

If the winter rainfall increases Guernsey could or would potentially collect more run off. We do not have any ground sources of water. But to collect more requires an investment in catchment infrastructure. There is only one way we can do that and that is expansion of existing reservoirs, for

3580 example St Saviour's, or new reservoirs such as Les Vardes. Or maybe we should just try and make St Saviour's reservoir bigger. I do not think that is going to happen. There would be such opposite to that.

A slight sidetrack. Yes, others have mentioned we do not own Les Vardes. That is right. Unfortunately we will have to buy it, however, which adviser or Committee itself did not try to link the permission to let Ronez Quarry at Chouet with an option to takeover Les Vardes? Who failed to think of this? (**A Member:** Hear, hear.) Where is the accountability? I know this is just another example of persons who took this decision remaining unknown.

Deputy Helyar – and others, I should not single out just Deputy Helyar – wants to use Les Vardes for inert waste. He says that quite loud and clear. But one thing is sure, no one can be as certain as he is that we do not and will not need more water in 50, 100, 150 years. You cannot predict it. Once Les Vardes Quarry is filled with waste it will be gone for good. No going back. There is no similar quarry left. For Les Vardes I would say to keep options open. A future Assembly can decide if they want to change that but now we need to press ahead.

Black Rock. I think I will be in a minority – hopefully not just of one – that opposes the Black Rock reclamation. Deputy Murray says we need houses. I agree, but we are not going to get houses on Black Rock any time soon, as I think Deputy Kazantseva-Miller said as well. Other options are needed. Splitting these Propositions in one respect helped me because I can vote differently. But I have made it very clear in my entire time in the States that I oppose mass housing in the north of the Island. I had it in my manifesto in 2020 and I will continue with that policy. I think it is said that 300 houses could be built on Black Rock, but there is no thought on how the roads are going to cope with an extra maybe 600 cars on a daily basis.

I looked on Google this morning on my way in and I saw that the queue for traffic going into town was halfway down Bulwer Avenue, and that is with the existing traffic. The infrastructure cannot cope, in my view, no matter how many strategies are put forward by E&I. Vale and St Sampson's residents are really being treated abominably. The north is full. No, no, no.

I just say in closing that I would support the Black Rock if anything else than houses was proposed. For that reason I will be opposing Black Rock and voting for Les Vardes for water.

Thank you.

3610 **The Bailiff:** Deputy Helyar.

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

I am not sure what was being responded to there that I am supposed to have said during the debate because I do not recall saying anything that Deputy Le Tissier has been referring to.

3615 Anyway, of late, unfortunately, we can all provide several examples where numbers provided to us as States' Members have been utterly wrong. (**Several Members:** Hear, hear.) Not just a little but by tens of millions and always in the wrong direction. There is a historic pattern of the Assembly being led down a path of policies and projects which are difficult or impossible to reverse from, then sometime later being quietly advised that many more staff are required and/or costs have gone by more than; and you can insert your own figure.

3620 We are told in this policy letter that Black Rock can be delivered for about £38 million, barring a few trivial costs, and that this will solve our inert waste crisis for at least a decade. But we only need to glance at our own recent experience to see how dangerously naïve it would be for us to take this estimate at face value. The last major inert waste suggestion at Longue Hougue South was originally 3625 estimated at £38 million in 2016, ballooning to £45 million and then more recently to £64 million, putting it – like many other defunct projects – way beyond our current financial means.

3630 I am in favour of Black Rock but it is a complex and challenging site. It requires extensive rock amour and, therefore, engineering costs, integration with flood defences, and no doubt tidal and maritime analysis to examine the continued viability of St Sampson as Guernsey's only port of entry for bulk fuels, as well as environmental mitigations. It also has no planning permission. It is an ambitious but risk-laden project which needs to be starting in a very short timescale in Government

terms. Experience should tell us that we cannot fix a slipway or a simple set of steps in less than five years, let alone a project of this magnitude. This proposal is not Sarnia; it is Narnia. *(Laughter)* I have been waiting four years to use that one, I thought I would absolutely get it in. These are proposed timings and costings worthy only of a fantasy world.

I agree with the comments about Black Rock's importance and urgency. Guernsey produces over 100,000 t of inert waste every year, mostly from construction and demolition. Without a disposal site our construction industry will grind to a halt. New homes, schools, roads and flood defences will be delayed or cancelled. The economic consequences will ripple through every sector, harming jobs, investment, and the quality of life for every Islander. But, given how slowly Government moves, Black Rock not starting within the short time limit that stockpiling must occur is absolutely not an abstract risk. Getting this done in time creates an unnecessarily cliff edge for inert waste. I want to see a flexible response and I cannot agree with the recommendation of E&I that we should simply march towards this cliff edge, or perhaps onto the foreshore, with our eyes closed to the costs while clutching a blank chequebook.

Just to depart from that, one of the things I have been confused about, we have heard a lot about, 'We need more water because of climate change' and I think everybody was expecting me to stand up and say, 'We have got enough water' and of course I have not said that at all and I am not going to. But we have been told that this plan will create more water storage because we are going to add Les Vardes to what we have already got. But Deputy Parkinson stood up and said, 'Well, the real plan is actually once we have got Les Vardes plugged in we are going to fill Longue Hougue up.'

How does that add to our water storage? Les Vardes is slightly bigger but it is not substantially larger than Longue Hougue is. The idea, it seems to me, is a bluff. This is just a plan. This is Sim City. We are being asked to spend £20 million – or more, because there is no provision for how much we might be able to buy the quarry for – to move a hole in the ground, because that is what we are being asked to do. Move the water that is at Longue Hougue into a hole at Les Vardes so that we can fill Longue Hougue up. Fine, if that is what we want to do, let us do it, but let us do it in the knowledge of what it is going to cost the public to pay for that and what the benefits are.

The problem is, if we start down this road by making the decision today we are getting ourselves in a corridor with a spear through us. We cannot turn around and go backwards. We really do need to consider that. But let us park the argument about water; let us entertain the idea, for the sake of argument, that a new reservoir will one day be needed. It is something I know many Members feel is correct. Even though the slightest hint of a BBQ is enough to summon rain clouds, and Ronez is of course at this very moment beavering away making another huge hole in Chouet.

Even if I am proved wrong and more water is the right solution, it does not answer the most important question here: why commit Les Vardes now before we know the true costs and risks of Black Rock and its timing? Black Rock does not require Les Vardes to happen, and vice versa. Why not keep our options open and the public's wallet firmly shut for the time being. If problems arise we could use Les Vardes for inert waste in the short term after 2028, stockpiled or otherwise, and revisit the question of water storage in a decade or more when technology, climate, population and water demand may look very different.

I ask Members to consider, why make an irreversible and expensive decision today based on projections and estimations that will almost certainly be wrong. Instead, I ask Members to choose prudence over panic. Let us decouple these decisions; let us allow the next Assembly to see the transparent, inflation adjusted, costings to Black Rock, with independent oversight and a clear plan for how the costs will be recovered before we cut off our only line of retreat from the proposed waste policy if things go wrong. If we do not, in my submission, it is a racing certainty that we will be so close to running out of room for stockpiling that the next Assembly will have no choice whatsoever but to approve Black Rock, whatever the cost and whatever the consequences.

That, in my view, would be a recipe for disaster. It is clearly the worse example of strategic planning, which any sensible Government could contemplate. So my view is that we should keep the decision on Les Vardes for another day so it is strategically available for water or inert waste or

the Eden Project, until such time as we are better able to determine whether Black Rock is either deliverable or affordable. Let us continue to invest in the much more cost-effective option of gradual leak reduction, enhanced water collection and water efficiency, keep our options open for future water storage, rather than locking ourselves into a single risky path which inarguably comes with a very high risk of failure and costs, which we and the wider community cannot currently afford to finance.

I ask for Members to vote for flexibility, for fiscal responsibility, and for common sense. Let the first Proposition pass so we can examine Black Rock, but please dismiss the second Proposition so we do not cut off our most prudent and cost effective means of retreat if that should become necessary.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** A few of us have been around this one a few more years than we really wanted to, and in the main I endorse what Deputy Helyar has said.

Back in 2018, Longue Hougue South, we were deciding to build a hole in the sea when we had a hole in the ground already, and it looks like potentially we are in part here again. Much was said, and I think it was scaremongering; we are already hearing, 'If you do not do anything today we will have a desalination plant tomorrow.' Jersey has had a desalination plant for many, many years actually, and it has got a lot less storage than Guernsey by a country mile, and that has been stated.

If it helps Members, and I can share this overnight, I am just going to go back to 1987, this is the amount of water uses we had in 1987, which I got from Guernsey Water, versus 2016. Bear in mind in 1987 we had a thriving greenhouse industry that I believe in some parts almost had its own main connected to greenhouses. We also had a tourism industry which was a lot bigger than it is now. We had more hotels, we had more guesthouses. Through the summer months we had an awful lot more activity. We actually only had a 55,000 population back in 1987. We are told – and this is the scaremongering element of it – that if we do not do this today the whole world is going to go to hell in a handcart, everything is going to burn, and we will need a desalination plant within milliseconds.

But, Members, these are not my facts, these actually come from Guernsey Water. In 1987 I believe they are called megalitres, anyway, it is a hell of a lot of litres, was 5,198 ML was served through our watermain in 1987. In 2016 it was 4,574. So we have dropped 500 ML in that period of time, yet we are told constantly that we need more water. I assume we have less water activity due to the loss of the horticultural industry and I would say in part some of the larger hotels. We are now with a population of 64,000 or 65,000, so we have gone up 10,000 by population yet we have dropped 500 ML of water supply. That might be efficiencies, better management, and the like. I would be careful about being scared into making a decision.

I am going to use the arguments actually thankfully supplied by Deputy Helyar in his previous amendment, and I would refer people to the explanatory notes. This is moving on to the Les Vardes bit. He says any earmarking of Les Vardes Quarry for water resources is stated in the policy letter as requiring an estimated capital spending of £20 million. We have heard from Deputy de Sausmarez about hydro surveys, planning consultants; almost certainly as soon as this decision is made today it will kick off a load of projects for Guernsey Water. That is what will happen with immediate effect and your water bills will start going up fairly substantially.

Deputy, as usual, I am wrong. There you go.

**Deputy de Sausmarez:** I am so glad, Deputy Inder has made it much easier for me.

I did actually address this earlier. I do appreciate I have got a chance to respond to debate but I think it is really important that that misconception does not grow legs because it is not correct. As I explained earlier, it would actually be less costly towards consumers for this enabling work to start sooner rather than later because it means that the investment can be spread over a greater number

3735 of years. The alternative of delaying has got more severe impacts for water consumers and, by the way, all of that is a lot less severe than the impact of desalination.

Thanks.

3740 **Deputy Inder:** With the greatest respect, I have heard that argument far too long and at the end of the day it ended up costing the consumer. It will cost the consumer money.

Then Deputy Helyar and Deputy Murray talked about lowest price available for P&R Committee to acquire Les Vardes, and I remember the conversation was £12 million. As soon as we make the decision that it will be water storage I guarantee that will go up because we will have made a prestigious decision. This deal should have been done at the point, and I think Deputy Parkinson, 3745 to be fair to him, made mention that when he decided that Mont Cuet was going to be the new stone crushing area, that deal should have been done at that point. I genuinely do not know why that was not done, but this has actually put us in the position today, we are basically telling someone who owns, for example, a field next to a supermarket that the big boys want to come along and turn it into a car park. Well, that field value has just gone up immeasurably by making this decision 3750 today.

Again, I have got Deputy de Sausmarez shaking her head. Would she like me to give way? No, good. This is how the world works, through you, sir, to Deputy de Sausmarez. They can shake their heads but business is business. Once you have made the decision to lift the value of something, the value changes. It is simple. I will allow her to respond to debate so I will not be giving way.

3755 If you want even more proof of that, it is quite simple: the Data Park. I think it was under what we call horticultural. The trick in everything is getting something out of horticultural first and getting it into light industry. That is the big lift that you have got to do. Once you have got it into light industrial it is far easier to get it into housing. The point I am trying to make: once Government has decided that Les Vardes Quarry is the new water storage that is what will happen and Ronez are in 3760 for a massive payday. That payday should have been dealt with at the point that Mont Cuet was on the cards. I still really do not know why that deal was not done then.

He goes on to say the owner is under no obligation to sell the quarry and earmarking it will create an obvious, unequal bargaining position. Yes, that is called a random strip. That is what that is. That is basically a ransom. You make the decision today without having negotiated anything and 3765 not coming to this Assembly with a cost, you say, 'Hi, we are going to change your field into a housing estate' who on earth does that? Oh, we do. We do.

I do not disagree with the general point, even though it is probably 100 years away, that there is a weirdism that we are going to move the water from Longue Hougue into Les Vardes, put all the piping and the works towards there, but then the idea somewhere in this is that effectively what we 3770 want to do is fill up Longue Hougue, which at one point was one of Britain's deepest holes, it really was. So, Members, it would have been a lot easier if we had actually agreed a fiscal plan some two or three years ago. A lot of these decisions would have been a lot easier. We would have had revenue coming in, we could have generated growth, we would have a lot more comfortability.

Deputy Helyar quite rightly said, and I think Deputy Murray has as well, we have effectively run 3775 out of cash. It is going to be a difficult term. But Black Rock is actually important. I think Deputy Trott said one of the routes to economic growth is investment in infrastructure. Actually Black Rock is quite key to the investment in the Bridge. Actually a few weeks ago it was Leale's Yard and before then it was the Data Park, but at least we have got another decision to make. Hopefully if we have got a sensible Government next time we will realise that we need to raise significant amounts of 3780 revenue, and they will not overturn the decision that this States made in its latter years.

In short, I will be supporting Proposition 1 but I have long-held deep concerns about Proposition 2, as eloquently described in detail by Members who are far more versed in the issues that I am. You have got to separate the ideological ideal from the actual reality of delivery. The ideological ideal is if you do not do it the droughts are coming, the one in 500-year event, we are 3785 all going to burn, we are going to need a desalination plant, therefore, you get scared into it.

Whereas Deputy Helyar, who I hope has a role next term – quite rightly so – has described the reality over the ideology.

So, Members, it is Proposition 1 for me and I am not for Proposition 2.

Thank you.

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**The Bailiff:** Members of the States, we will now adjourn until 9.30 a.m. tomorrow morning.

*The Assembly adjourned at 5.31 p.m.*