



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 25th April 2019

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Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

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

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
B. L. Brehaut, R. H. Tooley

St Peter Port North

Deputies J. A. B. Gollop, C. N. K. Parkinson, L. C. Queripel, M. K. Le Clerc,
M. P. Leadbeater, J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett, G. A. St Pier,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe, L. B. Queripel,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,
M. H. Dorey, J. P. Le Tocq

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. de Lisle, S. L. Langlois

The South-East

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,
R. G. Prow, V. S. Oliver

Representatives of the Island of Alderney

Alderney Representatives S. Roberts and A. Snowdon

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (H.M. Senior Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur)

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States of Deliberation

*The States met at 9.30 a.m. in the presence of
His Excellency Vice-Admiral Sir Ian Corder, K.B.E., C.B.
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

PRAYERS

The Senior Deputy Greffier

EVOCATION

Billet d'État VII

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

II. General Election 2020 – Debate continued – Propositions carried as amended

The Senior Deputy Greffier: Billet d'État VII of 2019, Article II, the States' Assembly & Constitution Committee – General Election 2020; the continuation of the debate.

The Bailiff: We will begin with the amendment to be proposed by Deputy Fallaize, seconded
5 by Deputy Dudley-Owen, and circulated at the end of the meeting yesterday.

Amendment:

1. *In Proposition 3.(bb):*

*(a) immediately after "column two of the table" insert "(subject to substitution of the contents of the eighth row, entitled "First States Meeting of new term (b)", with "15.07.20 (+5 days))", and
(b) to delete "Tuesday 28th July" and substitute therefor "Tuesday 14th July".*

2. *In Proposition 3.(bb):*

*(a) immediately after "column two of the table" insert "(subject to substitution of the contents of the eighth row, entitled "First States Meeting of new term (b)", with "22.07.20 (+12 days))", and
(b) to delete "Tuesday 28th July" and substitute therefor "Tuesday 21st July".*

Deputy Fallaize: Thank you, sir.

I thank you for proposing that the States adjourn early yesterday to allow this matter to be
dealt with first thing this morning, and I will be brief, or reasonably brief by my standards, given
10 the very much more important business the States has to get on with today, particularly in relation
to the runway.

A couple of housekeeping things first about the amendment. First of all, this is an original
version of the amendment which is based on amending the original Propositions which have

15 subsequently been amended by Deputy Dorey's amendment. Now the only change is that in
brackets the plus days number is different. I do not think it makes any material difference at all to
the effect of the amendment, but I am told by H.M. Comptroller that there is a clean version which
could be made available, sir, if you feel that is necessary.

20 **The Bailiff:** What is the difference? Does it just change five days to two days and 12 days to 9
days in the alternative Proposition? Well I do not think we need to chop down more trees just to
do that.

Deputy Fallaize: Thank you, sir.

25 The second issue is that conventionally or recently when laying amendments like this it has
been normal for them to be laid with either/or Propositions being inserted because I am asking
the States to vote for No. 1 in the amendment and if No. 1 loses to vote for No. 2 because they
are either/or Propositions. Now when I was first in the States it was quite normal for amendments
like this to be laid without either/or Propositions but then that became apparently not the done
thing, so either/or Propositions started to become conventional in amendments, but I am now
30 told that we can go back to doing them like this and we have had one or two recently. So the
point is that I am asking, sir, for you to allow the States when we vote on the amendment to vote
only part one of the amendment first. If that carries part two would not be voted on, but if part
one is lost then the States would vote on part two. I understand, sir, that you are content to allow
that to happen.

35

The Bailiff: We have done that on some recent occasions and I will only ever do it if the
proposer and seconder of the amendment agree that it be treated in that way, and I am aware
that you are both agreeing to that, so we will vote on the first part and then only if that does not
carry will we then vote on the second part.

40

Deputy Fallaize: Thank you, sir.

So on the issue itself what is being proposed is that instead of the first ordinary meeting of the
next States' term being on 29th July it should be on 15th July or failing that on 22nd July.

45 Now the committees will be formed based on the amendment laid successfully by Deputy
Dorey yesterday on 13th July and the date of the Election is being proposed by the Committee
and no doubt will be accepted by the States as 17th June. I do not think it is necessary to go from
17th June on the day of the Election to 29th July without a States' meeting, and I do not think it is
necessary to go from 6th May, which is being proposed as the date of the last meeting of the
present term, until 29th July without a meeting.

50

If there is any kind of perception, a negative perception around the States at the time of the
General Election it is to do with how long it takes for States' business to recommence in its normal
form, so we will be going from 6th May to 29th July. That is just too long, that is just going to
invite suggestions that it has taken the States not just nearly three months between normal
meetings but it has actually taken the States six weeks or more to go from the date of the Election
55 to being able to hold the first States' meeting, and that is unnecessary because it is possible to
hold a States' meeting on the 15th July once the committees have been constructed, or failing
that on 22nd July.

60

There has been some concern raised about the length of the summer recess if the date of the
first normal meeting of the next term is brought forward to 15th or 22nd July, but based on what
is being proposed by the States' Assembly & Constitution Committee the summer recess would
be five weeks. Now normally there are eight, nine, ten weeks in between States' meetings, and if
the schedule of meetings that I am proposing is adopted it will make the summer recess six weeks
or seven weeks rather than five weeks. So I think that there are no grounds to vote against this
amendment on the basis that the summer recess will be considered too long.

65 Rule 1 of the Rules of Procedure – and I do not have the exact words in front of me, but I know
that they require the States’ Assembly & Constitution Committee when proposing dates of future
States’ meetings to take into account school term dates, and I know it could be said, and I am sure
the Committee will say, ‘Well, we have taken them into account and we have in any event
70 proposed 29th July for the day of the first meeting of the next States,’ and I accept that at face
value.

But if they have been taken into account then obviously they have been disregarded because
the date of the summer term, the last day of the summer term is 17th July and it is perfectly
possible to hold a States’ meeting on 15th July or 22nd July and for no good reason, I think,
instead the meeting has been proposed for 29th July which is or risks concluding two weeks after
75 the end of the school term.

Now look, I think it is better if the States try not to meet in school holidays for all of the
reasons which have been considered by the States previously, but I entirely accept that there
could on occasion be compelling reasons why the States have to meet in the school holidays and
parliamentary business has got to take precedence because we are a parliament. So I do not in
80 any way dispute that, but if the States can avoid meeting in school holidays then I think that must
be preferable and it is possible to do that by voting in favour of No. 1 in my amendment or at
least to limit the number of days into the school holidays when the States are meeting by voting
in favour of my No. 2, whereas if the amendment is defeated and the Committee’s original
schedule of meetings is accepted the next States will be meeting two weeks into the school
85 holidays.

I think that is unnecessary, and it is particularly unnecessary right at the start of a States’ term
because we are trying to encourage the most diverse range of candidates possible and, yes, when
the States are able to set their schedule months in advance it is possible to take the view, ‘Well,
look, you have got a year’s notice to make alternative arrangements.’ Actually for somebody who
90 is elected on 17th June it is harder for them to make alternative arrangements for five or six weeks
later, and they will not know they have been elected until 17th June.

Now the argument is put – I think the only real argument in favour of the original schedule
and against this amendment is put – that committees should have longer to ‘master their
mandates’ before they are required to attend the first States’ meeting. But even under the
95 Committee’s schedule the first States’ meeting of the next term will only be 16 or 15 days after the
committees have been formed. Now that clearly is not enough time to get across their mandates
properly.

We have to remember that any policy letters or legislation that will be considered by the next
States at their first meeting will have been submitted by the outgoing committees. The newly
100 formed committees will not have time to submit anything to the States, so the States inevitably
will be considering only business which is left over from the previous States, and I think that
therefore it is not imperative that committees have had time to consider those issues in advance.

What will happen, I think we know this from experience, is actually that States’ Members will
simply individually reach their own views about any matters which are before them by then. Any
105 policy letters which are being presented by committees, the first thing the committee president
will stand up and say is, ‘This is not being submitted by my committee, it is the work of the
outgoing committee,’ and in fact if there is any substantial item then it is highly likely that an
incoming committee would seek to withdraw the policy letter, which has happened in the past. So
I do not think that that is a credible reason for the States’ meeting on 29th July rather than 15th or
110 22nd.

Finally, I will say – or two things in conclusion; one is – I think it was Deputy Yerby, when she
spoke yesterday on this issue, said that the Committee had tried to set States’ meeting dates with
even gaps between them. I think it was Deputy Yerby, it might not have been. But actually the
Committee is proposing that the final meeting of the present States’ term should be 6th May and
115 the first meeting after next year’s summer recess should be 2nd September. Well, the half way
point between those two is actually 5th July, and my amendment is proposing the States should

meet on 15th or 22nd July which is closer to 5th July than is 29th July which is being proposed by the Committee. So if we want to retain as far as possible even gaps between States' meetings what is being proposed in the amendment achieves that better than what is being proposed by the Committee.

Now the very final thing I want to say is I personally would have proposed a different schedule, because when June was determined by the previous States as the month for future elections what was envisaged was that the election would be held very early in June – as early as possible – and that June would be used to form committees, and it would be possible to get all the committees formed by the end of June, which would then have allowed them to use July to start thinking about their agendas, any initial directions they wanted to provide their officers with before the summer recess in August. The schedule of meetings which has been proposed will make it very much more difficult for committees to do any of that before the summer recess in August.

But I was not minded and am still not minded to interfere in what the States' Assembly & Constitution Committee is proposing around the date of the General Election because I know they have considered it. They have taken into account all of the arguments and if they think 17th June is the best date for it then I am prepared to accept their advice. Personally I do not think there needs to be as long for an election period with Island-wide voting as there does for parish or district based elections, ironically, because there is not going to be any serious attempt by any candidate to canvas the whole Island or even a substantial part of it; it is not possible to hold hustings in the normal way where all of the candidates are effectively presented against each other and voters can choose between all of the candidates in front of them. So because of all that kind of different infrastructure around an Island-wide election, I do not think the election period needs to be longer than three or four weeks.

The Bailiff: I think you are straying off your amendment now because you are really speaking on Proposition 1.

Deputy Fallaize: Okay, I accept that, sir.

What I am trying to say is that I have resisted the attempt, strong though it was, to try and change all of the dates in the Committee's policy letter, but I do think that this particular date in relation to the first normal States' meeting of the new term needs to be changed because there is no good reason for it being held on 29th July which is too long after the date of the General Election, and too long after the date of the last meeting of the States' term, and encroaches too far into the school holidays when the States have already agreed that as far as possible they will not meet in school holidays. So it is just unnecessary to do that and it can be avoided.

Therefore I ask the States to vote in favour of part one of the amendment, but if they cannot vote in favour of part one then to vote in favour of part two.

Thank you, sir.

The Bailiff: Deputy Dudley-Owen, you second the amendment?

Deputy Dudley-Owen: Yes, I do, sir, and reserve my right to speak please.

The Bailiff: Deputy Inder, do you wish to speak at this stage?

Deputy Inder: Yes, sir, I think I will now.

I think what Deputy Fallaize possibly forgets is that he is one of the more experienced States' Members and he can probably hit the ground running. Many of the, or some of the, policy letters that may be submitted in the first States' meeting he would have complete understanding of; and with the greatest respect to the seconder, maybe Dudley-Owen forgets that she was new once and if she is standing in the next election and is successful she will again be one of the more experienced people.

170 So I am going to distil this into two possible choices and do we worry about school terms and
Member holidays and what the media think that we have not sat or we have not been in our
chairs for too long a period, or do we pay deference to the new Members' understanding their
new committees' mandates and policy letters?

175 I think to be honest with you I am for the second rather than the first. I am not too worried
about what the media think but I am extremely worried about the decisions that we make in the
Assembly and I think Deputy Fallaize says that we are not responsible for them because they
come from a previous Assembly but we are ultimately accountable for them.

180 Helpfully, I have had from our officer what happened in 2016. Now first States' meeting in
2016 this is very small stuff. European Committee's Food and Feed Controls; Financial Services
Commission Law Amendment Ordinance, the Gambling Betting Amendment Ordinance; Public
Transport and Committee for Education, Sport & Culture in 2016 Island Games proposal 2021,
£750,000. I am quite sure that probably walked through the Assembly. But there is 750 grand that
is attached to that. I think it is reasonable for new Members to have given that proper
consideration.

185 I generally think on balance we are sort of dancing on a pinhead to a degree and that extra
week could mean a lot for newer Deputies. Going back to 2012 again, I will not bore you with it
but there are 15 items there: Merchant Shipping; Pilotage Amendments; Competition Regulation –
I said I am not going to go through it so I really won't – Renewable Energy; Ladies College Board
of Governors. This is all stuff that newer Members of 2012 and then 2016 ... I am assuming it is a
fairly busy period. I think the importance every five or six days which is effectively a week may
190 mean the difference between withdrawing something or supporting something. So I genuinely
think that week is important for the newer Members and less so for the more experienced
Members.

Just talking overnight and this morning to the SACC Members, I do not think I have not spoken
to Deputy Le Tocq but certainly four Members will not be supporting either of these proposals.

195 That is really all I have got to say on the matter.
Thank you.

The Bailiff: Deputy Tindall.

200 **Deputy Tindall:** Thank you, sir

I too agree with Deputy Fallaize. I think this is a good compromise. I think this is sensible.
Shame about the June dates, I thought that was a good point.

205 But for me, I am concerned with part one of this Proposition simply because with the Deputy
Dorey amendment it means we would have a full week lodged for that. The 13th is the election of
the committees and then we have the 14th for accounts and 15th, 16th, 17th for the States'
meeting.

210 Also more particularly, I think if we are electing Members to the committees on the 13th I do
not think 24 hours is long enough to come up with any possibilities regarding questions,
thoughts, and opportunities to make the accounts meeting of benefit. So I am erring towards part
two of the Proposition for that reason because I do not agree with Deputy Inder.

215 I do think it is important that we have an earlier date. I think that is a good compromise. I feel
very keen that – I am not inferring this of course – but there is a possibility that items are left over
from the May debate, the schedule that we will be voting on, there might be an important paper
that is put over after the Election and I would hate to think that it would have to be withdrawn
because of a lack of consultation because we have that squish of dates that week and I would like
to make sure that the business of this place is as smooth running as possible.

So for me, I agree with the amendment but I would like to vote for Proposition 2.

The Bailiff: Deputy de Sausmarez.

220

Deputy de Sausmarez: Thank you, sir.

Just responding to the concerns about items of particular significance that new Members might not have had a chance to get their heads round. I think it is just worth remembering that the schedule of that meeting is in the hands of the States, P&R and then of course with the
225 Assembly who has got the ability to amend, so we can amend very much with that in mind.

I give way to Deputy Tindall.

Deputy Tindall: Thank you to Deputy de Sausmarez for giving way.

I mean my point being it is a different States, there is a different make up of the States; it
230 would be new Members, new committees, new points of view, and that is the difference that I think is important to be taken into account.

Deputy de Sausmarez: Thank you.

I do not disagree with Deputy Tindall, but I think this Assembly would have a pretty good
235 gauge of what is likely to be substantial, significant, controversial, anything like that for any new Assembly taking into account those factors.

Thank you.

The Bailiff: Deputy Dorey.

240

Deputy Dorey: Sir, I agree with Deputy Tindall that to have the committee elections on the 13th and possibly we could be all day on the 13th and to come back the very next day to consider the accounts is just too soon. I think committees need to consider any notes on the accounts, whether they have any views on it, and to prepare for that debate.

245 Also whatever business is debated under the States' debate on the next day they need to prepare and get a committee view on any matters which concern their particular committee.

So I think I could not vote for 1. I think what SACC has prepared is, in the circumstances, right but having campaigned in the past to keep States' meetings out of school holidays I think Proposition 2 is a good compromise. It does give some time to prepare but it also respects that
250 families need holidays and if you have got school age children you are very limited and particularly the pressures of the Election will mean that families have been perhaps separated, candidates will have spent less time with their families during that time, so I think it is important that they have the opportunity to have a break with their families.

So I will vote for 2 but not 1.

255

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

I note today we are in the fortunate position of having all 40 of the political Members being
260 present, so it does happen. I think that is perhaps the case in late April but it might not be the case in July.

I must admit I am warming to this amendment especially Proposition 2 and will probably support Proposition 1 because look at the bigger picture – the bigger picture is this: Deputy Inder has been President of SACC and a Member of SACC for about a year and has done a very good
265 job; but Deputy Fallaize is almost Mr SACC because he was on the Committee for four years in the earlier era and was President for six.

Inevitably Members like Deputy Fallaize and Deputy Dorey put a lot of thought into the wider context of States' Assembly procedures and I think one of the blessings at the last election was the result – despite a reduction in numbers of Members – was perhaps more ... well, it was more
270 age balanced and gender balanced and we began to see, almost for the first time in many years, lots of people with younger families entering the Assembly. Now we do not want to lose that mixture and it could conceivably put off candidates from standing if they have already made

commitments for 29th July and end of July, although perhaps in careers where that is necessary, and they find that out of the blue their first significant meeting after the Election is scheduled almost in August. I think we should be mindful of that.

Also I do not like this sense of almost apathy that we are getting to that there is this huge long gap between elections and doing things. Actually the Feed issue with the agricultural animals was actually very important and we are still working on that legislation with significant consequences in the Brexit era, and of course the Island Games is important. But we especially in this Brexit era – an era when we have to make quick decisions sometimes on transport matters for example – how can we ensure that next June, July and August are really quiet times? We cannot, we actually have to be prepared and sometimes, you, sir, as our Presiding Officer are too kind and generous with us, as were your predecessors, because you always wish us a happy holiday toward the end of July or early August when we break up, but in reality we are not on vacation, as Deputy Merrett pointed out. There are not only numerous things to attend, and events to attend, and people to meet, but in practise I have found that the committees I have sat on have gone on through August and indeed I would like to see SACC develop a policy whereby they encouraged Chief Officers or their replacements in no uncertain times to resist August committee meetings for Members. That is a different idea, but I think we would actually be better if we formalised when there are holidays and where there are not.

But basically we want to send out a message that people of all ages will be happy to stand. That is one reason to support this amendment.

Another reason is possibly to give the wider public and the media the view that we want to get on with the job and get into it quickly and, frankly, candidates who stand and the electors who will support them should actually be electing people who are capable of that.

I would also like to say something else that is perhaps a bit controversial: we cannot be certain that most of us will be here in 15 months' time. The electorate might be hungry for change. In Scotland four years ago we saw almost all of the incumbents lose their seats. We might see a cull of the sitting Members but their replacements might be members of parties and associations who are really switched on, who are prepared, who actually know what they are doing and even know what committees they want to sit on a month or two before they are successful. We cannot buck the future.

I believe this amendment is more sensible than the alternative.

The Bailiff: Deputy Yerby.

Deputy Yerby: Thank you, sir.

I would urge Members not to support part one of this amendment. Deputy Fallaize talked about our role as a parliament but of course we are also a government and the way we govern is through committees. It is important to our functioning as a government that we are able to form committees and for the people who go into those committees to gain a grasp of their mandates before they come to this Chamber and start making decisions, which they make at least in part in these roles to elect Members to committees on the Monday and have them making decisions in the States on Tuesday and Wednesday with their committee hats on, as they inevitably will, does not allow any time for that learning process to happen.

Sir, the committee aspects of our work are not publicly visible. I am keen that we try to do what we can in the run up to the next election to give people more of an insight into committee work to begin that induction process much sooner than it has in previous States. But even so, there is much that you can only learn about the way the committee works once you are through those doors and once you have had general and confidential briefings, as is often the case. So I really think that is about doing well in our role as a government, that we need to consider the dates of this period after the Election.

Deputy Fallaize accused SACC yesterday of coming up with a schedule of post-election meeting dates that were all about public perception, so then to start off his own speech by

325 appealing to public perception was a little unfair, but of course public perception was the least of
our considerations when we were going through that schedule.

I have already laid it on thick about committee mandates but for me it really was about eking
out every spare day in that period to create enough time for people to get on board with their
committee in order to enable the first debate as a parliament to be a meaningful debate.

330 Now I am not going to be sad if part two of the amendment goes through. I probably cannot
vote for it myself depending on what comes out in the rest of this conversation because I am
really struggling to make sense of it as a compromise, given that it still puts a meeting in the
school holidays which was precisely the argument against the original schedule. But if it goes
through at least it allows some period between committees being formed and the first States'
335 debate happening.

My concern around the SACC table was to make that period as long as possible. Deputy Dorey
has already slightly shortened it by putting the committee election date after a weekend but what
was going to happen over a weekend anyway ... I just want to hammer home the point that the
original schedule of dates proposed by SACC was to give Members the opportunity to get their
340 heads properly around their committee's responsibilities and to apply those new perspectives to
the schedule of States' meeting.

I think, conscious of what Deputy de Sausmarez said, that the States of course has some
control over its schedule the closer put committee formation to the date of the States' meeting
the less opportunity we have to alter that either by setting the schedule or by bringing
345 amendments or changing the order of papers on the agenda. So losing that period of time is – I
am guessing from her face that she meant the previous States, but I am thinking about the next
States coming in and perhaps applying different perspectives and worrying about some of the
papers that might be there in their ... It is differences of opinion.

But, sir, the last matter that I want to come to is the question of reasonable adjustments.
350 Deputy Fallaize brought up the point about diversity and it is clear that avoiding the school
holidays wherever possible has been something that this States has adopted as a straightforward,
reasonable adjustment for States' Members who also have childcare responsibilities. Given that
part of this amendment takes the meeting into the holiday in any case I am not convinced that
this is completely about what it is about, but let's have that conversation more generally, because
355 I mean this SACC is trying to make this election as accessible as possible in all dimensions.

We are also trying to make being a States' Member more accessible and inclusive. We are
currently working on proposals to mirror the UK's approach to proxy voting for new parents.

So it is not that we do not care, it is that in this case we thought that the governance and the
parliamentary considerations had to take precedence, but if that then leaves States' Members with
360 childcare responsibilities with an unreasonable or unaffordable burden then let's have the
conversation about whether there are other ways to mitigate it. If they are not, if this is the only
reasonable way to mitigate it then I am happy to be led by parents who have real world
experience of that rather than trying to apply my own assumptions. But again, just from the
proposals in the amendment, I do not think that is entirely what it is about.

365 As I say, sir, I will be led by the debate but please do not vote for part one, it really does not
allow for good committee governance.

That is all, thank you, sir.

Deputy Lester Queripel: Sir, I rise to invoke Rule 26(1) please.

370

The Bailiff: Will those who have not spoken on this amendment who wish to do so please
stand in their places? We have four people standing. Do you still wish to go ahead?

Deputy Lester Queripel: Yes, sir.

375

The Bailiff: In that case, I put to you the motion that debate on this amendment be terminated. Those in favour; those against.

Members voted Pour.

The Bailiff: I believe that is carried.
So Deputy Fallaize will reply.

380

Deputy Fallaize: Thank you, sir.

I will be as brief as possible, sensing that the States wants to get on.

385

Deputy Inder said that newly elected Deputies need more time to consider policy letters, which is a fair point but it is worth remembering that those policy letters would have been submitted around the third week of April because the schedule for business on the first States' meeting of the new term is going to have to be set at the last meeting of the present States, which his Committee is proposing or is already set I think, for 6th May. So any policy letter considered by the States in July – in fact any policy letter considered by the States before 2nd September – is going to have to have been submitted around the third week of April and I think that for candidates who are standing for election, even under the terms of my amendment even part one, they would have had nearly three months to consider those policy letters and I think that is adequate.

390

Deputy Lowe now wants to make her speech by way of me giving way which I am happy to.

395

Deputy Lowe: Thank you, Deputy Fallaize.

It is just the point which I was going to mention if I had had the opportunity to speak but the point being that, yes, you are absolutely right, the States will decide before the Election of the Billet items that will be there, but you have to bear in mind that in the past we have also had emergency Billets.

400

So if you have got a new committee that will be elected, and I mean I just cringe when I see how long it takes us to actually set up. It used to be you were elected one day, you elected everybody the next day, presidents and everything else; now it is spread over I do not know how many days, 10 or 14 days, something like that, and then we have got committee meetings as well.

405

So if there is an urgent matter that has come up – and bearing in mind I expect Brexit will still be kicking around so there are lots of issues that could effect this Government and this Island and this Bailiwick that are going to need to be looked at – it may be that there will have to be an emergency Billet once the new committees have met. So those new committees still need time to actually meet once they have been elected on to their own committees, have discussions of what is before them where the staff has actually needed something to come to the States as an urgent matter, and it may end up with an emergency Billet.

410

The dates you have got there to elect both of those dates do not really allow enough time for the committees to meet and discuss any urgent matters, in my opinion.

Deputy Fallaize: Thank you.

415

Theoretically, that may be true but can Deputy Lowe think of a single example of when there has been an emergency Billet in between the General Election and the date of the first States' meeting after the election? I am happy to give way if Deputy Lowe can give us the specific example she is thinking of. Okay, well –

420

Deputy Lowe: I cannot at this very moment, but of course we did not have Brexit. We have huge changes ahead of us, and we cannot dismiss that and it is not that far away. We may have done, we have certainly had lots of emergency Billets in my time. We had emergency States' meetings – Members may remember there are only a few of us in the States at this time where we had an emergency Billet and a States' meeting in 48 hours because that was when we were

425 looking at Aurigny, so it does happen that we have emergency Billets and emergency States' meetings.

Deputy Fallaize: Yes. But it has not happened after a general election.

430 Incidentally, I do not think the States have ever had a general election and then elected the committees and met very quickly in the way that Deputy Lowe suggests. The reason that there was less of a gap was because there was not a general election and there were not committee elections held all at the same time, so it was much quicker for the States to get back into business which is a good point but is a different matter.

435 Deputy Tindall said that she thought part two of the amendment was a good compromise, Deputy Yerby questioned whether it was a compromise, but I think it is a reasonable compromise and I will come back to that in a moment.

440 Deputy Yerby spoke about committees getting across their agendas and the importance of that before the first States' meeting. Now Deputy Yerby is a very able person and has a brain the size of a small planet which all of us –

Deputy Yerby: Point of correction, sir.

Deputy Fallaize: A large planet then! *(Laughter)*

445 But even Deputy Yerby I do not think would be able to get properly across the agenda of a committee which she had been elected to only a week or even two weeks previously. Maybe Deputy Yerby would but I think the rest of the mere mortals who would have been elected on 17th June will not have, and so it is highly unlikely that any policy letter debated by the States in July there is going to be any sense of ownership of it by a committee that has been elected just a few days previously.

450 Deputy Inder read out a list of many of the items which have been considered by States at their first meetings after elections and, no doubt because he is getting to be quite good at this, as a Deputy he would have read out the more substantial items because he was trying to impress upon the States that actually there are some substantial items considered but actually even he could not come up with any substantial items.

455 What happens at that first States' meeting after an election is that there are not very substantial items considered and, as Deputy de Sausmarez said, I am sure that will be taken into account by the States when they consider their schedule of business at the last meeting of the present term.

460 Now I have to point out that I am not prolonging this (**Deputy Inder:** No, it is me.) but I am very happy to give way again.

Deputy Inder: Thank you for giving way, Deputy Fallaize.

465 He is right, the reason I did not read them all out is because I only just got the email, but the fact remains Members are accountable for every decision they make in this Assembly. Irrespective of how big or small it is, the accountability, and Members will not be able to get away with saying, 'Oh well okay, it was the first States' meeting I did put it through but I did not really understand it but it was someone else's job,' and we hear that so many times, the accountability of your vote is everything in this Assembly.

470 **Deputy Fallaize:** Of course.

I will give way to Deputy Dorey.

475 **Deputy Dorey:** Sir, just answering your point about Billets which came at a late stage just after an election, there is notably one which was in 2004 which was the requête for the energy from waste facility which came in one week after, there was a States' debate on 21st and one week later where that was considered.

Deputy Fallaize: Yes, that could not happen I do not think because the schedule for the first meeting in July now will have to be set by the States on something like 6th, 7th or 8th May (*Interjection*) so that was an example from a previous era which could not happen now.

480 Deputy Yerby said that part two of the amendment would still put a States' meeting in the school holidays, that is true but I think Deputy Yerby would have to accept that there are scales of wrongness, and that if there is a principle in place that the States should try wherever possible to avoid meeting in school holidays it is probably better, if it has to be done, to do it four/five days, whatever it would be, into the school holidays rather than two weeks into the school holidays. I
485 I mean on that basis why not meet in August?

The Committee is proposing that we should have a States' meeting on 2nd September. If there is a concern that we would have had committee elections on 13th July and we should just get on with business why not have a States' meeting in August? (**Several Members:** Pour.) If we are going to abandon that principle altogether ... I think if we have to meet in school holidays it is
490 better that we meet as close to the end of the school term or the start of the school term as possible.

Now I think I accept that under part one of what I am proposing there would be committee elections on one day, consideration of the States' accounts the following day, and then an ordinary meeting the following day. I do not think that is too onerous. I cannot remember the first
495 States' meeting of the new term lasting longer than a day. So I do not think it would be longer than three consecutive days in the States and the newly elected Members better get used to that.

But nevertheless, if that is considered to be too onerous I do think that part two of the amendment is a reasonable compromise because it does, as Deputy Yerby has said, allow the committees to have formed nine days previously and to have considered as a committee any
500 items which are relevant to their mandate and are coming to that first States' meeting, but it also means that the States are meeting, if they have to meet inside school holidays the damage, if one sees it that way, is limited. I do not see any reason why the States should meet on 29th July two weeks inside the school holidays when they just do not need to, they can meet on 15th or failing that they can meet on 22nd.

I know there are some Members who will think, 'Well, I think the States should meet in school holidays and it is tough,' but I do not see any reason why, if there is going to be a summer recess, the States should say, 'We are going to meet on 29th July rather than meeting on 15th or 22nd
505 July.' There just are not any good reasons for doing that, and I do not think we should needlessly move away from this principle that has been established that as far as possible the States should
510 not meet during school holidays.

So obviously the separate parts of the amendment will be voted on separately. I will continue to vote in favour of part one and I hope the States vote in favour of part one, but if they cannot on the basis that, as other speakers have said, I think it is a reasonable compromise I ask the States to vote in favour of part two.

515 Thank you, sir.

The Bailiff: We vote then on part one of the amendment which is to move the first States' meeting to 15th July next year. Those in favour; those against.

Members voted Contre.

The Bailiff: I believe that is defeated.

520 We move then to the second part which is to move the first States' meeting to 22nd July – sorry, (*Interjection*) on the second one. So we will have a recorded vote on the second part of the amendment, which is to move the first States' meeting to 22nd July.

There was a recorded vote.

The Bailiff: Well, while those votes are counted we come back to general debate. Does anybody wish to –?

525 Deputy de Lisle.

Deputy de Lisle: Sir, I would like to make a few comments in relation to amending the Reform Law and seeking clarification in respect to that.

530 One Island-wide electoral district will mean the end to the parish based electoral districts. In fact the weight of the referendum vote count was for options B and C in rounds 1, 2 and 3 – the parish and the hybrid systems which are clear in paragraph 2.3, page 5. In fact nearly half of the Islanders that voted in the multi-option referendum were disappointed with the fallout on the final round almost replicating the closeness and the frustration of the Brexit vote in the UK and the dilemma that they find themselves in now, but that is democracy and I entirely accept that.

535 We find ourselves similarly frustrated with the closeness of our referendum, but many here viewed the parish as the heartbeat of community and preferred the close proximity to Deputies and felt that the regional distinctiveness of their community and allegiance to the parish was being undermined further by central Government.

540 Jersey is currently considering scrapping Island-wide voting, that is for Senators, just as Guernsey works up plans to introduce the Island-wide system. They are considering five or six representatives across nine districts thereby enhancing the parish system in that Island.

545 Sir, several Deputies have remarked with some concern over amendments to the Reform Law. The question arises with respect to Proposition 2 – should we be amending the Reform Law before we see whether the change to Island-wide works out? Can I ask, sir, the Law Officers in attendance whether amendment to the Reform Law is necessary at this time before the Election and whether there is not another working before the 2020 Election as an interim legislative measure as we work through this trial change?

Thank you, sir.

Carried – Pour 26, Contre 12, Ne vote pas 2, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Ferbrache	Deputy Leadbeater	None
Alderney Rep. Snowdon	Deputy Kuttelwascher	Deputy Yerby	
Deputy Tindall	Deputy Mooney		
Deputy Brehaut	Deputy Merrett		
Deputy Tooley	Deputy Stephens		
Deputy Gollop	Deputy Inder		
Deputy Parkinson	Deputy Lowe		
Deputy Lester Queripel	Deputy Green		
Deputy Le Clerc	Deputy Paint		
Deputy Trott	Deputy Le Tocq		
Deputy Le Pelley	Deputy Soulsby		
Deputy St Pier	Deputy Prow		
Deputy Meerveld			
Deputy Fallaize			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Dorey			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy de Lisle			
Deputy Langlois			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Oliver			

550 **The Bailiff:** Anyone else?

Just before I call the next speaker I can announce the voting on the second part of the Propositions in the Deputy Fallaize/Deputy Dudley-Owen amendment. There were 26 votes in favour with 12 against and 2 abstentions. I declare part two of that amendment to have been carried.

555 Deputy de Sausmarez, were you rising to speak? Deputy de Sausmarez.

Deputy de Sausmarez: Yes, sir, thank you.

560 First of all, I would just like to add my vote of thanks to the Committee and its very hard working staff for a really good policy letter. I know how hard they must have worked to bring it all together in such a pressurised period of time, so sincere thanks to all involved for that.

I do very largely agree with most of the things in it. There is one issue or set of issues that has not really had much of an airing and that is what I would like to spend a little bit, not too much, time on right now. That is the issue of electronic voting and electronic vote counting.

565 For clarity, because I know some of these terms can be a little bit confusing and maybe they are a little bit interchangeable in the casual reader's head, the electronic voting refers to the acts of casting and recording a vote and this can be done in lots of different ways which will, generally speaking, fall into two different camps.

570 First of all, you have got electronic voting: they are both forms of electronic voting but where you have the machines physically at polling stations and there are various different types of this including specialised voting kiosks, I suppose, with something called direct recording electronic (DRE) equipment and there can be various other systems as well, punch card systems and the like.

Then you have got remote electronic voting which is quite often referred to as I-voting, as it is in this policy letter, again there are various different systems and I-voting is discussed in sections 11.3 and 11.4 of the policy letter and I would just like to quote those two short paragraphs:

The ability to introduce I-voting was explored by the Committee. I-voting can encompass voting from a personal computer to voting via an app on a mobile device. It could take place anywhere in the world and could largely replace the need for postal voting.

Given the limited time available before the 2020 General Election, having explored potential options with the Future Digital Services programme ... the Committee believes introducing I-voting for 2020 is not possible. It does however support the introduction of I-voting and will take steps to investigate how it could be introduced in future.

575 Now I agree with the Committee's view that it is not possible to introduce I-voting for 2020, but perhaps not for the same reasons as the President has given several times before. I know that he has expressed a view that if it were in the hands of private enterprise perhaps him and his company, whatever that is, that it would be easy and quick to do; but it is not, it is in the hands of the States and therefore the whole thing will be necessarily more time consuming and
580 bureaucratic or whatever and he is saying expensive. I think that is the case anyway.

Well, I do not accept that those are the primary reasons. For me, there are other reasons why it is just not possible, and that is what I would like just to look into in a little bit more detail.

585 Now what does concern me, I know it is not one of the Propositions, but what does concern me is the statement that the Committee will take steps to investigate how it could be introduced in future, not whether it should be introduced in future, as it is actually a pretty complex area and it is fraught with problems.

590 I-voting is of course superficially very attractive. Who would not welcome the opportunity to make voting as easy and convenient as possible? Our current system does seem a bit of an anachronism in this digital age where we just expect – or most of us, I am conscious that I have got Deputy Roffey on my left – where most of us just expect to be able to do anything and everything from our smart phones. *(Laughter)*

595 But however clunky, old fashioned and, frankly, inconvenient the polling booth, pencil, paper and ballot box system is, it has survived the test of time for very good reason. It ticks the three fundamental requirements to ensure a free and fair election: it is secure – in other words your vote is securely stored and cannot be changed; it is anonymous so no one can tell how you voted; and

it is accurate, and we can verify its accuracy because there is an easily audited paper trail that does not compromise the secret ballot aspect.

600 The potential for things to go awry either intentionally or unintentionally in our current analogue system is relatively low, the whole process can be independently observed, audited and verified end to end. Electronic voting is far more susceptible to problems both technical malfunctions and deliberate tampering.

605 The scope of technical problems is higher by order of magnitude than it is in our analogue version and the broader or more complex the system the greater the scope for technical problems becomes. There are some really tricky issues around the auditing of the software involved, especially if it is proprietary software rather than open source, as well as the programming of any hardware.

The scope for tampering is also much greater with e-voting –

610 **Deputy Inder:** Point of correction.

The Bailiff: Point of correction, Deputy Inder.

615 **Deputy Inder:** There is a distinction between open source and proprietary. Propriety is far safer than open source. I am not entirely sure where Deputy de Sausmarez is getting her information from but it is just not accurate.

620 **Deputy de Sausmarez:** I think we will have to agree to disagree on that. Every source that I have looked at has recommended open source as being far safer because you can trust in the masses to verify that system and so you are not having to place your trust in propriety. A bit like a modern car bonnet; you open it up and you cannot see inside it with a proprietary system because there are commercially sensitive secrets in there, no one is going to expose exactly how that goes together and so it is far more difficult to audit. According to what I have researched, the people who specialise in this area do seem to recommend open source software as opposed to proprietary software.

625 The scope for tampering is also much greater with e-voting compared to our traditional system of paper voting. Deliberate attacks on paper systems simply do not scale well. In other words, it takes a lot of effort to change one vote and the chances of getting busted are high. However, there is far greater potential for electoral fraud on e-voting systems, where if you can change one vote the chances are you can change hundreds or possibly thousands and the risk is higher still for I-voting.

630 As electronic voting expert Jason Kitcat explains, perhaps while he was having a break, I do not know, (*Laughter*) I quote:

The problem with internet voting is that it opens up the voting system to the entire world anyone with an internet connection can start to attack it and seek to undermine that often undetectably.

635 Now that might sound alarmist but he was part of an international group of independent e-voting security experts that undertook a peer review study called Security Analysis of Estonia's internet voting system. Member's might recall that Estonia's voting system is one that has be cited as an example of I-voting for good reason. In the words of the reviewers and I quote:

Estonia is the only country in the world that relies on Internet voting in a significant way for legally-binding national elections – up to 25% of voters cast their ballots on line.

I think it was in around 2014:

This makes the security of Estonia's system of interest to technologists and voters the world over. As international experts on e-voting security, we decided to perform an independent evaluation of the system, based on election observation, code review, and laboratory testing.

What we found alarmed us. There were staggering gaps in procedural and operational security, and the architecture of the system leaves it open to cyberattacks from foreign powers, such as Russia. These attacks could alter votes or leave election outcomes in dispute. We have confirmed these attacks in our lab – they are real threats. We urgently recommend that Estonia discontinue use of the system.

640 Now, just before anyone thinks that that risk does not apply to us, as Vladimir Putin is unlikely to take much of an interest in Guernsey's 2020 Election or beyond, I should point out that states-sponsored attacks were by no means the only vulnerability identified in the Estonian system. It was also vulnerable to server-side attacks, malware rigging of the vote count that could be introduced by a dishonest election official, for example, and client side attacks such as a bot that overwrites your vote which can simply be a bored teenager with a penchant for hacking from the comfort of their own bedroom.

645 Now for context, Estonia's internet voting system is actually quite sophisticated and the study showed they had done a lot of things right, it was built by people with an intimate knowledge of security, they made large parts of the system open source, they document their procedures, they have a video just for every step of the process, but these things, they say, are just not enough. Estonia had an excellent platform on which to develop e-voting because they already had a good
650 e-government system to begin with. For example, everyone in Estonia has a national ID card chip and pin style which is used via a card reader as one of several security measures attempting to protect their I-voting system, and yet even in a country where everyone has a digital ID the system still is not considered secure enough or transparent enough to establish trust in the election outcomes.

655 There have been many documented problems with e-voting and I-voting internationally. E-voting issues are legion – the list is as long as my arm – and they have been responsible for some elections even being declared invalid, but more relevant to us here are the problems with I-voting as that is what the States' Assembly & Constitution Committee proposes to introduce.

I-voting is far less wide spread but cautionary tales are none the less not hard to find. A system
660 called I-vote was used in the New South Wales regional election in Australia in 2015, for example, where it was reported that 66,000 electronic votes could have been compromised. Even though the I-vote server was secure, a third-party website was able to attack the system. In Canada 51 municipalities in the 2018 Ontario Municipal Elections were affected by a technical failure, bandwidth problems brought about by a massive surge of people trying to vote online in the
665 early evening after they got home from work.

Digital democracy expert Professor Halderman of the University of *Michigan* summarised his views as follows – (*Interjection*) Michigan, my apologies to Deputy Gollop for mispronouncing it! He summarised his views as follows:

In my assessment no country in the world today can do internet voting safely, and it is going to be a decade if ever before we are able to solve some of the central security problems at stake.

670 In fact any Members that attended the fascinating presentation called Democracy in a Digital Age last year will recall that our home grown digital democracy expert Dr Victoria Nash of the Oxford Internet Institute reported similar concerns within her own department.

So far I have focussed on the problems with electronic voting and I-voting in particular and I am sure members of staff are keen to point out that there are not any Propositions relating to I-voting, just electronic vote counting.

675 Interestingly, the Electoral Commission in the UK called for trials of both electronic voting and electronic counting to be halted in 2007; a report in 2012 noted that e-counting – this is a direct quote – 'did appear to affect the administration of elections in some counting areas' and recommended that cost benefit analysis exercises should be undertaken. Then a further report in 2017 on the Scottish elections by the Electoral Commission advised that if e-counting is to be
680 used at the next Scottish elections they need to improve the transparency of the counting process and this was the bit that raised an eyebrow for me:

... begin preparations three years ahead so they can take more control of that process and iron out the issues.

So Proposition 3(x) says that:

Relevant arrangements should be put in place to enable an electronic vote count and a manual vote count, if required.

685 Given the potential numbers of votes that could be cast in the 2020 General Election outlined in section 14.5, it seems sensible that the Committee is investigating electronic equipment to count the votes. Indeed it seems that there are no other realistic options as counting all the votes manually would be problematic and at best very time consuming. To me though, this is something of a dilemma because electric vote counting machines are susceptible to many of the same kinds of problems that electronic voting machines are susceptible to, be that technical malfunctions or deliberate interference.

690 Again there are various types of electronic counting machines available and various issues bespoke to each. Machines that count paper ballots electronically using optical scan technology, which I am assuming would be the most likely relevant one for us, can have problems processing ballot papers that have been folded which I am imagining might be an issue for A3 size ballot papers that have been submitted by postal vote unless we have got a selection of very large envelopes and new post boxes, or processing ballot boxes that have been printed a millimetre or two differently, that has been an issue in the past or differentiated between a spoilt paper and a legitimate vote where there are any marks just outside the box, for example.

695 Judging by other jurisdictions' experiences, manual adjudications are often required which really diminishes the time saving benefits or sometimes cancels them out completely, although I cannot think that any other jurisdiction would be attempting to count up to 38 votes on each one, so it might be a little different for us.

700 I also very much doubt we could find a machine that could cope with the randomising of the list names on the ballot paper, either which in my view – I have made this view known before – is the only way to avoid favouring those at the top and the end of the list.

705 However, the more fundamental problem is that any electronic vote counting machine relevant for use is essentially a big box into which you put the ballot papers at one end and out of the other end of which you get a set of numbers with no way of verifying those numbers other than a manual count. Now it is less risky than I-voting because there is at least an auditable paper trail just a very time consuming one.

710 Now having illustrated what I see to be a bit of a problem, I am afraid I do not have a solution to whip out of my back pocket. I cannot really see any bulletproof practical way around the problem, but I would suggest it would be sensible to trial the electronic counting process and equipment very thoroughly using dummy ballot papers including postal votes and, probably more importantly, put a verification process in place for the actual count on Election day, and I would hope that SACC would perhaps seek advice from the Electoral Commission given that they have had experience and have a view on this technology.

715 I reiterate Deputy Le Clerc's call for independent observers at the 2020 Election because I think it will be vital for this aspect alone as well as for anything else.

I do not think I have ever had to quote Joseph Stalin before but he did once say that:

Those who cast a vote decide nothing. Those who count the votes decide everything.

720 *(Laughter)*

So this is an important issue and I very much hope that SACC gives it the attention it clearly needs.

Thank you.

725 **The Bailiff:** Now Deputy de Lisle asked a question of H.M. Comptroller earlier. Are you ready to answer the question? He was asking whether the Proposition 2 really requires an amendment to the Reform Law before the Election. I think the answer is that Article 26 of the Reform Law

specifies that there will be electoral districts and in removing electoral districts Article 26 will have to be well repealed, probably, and replaced. But, sorry.

730

The Comptroller: That is my view as well –

The Bailiff: Your microphone, is it on?

735

The Comptroller: It is on, sir, I think.

The Bailiff: It is on, sorry.

740

The Comptroller: That is my view. I cannot think of a way of implementing Proposition 2 if it is approved, other than by bringing an amendment to the Reform Law. Of course one could, I suppose, have a provision which required any amendment to come into force by way of a Commencement Ordinance, but even then I think if the States pass the Resolutions I would imagine the amendment would be to the Law and it would have to have effect in time for the General Election in 2020. So I am not sure there is any other alternative.

745

The Bailiff: So that is the answer to Deputy de Lisle's question. Deputy Inder can deal with it when he sums up, or replies rather.

Nobody else is rising to speak so now is your time to reply to the debate, Deputy Inder.

750

Deputy Inder: Okay.

Well, first of all, thank you, mainly to everyone who has supported the Committee, and themselves, in this debate and certainly to those previous Members of States' Assembly & Constitution Committee. Even Deputy Roffey's thanks and confidence in the Committee sounded less like a mafia blessing than it has done in the past, so I am grateful that he has recognised the work.

755

I am going to tidy up, excuse me I have got my daughter's iPad here, there is a picture of a cat on it and I cannot log in at the moment. Yes, I can, so I am going to go through fairly ...

760

So working backwards actually from Deputy de Sausmarez. FDS, right Deputy de Sausmarez, the Committee, I am just going to talk about counting because obviously for 2020 we are not talking about internet voting and I cannot repeat what I have said before in the past but the Committee is investigating vote counting. From what I have seen so far, they are not connected to the internet, they have been used before in other jurisdictions successfully and partial specification is to deal with the differently folded ballot papers that will end up in the machines.

765

These discussions have already been had and having had the conversation with – when they turn up – the FDS guys obviously saturation and verification would be part of anything that is done before the vote counting.

770

So that is all fairly standard procedure and I believe the FDS has a partner – it might be a Scottish one actually, I think there is a partner up in Scotland which might be the same one that they are referring to that did the counting, but we will keep a weather eye on that.

Deputy de Lisle – I am only sort of working back from ... he wanted clarification. We have – well amending the Law has been answered – but Deputy de Lisle says it is a trial – this is not a trial. This is the decision by the people of this Island under referendum; we are not trialling Island-wide voting. That is a decision that has been made and it is for us to effect the will of the people and that change.

775

This has been said before and there is a sort of suggestion that option A in round ... sorry if you look ... in round one actually the most successful, if you add up all of the options in round one which had an element of Island-wide voting, I believe – and I am doing this off the top of my head – 70% of the votes cast in round one had some form of Island-wide voting in it. What eventually came out was A; well A was the winner.

780 I know Deputy Brehaut said it was one of the dumbest things that the Island has ever done but you know what that is democracy – sometimes that actually happens. We decided to go out to the people of this Island and ask them what kind of democracy they wanted and under that referendum option A Island-wide voting – one district, 38 Deputies elected on one day for a four-year period – was the decision.

785 There is bound to be some reticence and I accept that but that is the decision. I do thank those people that have accepted that in this debate.

I am going through by-elections; there has been some resistance, the option there ... I am not going to persuade anyone right now, I have got no ability really to convince anyone whether this States can survive two vacant seats. I think it can. We do not always have 40 complement here but
790 if you do not want to vote for that Proposition where there are no by-elections unless there are two vacant seats then do not vote for it. We accept that.

Party names on ballot papers – I am pretty sure the elephant and the lotus will turn up Deputy Fallaize – just I hope the chap who votes for the wrong party does not cut his finger off this time. So there is going to be some kind of sigil, possibly a flag, a name, but that will be considered in
795 the ballot paper, in the policy letter two.

Election observers, Deputy le Clerc and other Members of the Assembly have emphasised the importance of it. Currently I think the figure we have seen so far is something like quarter of a million pounds, anything between £200,000 and £300,000. Well there are ways of dealing with that: as important as having election observers are, they do not have to be that expensive. Instead
800 of getting election observers from, I do not know, Fiji maybe, we can get them from Felixstowe. They do not have to come from all around the world. We could get them from closer to home rather than it turning into an Australian trip or a New Zealand trip or the Solomon Islands or Pitcairn Island or wherever they are from. There must be cheaper ways than doing it with under £200,000 and I will certainly be focussing on that.

805 Domination period, we have done that – regulators, regulated period, hustings we have dealt with. I think that is most of the various ... I am just going to go through my notes. I am afraid they are all over the place.

Deputy Dorey, thank you for setting aside – I was going to say your principles, I do not really think I meant that, I think what I meant is that I am just grateful for you accepting that we are
810 where we are and hopefully eventually supporting us.

Deputy Trott mentioned loans. Anything is possible, Deputy Trott, it really is. We could set up a burger stall in the middle of Sausmarez Park and I could spend £40,000 on beef burgers and that would be a way of getting party funding into the coffers of a party. But I am hoping the fact that we are finding a way to limit the expenditure of a party will go in some way to assure him that
815 that risk under our original proposals, where it was divided by the amount of candidates, 50% of the candidate expenditure going to the party, hopefully that has gone away a bit by us limiting the expenditure of the parties.

At the end of the day we have got to assume that those people who stand in the main are doing things in good faith and I just simply do not think we are going to account for any
820 potentially nefarious way of making money look like something else. That is something we might be able to look at but I would have to get back to you on that one I am afraid.

Hold on, I have got a few other bits and pieces, I will try not to bore myself now. Done Deputy de Lisle's stuff – running out of bits of paper – oh, no, there are a couple here.

Deputy Fallaize, you managed to mention Brexit. I had a book open on whether Deputy
825 Fallaize would get through the debate without mentioning Brexit. I won!

Yes, and we have done dates of States' meetings.

I think in the main we kind of are where we are and again like I said at the beginning of this pretty rubbish summing up actually, to be perfectly frank with you, I am grateful for the support that we have had and certainly grateful for my Committee Members. I am glad I chose the team
830 that I got and I am certainly glad that Deputy Jennifer Merrett came up as VP, and their support through this debate and effectively, sir, I ask if we can go to the vote now.

Thank you.

The Bailiff: Well, we will go to the vote.

835 Most but not all of the Propositions are going to involve amendments to the Reform Law and just to explain the two-thirds Rule for those who are not familiar with it.

840 What the Reform Law specifies is that any Resolution of the States directing the preparation of legislation to repeal or vary any provisions of the Reform Law carried by a majority of less than two-thirds of those present and voting shall not be deemed to have been carried before the expiration of seven days from the date of the Resolution and within that period of seven days an application can be made in writing by not less than seven Members of the States to bring the matter back before the States as soon as maybe after the expiration of three months from the date of the Resolution.

845 So if a Proposition proposing an amendment to the Reform law is carried by less than two-thirds of the votes but obviously by a majority, more than 50% but less than two-thirds, there could be a further debate in more than three months' time. So sometime three months from now is the end of July, it would be after the summer break. The matter could have to come back before the States if not less than seven Members so request.

850 So that is why we need to establish when we are looking at the Propositions that propose amendments to the Reform Law we will have to establish exactly how many are voting and what the majority is and we will therefore have to have recorded votes. We have had so many requests for separate votes that it is going to take quite a long time and that is why we have two Deputy Greffiers in to try to speed the process up.

855 So I hope you all have the Propositions in front of you and I will start with Proposition 1, that is:

... that a General Election of People's Deputies be held on Wednesday, 17th June 2020.

That does not involve the Reform Law, the date is set by ordinance, so we can deal with this one *aux voix*. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Proposition 2 does involve amendments to the Reform Law. This is to enable there to:

... be one Island-wide electoral district to elect 38 Deputies for a four-year term and that each voter would have up to 38 votes at each election.

860 We will need a recorded vote, Greffier.

There was a recorded vote.

The Bailiff: Well, while those votes are counted we will move on with the next vote and I think Deputy Tindall requested a separate vote on Proposition 3(a). Is that correct? That engages the Reform Law so again 3(a) needs to be by recorded vote – 3(a) is:

For the purposes of entitlement to be inscribed on the Electoral Roll, the phrase "ordinarily resident" should be defined. A person should be treated as being ordinarily resident during any period only if they were living lawfully in Guernsey and had their home in Guernsey throughout that period.

A vote please, Greffier.

There was a recorded vote.

Proposition 2

Carried – Pour 32, Contre 6, Ne vote pas 2, Absent 0

865

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Brehaut	Deputy Le Clerc	None
Alderney Rep. Snowdon	Deputy St Pier	Deputy Le Pelley	
Deputy Ferbrache	Deputy Smithies		
Deputy Kuttelwascher	Deputy Green		
Deputy Tindall	Deputy de Lisle		
Deputy Tooley	Deputy Langlois		
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Merrett			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

The Bailiff: Well, I can announce the voting on Proposition 2. There were 32 votes in favour with 6 against and 2 abstentions, so that was carried by more than the two-thirds majority.

Proposition 3(b) does not engage the Reform Law so we could go *aux voix* on 3(b) which is that:

Individuals with no fixed or permanent address should be able to register on the Electoral Roll.

870

Those in favour; those against.

Members voted Pour.

The Bailiff: I declare 3(b) carried.

Proposition 3(a)

Carried – Pour 36, Contre 4, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Tindall	None	None
Alderney Rep. Snowdon	Deputy Brehaut		
Deputy Ferbrache	Deputy Gollop		
Deputy Kuttelwascher	Deputy Roffey		
Deputy Tooley			
Deputy Parkinson			
Deputy Lester Queripel			

Deputy Le Clerc
Deputy Leadbeater
Deputy Mooney
Deputy Trott
Deputy Le Pelley
Deputy Merrett
Deputy St Pier
Deputy Stephens
Deputy Meerveld
Deputy Fallaize
Deputy Inder
Deputy Lowe
Deputy Laurie Queripel
Deputy Smithies
Deputy Hansmann Rouxel
Deputy Graham
Deputy Green
Deputy Paint
Deputy Dorey
Deputy Le Tocq
Deputy Brouard
Deputy Dudley-Owen
Deputy Yerby
Deputy de Lisle
Deputy Langlois
Deputy Soulsby
Deputy de Sausmarez
Deputy Prow
Deputy Oliver

875 **The Bailiff:** The voting on 3(a) was 36 in favour with 4 against. Again that has been carried with more than the two-thirds majority.

We have had a request for a separate vote on 3(c) which is that:

A person should be able to apply to the Registrar-General of Electors for their name and address to be omitted from the Electoral Roll available for public inspection. Such application shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General of Electors may require.

A vote, Greffier. This is 3(c).

There was a recorded vote.

880 **The Bailiff:** Right, looking at the further Propositions, I do not think anybody has requested a separate vote on (d), (e), (f), (g), (h), (i) or (j). Is that correct? So perhaps we can take those at the end and we will take together all of the ones where no separate vote has been requested; (k) which is:

The full age to be eligible to stand for election as a People's Deputy should be reduced to 18 years.

– does not engage the Reform Law so we can go *aux voix*. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Proposition (l), that:

Candidates should be required to be inscribed on the Electoral Roll to be eligible to stand for election as a People's Deputy.

885 I think we have had a request for a separate vote on this one. Is that right, Deputy Roffey? I am not quite sure whether you were requesting a separate vote or not when you spoke – on (l). Does anybody? Oh, it was Deputy Dorey. Sorry, Deputy Dorey requested that, so 3(l):

Candidates should be required to be inscribed on the Electoral Roll to be eligible to stand for election as a People's Deputy.

Deputy Roffey: Yes, sir, I would like a separate vote on that one.

890 **The Bailiff:** Yes, separate vote on 3(l).

There was a recorded vote.

Proposition 3(c)

Carried – Pour 35, Contre 5, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Gollop	None	None
Alderney Rep. Snowdon	Deputy Lester Queripel		
Deputy Ferbrache	Deputy Leadbeater		
Deputy Kuttelwascher	Deputy Le Pelley		
Deputy Tindall	Deputy Lowe		
Deputy Brehaut			
Deputy Tooley			
Deputy Parkinson			
Deputy Le Clerc			
Deputy Mooney			
Deputy Trott			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

895 **The Bailiff:** Just announcing the voting on 3(c), which was the one about a person applying to have their name and address omitted from the Electoral Roll available for public inspection, 35 votes in favour, 5 against. That was clearly carried by more than the two-thirds majority.

Proposition 3(l)

Carried – Pour 35, Contre 5, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Gollop	None	None
Alderney Rep. Snowdon	Deputy Fallaize		
Deputy Ferbrache	Deputy Green		
Deputy Kuttelwascher	Deputy Dorey		
Deputy Tindall	Deputy Roffey		
Deputy Brehaut			
Deputy Tooley			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Paint			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Prow			
Deputy Oliver			

The Bailiff: On 3(l) the one that you have just voted on again the voting is the same: 35 in favour, with 5 against, so that is carried by more than two-thirds.

900 Proposition 3(m) I think we have had a – Deputy Tindall, do you require –?

Deputy Tindall: No longer required, thank you, sir.

905 **The Bailiff:** Does anybody require a vote on 3(m) separately from the others? No, in that case we will take that together with all the others when we get to the end.

Proposition 3(n) does not involve the Reform Law. That is:

The regulated period should commence from the start of the nomination period and end on the day of the election.

We will go *aux voix* with 3(n). Those in favour, those against.

Members voted Pour.

The Bailiff: I declare that carried.

Proposition 3(o). Yes, we will have a separate vote on 3(o), which is:

The definition of political parties should be based upon the criteria set out by the Venice Commission.

910 Proposition 3(o).

There was a recorded vote.

The Bailiff: Proposition 3(p). We will need a separate vote on 3(p), which is that:

A registration process based upon paragraphs 10.6 to 10.12 should be created for political parties who wish to endorse one or more of their members for candidacy in the 2020 General Election.

Proposition 3(o)

Carried – Pour 38, Contre 2, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Tindall	None	None
Alderney Rep. Snowdon	Deputy Lowe		
Deputy Ferbrache			
Deputy Kuttelwascher			
Deputy Brehaut			
Deputy Tooley			
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

The Bailiff: Just before that, the voting on (o) was 38 in favour, with 2 against. Again, that is carried by more than the two-thirds majority.

So you are now voting on 3(p).

There was a recorded vote.

915 **The Bailiff:** Proposition 3(q). Did anybody require a separate vote on 3(q)? No. In that case we will deal with that at the end when we deal with everything else.

Proposition 3(p)

Carried – Pour 38, Contre 2, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Tindall	None	None
Alderney Rep. Snowdon	Deputy Lowe		
Deputy Ferbrache			
Deputy Kuttelwascher			
Deputy Brehaut			
Deputy Tooley			
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

The Bailiff: The voting on 3(p) was 38 in favour with 2 against. So again that has been carried by more than two-thirds majority.

920 Next we have 3(q)(a), which I just remind Members was the Proposition inserted by the successful Deputy Inder/Deputy Merrett amendment directing:

... the [SACC] – as part of its next policy letter – to propose a maximum expenditure limit for political parties.

I will not read out the whole amendment but you will remember what it was about. That does not involve the Reform Law because it is only directing SACC to bring back a further policy letter. We can go *aux voix*. Those in favour; those against.

Members voted Pour.

925 **The Bailiff:** I declare (q)(a) carried.

Proposition (r). There has been a request for a separate vote on (r), which is that:

The rules relating to donations/loans to candidates and parties should be based upon the recommendations in paragraphs 10.23-33.

A vote now on 3(r).

There was a recorded vote.

930 **The Bailiff:** That brings us to 3(s) which is the rules relating to postal votes, that they be amended. That is dealt with by ordinance. Postal votes are dealt with by ordinance, not under the Reform Law so we can go *aux voix* with Proposition 3(s). Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Proposition 3(r)

Carried, but not by two-thirds majority – Pour 24, Contre 16, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Tindall	None	None
Alderney Rep. Snowdon	Deputy Brehaut		
Deputy Ferbrache	Deputy Tooley		
Deputy Kuttelwascher	Deputy Gollop		
Deputy Parkinson	Deputy Le Clerc		
Deputy Lester Queripel	Deputy Mooney		
Deputy Leadbeater	Deputy Trott		
Deputy Merrett	Deputy Le Pelley		
Deputy Meerveld	Deputy St Pier		
Deputy Fallaize	Deputy Stephens		
Deputy Inder	Deputy Lowe		
Deputy Laurie Queripel	Deputy Smithies		
Deputy Hansmann Rouxel	Deputy Brouard		
Deputy Graham	Deputy de Lisle		
Deputy Green	Deputy Langlois		
Deputy Paint	Deputy de Sausmarez		
Deputy Dorey			
Deputy Le Tocq			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy Soulsby			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

935 **The Bailiff:** The voting on 3(r) was 24 in favour and 16 against. So 24 in favour. Somebody has written here lost; it is carried but not by two-thirds majority. So 24 in favour, 16 against has a majority but it is not a two-thirds majority. So under the provisions of the Reform Law that will not deem to have been carried before the expiration of seven days from today and seven Members could make application in writing in the meantime to bring that back before the States.

940 We have dealt with (s), (t), (u), (v), (w). I do not think anybody has requested a separate vote on any of (t), (u), (v) or (w) so we can deal with those at the end when we take everything else. Proposition (x) is to be a separate vote, that is that:

Relevant arrangements should be put in place to enable an electronic vote count ...

Actually I am not sure. Sorry, (x) is by ordinance, it is not Reform Law that:

Relevant arrangements should be put in place to enable an electronic vote count and a manual vote count, if required.

That does not engage the Reform Law.

945 **Deputy Brehaut:** Could I just have some guidance here, sir? Can a candidate request a manual count or is it perceived as a failing with equipment there – a manual count? Can I as a candidate request a manual count?

950 **The Bailiff:** Well, I think that will be dealt with, that would be a detail for the arrangements to be made, is it not? So I do not think that is being decided today. That will come back because remember this policy letter is really about getting the substantive legislation in place, not the detail. So (x) would be dealt with by way of ordinance, so we can go *aux voix*. Those in favour; those against.

Members voted Pour.

955 **The Bailiff:** I declare it carried.
Proposition (y). I think Deputy Gollop requested a separate vote on (y), which is that:

Following a recount (or if no eligible candidate requests a recount within the permitted period) a tied election should be broken by drawing lots using a method decided by the Returning Officer.

Proposition 3(y).

There was a recorded vote.

Proposition 3(y)

Carried – Pour 33, Contre 7, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Gollop	None	None
Alderney Rep. Snowdon	Deputy Lester Queripel		
Deputy Ferbrache	Deputy Leadbeater		
Deputy Kuttelwascher	Deputy Mooney		
Deputy Tindall	Deputy Green		
Deputy Brehaut	Deputy de Lisle		
Deputy Tooley	Deputy Oliver		
Deputy Parkinson			
Deputy Le Clerc			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			

The Bailiff: Well that was (y); (z) is that:

A by-election should be triggered when the casual vacancies in the office of Deputy reaches two vacancies.

There has been a request for a recorded vote on that but just before we call it, the voting on 3(y) was 33 in favour, with 7 against. So (y) has been carried by more than the two-thirds majority.
 960 But you are voting now on (z) the by-election ...

Deputy Fallaize: Before we vote can you just clarify, I know there has been a request for a recorded vote but, is this a Reform law issue as well?

965 **The Bailiff:** I was advised by H.M. Procureur that it is a Reform Law. *(Interjections)* So 3(z).

There was a recorded vote.

The Bailiff: That was (z). Next we have (aa), that:

Arrangements should put in place to enable international observers to be invited to participate in an election observation exercise.

Again that is a Reform Law matter.

Proposition 3(z)

Not Carried – Pour 13, Contre 27, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Tindall	None	None
Alderney Rep. Snowdon	Deputy Tooley		
Deputy Ferbrache	Deputy Gollop		
Deputy Kuttelwascher	Deputy Parkinson		
Deputy Brehaut	Deputy Lester Queripel		
Deputy Mooney	Deputy Le Clerc		
Deputy Meerveld	Deputy Leadbeater		
Deputy Inder	Deputy Trott		
Deputy Paint	Deputy Le Pelley		
Deputy Le Tocq	Deputy Merrett		
Deputy Yerby	Deputy St Pier		
Deputy Roffey	Deputy Stephens		
Deputy Prow	Deputy Fallaize		
	Deputy Lowe		
	Deputy Laurie Queripel		
	Deputy Smithies		
	Deputy Hansmann Rouxel		
	Deputy Graham		
	Deputy Green		
	Deputy Dorey		
	Deputy Brouard		
	Deputy Dudley-Owen		
	Deputy de Lisle		
	Deputy Langlois		
	Deputy Soulsby		
	Deputy de Sausmarez		
	Deputy Oliver		

970 **The Bailiff:** Just announcing the voting on 3(z), there were 13 in favour, with 27 against. So that has been lost.

You are voting now on (aa), international observers.

There was a recorded vote.

Proposition 3(aa)

Carried – Pour 39, Contre 1, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Smithies	None	None
Alderney Rep. Snowdon			
Deputy Ferbrache			
Deputy Kuttelwascher			
Deputy Tindall			
Deputy Brehaut			
Deputy Tooley			
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

The Bailiff: Well that was (aa) and the voting on that was 39 in favour, with only 1 against. That was carried by more than the two-thirds majority.

975 Proposition (bb), which is the date of States' meetings. I just remind you that has been amended twice as a result of the two successful amendments, yet does not involve the Reform Law so we can go *aux voix* on (bb). Those in favour; those against.

Members voted Pour.

The Bailiff: I declare that carried.

980 We now just need to deal with all the other Propositions that we have not had separate votes on. So this is everything else which I believe is 3(d), (e), (f), (g), (h), (i), (j), (m), (q), (t), (u), (v), (w) and Proposition 4 and any others that I have missed, but everything that we have not already voted on and this needs to be in a recorded vote because again some of these engage the Reform Law. So we are dealing with all the other Propositions.

There was a recorded vote.

All other Propositions

Carried – Pour 40, Contre 0, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	None	None	None
Alderney Rep. Snowdon			
Deputy Ferbrache			
Deputy Kuttelwascher			
Deputy Tindall			
Deputy Brehaut			
Deputy Tooley			
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Trott			
Deputy Le Pelley			
Deputy Merrett			
Deputy St Pier			
Deputy Stephens			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Smithies			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Le Tocq			
Deputy Brouard			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			

The Bailiff: The voting on all of those Propositions was 40 in favour with no one against and no abstentions. They were all carried unanimously.

985 So that concludes the debate and voting on that Article and we move on ... Well, I included Proposition 4 with those but if – Yes, now I said Proposition 4 was included. Yes, so we have voted on Proposition 4.

So we move on, Greffier, to the next Article.

COMMITTEE FOR HOME AFFAIRS

**III. Preparation for a New Electoral Roll –
Propositions carried as amended**

Article III.

The States are asked to decide:

Whether, after consideration of the Policy Letter dated 11th March 2019 of the Committee for Home Affairs they are of the opinion:

1. To approve the compilation of a new Electoral Roll for the 2020 General Election of People's Deputies.

2. To direct the drafting of legislation to provide for:

(i) the creation of the new Electoral Roll in Proposition 1;

(ii) the validity of the current Electoral Roll to cease at 23:59 hours on 30th November 2019; and

(iii) the closure of the new Electoral Roll between 30th April 2020 and the date of the Election.

3. To direct the Policy & Resources Committee to use its delegated authority to transfer funding of a maximum of £236,000 from the Budget Reserve to the 2019 revenue expenditure budget for the Committee for Home Affairs to fund the 2019 costs associated with compiling the new Electoral Roll and managing the election process.

4. To direct the Policy & Resources Committee to recommend a 2020 Cash Limit for the Committee for Home Affairs that includes a specific additional allowance of £144,000, to fund the 2020 costs associated with compiling the new Electoral Roll and managing the election process.

990

The Senior Deputy Greffier: Article III, Committee for Home Affairs – Preparation for a New Electoral Roll.

The Bailiff: Deputy Lowe will open debate.

995

Deputy Lowe: Thank you, sir.

I am pleased to present to the States' Assembly the policy letter entitled Preparation for a New Electoral Roll on behalf of the Committee for Home Affairs.

1000 We have now considered the States' Assembly & Constitution Committee policy letter on the 2020 Election and a key objective of the Committee in supporting a successful General Election is to encourage a high percentage of those eligible to vote to register on the Electoral Roll. The current Electoral Roll was compiled ahead of the 2016 General Election with the main enrolment campaign running from September 2015 to February 2016. The base data contained within the Roll will therefore be nearly five years out of date by the time of the 2020 General Election.

1005 The Committee is proposing the creation of a new Electoral Roll ahead of the 2020 Election, as was done in preparation for both the 2012 and 2016 General Elections.

1010 The Committee is aware of the extant Resolution of Billet XVI of 2015 directing it to consider measures that would facilitate the electronic distribution of manifestos. While the Committee recognises there is ever increasing preference for electronic distribution of information the Committee is alert to the concerns about sharing email addresses even with the consent of those Islanders due to the potential for a significant data protection risk if used inappropriately, whether by accident or intent.

1015 The Committee also recognises that while it is important to make more and more of the election information available online this should be seen as an additional offering over and above the traditional communication. Many of us now rely on iPads and smartphones but equally many in our community do not.

The Committee will continue to work with colleagues in Data Protection and the States' Assembly & Constitution Committee to ensure that we do as much as possible to ensure that Islanders know how to be on the Electoral Roll and also to engage with candidates.

1020 An automated Electoral Roll was one of the Propositions set out in the 2013 policy letter presented by the then Policy Council on the rolling electronic census project. The Committee understands that the forthcoming register of contact details which could be in place sometime next year will provide the data required to generate a list of people eligible to vote and can thereby form the basis for future Electoral Rolls. Given the timelines for the drafting and
1025 implementation of new primary legislation plus the design and testing the system to support delivery, it was simply not possible to pursue the option of an automated Electoral Roll for the 2020 Election.

1030 Compiling an Electoral Roll using information held in the register of contact details will negate the need for the public to re-register for each election and will reduce the associated costs. The Committee is therefore fully supportive of this being actively progressed for future elections, but as with all such things there will undoubtedly be technicalities, both legal and practical, which will have to be addressed. When considering both new ways to compile the Electoral Roll and new technologies which may support the digital delivery of future elections as a States, we need to take a low risk and cautious approach. I can guarantee that no one will thank us if the new and
1035 untried systems all go wrong such that the Election is called into question.

1040 While on the matter of IT, the Committee is aware that the Future Digital Services Programme may be able to provide an alternative to the existing Electoral Roll data base system which has been used for the last three elections and the referendum. The current system has proved most reliable but we recognise that as we move toward the prospect of auto enrolment in future years systems will have to change and a more centralised corporate solution is probably needed.

I can add that when I met Agilisys the requirement to have an automated Electoral Roll was part of the discussions and how important this work was to the States of Guernsey.

1045 The Committee will therefore be working with the Policy & Resources Committee to explore further the scope for the FDS solution for the Electoral Roll but will be taking a prudent approach before committing to an as yet undeveloped and untested solution which we will need to start populating in a few months' time.

In summary, sir, the purposes of this policy letter is to seek the States' approval for the creation of a new Electoral Roll for the 2020 General Election and for funding work on the Election 2020 project team to make it happen.

1050 On behalf of the Committee *for* Home Affairs I therefore ask Members to support the Propositions.

Thank you, sir.

1055 **The Bailiff:** Members will be aware two amendments have been circulated: one proposed by Deputy Dorey, seconded by Deputy Green; and the other proposed by Deputy Le Tocq, seconded by Deputy Brouard.

What I think we have agreed is that Deputy Dorey will open on his amendment first then Deputy Le Tocq will open. We will have debate on both together and then vote on Deputy Dorey's amendment and then on Deputy Le Tocq's amendment.

1060 So Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.
Can the amendment be read please?

1065 **The Bailiff:** Yes.

The Senior Deputy Greffier read out the amendment.

The Bailiff: Deputy Dorey.

Amendment:

To insert the following Propositions after Proposition 4:

"5. To direct the Policy & Resources Committee when delivering Phase 2 of the Rolling Electronic Census Project (as approved by the States on 26th March 20131) to ensure that:

(i) there is included in its functionality, the capacity for automated generation of a list of persons eligible to vote; and

(i) any relevant legislation is submitted to the States for approval,

in accordance with a time-scale which will enable use of the capacity for automated generation of such a list for the purposes of the 2024 general election and all elections thereafter.

6. To direct the Committee for Home Affairs to take such measures as may be necessary to enable elections to take place on the basis of an Electoral Roll compiled from an automatically generated list of persons eligible to vote, as soon as possible following delivery of Phase 2 of the Rolling Electronic Census Project in accordance with Proposition 5".

Deputy Dorey: Thank you.

1070 I have been a critic of the expensive bureaucratic system of having to register to vote before a General Election since I joined the States in 2002. We should have always had a system in which people do not have to keep re-registering, like most other countries, prior to each election and peoples' data is kept up to date so we avoid the problems that we had in 2008.

1075 In that year was the one election where people did not have to register and the 2004 Electoral Roll was used, but the data had not been satisfactorily updated and a significant part of it was not correct. For example, people had moved house or left the Island and there were many other reasons which caused problems campaigning and voting in the Election.

1080 The electronic census is the answer to the problem of not requiring people to re-register for each election but still ensuring the data is up to date. As referred to in this policy letter in the 2013 States' report on the electronic census, part two was deliver the wider benefits which could include an automatic generation of electoral roll. Six years later and there is no progress and there is an open commitment with no date as it is now and it will be if the Le Tocq amendment is passed or this amendment is not passed.

1085 In 2014 when the States debated the Electoral Roll for the 2016 Election I asked about the automatic generation of the electoral roll and the reply was that hopefully in future the census would maintain the data to create the Electoral Roll. So I am disappointed that four and a half years later no progress has been made and that we will be asking people to yet again register for the 2020 Election.

1090 There are 31,869 people on the Electoral Roll and just over 52,000 people who are 16 and over, so let's assume that say 3,000 people would not meet the residency test, so that means that only 65% of the people who could be on the Electoral Roll are actually registered on the Electoral Roll. I do not think that is acceptable for a mature democracy. We need a system that will enable us to have a far greater percentage of the population on the Electoral Roll i.e. automatic enrolment.

1095 The current system results, in my view, in a poor outcome with so few on the Electoral Roll and it is also expensive. In 2014 the budget was £150,000 including pay costs. In this report the budget is £120,000 excluding pay costs for this re-registering on the Electoral Roll.

I think it is necessary for this Assembly to give a clear direction for the 2024 Election that the software is developed and the necessary Law changes are made in order to achieve an automatic enrolment for the 2024 Election and the States is seen to be making real progress on e-government.

1100 If we do not have a date as is now, and in the Le Tocq amendment, I have no doubt we will be in the same position as we were in 2013. If when more work is done it turns out to be such a significant project or that it is so expensive that it is not possible to achieve for the 2024 Election

the then P&R could come back to the Assembly and explain why, but I think it needs a direction now to ensure it happens.

1105 I believe that if this Assembly does not set a date for the project completion it will send out a message that the project is not important and therefore the changes will not be achieved and there is a far greater chance of that happening, of those changes not being achieved.

So I ask Members to support this amendment. It is no longer acceptable to expect our population to keep re-registering. There must be a clear Resolution of the Assembly so that the necessary resources are prioritised so there will be no excuses in four years' time.

1110 So I ask you to please support this amendment.

Thank you.

The Bailiff: Deputy Green, do you second the amendment?

1115

Deputy Green: I do, sir, yes.

The Bailiff: Deputy Le Tocq. The second amendment.

1120 **Deputy Le Tocq:** Thank you, sir.

The amendment – I do not think there is any need for it to be read out because Deputy Dorey has alluded to this amendment and explained that the main difference is the issue of timeframe and funding.

1125 Sir, I think Deputy Brouard and myself laying this amendment on behalf of Policy & Resources Committee feel as frustrated as Deputy Dorey that we will not be able to go into the 2020 Election with an electronic roll, but nevertheless it would have been irresponsible for us as P&R because of where we are in the current process of the Future Digital Services project to let this amendment go through without there being proper recognition of timeframe and costing. That is after all what we are mandated to do.

1130 Just where we are in the current position it is not possible for us to put a figure on that, and therefore this amendment simply ensures that this Assembly reaffirms its commitment to do so, but in order to be certain that we want to do that in the timeframe and at a cost that is appropriate at that time, and I do not think, sir, it will be very long before we can do that but we are not able to do that today.

1135 So this amendment, sir, quite simply as the explanatory note states and as the President for Home Affairs alluded to in her opening speech is a prudent amendment to ensure that we go forward without doing so blindly.

1140 So, sir, I ask people to support this amendment and not Deputy Dorey's amendment which would be to move forward in a blind way, and as he alluded so, would require P&R to come back in an inappropriate way to this Assembly if things do not work out as we intend them to do so.

The Bailiff: Deputy Brouard, do you second the amendment?

Deputy Brouard: I do, sir.

1145

The Bailiff: Deputy Lowe, do you wish to speak at this point?

Deputy Lowe: Not at this stage, thank you, sir.

1150 **The Bailiff:** Does anybody wish to speak?

Deputy Gollop.

Deputy Gollop: Yes, sir.

1155 I am like parties, I support both of the amendments in a way, but I think the Dorey/Green amendment is the superior of the two because I think it comes from more of a focussed parliamentary scrutiny rather than government type of basis.

I missed the latest of the IT presentations, I hope to catch up on that, but it is a little bit depressing perhaps to hear from senior figures on Policy & Resources that they cannot guarantee the realistic possibility of a rolling electronic roll being fit for purpose in the space of what amounts to nearly five years.

1160 Because we are talking about millions of pounds; we are talking about transformation; we are talking about a digital revolution; we are talking about being on the leading edge as an Island and community in terms of an ageing technology. We do need I think to deliver more on this and there has been an unsatisfactory gap.

1165 I was always a little bit of a sceptic of the rolling electronic census. I wanted to go on with the old paper census at least for a while to come and perhaps my scepticism has been justified by the failure of it to result in instant satisfaction from an Electoral Roll point of view.

1170 Deputy Kuttelwascher amongst others has said that our rolling electronic census is actually a major potential asset and export from the Island. That may be the case but if we can demonstrate that it really is ground-breaking in its implications we need to test-bed it on practical projects and one of my frustrations is data protection has been seen as an argument not to do things rather than to do things.

1175 I think Deputy Dorey's main point, which was backed up by conversations I had later yesterday with different people, is a very valid one because he is going beyond the mechanism of people looking their names up on the Roll and filling out forms and all this old fashioned head of household and all that kind of thing to a bigger vision. It is about the democratic deficit because we are seeing in the UK and other places an element of significantly increased interest in politics, larger turnouts than we saw in the period after the millennium, more people voting in diverse referenda and contests. But here although we have seen a slight uptake from 18,000 a few years ago to 21,000 votes today, it is less than 50% of the maybe 51,000-52,000 adults who are on the Island and presumably pay for the most part tax and Social Security and register motor vehicles and do all kind of other things, they have a data personality, they have a human personality, they have a digital imprint on the Island, and yet they are not on the Electoral Roll and that is disproportionately true of younger people and people perhaps who are not necessarily the wealthiest in our society.

1180 We need to sort this out now and we cannot do it for 2020, we know that, but we can try everything we can; and on the wider question I would point out I remember a previous Home Affairs Home Department Minister had a sort of innovative but expensive advertising campaign where you were zipping up your mouth and so on. I think that was for 2012 but the cost per voter was actually higher if you worked it out than giving each elector £5 to come in the door and actually vote.

1185 We do have a problem in motivating our electorate and as the digital age is becoming more and more significant and most people have smart phones and apps and all those kinds of things, we have just got to modernise and grasp the nettle and go for the Dorey/Green approach today.

1195 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, sir.

1200 I totally agree with the thrust from the Deputy Green and Deputy Dorey's amendment. But the prize here of the Future Digital Services is not that it will give us the Electoral Roll; that is just one of the spin-offs from it, and what I do not want us to do today is compromise our future digital services by going into it. We have just started. We heard about the contract just last week – for us to then make the whole mission to be making sure that we get the Electoral Roll sorted as the element before 2024.

1205 What we need to get is get the States' services set up on the new digital platform and one of the spin-offs will be that we will have the ability in the future to have an electronic census and the Electoral Roll. So please do not compromise the bigger picture with this one narrow element which will then constrain us as we go forward with our plans.

1210 Of course if we are able to deliver the electronic roll in 2024 we will absolutely, and it may well turn out when we start lifting the bonnet on our IT that it can be done quite easily, but on the other hand it may be one of the last pieces of the jigsaw that we want to put in.

1215 Therefore I implore the States let us have the freedom to put in that big major platform first. Get that in place for all our records. This is the thing where people have a change of address and they have about 19 different touch points with the States, that is the big prize to get, not in the small detail of the Electoral Roll. That is one of the spin-offs we get but do not make it the major reason why we are doing our digital transformation.

So the thrust of the amendment from Messrs Dorey and Green is absolutely spot on. If we can do it we obviously will but on day two of starting on our digital journey do not put that straitjacket around the whole system.

1220 Thank you very much.

The Bailiff: Deputy Roffey.

1225 **Deputy Roffey:** I think this has got less to do with day two of our digital transformation and more to do with several years in for the electronic census. If the electronic census cannot generate this sort of information after a number of years, and we are talking about another five years forward, then I think we really are in trouble.

1230 I support the Dorey/Green amendment for both the reason Deputy Dorey said, that I think it is absurdly expensive and bureaucratic to be doing this exercise every time; and to some extent for the reason that Deputy Gollop said, I think our present system breeds complacency. On election night we hear it is 67% turnout here, and 69% over there. I mean they are probably going to see a robust healthy democracy in Guernsey, the real figures are somewhere in the 30s and, yes, they have improved slightly, it used to be even worse, so I do not want to overegg this cake but we should still be compared with other communities apart from Jersey who I think are even worse. I think we should be deeply worried about that level of engagement. So I would like that transparency.

1240 The one point I would raise though for whoever is going to take this work forward is just an hour or two ago we passed a Proposition to ensure that people who did not want to be visible on the Electoral Roll could request to the Registrar-General that their name should not appear. Now that will be slightly more problematic if we have an automatically generated Electoral Roll because when you are putting yourself on you know you are putting yourself on and if you are worried about being visible you can put forward your reasons for not doing that. It may not even occur to you if it is being generated automatically by the e-census and therefore I am sure that will be able to be overcome, but I think it is something that needs to be thought through when this work goes forward.

1245 But I think there sometimes comes a time when unrealistic timescales are always dangerous and can lead to bad outcomes, but also sometimes you just roll forward for years and years and years and you just have to say as an Assembly enough is enough, give us a few more years to do this but do it by then or come back and say it cannot be done, in which case we will forget about it all. But let's not have this bleak house going on and on and on. Is that the one with the –? (Interjection) Yes, okay, because I think now it is the time to actually put down a marker.

The Bailiff: Anyone else? No.
Deputy Lowe?

1255

Deputy Lowe: This is on the Dorey amendment, is it?

The Bailiff: Do you want to speak on both?

Deputy Lowe: I can speak on both because –

1260

The Bailiff: Then maybe I will give Deputy Le Tocq a chance just to speak on the Dorey amendment before you reply.

Deputy Lowe: There is very little difference.

1265

Yes, thank you, sir.

I agree with Deputy Dorey, I mean for all the sentiments expressed in his speech, because we have heard this before about how we are going to get an automated roll. I think it is unacceptable delay. I know our Committee have also been chasing, but with the IT system that we have got I think it speaks for itself really, and repairs are taking place and we are now going to hopefully appoint the Agilisys to take it forward for us.

1270

So there is not a date but as my opening speech said when I met with Agilisys, with the Chief Information Officer, it was made very clear that this was part of work that we needed to be happening in time for the 2024 Election, not as a distraction to other work but it was important. It would be completed by 2024, covering the point that Deputy Brouard said in his speech, and they made it very clear to us that that could happen alongside and it was achievable. So there is no reason why there would be unacceptable delays.

1275

In my opinion, speaking with the people who if the States approve them in June that they will be able to do that, so again I do not see it as going forward blind, the expression that was used, because I sat in the room with them and I was very comforted with the conviction that they gave to me and to the staff, that they would be able to do that.

1280

So again if there was a problem, I mean even when we have sort of got dates in place or have not got dates in place we just come back to the States and say there is a problem, but I am pretty hopeful there will not be.

So for the Deputy Dorey amendment, I certainly support the Deputy Dorey amendment and urge the States to do so because we were given that assurance, and we have said enough times it will go ahead. We are spending £200 million on this company over 10 years and if they are saying that they can do it I think we should be going ahead with it as the amendment by Deputy Dorey.

1285

I am not going down the trenches for either amendment, it will be down to the States which one they want to support, but the P&R amendment we did not actually have, we only had the email yesterday morning whilst we were in the States and a copy of that amendment then, so we have not been able to discuss it at a committee meeting because we did not actually receive it, whereas Deputy Dorey was kind enough to send it to us in all good time.

1290

But as I say, they are very similar, these amendments, and so whichever the States decide we are committed to ensuring that there will be an automated roll and we are also delighted that Agilisys are also committed to assisting us in that process.

1295

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

Deputy Le Tocq: Thank you. If I just spend a few minutes ...

1300

If the Assembly chooses to support the Dorey/Green amendment as opposed to the one laid by myself and Deputy Brouard it will not in any way guarantee, or help, or ensure that the 2024 Election is done through an electronic roll; that is not going to help to do that. What might help is that after the 2020 Election whoever is in Deputy St Pier's shoes, or my shoes, makes a statement based on the evidence then to say exactly what it is going to cost and what the implications are with regard to the project then.

1305

So, sir, that will be possible and I give as best I can an assurance that that would be what we would do anyway, but if the Assembly chooses to support the Dorey/Green amendment it should

not be rest assured that as a result of that the 2024 Election will happen in the way that is intended by that amendment.

1310 So, sir, I personally cannot support it and neither can the Committee.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you.

1315 Deputy Le Tocq said in his first speech that he was frustrated, well I am equally frustrated because this has just been outstanding for far too long, it is not acceptable.

P&R need to know what the will of the Assembly is, the fact that this needs to be prioritised, and that is the point of this amendment. I could have just not put an amendment and let the process carry on but it has been frustrated for too long, P&R need to clearly know what the view
1320 of the Assembly is and that is what this amendment is designed for.

P&R have delegated responsibility to approve capital projects up to £2 million so they have under already the Rules that the Assembly have given to them to approve projects.

Deputy Gollop, thank you for your support. As you said, it is the superior of the two and it is all to do with the bigger vision and the democratic deficit and it needs to be sorted out and it needs
1325 to be sorted out now, it is just unacceptable that we have so few people on the Electoral Roll compared to most other countries in this world.

Deputy Brouard said it could be one of the spin-offs. Well, it is meant to be one of the spin-offs of the electronic census which is, as Deputy Roffey said, that was the whole point that people voted for the electronic census, that is what it was sold to the Assembly for in 2013. It was not just
1330 electronic census, it was the ability to have the automated generation of the Electoral Roll. It is not just a narrow part of the project, it is a fundamental improvement in our democracy by ensuring that we have the population on the Electoral Roll.

He talked about day two of the digital journey, well it is six years into the journey of the electronic census and we need to do take some action now.

1335 Deputy Roffey spoke about – and I thank him for his support – obviously the problems with people who do not want to be seen on the Electoral Roll. Obviously that will have to be covered. As he said, enough is enough. This just cannot keep going on and on. What this Assembly needs is to give a clear direction.

I thank Deputy Lowe for her support and we need to make sure that this is put in place for
1340 2024. As Deputy Le Tocq said, any States' Resolution is no guarantee that something is going to happen but what this is designed for is to give a clear direction, a clear view of the Assembly that this is what they want and then the work would have to be prioritised along those lines, and if it cannot be done they will have to come back to the Assembly and explain why.

1345 The evidence to date is that it has not happened and without a direction from the States and a date included – and that is the fundamental difference of this amendment to Deputy Le Tocq's, it has got a date in it – then I do not believe it will happen. So I ask you to support this amendment.

Thank you.

The Bailiff: Deputy Fallaize.

1350 **Deputy Fallaize:** Sir, before we vote can I ask whether in the event that this amendment is successful you are going to put the Le Tocq/Brouard amendment to the vote? Because I would rather amend the Propositions with one or the other amendment, but I think I prefer the Deputy Le Tocq amendment, and therefore I want to vote for both of them.

1355 **The Bailiff:** I had viewed the Deputy Dorey amendment as going further and in accordance with the sort of customary practice that if there is an amendment that goes further we vote on that first and if that carries you then do not put the amendment that goes less far. So I was

intending not to put the Deputy Le Tocq amendment to the vote if the Deputy Dorey one carries.
 (Interjections)

1360

I know that we have had this discussion before. I know Deputy Fallaize does not agree with that way of approaching it, but that is the traditional way that things have been dealt with in this Assembly.

1365

So we will vote on the Deputy Dorey amendment. The amendment proposed by Deputy Dorey, seconded by Deputy Green. Those in favour – Oh, a recorded vote.

There was a recorded vote.

Carried – Pour 32, Contre 8, Ne vote pas 0, Absent 0

POUR	CONTRE	NE VOTE PAS	ABSENT
Alderney Rep. Roberts	Deputy Ferbrache	None	None
Alderney Rep. Snowdon	Deputy Trott		
Deputy Kuttelwascher	Deputy St Pier		
Deputy Tindall	Deputy Stephens		
Deputy Brehaut	Deputy Smithies		
Deputy Tooley	Deputy Le Tocq		
Deputy Gollop	Deputy Brouard		
Deputy Parkinson	Deputy Prow		
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Mooney			
Deputy Le Pelley			
Deputy Merrett			
Deputy Meerveld			
Deputy Fallaize			
Deputy Inder			
Deputy Lowe			
Deputy Laurie Queripel			
Deputy Hansmann Rouxel			
Deputy Graham			
Deputy Green			
Deputy Paint			
Deputy Dorey			
Deputy Dudley-Owen			
Deputy Yerby			
Deputy de Lisle			
Deputy Langlois			
Deputy Soulsby			
Deputy de Sausmarez			
Deputy Roffey			
Deputy Oliver			

The Bailiff: Well, the voting on the Deputy Dorey/Deputy Green amendment was 32 in favour with 8 against. I declare that carried. And despite Deputy Fallaize’s wish I will not be putting the other amendment to the vote.

Is there any request to speak in general debate? No?

1370

We can go straight to the vote then on the Propositions as amended, unless you wish to reply Deputy –?

Deputy Lowe: No, thank you, sir.

1375

The Bailiff: No. Go straight to the vote on the Propositions as amended. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare them carried.

POLICY & RESOURCES COMMITTEE

**IV. Review of Strategic Air and Sea Links Infrastructure –
Debate commenced**

Article IV.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Review of strategic air and sea links infrastructure' dated 12 March 2019 they are of the opinion:

1 (a) To agree that no further work is carried out to assess the business case for extending the airport runway outside its current boundaries given the other options available for meeting Guernsey's air links objectives including the work of the States' Trading Supervisory Board investigation to examine the possibility of commissioning 107 metres of starter strip/paved runway end safety area ("RESA") to increase the current available runway length from 1463 metres to 1570 for take-off and landing on RW09 and landing on RW27;

or

1 (b) To direct the Policy & Resources Committee to open a capital vote of up to £700,000 to commission further work on the technical, regulatory, environmental and economic business case for the extension of the airport runway beyond the current boundaries to 1,700-1,800m, as set out in paragraph 1.6 of this policy letter.

2 To endorse the Policy & Resources Committee using its delegated authority to approve funding of up to £400,000 charged to the Capital Reserve to commission and undertake work on contingency options relating to the Island's sea links, as set out in paragraph 7.20 of this policy letter.

1380 **The Senior Deputy Greffier:** Article IV, Policy & Resources Committee – Review of Strategic Air and Sea Links Infrastructure.

The Bailiff: Debate will be opened by the Vice-President of Policy & Resources Committee, Deputy Trott.

1385 **Deputy Trott:** Thank you, sir.

Air and sea links connectivity is recognised as an area of focus in the Policy & Resource Plan agreed by this Assembly. But that area of focus is about so much more than the ownership of Condor Ltd or the length of the Airport runway. To attempt to describe a complex set of issues simply in that way is to pretend to our community that the answers are simple. They are not.

1390 During this term significant steps have been taken to protect and enhance our Island's connectivity. There are decisions that have been taken by this Assembly or the Committees mandated to work on behalf of this Assembly, and during the term of this States a review of Aurigny was undertaken that set its objective clearly, it is to be an economic enabler.

1395 Now, sir, Aurigny has been recapitalised as a business and it has ordered new aircraft that make use of what has been called fog-busting technology. The aviation market has been liberalised with *quasi*-open skies now in place, although in fairness the only two routes to have benefited from open skies are Jersey and Southampton, and time will tell whether the two operators are sustainable. History would suggest that the answer will not be favourable.

1400 Investment into route development from the Future Guernsey Economic Fund established by the Policy & Resources Committee has enabled a pilot link to Heathrow Airport, albeit carrying a

significant per passenger per sector subsidy and we now have eight more routes in place than was the case last autumn.

1405 In terms of our air links, the States collectively has invested and we have protected our frequency of links and enhanced the connectivity of our links. In short, the view of the Policy & Resources Committee is that our air connectivity does not present a problem to which the answer is a 1,700 m runway that could cost tens of millions of pounds of taxpayers' money. In short, what is the problem we are trying to fix? We, the States, have addressed and are continuing to address our air connectivity.

1410 Conversely, however, little has been done to protect and enhance our lifeline sea links. **(A Member: Hear, hear.)** With our air links we have ultimate control of Aurigny and what an asset they are, with our sea links we have no control. We had no control in 2016 at the start of this term, and we have no control today.

With our air links, Aurigny, we own the priceless and frequent slots into Gatwick; with our sea links without an operating agreement in place we can exercise little, if any, control.

1415 With our air links we have introduced competition, an experiment that may produce greater frequency in choice for our community; with our sea links we effectively have a single commercial operator.

1420 Now, sir, Condor Ltd is a good business – one that employs many people in our community, has a long history in Guernsey, and invests in our community as well as in its service, but notwithstanding we are at its mercy as a single commercial operator and while we have a good working relationship with the current business, we do not know what the future will bring.

1425 The Policy & Resources Committee is under no illusion that transport connectivity is critical for the future economic and social wellbeing of the Island, but we are cognisant that a number of steps have been taken over the previous 15 months which have enhanced air links connectivity, catalysed by the review that we have undertaken.

However, in the long term is the duty of the Policy & Resources Committee to ensure contingency options in relation to sea links are assessed given the potential change of ownership of Condor Ltd.

1430 Sir, it is in relation to sea links where there is the greatest potential risk and it is in relation to sea links where urgent work is needed and investment may be required.

1435 The Committee commissioned PricewaterhouseCoopers (PwC) to undertake a study of air and sea links infrastructure during 2018. The study provides the level of analysis that the Committee had identified as being useful to its decision making and is grateful for the high quality of the work undertaken. The study is divided into two reviews: one of air links infrastructure and one of sea links infrastructure. Both of the reviews have been shared with the Committee *for* Economic Development, the Committee *for the* Environment & Infrastructure and the States' Trading Supervisory Board some months ago, and it is in the view of the Committee that the overall study is useful in a number of areas of transport connectivity policy development.

1440 The Policy & Resources Committee welcomes PwC's confirmation of the importance of the Island's sea links to its economic and social wellbeing. The report confirms that the great majority of ferry passengers, vehicles and freight transported between Guernsey, Jersey, the UK and France travel on services provided by Condor. Passenger and freight numbers to Guernsey are broadly flat and the picture is similar in Jersey. Taken in aggregate, available information indicates that Guernsey and Jersey have not experienced a consistent upward trend in passenger numbers and freight volumes over an extended period.

1445 PwC advocates that the Policy & Resources Committee ensures that this critical connectivity is protected from disruption in the long term through effective contingency planning in the event that the potential change of ownership of Condor Ltd leads to a reduction or loss of sea link services.

1450 Now PwC's review sets out that the best short-term approach is to negotiation with Condor Ltd and their owners, and this includes exploring with the current and any potential new owner of

Condor Ltd the potential for securing an ongoing commitment in order to ensure that the investment in Guernsey's long-term ferry service model provision is acceptable.

1455 Now the President of P&R and I have met with Condor Ltd's owners in relation to the former and the Committee *for* Economic Development has the mandate to undertake the latter which we understand that the current Committee *for* Economic Development is actively undertaking and I am sure we all look forward to an update from the President of the Committee *for* Economic Development on that work when presumably there is some progress to report.

1460 The P&R Committee agrees with PwC that it is vital that Guernsey is prepared for any issue or eventuality in relation to its lifeline sea links.

1465 That said, sir, the Committee believes that only two of the four contingency options considered by PwC merit further analysis at this stage. The first is assessing the capacity and appetite of other ferry operators to operate a ferry service to Guernsey should Condor not be in a position to provide the required services in the future, and secondly, examining the cost and feasibility of establishing a stand-alone ferry service should it be required in the future. This will ensure that the States is prepared for any eventuality as the sale process of Condor Ltd progresses.

1470 Now whilst those two contingency options would not mitigate any short-term risk, it may be that the further work undertaken on assessing the capability and capacity of other ferry operators to operate a service demonstrates that there is not sufficient capability or capacity even in the event that it is required. On that basis the only other option would be for the States of Guernsey to establish a stand-alone service. Now this would be a complex and medium-term process, so in the event that it could be required in the future it would be essential for further initial preparatory ground work to be undertaken.

1475 Sir, P&R is not suggesting that either contingency option is preferred or for that matter a likely option but it does note PwC's view that contingency planning in this area is important just as it is on other significant matters of public service delivery, and that is why the Policy & Resources Committee is seeking the States of Deliberation's support to use its delegated authority to spend up to £400,000 on that work which is what the most recent tendering exercise indicated that it might cost.

1480 So, sir, let me reiterate so that no one is in any doubt of what my Committee's view is. It is in relation to sea links where there is the greatest potential risk, and it is in relation to sea links where urgent work is needed and investment may be required.

1485 Now much of our work on Brexit has also been on contingency options. There was not much point holding off any of that work until after the UK had left the European Union; similarly there is not much point waiting for an issue or an outcome in relation to our sea links before undertaking that contingency work, and we need to further this work immediately and with the Assembly's support today we will.

1490 Sir, P&R also supports much of the independent expert analysis provided by PwC in relation to air links infrastructure, namely: that enhancing Guernsey's air links in the short term is most likely to be achieved through market-based rather than infrastructure options, given any extension of the Guernsey runway outside of the current Airport boundaries is likely to take five years or more, that larger aircraft may lead to more affordable fares but would also lead to reduced frequency; that a significant number of carriers and fleets can use the existing Guernsey Airport runway infrastructure at the runway's current length with PwC estimating that there are currently around
1495 680 such aircraft in service in Western European with a further 50 currently on order but not yet in service; that an extension of the runway to 1,570 m would be within the current Airport boundaries and may provide additional connectivity; that the critical requirements for the economy are maintaining and enhancing frequency and connectivity and these are likely to be
1500 or through an increase in the number of point to point low cost carriers that can operate to and from Guernsey; that extending the Guernsey Airport runway to 1,700 m or 1,800 m may make it more accessible to some carriers on some routes but that does not mean that those carriers will want to come to Guernsey without additional potentially significant financial investment in route

1505 development support; that extending the runway to 2,000 m plus is unfeasible for financial and environmental reasons and should not be considered as a viable option; and crucially, fundamentally, that Guernsey has relatively good air connectivity and indeed that Guernsey's air connectivity has improved significantly since the study was commenced.

1510 There is, however, one area where the P&R Committee disagrees with PwC and this is in relation to PwC's recommendation of undertaking further work to explore the business case for the extension of the Guernsey Airport runway to 1,800 m. This is not because PwC's overall analysis is flawed but because the P&R Committee needs to take into account financial and environmental matters that PwC does not. P&R's view is that the States and the community will not in the final analysis support the financial and environmental cost of extending the Airport runway beyond its current boundaries. This would also lead to further capital expenditure and
1515 additional fixed costs associated with operating an Airport scaled to service aircraft with a significantly larger payload.

Sir, the P&R Committee cannot recommend using taxpayers' money on a piece of work to explore a project that it strongly believes will not be progressed. Sir, it is on this point that the approach of P&R differs from some of the other parties in Guernsey who disagree with that view.
1520 But we have decided to make our position clear and to offer this Assembly an either/or Proposition. What can be more democratic than that?

If the States disagrees with P&R and its assessment and approach set out in this policy letter Members can support Proposition 1(b). Sir, there has been no need for a dirty tricks campaign, democracy will prevail.

1525 The Committee has ascertained through a recent tender process that the initial work required to consider the technical, regulatory, environmental and economic aspects of extending the Airport runway beyond the current boundary to 1,700 m or 1,800 m would cost up to £700,000.

Now that is States' Members who think that an extension of the runway is needed in addition to all of the other measures we can take and are continuing to take to enhance our air connectivity can vote for that Proposition; but I would ask Members do not vote to spend
1530 £700,000 of taxpayers' money just to test the idea, only vote to spend £700,000 of taxpayers' money if you believe that a longer Airport runway will support our objectives in a way that other measures and steps cannot.

The P&R Committee has arrived at this position through assessing PwC's analysis of market-based options for enhancing Guernsey's air links connectivity and agrees with the identified benefit of being able to use these options to target investment, to create flexibility in meeting specific challenges and opportunities and to make expeditious improvements.
1535

These options are already being progressed and the investment in these options demonstrates the commitment across the States to invest in Guernsey's air links. For example, the Committee *for*
1540 Economic Development has used funding from the Future Guernsey Economic Fund with the support of the Committee to secure a pilot link from Guernsey to Heathrow from March to October 2019. The application by Guernsey Airport of a route development airport charges discount policy for new routes and the adoption by the States of the *quasi*-open skies approach from September 2018 has enabled the liberalisation of the licensing framework.

1545 The P&R Committee supports PwC's analysis of technology options and welcomes the utilisation of clear view technology by the newly ordered Aurigny fleet which was approved by this place in December 2018, despite a gentleman who recently submitted a Code of Conduct complaint against me disagreeing passionately with the decision of this Assembly and advising us accordingly.

1550 The Policy & Resources Committee's view is that the success so far of the market-based options and the use of a technology solution as part of the new Aurigny fleet further reduces the need for a runway extension to 1,800 m that would not take a minimum of five years to put in place and would not guarantee greater frequency or resilience.

1555 P&R welcomes the States' Trading Supervisory Board's work in response to Deputy Kuttelwascher's successful requête supported by the States in October 2018 to examine the

possibility of commissioning 107 m of starter strip/paved runway end safety areas, (RESAs), to increase the current available runway length from 1,463 m to 1,570 m for take-off and landing on runway 09 and for landing on runways 2-7. I should mention at this stage, sir, that I know both of these approaches well having undertaken them under my own steam nearly 400 times, and we at P&R support in principle the extension of the runway area in this way.

1560

Now Deputy Kuttelwascher has previously advised this Assembly that this proposed solution is not only possible and deliverable it is also efficient and cost effective. The Committee will view with interest the outcome of that work and the proposed next steps when the States' Trading Supervisory Board report back to the States of Deliberation anticipated to be in June 2019, June of this year.

1565

Now, sir, PwC was clear in its view that at the time of its review Guernsey was relatively well connected for an Island of our size and since the completion of that study new routes are being operated between Guernsey and Edinburgh, Glasgow, Liverpool, Southend, Bournemouth, Newquay, Groningen as well as Heathrow, and it is the clear view of the Policy & Resources Committee that Guernsey's connectivity is relatively speaking very good for a community of our size.

1570

Now crucially PwC reported that business travellers value connectivity and frequency highly. PwC are spot on in this regard. P&R strongly concurs with the view of PwC that connectivity and frequency are critical for business and the economy. Now one of the benefits of a runway extension extolled by those who support it is that it will bring in low cost carriers who will seek to reduce costs and larger carriers with larger planes who will fly in and out less frequently. This combination would be at odds with the stated requirements of the business community and the economy as set out in PwC's report. Low cost carriers will not automatically bring lower overall cost of fares and they will bring reduced rather than greater frequency.

1575

PwC's review emphasises that it is important to acknowledge the differences in the business models between low cost airlines and traditional airlines. Low cost airlines typically are not connecting airlines, in that they fly point to point; do not normally serve hub airports and do not typically sell connecting flight tickets; are more likely to adapt capacity to seasonal demand adding in extra capacity during peak summer months but reducing capacity during winter; they price dynamically, headline pricing may be attractive but last minute prices can be as or even more expensive than traditional airlines; they may operate a lower frequency on any given route due to the larger size of their average aircraft, scheduling of flights is often a function of aircraft availability rather than traveller requirements; they manage their route network actively, meaning that they can shut down routes at short notice if they do not meet the required commercial thresholds; and they expect significant market and route development support in order to base aircraft and grow route networks.

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In addition to this, PwC confirmed that there are many other aircraft that can land on the current runway. These include regional jet aircraft such as those made by Embraer, operated by Flybe, Aurigny and others, regional turbo prop aircraft such as those made by ATR operated by Aurigny and others, and Bombardier operated by Flybe, Euro Wings and others. They confirmed that this means there is no shortage of aircraft operating in Europe that can use the current runway. I repeat that they say that there are currently around 680 such aircraft in Western Europe with another 50 on order that can be flown by these regional carriers.

1590

Now, sir, given PwC's analysis on the numbers of potential operators who can take off and land on the current runway, there is likely to be a limited return for the community on a hugely significant investment of taxpayers' funds likely to be in the order of tens of millions of pounds, and some estimates have placed the figures in excess of £100 million.

1600

Infrastructure options considered by PwC included a runway extension to 1,570 m understood to be the maximum length possible within the current Airport perimeter; a runway extension to 1,700 m which would give us the same length as Jersey; and a runway extension to 1,800 m that is 350 m longer than current and that length is likely, they tell us, to encourage low cost carriers such as easyJet to consider operating in Guernsey. So what we are really talking about is 1,800 m.

1605

I think there has been some attempt to suggest that 1,700 m is the target, I do not believe that to be the case.

1610

Deputy Parkinson: Point of correction, sir.

The Bailiff: Deputy Parkinson.

1615

Deputy Parkinson: EasyJet have told us that they would operate off a 1,700 m runway.

Deputy Trott: It would be nice to see that in writing. I have asked for it, it has not materialised. I am quoting from the PwC report, sir, but I would be delighted if Deputy Parkinson would produce that in writing for Members to scrutinise.

1620

I do give way, sir.

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: I am very grateful.

1625

It is really a question which I am sure Deputy Trott will be able to deal with instantly. He is talking about £100 million plus estimate for an extension of the runway, is that in writing from whom and for what length of runway?

1630

Deputy Trott: No, sir, I am not sure where it came from. It may have come from the 2020 Association – *(Interjections)*

There has been much speculation but, interestingly, no Member groaned when I said that the expectation is that this will cost tens of millions of pounds. Now the truth is the number will be enormous. Now bearing in mind that we have spent, I think was it, £80 million rehabilitating what we have already got it is not inconceivable to imagine that the costs of this sort of extension, particularly if it involves filling in the east of the runway which looks almost certain to be the case would cost –

1635

I will also give way to Deputy Tindall, then I will make some progress. *(Laughter)*

Deputy Tindall: I thank Deputy Trott.

1640

I was going to stand to help him because the figures that he is referring to I have seen in the unredacted PwC report.

Deputy Trott: Can I ask Deputy Tindall, for the record, to repeat that, sir, I did not hear what she said?

1645

Deputy Tindall: Sir, we received a PwC report which indicated the cost of the extension of the runway in the millions, and I note that it is not in the report that has been attached to the policy letter so I am assuming it is an unredacted version.

1650

Deputy Trott: That may well be the case. I am grateful to her for confirming that an independent consultant has confirmed it would be millions and millions of pounds. I think no one disputes that. The quantum possibly, but the fact that the number would be enormous I do not think any reasonable person does.

1655

Now, sir, PwC noted that each incrementally longer runway extension could bring additional optionality to Guernsey in terms of the aircraft it would enable to land and hence the number or type of airlines that could in theory operate into Guernsey.

However, PwC also noted that whilst the provision of a longer runway would provide sufficient infrastructure for expanded airline operations, there is no guarantee that airlines will provide any additional capacity without further financial and commercial support.

1660 Now the reason I repeat that message is be under no illusions spending millions of pounds on a runway extension is just the start of it, you then have all of the additional costs not only in maintaining the extra length of that runway but also in the very significant subsidies that may be required.

1665 They make the point, and they make it very clearly, that airlines select routes based on perceived profitability and commercial risk considerations not simply on their ability to land.

1670 Now, sir, the Policy & Resources Committee recognises PwC's analysis that extending the length of the runway does not automatically bring new operators or routes to Guernsey and that encouraging operators to do so may require significant route development support in addition to the investment in the Airport and runway infrastructure, and I have laboured that point deliberately so that no one is under any illusions that the cheques will stop simply as a consequence of a very major capital project being undertaken.

1675 In addition, P&R does not believe that the size of Guernsey's population could appeal economically to a significant number of low cost carriers, nor that the operation of a significant number of point-to-point low cost carriers would improve Guernsey's overall connectivity. Low cost carriers, as we know, price dynamically as they have different business models and often last minute prices on low cost carriers are more expensive than on network carriers. Again a point that should not be lost.

1680 P&R does agree with PwC that a 1,570 m runway does not break the boundary of the Airport and if it allows an A319 aircraft to land then it would represent a relatively low cost and potentially beneficial solution that should be relatively quick to deliver.

1685 The P&R Committee notes that PwC say that a 1,700 m-1,800 m runway could provide benefits in terms of opening up Guernsey to a wider range of fleet and airline options including British Airways and European Charter Operations. However, PwC has also noted that there is no guarantee that this could be the case and that there are many current options for operators and fleets within the existing runway structure.

Let me reiterate, sir, that the P&R Committee takes its role as the guardians of taxpayers' money very seriously. I personally have lost count of the number of times this Assembly has been criticised for spending substantial sums of money on consultants' reports, particularly consultants' reports that it has not acted on.

1690 Now, sir, P&R believes strongly that what is needed in this debate is a political decision. If you think that a runway is needed vote for Proposition 1(b) and spend taxpayers' money on the required technical capability to start that construction project; or if you agree with P&R that a runway extension is impractical, unwanted and unneeded then vote for Proposition 1(a).

1695 Sir, I said that the Policy & Resources Committee's approach is different to other parties in the community and I hope this Assembly will indulge me a moment in explaining why.

1700 Last week a Code of Conduct complaint was made about me saying that I misled the Assembly on 12th December when I provided an update on the Air and Sea Links Strategic Infrastructure review on behalf of the whole of the Policy & Resources Committee. Now I do not know if the person who made the complaint is a member of the 2020 party but the evidence they attached to their complaint was printed out from the 2020 party's website.

More curiously though, the media were advised of the complaint being submitted before I was, and I have been advised by more than one party that they were advised of the complaint in advance by a Member of this Assembly. Now this does not seem like a constructive way to engage in this important political debate.

1705 Now, sir, if I had behaved in that way I would be ashamed of myself, of that you can be sure, to be sure. However, I remain an inveterate optimist who refuses to think the worst of people and I can only assume that the Member of the Assembly who appears to have been involved (a) had some very strong views and (b) is a little coy about making them known. Or, sir, perhaps they are shy, as I once was.

1710 On that basis, if the Assembly Member is too shy to speak in general debate, I may take the opportunity in summing up to ask them if they wish to make their point as I would not wish their shyness to deprive us of their views.

Now, sir, by the way, the Code of Conduct claim was dismissed swiftly despite the complete lack of courtesy demonstrated by the aforementioned.

1715 I hope though that the Assembly will recognise the P&R Committee's transparency in stating its view in relation to an Airport runway extension and in relation to the importance of contingency planning as regards our sea links. It is constructive and will enable the Assembly to make a clear decision.

1720 So, sir, to summarise, it is the duty of the P&R Committee to ensure contingency options in relation to sea links are assessed given the potential change of ownership of Condor Ltd. It is in relation to sea links where there is the greatest potential risk, and it is in relation to sea links where urgent work is needed and investment may be required.

1725 PwC's report confirms the importance of Island's sea links to its economic and social wellbeing and they advocate that the P&R Committee ensures that this critical connectivity is protected from disruption in the long term through effective contingency planning.

1730 The P&R Committee's primary area of concern is to ensure that medium- and long-term provision of sea links to the Island. Our view is that given the importance of sea links it is vital that Guernsey is prepared for any issue or eventuality and, for that reason, having considered the detail in PwC's review, recommend that the States proceed with further work on the two contingency options. P&R therefore asks for the Assembly's support for Proposition 2.

1735 Now in relation to air links PwC's analysis indicates that the current approach to air links connectivity, combination of route development support, competitive landing charges and market liberalisation is providing enhanced connectivity, the extension of a runway is not essential to attract new operators and nor is it a guarantee that they will come, and if they do come further investment will still need to be made.

The critical factor for business is frequency and that is what we have now. If we extend the runway and secure low cost carriers then we will have reduced frequency with absolutely no guarantee to cheaper flights.

1740 Sir, the Policy & Resources Committee therefore asks the Assembly's support for Proposition 1(a).

Thank you.

The Bailiff: That brings us to 12.30 p.m. We will rise and resume at 2.30 p.m.

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

POLICY & RESOURCES COMMITTEE

Review of Strategic Air and Sea Links Infrastructure – Debate continued

1745 **The Bailiff:** We move on now to the amendment to be proposed by Deputy Parkinson and seconded by Deputy Ferbrache.

Deputy Parkinson.

Amendment:

In Proposition 1(b), immediately after '£700,000' insert 'for the Committee for Economic Development'.

Deputy Parkinson: Thank you, sir.

1750 I think the explanatory note really speaks for itself but the rationale behind this amendment is that if, and I underline the word 'if', the States is minded to instruct that further work be done on a business case for a runway extension, then P&R are not the right people to undertake that work.

1755 The views of Members of P&R on this issue are well-known and well-entrenched. They have clearly stated that they do not believe that the expenditure would be justified or that the conclusions, if the runway extension was recommended, would be acceptable to the public. Indeed I feel that the prejudice of P&R in this matter could not have been better illustrated than Deputy Trott this morning asking for written confirmation that easyJet would be able to operate off a 1,700 m runway when, not 26 miles from here, easyJet and BA both operate off Jersey's 1,700 m runway.

1760 P&R have been in possession of the phase A report from PwC since last August. We are only now, at the end of April, debating that report. Moreover, the conclusions that P&R has reached based on that report are not supported in whole by the PwC research. In contrast, the views of Economic Development are finely balanced. I cannot say that we absolutely represent a cross-section of the opinion of the States or fairly represent all shades of opinion within the States but
1765 two Members of Economic Development are opposed to a runway extension, one is strongly in favour and two of us want to see the business case.

1770 Collectively, I think we would manage the process impartially and we would deliver the output expeditiously. I also believe that the Committee *for* Economic Development would contain the costs to an amount far less than the £700,000 figure that P&R report would be needed. Much of the work on the runway extension has already been done and I will be referring in my speech in the main debate extensively to the 2008 States' report on the runway rehabilitation project where, as we will see, actually the plans for a 1,700 m runway were fully developed.

1775 So I do not think it would involve that much work to revive the numbers to achieve a business case. I think Economic Development are an evenly balanced team representing a broad cross-section of opinion within the States. We will carry out the work expeditiously. We will do it for a lot less, I am sure, than the £700,000 and that is really all I need to say. I understand from Deputy St Pier that P&R will not be opposing this amendment, so I ask all Members to give it their support.

1780 **Deputy Ferbrache:** I second it.

The Bailiff: Deputy Ferbrache seconded. Deputy Trott or Deputy St Pier, do you wish to speak at this point?

1785 **Deputy Trott:** I believe the last couple of sentences of Deputy Parkinson's speech were accurate, sir.

The Bailiff: Deputy Soulsby.

1790 **Deputy Soulsby:** I have to say I have been really struggling with this amendment when I saw it. If we are to have a review into a 1,700 m long runway, and that is a big if, as Deputy Parkinson just said, I think it is probably best not led by a Committee which does not want one. However there is a wider issue here for me. While the Committee *for* Economic Development does have skin in the game, as it were, in that further work, as it says in the Proposition, includes an
1795 economic business case, there are other aspects – in fact most other aspects – that sit fairly and squarely in the mandate of Environment & Infrastructure; technical, regulatory, environmental issues that we really cannot ignore.

Indeed if Members look in the Red Book, the first mandate of responsibility of Environment & Infrastructure is:

To advise the States on infrastructure, including but not limited to water, waste water, the ports and airport.

1800 Now I get it, Environment & Infrastructure's Members do not want a runway any more than Policy & Resources, I believe, but it is one thing saying P&R should not do it as a Committee, without probably any real reason to do so and I am not sure why their name was put in there in the first place, but quite another when such a review falls fairly and squarely with a particular Committee.

1805 At the very least, Environment & Infrastructure should be involved in setting the terms of reference. So I want assurance from Deputy Parkinson that Environment & Infrastructure will be involved in and asked for comment on and input into the review. How he answers will affect how I vote on this amendment and possibly how I vote on substantive Propositions.

Thank you.

1810

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

1815 I thank Deputy Soulsby for that; we did have an email exchange and a conversation. She made me aware she was going to make those remarks and I agree, obviously, completely with the sentiment and the observations she has made. Although in the past we have discussed open skies, what there seems to be with regard to this policy is an open door policy, with regard to aspects that squarely fit with E&I.

1820 This is not something that was started by Economic Development. I think it is fair to say P&R, in dealing with air routes and sea links, there are aspects that should have been considered by P&R and by E&I collectively. Whether it is protocol, whether it is etiquette is one thing, but it is actually in the Red Book.

1825 Deputy Dorey has raised this before during previous debates, I have raised it; E&I under our mandate have ownership of the ports strategically. Now we know that 99% of what they do is operational, then you get the economic arguments, which do sit elsewhere. But we should not overlook the fact of where policy ownership sits.

1830 Now if the argument was P&R had reached this predetermination they were not the right people to consider the review because they had already made up their mind, it is not unfair to say, actually, that E&I, as a group of individuals and as a Committee, have reached a position where they are unlikely to support an extension of the runway.

1835 That said, the majority of Economic Development, seemingly, could support, arguably, a runway extension. It would make sense for, and I did approach Deputy Parkinson and ask whether it could be a joint amendment, but I did not get that. I would ask him to respect the views of both myself, my Committee and Deputy Soulsby in supporting the terms and conditions of the review if the States are so-minded to embark on a review; that the scope is set jointly by both E&I and by Economic Development.

The Bailiff: Deputy Tindall.

1840 **Deputy Tindall:** I would like to claim this amendment, as I drafted it. Basically it originated when I first read the policy letter when it was first put on the website. The reason being, as Deputy Parkinson indicated, because I genuinely felt that Economic Development was the correct Committee, not necessarily *vis-à-vis* a mandate and I note that and I stand corrected in that respect, but because we are committed and it originally started at Economic Development, as I understand it.

1845 So from that perspective it seemed to me a sensible suggestion to get moving and to get things done and be in a place where I felt we had sufficient policy officers to be able to egg this along because, let us be honest, this was an election issue and it is 2019. We have been talking about the next election this morning.

1850 So from my perspective I certainly, as a single Member of Economic Development, would wholeheartedly acknowledge the points made by Deputy Soulsby and Deputy Brehaut in respect of the terms of reference. I think that is, if I may say, a no-brainer, irrespective of what was actually in the mandate anyway, by the nature of the title of the review.

1855 But I do believe this is a sign for me that we want to move on, we want to fulfil what many of us said on the doorsteps and we want action and for me, supporting this amendment, subject to obviously perhaps other Members of Economic Development supporting our President in being able to say definitely E&I will be involved in the terms of reference, that we actually get on with this – obviously subject to States' approval of 1(b) as hopefully amended by this amendment. So less cost, more haste.

1860 Thank you, sir.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

1865 I hope the Assembly will just bear with me for a few minutes while I tell them a story, a tale of woe. Last year I went on holiday to Scotland and I thought, 'I will give it a try, I will go on this trip, via Jersey, on easyJet.' Oh and I got a cheap price on easyJet, via Jersey. Horrendous cost getting to Jersey on Blue Islands, but there we were.

1870 I just want to say that when we got there we had to queue up to get on our easyJet flight; it was horrendous, the number of people in Jersey Airport queueing. Then we had to wait to queue to go through the security system and then when we got the other side we just waited and they called us to the gate.

1875 Then when we got to the gate, the departure lounge was not big enough to take the volume of passengers that were trying to get on the flight and then you have got speedy boarding, when you are trying to get on the flight, which is a bit of a bunfight in itself, so you had all these queues. Then there were flights that were coming into Jersey Airport and the arriving passengers had to then squeeze their way through the line getting on this easyJet flight to Edinburgh.

1880 So one of the reasons I wanted to tell that story is that I am concerned that, within this policy letter and within this amendment, there are no words, or it does not include anything about the additional cost of infrastructure that we will need if we have such a runway, a 1,700 m runway, for the terminal building, the departure lounge.

1885 Because as I say, the check-in times are going to increase and the security checks are going to increase and that is missing here and I just want some reassurance from Deputy Parkinson that will be included in the terms of reference when we are looking at the runway because, for me, it is not just about the runway cost, it is those other infrastructure costs that need to be borne in mind and it is the entire package. So thank you for bearing with me with my tale of woe.

The Bailiff: Deputy Fallaize.

1890 **Deputy Fallaize:** Thank you, sir.

I do not think there is any States' Committee which can carry out an impartial analysis of whether the runway ought to be extended or there is no States' Committee in whom the States can be confident they could carry out an impartial review. So the question is which of the Committees, which is partisan, is best placed to do it.

1895 I think that there is a bit of a pretence going on here. I do not say that Deputy Parkinson is in any way being insincere, because I think that he genuinely needs to be persuaded through a business case, if he is to be persuaded at all, of lengthening the runway, but he is predisposed to believing that extending the runway is likely to be economically beneficial. I think that is quite clear because every time Deputy Trott makes, as he sees it, a firm case against the extension, 1900 Deputy Parkinson comes back with counter arguments.

1905 I personally do not know how I will vote at the end of the general debate. I do not have a clear view at this stage about whether the runway should be lengthened or not and I still have to be persuaded about whether spending this money on a review or an analysis of the business case is justifiable. But what is being proposed here is to move the responsibility for commissioning the further work to a Committee, which is more predisposed to favouring lengthening the runway than the Committee who are identified in the original Propositions.

1910 I actually think that is the right thing to do because I do not think we are here today, which Members may be saying but I do not think it is the actual position, where the proponents of the further investigation are saying, 'We are completely impartial in this matter but we think there ought to be a review of the business case.'

1915 Anybody could say that about anything. I could say it has not been proven that we should not build the world's largest hotel 100 m off the east coast, so why do we not have a review, so that we investigate the business case? The Members who hold the view that it is necessary to carry out a business case believe that it is quite possible that extending the runway would be economically beneficial for the Island and there is no point in them trying to deny that. Otherwise, any Member who holds the view that Deputy Trott holds, which is that essentially it is not possible that the review could come back and make a compelling case, would vote in favour of the Policy & Resources Committee's preferred Proposition.

1920 I will give way to Deputy Tindall.

Deputy Tindall: I thank Deputy Fallaize for giving way.

1925 I try to be as balanced and as even as possible. I actually have reasons why, in response to Deputy Trott's challenge, that I was going to come out with my speech to explain how I am still sitting on the fence on the business case. I do not wish to repeat that now.

1930 **Deputy Fallaize:** Well let me put it this way: Members like me, who are very undecided on this issue, are not going to be persuaded to spend several hundred thousand pounds carrying out a business case for something, which is simply pie in the sky. It is a guess that it might generate economic benefit. There has to be some kind of *prima facie* case that it is at least reasonable to assume that there could be economic benefits derived from an extension in order to carry out the business case.

1935 All I am saying is I would prefer that Members who hold the view that extending the runway is likely to bring benefit would just come with that view to the States and on that basis try and persuade the States to vote in favour of commissioning the business case. Because I think that is actually their position, I think it is right that the Committee *for* Economic Development should carry out the work.

1940 What they are really saying, I think, is, 'We believe as a Committee that there may well be economic benefit to the Island in extending the runway and we believe the business case may stack up and we would like to commission that further work so that we can see that argument and then lay it before the States.' They would rather that work be put in the hands of a Committee which starts from a more favourable position, in relation to extending the runway, than P&R, which obviously is in an unfavourable position.

1945 It is for that reason that I cannot believe that the States is going to spend several hundred thousand pounds when they do not have the foggiest idea – excuse the pun – about whether extending the length of the runway is going to make a blind bit of difference. Because if that is the position that really is quite reckless.

1950 We could throw away hundreds of thousands of pounds on any kind of speculative venture but, on the basis that I think the position is actually that there is a group of States' Members who believe there is a *prima facie* case in favour of extending the runway, who believe the States need to be shown much more analysis and evidence – and I think that is the actual position – then I do think the Committee *for* Economic Development is the right body to carry out this review.

1955 If, however, Deputy Parkinson is going to stick to the position of saying, 'No, we are completely impartial in the matter,' then I am not sure that the Committee for Economic Development is the best organ to carry out the review. Actually what ought to happen is that we ought to hand as much as possible over to a third party or possibly create some kind of amalgamation of Policy & Resources, Economic Development and Environment & Infrastructure to draw up terms of reference.

1960 As Deputy Gollop always says, you cannot have the penny and the bun. Either Economic Development believes there is a *prima facie* case and would prefer the work to be carried out, in which case I accept their argument and I think they ought to be the ones who commission the review, or we are looking for a completely impartial, politically neutral body to do it, in which case I do not think Economic Development is the right body.

The Bailiff: Deputy Ferbrache.

1965 **Deputy Ferbrache:** Sir, I will just obviously limit my remarks to the amendment and there are really two issues that I want to address. The first is the point raised by Deputy Fallaize. Deputy Brehaut very courteously sent an email to Deputy Parkinson, as proposer, and me as seconder of the amendment, saying shouldn't E&I be involved? I gave credence to that.

1970 But my logic was this: not the fact that all five Members of E&I might be against the runway extension –

Deputy Hansamnn-Rouxel: Point of correction.

1975 **Deputy Ferbrache:** I did not say that they were, I said they might be.

The Bailiff: He has not said all Members are against.

1980 **Deputy Ferbrache:** The majority of E&I are against it. Most of P&R might be against it. That is an issue. I will say more about this in the main debate, when the initial reviews were set up, it was in my days in Economic Development and we were involved in that process. My logic was we should be involved in that process at this stage, if it is not to be P&R. That was my logic.

1985 My second point is in relation to Deputy Le Clerc; 2(a) then, if I can say that, look how successful easyJet were because she could not get in the departure lounge because there were so many people wanting to get on that plane, so that shows how successful it has been. Perhaps more run of the mill is 2(b), which is that, of course, what she says about infrastructure costs, extra running costs, etc. that must form part of the review.

1990 There is no point coming out and saying the runway is going to cost £10 million or £20 million or £30 million if your infrastructure costs, the other bits and pieces, extra security, whatever it may be, is going to cost another £500,000 a year. The States have got to know that. The public of Guernsey have got to know that. So certainly it would be my intent that is covered by the review.

The Bailiff: Deputy Dorey.

1995 **Deputy Dorey:** Thank you, Mr Bailiff.

2000 'Business case', it seems the words are being used a lot recently justifying everything. Look at the meaning, it is a justification for a proposed project or undertaking on the basis of its expected commercial benefit. I am not quite sure how you can have an environmental and economic business case, because environmental is not going to produce a commercial benefit. It contradicts itself with the words that are there.

My concern is, I hope most people will not disagree, this project does cut across the mandate of more than one Committee and I think Deputy Soulsby highlighted that; probably more on the Environment & Infrastructure than any other Committee. We did see yesterday, in Question Time,

2005 over the Alderney PSO, the problems that you get when a particular project cuts across more than one Committee's mandate. The Committee is then responsible for projects for its own mandate.

In my view, if it does cut across, there should either be a Committee made up from the two Committees, or the three whatever Committees involved, or it should be Policy & Resources. That is why, when I saw the proposals and it was Policy & Resources, I thought you either have a committee made up of more than one Committee, who lead this project, or it is Policy & Resources. I was very comfortable with it being Policy & Resources, so I was actually disappointed when I saw that they were not opposing this amendment. I personally do not think it should be just in Economic Development and I think yesterday highlighted the very reason why it should not be. I am not going to support this amendment.

Thank you.

2015

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

2020 I think my name has been mentioned, almost in vain, with penny and the bun. I was thinking earlier, listening to Deputy Trott, of the famous Oscar-winning character Freddie Mercury. One of his best Queen songs was 'I want it all, I want it all, I want it all and I want it right now.' That is probably how I am on the airline issue.

2025 In the meantime we are focussing on the amendment and somebody said it is all about pie in the sky. For me, it is more about planes in the sky. We actually need to do some thinking on this. I do not think this amendment is the time to make the case for the runway because it is focussed on the narrower point about which Committee should do it. Hearing some of the Members, Deputy Dorey, Deputy Fallaize and others, they were kind of saying yes, ideally it would be inter-Committee, because there are at least three Committees who have a stake in this, four if you include Deputy Ferbrache's, with the Airport's long-term liability.

2030 The thing is do we want the Policy Council back again because that was, in theory, the ideal forum to bring in together diverse areas of governance? Moving on from that point I think we have an unusual system of government; in some ways it is an odd system of government. One of its oddities is Policy & Resources is a co-ordinating Committee but it is also a combination of an effective foreign affairs ministry and a kind of party whipping system in some respects. Most of all it is a treasury; it has a treasury function of maintaining a tight control on expenditure and projects.

2040 Economic Development, it seems to me, goes beyond just industry or the Board of Trade idea and, to a degree, Economic Development is a central function of Government but I think a problem we have seen in this States and, to a certain extent, its predecessor, has been a confusion as to where Economic Development ends and Policy & Resources begins and I would like to see, really, more focus on Economic Development as a theme of this States, whether it be in tourism, the digital centre, high net worth individuals moving here or connectivity generally.

2045 I therefore think that Economic Development is the most appropriate States' body to commission further work. I think Deputy Parkinson has been quite clear in having an open-minded approach rather than being particularly dogmatic one way or the other and I think that is important and that is true of some of the other Members of Economic Development.

2050 I do agree, though, with Deputy Dorey that the words 'business case' are over-used in this Chamber nowadays because politics is not about making a business case. It is not really about going to your bank manager and saying. 'This is how my company is going to run over the next year.' We are representing all the community and occasionally we have to make a gut instinct decision based upon not how the wind is blowing, because that might deflect the planes on the airfield, but on the whole wider strategic case. I think Economic Development are showing that they are the best Committee to make that decision at this time.

2055 **The Bailiff:** Deputy Inder.

2060 **Deputy Inder:** Sir, I cannot imagine what the public are thinking when they are listening to this. We get so wrapped up with policy process, procedures, who owns what, who owns this, who is going to touch it last, all that kind of nonsense. My views on the performance of tourism are well-known. I will remind people that we have gone down. In 2008 we had 918,000, say 920,000 passengers coming through our Airport. We are now down to 800,000. That alone would not necessarily hand me the power to deal with the runway to Economic Development. You all know that I find some of the tourism figures that we have seen as certainly suspect.

2065 However, I have got to set that aside. I do lack some confidence in some areas. I genuinely believe we need a travel and tourism department. I do not care what you call it. Something that pulls Aurigny in, too. This complete nonsense that it is sitting in the corner, it is nothing to do with us. We have got empty beds in the Island and empty seats on aircraft. In one side we own Aurigny, on the other side we seem to own Visit Guernsey. It is an utter nonsense and no one outside this Assembly understands it at all.

2070 To that end, I will vote for this amendment, because I think it goes somewhere towards the place where I think we should be. Economic Development, whatever form it will take in the future, has to have some kind of responsibility for our travel and transport. In this regard I will move it towards it. That does not necessarily mean at the end of the debate I will be voting for the extension of the runway but it gets me somewhere where I think we need to be. We are going to sit for the next hour talking about who owns what, policy this, environment that. That is what killed the Cobo Alice field and we are here again.

2075 Thank you very much.

The Bailiff: Deputy Kuttelwascher.

2080 **Deputy Kuttelwascher:** Thank you, sir.

The first thing I want to say really and say to Deputy Trott is I know him for a lot of things but one of them is not shyness. So if by a process of elimination as regards what he said earlier on, if that helps, I do not know. As regards this amendment, this amendment is purely about whether or not responsibility for progressing the business case moves from P&R to Economic Development and I think it most definitely should and here is why.

2085 Just a little bit of history. The States' meeting of 27th June 2017 on the P&R Plan and it had the following submission from the Committee for Economic Development to remind you and on page 147, the second bullet point, it stated:

Examine the viability of extending the runway in order to facilitate additional connection to the UK and Europe by quarter four 2017 ...

2090 That is significant because where are we now, 22 months on? We are back to where we were in June 2017, deciding whether we should even bother looking at it and I think that is, to put it mildly, more than disappointing.

... and report the findings to the States.

2095 So it was not a wish to actually set out, it was just to look at the business case. For that reason and that reason alone, I am happy to give it back to Economic Development to progress it further and it is not going to be to decide whether or not we are going to extend the runway it is just to look at the business case. The business case requirements are quite straight forward.

2100 There will be an environmental impact, possibly, depending on what it is you put forward, but I think Economic Development are the right Committee to do it and I wish now that, at the time, we had just fought our corner and not succumbed to the threat of an amendment, which was later not submitted, and substituted by another amendment from P&R. But that is water under the bridge. So let us put things right; give it back to them and get on with it.

Thank you, sir.

The Bailiff: Deputy Roffey.

2105 **Deputy Roffey:** I am glad that Deputy Kuttelwascher has belatedly realised the error of his ways from a couple of years ago. The amendment that he refers to was not laid because it was superseded by another amendment, which he chose to support. He chose to give this task to P&R. I warned at the time that I did not think that is where it should go.

2110 It also chose to broaden it out from an examination of the runway to one of the whole connectivity of the Island but if people realise their mistakes then I think they should be applauded for that, and for that I applaud Deputy Kuttelwascher for doing that. (*Laughter*) I think I am going to go with this amendment, not so much to give it to Economic Development but I think we need to take it away from Policy & Resources because, clearly, they are predetermined that there is really no case for an extended runway.

2115 I have to say I am predicated to support them, I think that they are probably right in that but nevertheless I think asking a Committee that has come to that conclusion to actually investigate whether there should be a runway extension is a bit like asking an Education Committee that has decided we should keep selection to drive forward a comprehensive system, or suggesting to a committee, SACC, that really is not convinced that Island-wide voting is a good idea to be the ones to bring forward the detailed proposals to make it work.

2120 I think in realpolitik that just does not work so I do think we need to take it away from P&R, without any disrespect to P&R, because I cannot see any point in leaving it with them. Now Deputy Dorey has said there was another alternative of a cross-party Committee and he could have brought an amendment along those lines.

2125 I would have, I have to say, had some considerable favour for that. It would not be going back to the Policy Council. Years before the Policy Council ever existed there was a tradition in this Assembly of Committees that have a joint interest actually working together on projects that meant a cross-Committee mandate. That would have been a neat way of doing it but it is not on the table today.

2130 So quite simply I am going to vote for this amendment to take it away from P&R. I do not think it is fair on P&R to leave it with them. As Deputy Fallaize says, surely we will only vote for this if we think there is some sort of *prima facie* case of doing it? We are at least giving it a fair wind. We are not signing it off and saying we are definitely going to do it but we are indicating that is the direction we want to go. To give that to a Committee to make it so, as they would say in *Star Trek*, where they have made it quite clear that actually they think that is not the right direction to go seems to me a bit absurd. So I will certainly be supporting this amendment.

2135

The Bailiff: Deputy St Pier.

2140 **Deputy St Pier:** Sir, thank you.

Deputy Dorey expressed disappointment that P&R were not minded to oppose this amendment and I think this debate really started with Deputy Soulsby making the point that she felt this was really an issue that lay within Environment & Infrastructure's mandate.

2145 Certainly that is an issue which the Policy & Resources Committee gave some consideration to when we saw this amendment but the reason that we are relaxed about it and not minded to oppose it is because the reality is we do not think it will make that much difference to the way the process will run. The reason why we do not need a special committee all coming together in the way that Deputy Fallaize suggested is because in practice our processes will ensure, or should ensure – and I am sure Deputy Parkinson will confirm this when he responds to the debate, certainly if he disagrees with this – the processes of the States will ensure that whichever Committee is leading on it, whether it is P&R, Economic Development or E&I, or even the STSB, they would be expected to consult with other relevant Committees – in the first instance I think that would be P&R, Economic Development, the STSB, and E&I – on the terms of reference.

2150

2155 The staff who will be undertaking this, the officers that will be leading on this, will be the same group of people, whichever Committee is the lead, and the treasury processes around approving sign off and expenditure associated with this work will be the same again, whichever Committee it lies with.

2160 So the reality is I do not think it makes that much difference and therefore I concur with Deputy Inder that we spend a lot of time debating and worrying about the process but actually it will make little difference to the outcome. Our position remains that we continue to encourage, through the main debate, that Members support 1(a) rather than 1(b).

2165 Deputy Le Clerc's comment about the additional infrastructure costs and the revenue costs associated with that, again Deputy Trott referred to that in his opening speech, and I think it was a point well made by Deputy Le Clerc and although she experienced a full easyJet flight from Jersey, as Deputy Ferbrache pointed out, of course the reality is their additional 40,000 population is one of the business drivers for that. So hopefully that provides an explanation to Deputy Dorey and others as to why we are relaxed about this amendment and we will be abstaining on it and not opposing it.

2170 **The Bailiff:** Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

2175 I think I will probably start where Deputy St Pier got us to, which is essentially that this project in a way cuts across the mandates of probably at least four Committees and we could spend months or longer debating who should sit in the chair at meetings. But the reality is it will be the same staff of actually a very small pool of staff with technical expertise in this area who assist us with the work. That will be the case regardless of who sits around the table.

2180 If we go on to mandates, of course, as I say, probably four or five Committees have mandates that touch on it. Our mandate, that is Economic Development's mandate, includes to 'advise the States on matters relating to securing the provision of air and sea links to and from the Bailiwick. Deputy Soulsby started the debate, so if we go from the end to the beginning, she was saying she thought E&I would be more appropriately involved. E&I will certainly have a part to play and I can give an assurance that terms of reference and suchlike will be agreed, not only with E&I but also STSB and probably with P&R, because they control the purse strings.

2185 At the end of the day this process will be quite collegiate. We will have to involve quite a number of people across the States. But as referred to later on in the debate, I do not think it is worth trying to reconstitute a Policy Council or a special purpose committee, a cross-section of representatives of four different Committees, to run the process. But that is just a personal view.

2190 What I would stress is, in relation to E&I, and I have had correspondence with Deputy Brehaut about this, this debate is not about building a runway or a runway extension. It is not about building any infrastructure. This debate is about creating a business case for potentially moving forward with a runway infrastructure.

2195 Clearly, if having seen the evidence, when as I hope the States supports Proposition 1(b) and receives back the evidence, if the States is minded to take this forward and actually move into the phase of creating a runway or runway extension, that will be firmly and squarely within the mandate of Environment & Infrastructure. It says it on the tin: Environment & Infrastructure. But we are not in that phase. We are just talking about, 'Is there a business case for doing this?' and I will come back to the words 'business case' later.

2200 Now Deputy Brehaut did confirm that the majority of Environment & Infrastructure are opposed to a runway extension and to that extent are probably no more impartial than Policy & Resources. It is probably timely to bring up Deputy Fallaize's comments, which I think were very pertinent, but I think the emphasis, to me, is slightly wrong. He thinks Economic Development are now predisposed towards a runway extension and that that is a good thing because then at least we are not wasting our time looking at it.

2205 I think that is not quite the way I see it. First of all, Economic Development genuinely is not
predisposed towards a runway extension and I think the key word is not predisposition, the key
word is persuadable. What I think I would say about the collective views of Economic
Development, which are quite disparate, is that we are persuadable that a runway extension would
2210 be a good thing and therefore we want to see the evidence. We want expert witnesses to help
make the case, if you like, for something that we can buy into.

Clearly, unless we are persuaded by the evidence, we would not be bringing back a policy
letter to the States, perhaps in three or four months' time, saying, 'This is what we found, this is
what our advisers have told us and we think there is a case for doing this so we are putting it in
front of the Assembly and asking you vote on do we do the runway extension.'

2215 That is where we want to get to or, conceivably, come back to the Assembly and say, 'We have
looked at this and actually we cannot make the numbers add up, the difficulties are too great, the
benefits are too uncertain.' Effectively the position that P&R are already in and we may come back
and say, 'To be frank, guys, it is not looking like something we can recommend,' and maybe again
leave it to the Assembly to make the final decision.

2220 So I thank Deputy Tindall for her support. Deputy Le Clerc got right down into the weeds on
what the infrastructure might look like and all I can say to her is we are not doing an infrastructure
project. Clearly, in terms of building a business case, the costs of improving the Airport terminal
building, if that is needed, will have to be built into the financial model. But we are not going to
get down into the weeds about how many toilets there need to be and do you need an extra
2225 conveyor belt, okay?

Deputy Inder, I thank him for his support. Deputy Kuttelwascher reminded us that actually all
this started at Economic Development. Before my time and during his time on Economic
Development, the process got hijacked by P&R, if you like, and taken out of Economic
Development's hands. But I thank him for his support. Deputy Roffey regretted that the process
2230 got hijacked by P&R but hopefully we now have an opportunity to put that right.

I think really that covers all the comments. I would like to thank Deputy Ferbrache for his
support, of course. Deputy Dorey commented that environmental benefit was part of the remit
and could that be part of the business case. I think we could get lost in semantics here. There will
be, probably, some environmental cost if the runway is extended and that needs to be factored
2235 into any assessment of whether this is a project worth doing.

I will go into detail in main debate about actually what the environmental impact of a 1,700 m
runway might look like and I will be assisted in the fact that actually all that work has already been
done and in fact the plans for a 1,700 m are in an extant States' policy letter, which all of you can
go away and Google now, from December 2008. If you want to look it up it is in appendix three in
2240 that policy letter. We do not have to reinvent the wheel. It will be quite, I think, a simple discussion
about what is the environmental impact but it is an important discussion and we will take that on
board.

Deputy Gollop, no, I do not think we want Policy Council back again, thank you very much.
There we are. I give an undertaking ...

2245 Oh, I give way to Deputy Trott.

Deputy Trott: I am very grateful and I know my friend is experienced in these matters but one
of the fundamental principles of a business case is understanding what your return on capital
employed is going to be. The only way you can get that starting point is to have some fairly
2250 sophisticated infrastructure plans that enable you to assess with some accuracy what the cost of
that capital project will be because, of course, it will require capital.

So whilst my friend is using expressions that are supportive of his case, I think he and I live in
the real world and we know that the work will have to be fairly extensive in order to find a
business case or produce a business case that will have, at its basis, the capital costs necessary.
2255 Because how else can you derive, from that perspective in particular, the value of the investment if
you do not know what it is going to cost from the onset?

2260 **Deputy Parkinson:** Indeed, I thank Deputy Trott for that expansion on the point. The point is that actually the capital project to build a runway extension to 1,700 m has already been done and has been to the States more than 10 years ago. For the sake of completeness, the additional cost of the 1,700 m runway at that time was £34 million. We come onto the costs when we get into main debate. Certainly I do not think the figure will be anywhere near the £100 million that Deputy Trott was rather drifting into hyperbole –

2265 **Deputy Trott:** No, sir.
Point of correction. I did not think it would be anywhere near that either; I said others had said that it could be as much as that. I think it is in the tens of millions, which is the quantum that I used in my speech.

2270 **Deputy Parkinson:** I do not think others had actually even said £100 million. In PwC's evidence, what they gave was, and I am not sure whether this has been redacted out or not – Deputy Tindall may have a view on this – they gave a guesstimate of the price per metre of runway and then multiplied out that price per metre and said therefore 1,000 m would cost US\$100 million, because the price was in dollars.

2275 There is nobody in the world suggesting that we extend the runway by 1,000 m. If you actually extend the runway by 350 m, using the PwC formula, you would be talking about a price of US\$35 million, which coincidentally is not a million miles away from the £34 million which was estimated back in 2008.

2280 We need to scotch this idea of 100 million of anything. No one has ever suggested that the runway extension in Guernsey would cost £100 million. There is absolutely no evidence for that. In fact all of the evidence points for a number, which as Deputy Trott rightly says, would be in the tens of millions.

2285 But this is all detail for the main debate. For now, all we are asking you to do, Members, is to support the motion that this should not be a process run by P&R. I give an undertaking in response to Deputy Soulsby that Economic Development will consult with E&I, with STSB and with other relevant Committees, in determining the terms of reference of any review and we will have to consult with P&R in terms of the selection of any consultants, and the cost thereof, so this will be a fully inclusive process. I think Economic Development are as we-placed and as impartial as they need to be to do this work and I would urge Members to support the amendment.

2290 **The Bailiff:** We vote, then, on the amendment proposed by Deputy Parkinson, seconded by Deputy Ferbrache, with a recorded vote.

Deputy Lester Queripel: Yes, please, sir.

There was a recorded vote.

Not carried – Pour 29, Contre 4, Ne vote pas 5, Absent 2

POUR

Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Ferbrache
Deputy Kuttelwascher
Deputy Tindall
Deputy Brehaut
Deputy Tooley
Deputy Gollop
Deputy Parkinson
Deputy Leadbeater
Deputy Mooney
Deputy Merrett

CONTRE

Deputy Lester Queripel
Deputy Le Clerc
Deputy Dorey
Deputy Langlois

NE VOTE PAS

Deputy Trott
Deputy St Pier
Deputy Stephens
Deputy Le Tocq
Deputy Brouard

ABSENT

Deputy Le Pelley
Deputy Yerby

Deputy Meerveld
Deputy Fallaize
Deputy Inder
Deputy Lowe
Deputy Laurie Queripel
Deputy Smithies
Deputy Hansmann Rouxel
Deputy Graham
Deputy Green
Deputy Paint
Deputy Dudley Owen
Deputy de Lisle
Deputy Soulsby
Deputy de Sausmarez
Deputy Roffey
Deputy Prow
Deputy Oliver

2295 **The Bailiff:** Members, on the voting on the amendment proposed by Deputy Parkinson, seconded by Deputy Ferbrache, there were 29 in favour with four against and five abstentions. I declare it carried. We come to general debate.

Deputy Lester Queripel.

2300 **Deputy Lester Queripel:** Sir, surely the obvious thing to bear in mind here is what Guernsey has to offer visitors to the Island as opposed to what other, cheaper jurisdictions have to offer? Because I believe we need to improve what we have to offer first, as opposed to adopting the 'extend it and they will come' approach.

2305 That is why I saw no point in carrying on working on a business case for extending the runway. I see no point to it unless we know for certain that airlines with large aircraft will want to operate routes to and from Guernsey and that tourists would want to come here in their droves because of what we offer currently.

2310 There is a lot more 'we can do' and 'we need to do' to improve what we have to offer. I think it is important to emphasise and I very much appreciate that we do have a lot to offer currently. We live in a beautiful Island, there are some lovely beaches, lovely countryside. We have nightlife for those who want to go out and party.

2315 The reality is several venues have closed in recent years because they simply do not make enough money to continue to trade and I speak from experience because I have played in local bands for decades and it saddens me greatly to see that many of the venues the band used to play have now closed down and they have not been replaced. They have not been replaced because we do not have the numbers of visitors to the Island that we once had. Of course we also have to bear in mind many of our hotels have also closed in recent years and they have not been reopened or replaced.

2320 Some of my colleagues may feel that I am being somewhat pessimistic here but as I have said on more than one occasion in my speeches in this Chamber, I am an optimistic realist. The reality is our visitor numbers are down and many tourist attractions, venues and hotels have closed down in recent years. Those are the facts and that is the reality and the facts cannot be disputed.

2325 The reality is we need to improve what we have to offer first rather than the other way around. I ask colleagues in the Assembly and those out in the community who disagree with my views to at least respect them, as I do theirs.

2330 One way – I repeat, but one way as I appreciate there are other ways – we can improve what we have to offer is to pump a lot more money into the arts and sport and turn Guernsey into a prime venue for the arts and sport because that is one way we are going to get more tourists coming to the Island, by improving what we have to offer. Surely that is key to this whole issue of do we extend the runway or not.

We simply have to accept that we do not get the bucket and spade bridge any more? Why would they come here when they can go to places like France and Spain and Italy for less than

2335 half of what it costs them to come to Guernsey. That is why I did not support the amendment and that is why I am not going to support option 1(b) but I have every intention of supporting option 1(a) because that makes far more financial sense and not only that but it makes far more sense, full stop, in my view.

2340 As we all know there are thousands of tourist destinations out there in the big wide world. There is a lot of competition out there in the big wide world. Merely lengthening our runway will not increase the amount of tourists who come here. But improving what we have to offer surely will? So it is absolutely vital, as far as I can see, that we do things in the right order and not adopt the, 'if we extend it they will come' approach. I hear Deputy Kuttelwascher mumbling under his breath, sir, but I am sure he will say whatever he wants to say when he gets up to speak.

2345 In closing, sir, as well as wholeheartedly supporting option 1(a), I will also be supporting Proposition 2 because it is absolutely crucial that we ensure that the States of Guernsey are prepared for any eventuality as the sale process of Condor Ltd progresses, as we are told in the last sentence of paragraph 7.2 in this policy letter.

Thank you, sir.

2350 **The Bailiff:** Deputy Prow.

Deputy Prow: Thank you, Mr Bailiff.

2355 I rise to concentrate particularly on Proposition 1(b) of the policy letter as I generally support P&R's findings regarding sea links. Sir, as Deputy Tindall has already outlined, when we were discussing the amendment, connectivity, both air and sea, was an election issue in 2016. But in my view, sadly, this States has made lamentable progress in this term. In fact I will go further. It is a subject that has become fragmented, dealt with in a piecemeal fashion and, to some extent, procrastinated upon.

2360 Three Committees have become involved: Economic Development, STSB and Policy & Resources and, as Deputy Soulsby has properly reminded us, Environment & Infrastructure also have a role to play. But we still have no clear, cohesive picture of the way forward. The States has been teased with elements of a jigsaw, with the Economic Development's quasi-open skies policy letter and guaranteeing all these new ATRs and this was outlined in the opening speech by Deputy Trott.

2365 We have in this Assembly discussed the demise of our tourist industry but the Resolution passed following an amendment brought by Deputy Soulsby and myself earlier in this term, in the planning debate, to bring an updated tourism strategy before the end of 2018 still eludes us. In fact we have been informed this morning that ED will seek to rescind the Resolution in the P&R's policy plan submission. What message does this send to that industry two years further on? Whilst I agree with a lot of what Deputy Lester Queripel has said regarding the tourism offering and the need to upgrade it and look at that, I would like to take a far more optimistic view.

2370 I have actually never been convinced that the thrust of this policy letter falls within the mandate of Policy & Resources, and this has in fact muddied the political waters and should really have been left with Economic Development. This is a point that Deputy Kuttelwascher has already made. This is really a case of too many political cooks spoiling the broth.

2375 Returning to Proposition 1(b). As outlined to us in the policy letter, P&R commissioned PriceWaterhouse Coopers (PwC) to undertake a study of air and sea links. In the policy letter, P&R praised PwC, in paragraph 1.3, describing this report as 'high quality'. So have we reached a position where we can at least take some decisive action? Sadly, no; far from it.

2380 Frankly, I am baffled. I believe the Chamber of Commerce hospitality group, GIBA, are also flummoxed, along with other respected contributors to the debate with technical expertise in the aviation industry. We have all read the well-researched letters and the emails powerfully making out a case for a 1,700 m runway. Having commissioned a report, P&R brings a policy letter informing us of the well-known risks to sea links but seeks to quash and put to be the major PwC

2385 option, enabling further investigation of the 1,700 m runway, which is described as economically and socially the best option.

Unlike P&R, PwC, the Chamber and others talk in terms of solutions and social and financial benefits. They look to the future, improving our tourism offer. They talk in terms of aircraft operated by low cost and other airlines who cannot operate their fleets into Guernsey, constrained by a smaller runway. They explain that a 1,700 m runway will enable direct flights to a greater range of destinations. This is not just about the tourism; it is about supporting our finance sector and the local community.

2395 But P&R disagrees with the PwC recommendations but crucially not because their analysis is flawed, and Deputy Trott has confirmed that, but upon a presumption that the community will not, in the final analysis, support a runway of that length. Really, sir? As already pointed out by others, this States has repeatedly been criticised by Government-sponsored reports for failing to adequately invest in infrastructure.

2400 A 1,700 m or 1,800 m runway, as described in the appendix of the policy letter is about investing for the next four decades around how the aviation will develop. It will enable us to compete with our competitor jurisdictions, who have finance industries and hospitality sectors. Importantly PwC tells that an extension of at least 1,700 m would enable an upgrade to Guernsey's land-based instrument landing system, a point not made by Deputy Trott in his opening.

2405 ILS systems are described as the most robust and the main technological solution for mitigating the impact of bad weather. We are told on page 20 of the appendix that a CAT III ILS upgrade is, given Guernsey's specific circumstances, the most sensible land-based option. I submit this is a significant factor. I ask how restricting and limiting will our current ILS system prove to be as time marches on?

2410 P&R have, in my view, over-egged the negativity pudding. It has artificially distilled what should have been about investment into future infrastructure into whether a solution fits within the Airport's current boundaries. This is ludicrous. We have been informed of many objectives which indicate that it may even be possible to have the 1,700 m within a similar footprint to the existing airfield.

2415 We must be clear. The Propositions 1(a) and 1(b) only talk in terms of commissioning further work on the business case, a point very powerfully made by Deputy Parkinson. How negative can it be to aim for the bottom and roll over and let our competitors, all of whom have invested in superior runway infrastructure, without even looking at the options recommended to us in the very Report P&R commissioned. This Assembly needs to listen to the Chamber, GIBA, and others who have done their research, rather than P&R.

I urge all Members to support Proposition 1(b).

2420 Thank you, sir.

The Bailiff: Deputy Smithies.

Deputy Smithies: Thank you, sir.

2425 I fully support the commissioning of the sea link work as laid out in paragraph 7.20, which is needed to have the required information with which to make further progress on that segment of our connectivity. I join Deputy Prow in my bafflement at the illogicality of not proceeding with the gathering of all available information to assess the business case or, if business case is now a dirty phrase, the viability study for a runway extension or no such extension. It remains to be seen whether any report concludes with a viable case for that extension. It may be shown to be foolhardy but we cannot assume that on mere opinion and best guesses. It is not the best way to do it.

2435 Deputy Trott in his opening considered the arguments for and against a runway extension. P&R disagreed with PwC on the need for further work and he cited financial and environmental considerations in reaching its decision and offers the either/or Propositions. I disagree with P&R

and I will vote for 1(b) because I believe that the commissioning of the business case report will not be to test the idea of a runway extension but to get hard evidence on which to base a decision.

In conclusion, I will vote for 1(b) and indeed for Proposition 2.

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The Bailiff: Deputy Graham.

Deputy Graham: Thank you, Mr Bailiff.

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I have to say that if today the matter in front of us was a decision as to whether to extend the runway or not, nothing that Deputy Lyndon Trott or any of his colleagues on P&R could say could convince me that we should not extend the runway. But by the same token nothing that Deputy Charles Parkinson or any added supporter of extending the runway, whether it be to 1,600 m or 1,700 m, could convince me to do so. They would fail.

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Equally, none of the lobby groups that we have encountered could today convince me one way or the other. I do respect the opinion of former pilots such as Deputy Kuttelwascher, also there is another one who I greatly respect who cannot pass my house every now and again without stopping to tell me that I should vote to extend the runway. I do listen to their opinions but they did fly the things, they did not run the airlines and the business. So I do not ascribe to them a monopoly of wisdom on this, perhaps just a little bit of extra wisdom.

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I apply the same to the commercial interests who have lobbied us and also the political interests that have lobbied us, even the Castel WI would not influence me in this matter! What would help me is a business case or evidence. Deputy Mark Dorey refers to the fact that a business case has almost got the status of a cliché these days and there is, of course, a danger in that. We keep demanding that we are evidence-based politicians and we want business cases.

2460

I think we know what we are talking about. I certainly do. I want a body who is recognised as independent, disinterested but expert in their field to analyse the evidence and produce from the evidence pretty specific guidance as to where the balance of advantage might lie in either extending or not extending the runway. If I refer to a business case that is what I have in mind.

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There is the issue of the cost for this; £700,000 is quoted, that figure is challenged. To me, that is not the most significant element as to precisely how much it will cost. To me, it is the potential cost of not doing it. If on the one hand, in the absence of a business case, we decide not to even consider extending the runway and we do not, we might eventually know or perhaps we would never know, the economic costs in the end of not having done so. The potential loss there, unknown as it may be, is potentially huge.

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But equally there is equal damage in perhaps, without the benefit of evidence, deciding to extend our runway by whatever length and finding actually it did not work. So the cost really of not doing it in a professional way potentially outweighs by a significant amount the cost of looking into it and looking for the evidence.

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This is really where I find it difficult to follow the logic of Deputy Trott and, presumably, his colleagues on P&R. Because he is certain, and we have heard on many occasions, that any independent, professional, disinterested look at this is going to conclude that there is no case for extending the runway.

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He is as certain of that as he is that the Earth is not flat. In that certainty is an advantage for him. Okay it comes at a cost. It may cost a few hundred thousand pounds, but it will be a few hundred thousand pounds to avoid, in his terms, the catastrophe of getting it wrong and extending the runway.

2485

Equally one can say he would also have another benefit from spending that money. He knows that without the business case being done there is no way this issue is going to go away. This States or successive States will keep coming back to it. So his logic ought to take him along the following track.

Any look at the business case is bound to produce a result that says conclusively that there is no case for extending the runway. What States could possibly go against the advice of that

business case, or the absence of a proper business case, and vote to extend the runway? Therefore he wins. Otherwise the issue just will not go away.

2490 I just have not heard a logical explanation as to why, costly as it is, we should not spend a few hundred thousand pounds on finding what a professional body with no axe to grind might advise us on the best way ahead. With that in mind, I am going to vote for 1(b) and of course Proposition 2, I think, is a pretty easy no-brainer; I shall vote for that too.

2495 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

I strongly support the PwC consulting report, in stating that in the short term air link enhancement is most likely to be achieved through market-based, rather than infrastructure, options. We need strong measures of improvement at this moment and it is now. There is a need to concentrate our limited resources on market-based connectivity options.

2500 We cannot wait five to 10 years for extension outside the Airport boundaries, with no guarantee of take-up by discount airlines and no guarantee of greater traffic or frequency. At this time we need to plough resources, limited resources that we have, into developing further connectivity into the UK and Europe, and cut our fares on the Guernsey airline, Aurigny, to enhance travel by air and reverse the downward drift in passenger numbers.

2505 We need to develop our new connection with Heathrow for the long term and it will take some major work to keep that short-term development going for long term. Like other jurisdictions, we need to discount route development charges on new routes and cut Airport charges more generally, to encourage airlines into Guernsey.

2510 A lot has begun in these areas but there is much more to do. With liberalisation of licensing and the introduction of quasi-open skies, we have seen a number of new routes open, with more competition to reduce the cost of air travel. There is evidence already this year of new activity inward and outward of the Airport and anybody living near the flight line will know all about that.

2515 I think this is the important point that I would like to make. We have to reap the value of the £70 million-£80 million already spent on the runway just a few years ago. We extended the runway by 120 m. By that I mean 120 m of new tarmac were laid. We took out a road for that. We also took out 11 fields in the west. We ripped away nearly a mile of earth banks but we left the runway length at 1,463 m. There was no change; just as before.

2520 We failed to innovate and we failed to take advantage of technological advances at that time, with the huge resource spend at that time and the extension of the runway. Now the work of STSB examining the possibility, currently, of commissioning 107 m of starter strip paved runway and safety area to increase the current available runway length from 1,463 m to 1,570 m for take-off and landing on runway nine and also landing on 27, that is a start.

2525 It supports extension of the runway and using EMAS innovation and new technology can further enhance Guernsey's earlier investment and air connectivity. In this way we can overcome right now a £40 million spend and environment loss of another road on the east, more fields, more earth banks, at this time, by fully concentrating on the market-based options.

2530 We have got an opportunity, in that we have not taken it fully with the spend of £70 million-£80 million earlier. I think we can continue to utilise that value and see that we get good value from it all by concentrating on what has been called the market-based option rather than going down the infrastructure at this time. If, of course, this does not work out to the satisfaction then we can look at new initiatives, perhaps in terms of infrastructure options. But I think we need to concentrate our limited resources in the area that we are working on currently.

2535 In terms of the sea connections, that is very concerning in terms of some of the problems that we have had in the past with Condor. I have been quite positive, really, as a result of some of the discussions we have had with Condor this year that we are going to see more connections to France from Guernsey and also day connections, day connection returns, and also to Jersey. That is an improvement that is coming through Condor.

2540 I am also pleased to see that Manche-Iles is going to continue serving the inter-island ferry service that they provided last year, but only on the basis of what they had proposed last year and not the extension that they were driven into by States' policy. But they are going to continue that and that gives us further connections to Jersey and further connection, by ferry, to that island.

2545 With regard to the further point in Proposition 2, I feel that I can only go for Proposition 2 if Jersey is sharing in the work. Without both islands really working together there would not be the traffic for one island, without the other, to justify the cost of providing that particular service. So I think we have to look at both islands working together if we want to look at who else is out there that might provide a service in the future or, in fact, if we want to look at providing a service through one island, but it has to be the islands as a whole.

2550 Thank you, sir.

The Bailiff: Deputy Paint.

2555 **Deputy Paint:** Sir, I am in full agreement with what Deputy Graham has already said so I will not repeat it. I think we have to look at this matter. We need evidence to prove that whatever is going to happen in future is justifiable, at least partly justifiable. If I remember correctly, in 2008 Deputy Kuttelwascher suggested that we look then at extending the Airport. Many did not take a bit of notice, including me. We should have done it then. Okay, it has gone, but we should have done it then.

2560 I believe we should listen to the professionals, people involved in whatever business they have been in ... which affects all of us. I do not mean experts; I mean professional people like Deputy Kuttelwascher. I also agree with Deputy Trott that one of the major problems we may have in the future is the work and resolve the sea links. Unless something is done about it we are in trouble; or may be in trouble. But that is for the next meeting.

2565 Thank you, sir.

The Bailiff: Deputy Mooney.

2570 **Deputy Mooney:** Sir, my request is very simple. I just would like to see the evidence. Whether it is yes or no it will put this to bed once and for all, so I will be supporting 1(b).

Thank you.

The Bailiff: Deputy Langlois.

2575 **Deputy Langlois:** Thank you, sir.

We have heard lots of calls for more evidence to give comfort to our decision-making. Initially people expressed that as making the business case or preparing a cost/benefit analysis. But somebody pointed out where do environmental factors fit into that and Deputy Parkinson said we should not get caught in semantics. So we have reverted back to the concept of evidence.

2580 The sad truth is we are never going to amass the degree of evidence that is going to give the comfort so many Deputies are seeking. If one imagines the Airport as a business or even an incorporated States' trading body, such as Guernsey Electricity, one can imagine a business case being put together for extending the runway, in terms of the costs of the actual runway and the extras that Deputy Le Clerc pointed out would be needed and then that being balanced against an increase in charges to passengers and to aircraft landing, necessary to balance those costs.

2585 Then you would imagine various scenarios where, having gone to the trouble of extending the runway, more passengers would pass through the Airport and therefore you could work out a break-even point. But that would still require conjecture. There would be no evidence that the number of passengers would increase.

2590 So even with a very simple little system, a little business, and making a business case, you are still relying on conjecture. You are not going to accumulate the evidence you need to make the

decision. There will be an element of entrepreneurship in it and having to make a stab at whether or not you think borrowing the money to extend the runway is going to enable your business, the Airport, to increase its profit or minimise its losses.

2595 Of course the Airport is not a business, it is a States' trading asset. Difficult as those decisions might be, in reality, as it is a States' trading asset, you have to take an awful lot more into account. The effect on other States' trading assets, such as Aurigny. You get the bonus of probably getting the money for free, in terms of a States' grant, rather than a loan, but environmental impacts will inevitably come into it and also you end up having to, again, make some kind of stab at assessing
2600 what effect certain numbers of additional passengers coming into the Airport are going to have on the Island's economy in terms of tourism.

There is an awful lot of guesswork involved in that and no business case or consultants' report is going to be able to give any definitive answers. All they are going to be able to do is give you some idea that if we get another 10,000, another 50,000 passengers coming into the Island as
2605 tourists or whatever, the effect that might have in justifying the cost of extending the runway.

I am trying to paint a bleak picture because I think it is bleak and I think people are sitting here saying, 'I want to see the evidence before I make a decision so let us commission this further report.' But I think what would happen, I do not know how much it is going to cost, say half a million or whatever, we are going to end up spending that money and we are going to be back
2610 here with very little additional evidence on which to make our decision.

I think P&R have called it exactly right. Either you believe extending the runway is going to have benefits for this Island or you do not. You could see a split in the States. Those who want to extend the runway want to commission the second part of this report. Those who have got doubts about the wisdom or the sense of extending the runway do not want to waste another £500,000
2615 on a further report.

There are a few people in the middle who are using the idea that, if only there was more evidence, they would then be able to make a decision. It is simply not going to happen. There is no way a further report is going to make it any easier for anybody to make a decision about whether or not to extend our runway. So my advice is vote for 1(a) and forget about this idea that
2620 somebody is going to be able to help you make up your mind, because they are not. It is simply not going to happen.

Thank you.

The Bailiff: Deputy Ferbrache.

2625 **Deputy Ferbrache:** Sir, to slightly misquote Captain Oates, I may be a little time. In relation to this matter I am going to start where I did not expect to start, which is really Deputy de Lisle as he quite properly exercised his right not to let me interpose; there are two points I would like to make now in connection with his speech.

2630 One of the things he said was that we could subsidise Aurigny by reducing air fares. What I would like to ask him was, bearing in mind Aurigny had about 500,000 passengers a year, if we reduced it by £10 that would be £5 million, if we reduced it by £20 that would be £10 million, if we reduced it by £30 it would be £15 million. Which of those amounts does Deputy de Lisle want us to spend?

2635 Because £10 would make no difference. I do not even think £20 would make a difference; £30 might be marginal. It is alright just saying these things but you are saying it without evidence. It touches upon, before I come to Deputy de Lisle's second point, Deputy Langlois' comment, which I found rather strange: why do we need evidence? Why do we need evidence when we have got fixed views, when we have got prejudices? I am not going to give way to Deputy Trott. I am going
2640 to be a long time so if he wants to come back later, I will give him an opportunity later to say what he likes. If I do forget, make me just stand up for an extra second so I can do so!

In connection with that, he said why do we need preconceptions? I would today, or tomorrow, whenever we come to vote, but that is not the test, say we should have a runway extension

2645 because overwhelmingly, it seems to me, that is in the best interests of Guernsey. But that is not what we are deciding today or tomorrow. That is not what the States is being asked to consider. What the States is being asked to consider is that disinterested experts go off and carry out a proper, unbiased analysis and see whether it can be justified. That is what we are looking at. That is evidence and that is what we should make decisions upon.

2650 Connectivity was an election issue last time. Connectivity will be an election issue next time. Connectivity has probably been an issue – I have been in the States for a long time – for a long, long time. We can tell people out there that they are wrong; we can say they do not know what they are talking about. But just a matter of probably six or seven weeks ago, I was talking to a partner in Backer & McKenzie in Geneva. This lady loves this Island, she has got a friend here who had a baby 37 years ago, so she has been coming back to the Island for at least 37 years, and she would put as much business as she can to Guernsey.

2655 But every commercial piece of business that people do not choose Guernsey or Jersey, and overwhelmingly they choose Jersey anyway, they choose Jersey but it is on balance for two reasons. This is no criticism of Guernsey Finance; I think they do an excellent job. **(Deputy Trott: Hear, hear.)** Thank you, Deputy Trott cheering himself again. That is not the first time we have heard him cheer himself! *(Laughter)*

Deputy Trott: Sir, on a point of correction, Guernsey Finance is not a one-man band. It is a collegiate effort between industry and this Government – and an effective one at that.

2665 **Deputy Ferbrache:** I fully accept that and in particular it was during my tenure, but that has gone. Deputy Trott made a point in a speech, I think, yesterday that they could do with more finance. I certainly agree with that. But the fact is Jersey has more resources in connection with the promotion of finance and therefore they are better at it, because they have got more resources. They are better and generally they are more effective. That is without, in any way, criticising the efforts of Guernsey Finance and others.

2670 So she said that was one reason that they put business Jersey's way rather than Guernsey's way. The other reason is connectivity. Jersey is far better connected to the outside world than Guernsey. Now Deputy St Pier say they have got 44,000 more people than we have. Of course they have, they have got 45 square miles, we have got 24 square miles. I did not come into the States, either all those years ago or back again in May 2016, to be a defeatist, to say Guernsey should be second best to Jersey or anywhere else. I came into the States to try and promote activity, to try and promote the welfare of these islands. You can only do that by being positive.

2680 From the days of Harold Macmillan all the way through to that gentleman Edward Heath, the Conservative Party were promoting the gentle decline of capitalism. Then came a grocer's daughter from Grantham who said, 'Blow that for a bunch of coconuts, I am not going to accept that, I am going to get rid of Britain.' Because those of us who lived in England in the 1970's saw it just took all our spirit away, it took all our enterprise away, it took all our interest away, because it was governed so badly by both parties that were in power through the 1970's. They were both equally inept and equally inefficient because they did not have a forward view.

2685 She came along, she got rid of the Wets, the Ian Carmichaels – not Ian Carmichael, he was an actor! – Ian Gilmours, Mark Carlises, first rate people but they were of the old school. They were of the gentlemen school that we should manage decline. I do not want us to manage decline. I want us to manage positivity, I want us to manage progress.

2690 When we come to looking at Deputy Trott saying you have got to concentrate on sea links, I absolutely agree that we have got to devote a considerable amount of time and money and effort to sea links, and harbour and Deputy Inder maybe withdrawing his requête between now and 22nd May.

In connection with all of that, what I find surprising, if that is the case, is where we have a policy letter for every one word that is written about sea links we have three words written about

2695 the runway extension. So it is the most unbalanced, biased and ineffective report that I have read from P&R in my nearly three years back in the States.

What I get the impression happened is some poor civil servant, I probably know who he is, was delegated to write a report, to try and turn nonsense into sense. In fact what he turned was nonsense into nonsense. In relation to that, we have got a report which says do not look at something, do not have any view in relation to evidence, do not take any note of the facts.

2700 When we come up at Budget time and say we are opposing this particular Budget provision or that, we are asked where is your evidence to justify that you could bring it in for a different amount of income or where is your evidence to justify that that is a proper proposal? But when it suits our senior Committee, to a man and a woman, to say, 'Do not look at the evidence, do not follow the PwC report, do not have any regard to this particular part of the PwC report that says there should be an analysis and a business case; just carry on and just ignore it.'

2705 Anyway I have taken myself down a side track because I said I would deal with two points in connection with Deputy de Lisle's speech and I have only dealt with one. He said we should be looking at aids, if I could use that phrase, so that we could get aircraft in and out. What about page 20 of the PwC report, which says this:

There are land-based and on-aircraft solutions for mitigating the impact of bad weather on Guernsey. ILS upgrades are the most robust approach, although they will require a runway extension to at least 1,700 metres. The main technological solution, an upgrade of Guernsey's ILS systems to CAT II or CAT III, will require a full runway extension (at least 1,700 metres) to take place in order to be implemented. It is understood that the cost difference between installing CAT II and CAT III, given Guernsey's specific circumstances, is minimal, suggesting CAT III is the most sensible land-based option.

So we are told we need all these things to make sure that we can beat the fog and all that stuff and get aircraft in and out, the best way of doing that is to increase your runway to at least 1,700 m. Yet Deputy de Lisle wants us to do that but he does not want us to increase the runway. I am not quite sure where the logic of that is.

2715 What I was particularly concerned about in relation to Deputy Trott's remarks was that he spent the last week, which I think was unfortunate, having regard to his personal circumstances which I think have no relevance at all to this debate. Let me just say this, I do not need to deny whether I have reported anybody; I would not report anybody for a code of conduct thing. I think there has been too much of that, both in this States in previous States. It is too petty minded.

2720 **(Several Members: Hear, hear.)**

He was obviously 'mimophantic' and thin-skinned in relation to such matters and that was most unfortunate because he, as a robust politician, should be able to take criticism. The number of false complaints I have had in my professional life over the years, if I were Deputy Trott's mentality, in relation to the way he has expressed it today, I would be bursting into tears and I would be hiding in a dark ... *(Laughter)* You have got to be able to move on; you have got to be a big boy and a big girl when you are a politician. I do not know whether Deputy Trott is a big boy or a big girl. *(Laughter)*

2730 In connection with air and sea links it is not either/or. They are both vitally important. What the PwC report says is, and I do not know if it is entirely right, most business travellers come by air, most tourists come by sea. Of course there are some tourists that come by air and of course there are some business people that travel by sea; but not many business people travel by sea.

2735 As it says in the PwC report and as Deputy Inder has said earlier today, our air passengers have fallen by over 100,000 people in the last 10 or 11 years. They are at their lowest levels, I think for 14 years, 15 years, currently. In Alderney they are at their lowest levels since the early 1970's. I know we talk about a possible runway extension in Guernsey and not in Alderney but it is a knock-on effect. If you promote our community, if you get more people into our community or seek to attract more people into our community, then it is going to have a benefit for Alderney too. It is bound to. That is the nub of what I think we are talking about.

2740 Deputy Lester Queripel said some things I agree with and some things I disagree with. But he made the point that just because you disagree with somebody you should respect his speech. I

2745 respected his speech; it was a well thought-out speech, albeit I do not accept all that he said. He talked about when he was playing in bands over years and venues closing and other venues not opening. That has happened because the Island has declined in relation to its tourist facility and by creating more museums, which I am in favour of, by creating more galleries, by promoting tourism, all of which are good ideas, those in themselves are not going to attract enough people to this Island.

2750 Deputy Queripel may have retired from his pop career, (**A Member:** No, he has not.) He has not? I am very glad. I have actually owned in entirety or in part venues that have closed down. I can remember coming to Guernsey to see my parents, when I was living in England with my family in the late 1970's and going to the Carlton to see a show. They stopped playing years ago. Little did I know that about 11 or 12 years on from that I and others would actually own the Carlton.

2755 You would no more now have a function, a regular tourist activity now because it just would not make any more because there just are not enough people coming to this Island. Deputy Trott made a very good point in connection with the low-cost airlines. He is absolutely right. I do not think he quite said those words; I think he was a bit more genteel than that, but they show no loyalty at all to the venues that they come to. They come to those venues because they are heavily subsidised. They are given either a grant or a subsidy of some kind. They are only in that jurisdiction for a period of time that suits them.

2760 But that does not mean you ignore them. That does not mean that you do not seek to attract them, because what we do in relation to air and/or sea, we are going to have to give subsidies. Whatever we call it, whether it is a capital subsidy, whether it is a revenue subsidy or a mixture of them all. We are definitely going to have to do that.

2765 I accept that the people beyond this room do not make the decisions, we make the decisions. But I do respect the judgement – it does not mean that I will necessarily follow it – of people that I believe have credence, experience and sensible reliability in connection with a particular topic. We all saw, Deputy Trott told us about his, I think he said, 400 landings in Guernsey; I doubt the fact he was flying a jet but I do not know, he had probably been flying a small private aircraft.

2770 We have all seen the letter from Tim Robins, Peter Girard and Ray Sayer. Now Tim Robins and Peter Girard would have probably flown over Timbuktu in their professional experience and Ray Sayer has, I know from personal experience, held very senior management positions in very many reputable airlines, including British Airways, including being the chief executive of Lear, including other chief executive-ships, chief operating officer roles. They have got over 100 years' experience between them, so I listen to what those gentlemen have to say.

2775 I listen to what Rob Le Page, who is an architect but has considerable local aviation experience, has to say. I listen to what John Hollis, who was a former non-States' member of P&R and is now a non-States' member of STSB, and he has written a very learned, very detailed letter; not as a member of STSB but expressing his own views.

2780 I have not heard anybody to date, and I appreciate there are probably many other people to speak, say how he is wrong; say how Mr Le Page is wrong, to say how Mr Sayer or Mr Girard, how they are wrong. I have not heard anybody say how they are wrong. Because these are people who have credence in relation to what they say.

The poor civil servant, the able civil servant who was given the task of writing this on page two, paragraph 1.4, the last bullet point:

... Guernsey has excellent air connectivity, and indeed that Guernsey's air connectivity has improved since the study was commenced.

2785 Well it is true that we have improved it and I commend the efforts of not only Economic Development but others, where we have got Edinburgh and various other places, and Southend, but we are still a long way away from where we need to be. They have made a great start but they have still got much work to do.

2790 What actually is said when you look at the wording of the PwC report – the phrase has been used, it said that Guernsey has got ‘excellent’ connectivity – when you look at page 8 of the report, it says under the words ‘A word on Jersey’:

Though we believe that Guernsey has relatively good air connectivity given its size it clearly has some deficiencies in terms of infrastructure, competition and market reach.

2795 So I am not quite sure and you cannot blame the civil servant, you can blame the five politicians on P&R, who allowed a statement that Guernsey has excellent air connectivity when the PwC report says it has ‘relatively good’ air connectivity. Of course it does. We have 63,000 folk on this Island and the fact that we can go to Gatwick, backwards and forwards every day, that we can go to Manchester, that we can go to Southampton, etc. is absolutely good.

2800 But we are not an ordinary community of 63,000 people because, as Deputy Trott has said on many occasions and I absolutely agree with him, the kernel, the engine room of our economy is the finance sector and the finance sector absolutely demands the highest of quality. So it does not demand equality in the connectivity we would expect from a little island perhaps off Ireland with 63,000 people – I do not know if there are any little islands off Ireland with 63,000 people but there must be somewhere with 63,000 people – it demands prime time, first-class, number one type of connectivity. We do not have that. We are far from that.

2805 I wrote ‘*Trains and Boats and Planes*’, we do not have trains. It was a song and I am not going to ask Deputy Lester Queripel to tell me where that came from but the point I was putting (*Interjection*) – thank you very much, I will gratefully accept that. The point that I am trying to make or I am trying to make for myself as an *aide memoire* was that what I was thinking was that we need to have first-rate services, both on sea and on air. I am going to say something about sea in due course. Because there are options referred to in the policy letter about how we should address the sea issue and Deputy Trott has touched upon some of those in his speech. There are 2810 others and I will be coming to one of those in a moment or two.

PwC were commissioned and Deputy Kuttelwascher has already mentioned that earlier today, about the issue of the report. I think it is a bit like the 11 Plus. I do not think that the Members of this States adequately represent the views of the people out there in connection with the Airport and the runway extension. I do not genuinely think they do. I think those of you that hold a 2815 different view to the view I hold, on this issue, are out of touch with the majority of the people out there.

2820 The majority of the people out there, including business bodies – I always take with a pinch of salt, business bodies, what they say – is that we should be doing something. Because if we do not do something we are going to have a continued decline. Deputy Parkinson said, in his review of Economic Development’s actions over the past few months, there has been a small increase in tourism in the last year. I think that may be true but it is minuscule.

2825 You compare it with the increase in Jersey, you compare it with the increase in other jurisdictions, in what should have been – we had a magnificent summer last year – it should have been even better. People do not come to this Island in the way that they did. There are figures, again, in the PwC report that bear that out. I looked at this report, about page 10 of the PwC report, and it talked about the airlines that have been in discussion with the States of Guernsey prior to and during the initial consultation.

2830 We have got easyJet that operate in Jersey. We have got British Airways that operate in Jersey. They are two of the big players and they do not operate here because we do not do enough for them. We are not concerned to try and help them. We are complacent. You play by the Guernsey rules or you can go away. Well they will not go away, they just will not come, and our economy will continue in that regard to decline.

2835 If we have got 100,000 fewer air passengers, and we have not bottomed it yet, we are hoping and it is part of our policy under STSB to try and increase air passengers this year to 855,000. We are roughly one third of the way through the year, we may achieve it, we may not. Even if we achieve it, there are two things to say. Firstly, it is a heck of a big increase from 808,000, it is a big

percentage increase; and secondly will be, it is still a heck of a long way from where we should be. We would still be 50,000-60,000 passengers per annum less than we were 10 or 11 years ago.

2840 I do not think it is good enough. I do not think that is good enough and I do not think that is going to make us attractive enough to visitors to come over to here or to business people to set up businesses here. If we want to manage decline, if we want to be second-rate, then reject 1(b) and just go with 1(a) and you will then – sir, that is not you – the States' Members will then be saying to Guernsey we are happy for you to go back in 20 years' time, because that is what happened to be an agrarian economy, for people to earn £10 a week, for people to drive big cars
2845 if they grew flowers and tomatoes and things, but for the average working man and woman to live on the breadline, because that is what you would be doing.

I do not mean to be over-dramatic, emphasising it, but that is what I sincerely feel about this connectivity issue. I really feel it is the most important issue that we have got to address. Deputy Kuttelwascher said we have not really addressed it. Back when we were brand new boys and girls
2850 in Economic Development, in the early part of this term, early-ish part of this term, we thought there should be a review of this. We wanted it done by the end of 2017. It should have been done by the end of 2017. Policy & Resources came over like a white charger and, frankly, they sat on it for a long time.

There were reasons and reasons it took too long to get the review. Too long to get it done.
2855 They wanted to argue over a split infinitive. They wanted to argue over a punctuation mark. They just took too long to get that review circulated. It is alright saying, as I think Deputy St Pier said it, maybe Deputy Trott – I think it was probably Deputy St Pier – saying STSB got in due course the sea and air links review. It was almost like prising teeth without a particular instrument from the dentist. It was very difficult to get those reports from them.

2860 They were reluctant, in my view – I may be wrong, I may be being 'mimophantic' or thin-skinned, because I would not be the only one in the Assembly to do that today. I may be doing that but that is the view that I took. They were very reluctant to give us those documents. When we read them ... Like Deputy Tindall, I have seen the sea one with all the bits not blocked out, so like her I have seen that, but I was not overly impressed with the sea one, but I will come to that in due course. I am still talking about the air one at the moment.
2865

The air one I thought, looking through it, this makes the case out for having a business case review. Because page 14, looking at infrastructure options, it says this, one of their considerations:

The current runway length does not allow for the commercial operation of the Airbus 319/320 family or Boeing 737 family of aircraft which together represent the short-haul workhorses for both low-cost carriers and network carriers in Europe. One benefit of a runway extension would be to make the airport accessible to these aircraft and airlines, in particular LCCs such as EasyJet. It is hoped that this increase in capacity and potential competition would lead to a reduction in air fares.

Nobody is going to say you are going to have a guarantee. That is why you have a business case. Even when you get the business case it does not give you a guarantee. It gives you a view
2870 upon which you can base your conclusions, which has some degree of evidence. At the moment we have got none of that. Then it goes down to the final paragraph on that left hand column:

Whilst the provision of a longer runway would provide sufficient infrastructure for expanded airline operations there is no guarantee that airlines will provide any additional capacity without significant financial and commercial support.

I believe that. I believe they are going to have to be given significant financial support:

Airlines select routes based on perceived profitability and commercial risk considerations.

Then the following column, 1,700 m-1,800 m extension:

This would bring Guernsey into line with Jersey's runway length but would require expanding the airport's current footprint. It would however allow for improvement to the existing ILS. British Airways operates to a c.1,700m runway on Jersey using A319 aircraft. We have spoken to IAG and they have confirmed that such a runway length would be necessary for operations. 1,700m would also enable direct flights to a greater range of destinations by EasyJet,

including southern Spain and Italy, that would not be possible with a 1,570m runway. Many European narrow body jet charters / carriers can also operate on this length of runway and do so in Jersey (e.g. Eurowings, Globalis, Dertours).

2875 It talks about, page 18, that a longer extension to 1,800 m would give direct access to southern Spain and Portugal and most of Europe. The page I have already referred to, in connection with my point in connection with Deputy de Lisle's speech about CAT II and CAT III, but there is another paragraph there. It says:

A 1,700-1,800m extension should be taken forward as the primary alternative to the 1,570m option. There are clear additional benefits and it is lower risk in the longer term, although there may be a substantial cost difference. A 1,700-1,800m runway would be likely to provide benefits in terms of opening up Guernsey to a wider range of fleet and airline options, including British Airways and European charter operations. However, a 1,700-1,800m runway breaks the existing airport boundary and therefore increases substantially the financial, environmental and political hurdles and the time needed to deliver it.

2880 We accept that and that is what such a review would do, because there are environmental issues, it would go beyond the current Airport limits. In fact, my colleagues on Economic Development at that time, in the summer, I think, of 2017, we had a nice bus ride and we were shown, the five of us, where, if you had 1,750 m, halfway between 1,700 m and 1,800 m, it would take us to. It would have some adverse consequences, but to me they were not terrible, they were not dramatic, they were not razing St Peter's to the ground, they were not knocking the water tower over, they were not doing anything which would be adverse overall to the beauty of this wonderful Island.

2890 I thought, again, and I think my colleagues have the same generally, in the view of Deputy Merrett as I speak, Deputy Kuttelwascher as I speak and Deputy Mooney if he had not popped out for two minutes, I think they would have the same view; that we came away with that impression from that visit on that particular day. Clearly marked out where the 1,750 m would go to.

2895 We move on. It is not, as I say, the almost [*inaudible*] view that was expressed to us by Deputy Trott when he made a speech a few months ago about St Peter's. I thought, 'My goodness me, I am going to have to go and see if I can find a German bunker to go and hide in because we are going to have our fields churned up.' Anyway, thankfully, Deputy Trott was exaggerating.

2900 I am not going to go into other issues but he did mention, page 28 of the same report, there is a point that is made by Deputy Inder that I have already touched upon, about the decrease in air passengers and also, if you read through the report fully, which I am not going to ask you to do particularly, then you will see that Jersey has increased, despite its size, it has increased pro-rata well above what we have: I think 1.2%-1.3% increase per annum, where we have had a decline.

2905 Now page 29 is just some quotes from various people. I am not going to quote Deputy Kuttelwascher, but I will quote the Institute of Directors, who say:

The priority is fixing the view that we're a declining market and declining economy. For our members, it is about growing traffic and confidence in the economy. We know for a fact that when we lost the City route, some businesses dropped off, others went to Jersey.

2905 The Institute of Directors. Of course the point could be made – and fairly made – that me think paleface speak with forked tongue. A lot of those people, the City route was set up for the finance sector and they did not use it enough. You have got to take that into account, but nevertheless that is what they say.

Chamber of Commerce:

The highest priority for the Chamber of Commerce is the travel issue. Flight connectivity permeates into every level of business. Hotels are not as full as they used to be, especially in winter months. We are struggling with recruitment too. The bigger deterioration has been in the last few years, this year in particular. Everything in Guernsey is in decline. Whereas our neighbours are improving everything. Whatever we are doing today, the output is negative, so we have to change.

Chamber of Commerce. Now we can chuckle and disagree with that. We can say that. Beghins is closed on the High Street, HMV has closed, other shops are closing, because our economy is stagnant.

2910 I give way.

Deputy Soulsby: I thank Deputy Ferbrache but it is actually closed in Jersey as well and quite a lot of other shops are closed in St Helier, as I noticed only a few weeks ago.

2915 **Deputy Ferbrache:** Of course. I give way to Deputy Dorey.

Deputy Dorey: Thank you because I read those quotes. I looked up and if you looked at our GDP growth in 2017, which this refers to, it was 2%. Jersey's was 0.4%, (**Several Members:** Hear, hear.) yet they say that everything in Guernsey has declined while our neighbour is improving. 2920 Actually they had it the wrong way around. (**Several Members:** Hear, hear.) Jersey had the far lower GDP growth. The business community do not know what is happening in this Island.

Deputy Ferbrache: People who read statistics do not know what is happening in this Island. If you employ people, if you speak to business people, if you actually try and run a business – and I wonder how many people in here are actually running a business – you will find how difficult it is in the real world. You will find how difficult it is to make money. You will find how difficult it is to employ people. You will find how difficult it is to keep your head above water. So you can quote statistics, you go and try and run a business. You try and do that because it is very difficult in this Island. 2925

2930 I am not saying our economy is doom and gloom; I am just saying that you have got to look at it. Those of us that deal with it on a day-to-day basis, and I tend to deal with on various aspects – I have got interests in the hospitality sector, I have got interests in the fiduciary sector, I have got interests in the property sector, I have got interests in the legal sector – so I genuinely not only have interests in those sectors, I talk to people outside.

2935 I give way to Deputy Merrett. I apologise.

Deputy Merrett: Thank you, Deputy Ferbrache.

I just want to bring us back a little bit, first of all to the Propositions. A plea to our community and the point of having a retail offering, a hospitality offering is not purely to our tourism industry or to businesses, it is actually in fact to our community. Can we try and see the bigger picture of what we are trying to achieve and in my opinion we should be trying to achieve the best outcome for our community and the retail offering and the hospitality offering is there to serve our community. 2940

Thank you, sir.

2945

Deputy Ferbrache: I absolutely agree. Well said, if I can say so directly to Deputy Merrett. Absolutely. We are only going to serve our community by doing these things, by creating a vibrant economy. We have got money in the bank. We balance our books. We do all those things, But to say that we have got a vibrant economy is a misnomer. We have not got a vibrant economy. We need to make our economy grow because I do not think it is beyond the bounds of reason, unless we do try to make our economy grow, that we will be in a parlous financial position in a few years' time. We are a long way from that. We can do things to prevent it. But we need to do something. 2950

2955 Anyway, to move on from what I had to say about air links, because I think that in connection with air links all we are asking is a fact-based review and, as Deputy Graham said, other people have said it too, if it comes back and it says there is no business case, why spend £50 million or whatever the figure may be, you are going to get no return, then that is fine.

2960 We also do not know and I do not know, I mention it just like Deputy Trott mentioned things without having the evidence to his fingertips, that we may well have a position in connection with Gatwick that we may be priced out with our ATRs in 10 years' time. Not now, but even if we were to agree today, which we are not going to, that we should build an extended runway, it will be five or six years before that runway was open. We would have to have a planning inquiry and do all the other things. So until we start that clock ticking, we are a long way from starting that clock ticking, we are moving towards that 10-year horizon, which I have great concerns about.

2965 We have talked about Heathrow and I think it is fantastic, I commend and I voted for Economic Development getting our toe in the door in connection with Heathrow, but it is only a toe in the door at the moment. It is costing us, I think, £800,000-odd in subsidy; I agree with that, it is the right thing to do. It takes us to 27th October. I think, without putting words in his mouth, Deputy Parkinson is reasonably confident he may be able to extend that to the end of March but beyond that I am sure Deputy Parkinson does not know. I would like him to be able to extend it forever but he cannot say that at the moment. I think he can only be confident for another eight or nine or 10 months.

2975 That would be fantastic because we need a hub. Heathrow is the best hub in the world. But again that is another part of the jigsaw. There is not just one piece of this jigsaw, there are lots of pieces of jigsaw.

We come to sea links and I very much agree with most of what Deputy Trott said in relation to sea links. We are at the risk of Condor. Condor itself is owned by somebody who does not want to keep it any more, it wants to get rid of it and if it could sell it tomorrow it would. I think it has been trying to sell it for a time, without success, I am not sure about that. It would get rid of it tomorrow.

2985 We know, I am pretty confident, that if we wanted people to service our freight operation, we would be able to do that because it is profitable. I am not confident we would get somebody to service, necessarily, our passenger links. So for the kind of consideration, I know it has been in Deputy Trott's mind for a fair period of time, and quite rightly so, about having a Guernsey seaway, whatever you may call it. I applauded that and I spoke to him about that before and I have got a similar view to him in relation to that.

2990 But I do not think that is the only way. We have not got a service agreement with Condor; we have got a memorandum of understanding. Jersey have got theirs until 2024 but they could terminate it by giving notice in 2021. So they have got another two, three, four years or whatever it may be.

2995 That is not satisfactory. Condor have done all the things that Deputy de Lisle said about putting on extra services, etc., and I commend them for it. I make no criticism of them because they are a commercial enterprise and a commercial wants to make money. That is what businesses need to do because if they do not make money they are not going to carry on in operation. We have seen so many businesses go out of operation because they cannot make a fair buck.

3000 But in connection with that, and there is no point going too much back in history, I think it was a poor decision by previous States to let Condor go down from five boats to four boats. They should have done something more about that than they did, because we have got the problem with the Liberation that we have had; it is now performing better. What I would like to see and I do not think it is covered in any of the options in the policy letter, there may be an amendment presented in due course but I am not going to speak about that now, this amendment that may be put forward does not cover this anyway.

3005 I would like to see us sit down with Condor because they want to sell it and the people who would buy it would want a long-term contract because they want to know that they have got security for their investment. I would like to see us do some kind of deal with them in buying a vessel – whether we buy the vessel and lease it to them or whatever – if necessary, if they give us the service that we require, and there would have to be serviceable provisions and contracts, we may have to subsidise it somehow. I do not know what, that would have to be more for a detailed analysis; we may have to do all of that.

3010 Condor in my view would be the favourite, not because I hold any great feeling for Condor. They were a proper Guernsey company until some years ago. They are not a proper Guernsey company now – I do not mean this disrespectfully – and they would move tomorrow if it suited them. Again that is not meant as a criticism, it is a statement of commercial fact.

They are there, they have got the operation. They know what the problems are. I would prefer to sit down with them – and I think Deputy de Lisle made the point that it should be in liaison with Jersey, I accept that – sit down with all the relevant bodies and see if we can thresh out a long-term agreement. But it is going to cost Guernsey more.

3020 It is not almost like a travel tax but I think we should realise, if we are going to provide proper connectivity, both in sea and air, it is going to mean us as a States of Guernsey, putting our hands in our pocket, which means putting it into the pockets of the citizens of the Bailiwick, because that is where we get our money from.

3025 But that is what we are going to need to do because connectivity is the main issue and we are not addressing it. I said I would speak for a long time; I have spoken for a long time, but I have now finished. Sorry, I was going to give Deputy Trott the opportunity, before I sat down, to say what he wanted to say.

Deputy Trott: I am grateful to Deputy Ferbrache. The trouble is there were so many things that I need to correct him on I have decided to wait until I sum up later. I hope he does not mind.

3030 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, sir.

3035 I thought I would wait to speak until now, until Deputy Fallaize is in the Chamber, because I think he was the only who was sitting on the fence and he did not know where he was going to vote on this. So I have got one person to persuade. I do not know if there is anybody else at all in that position. I hope it is not just Deputy Fallaize but it may well be.

3040 I will just repeat on something Deputy Ferbrache has said; our economy is doing very well in very difficult circumstances. We are in a very good position on air links. Yes, it can be better but please do not run our place down. We are in one of the envious places of the world. We have got very high GDP, we are doing really good so please, quietly, just pat ourselves on the back and if you want to be in Jersey, well there are boats leaving every day to Jersey. I am sorry but I get really cross, as a Guernseyman and part of the Bailiwick, we have got to stick up for ourselves and we are doing very well.

3045 I was a bit concerned with Deputy Parkinson about our entrenched position on P&R. I do not know whether I am expecting flak to come, or something. I just want to go through a few points. I think Deputy Trott eloquently covered the position of P&R. The one question we need to answer is do we want to extend the runway? Now each of us should ask ourselves what we need to come to that answer.

3050 Do we or do we not extend the runway has been running as a political question, which has gone on all through each of our lives that we have been on the Island, that is assuming you were not one of the ones born before May 1939, when the Airport first opened. So if you are over 80 you probably have not had it all your lives. But for the rest of us it has been a continuous issue. Do you extend it? Do we fill in the hollow? Do we have it with asphalt, do we have it filled with clinker at one stage?

3055 Whatever you do I do not think spending many hundreds of thousands of pounds on a report will tell us anything that we do not already know. I appreciate the business case is one part of it but, as Deputy Langlois very eloquently said, there are many other factors that we, as politicians, will have to take into account. I do not think we are going to have one piece of paper that is going to give us the definitive yes or no.

3060 If you feel a longer runway will be a game-changer for the good, somewhat challenging the experience the Isle of Man has had, then bring a Proposition now and have the debate. It just feels

like we are looking to kick the decision down the runway and using yet another report to tell us what we already know. Then we still have difficult, complex decisions to make.

3065 But just mentally, in your head just for a moment, put your hand up if you have ever complained about the States having more and more consultants. Have you ever mentioned in your manifesto that the States is just wasting money on asking the silly questions when we already know the answer? If you have ever mentioned in your manifesto about spending wisely, cutting back on wasteful decisions, then please, just think about what you are asking to be done with this report. What questions would it answer for you that you do not really, in your heart of hearts, already know?

3070 I am personally, not at this stage, convinced that a longer runway will solve the perceived problems that some of our Members and our colleagues in the community think it will. It comes down to three main areas: frequency, price and destination. Now frequency, with a longer runway, if larger planes are used and there is not a corresponding increase in travellers, frequency will be at risk.

3075 Price is an interesting one. Unless we, as a Government, enter the market, as we do already with Aurigny, any new entries to the market will charge what they wish, cognisant of what the market will bear. As we have seen in the past, price wars and competition, we have low prices for a time but only until the competition has moved on and left the market. How many past carriers can you name in the next minute? Many. They come and go. When I started work a London fare was a week's wages. Now you can travel to London for the price that one is charged for a tradesman to do a one-hour call out. I am not criticising tradesman at this point.

3085 **Deputy Leadbeater:** Point of correction, sir.

The Bailiff: Is this a point of correction? Point of correction from Deputy Leadbeater.

3090 **Deputy Leadbeater:** I would like to see an example of a trade that Deputy Brouard can give that would charge the price of an airline fare to London for an hour's work.

Deputy Brouard: Thank you.

3095 I do take your point. (*Laughter*) But the price now, if compared to what it was 20 or 30 years ago, is considerably cheaper out of the week's wages. That is the point I was making. (**A Member:** Two hours?) Do not take it as a given that fares will be lower if you extend the runway.

Destinations. Now I like the tapestry of the various destinations we have to choose from. But will this be compromised? I feel, if a larger aircraft is successfully employed, the destinations which we have now, many which are sustainable with a three-quarter full ATR, may not be sustainable with a half-full Boeing, Airbus, whatever. What will happen to Aurigny and Gatwick? Do we continue the monopoly?

3100 I am sure that, for Aurigny, the monopoly they have assists with the other destinations that they fly to. Do we relinquish the slots to another carrier? I would advise not. These inter-plays and what will be the long term may never be known in a new report, no matter how much money you spend on it or the colour of its cover.

3105 Some of these issues you just have to have that political thought as to what it is going to be. I do not think you are going to find someone else to give you that answer. What happens when the new courier or the carriers, maybe a low-cost, after flying here for a year or two, make a business decision that it is better to fly to Malaga? Would we still have Aurigny at that time to pick up the pieces or do we wait until another carrier comes along?

3110 After many years of debate and doing substantial work on our runway, mitigating many of the non-compliance issues that we had at the Airport, the ideal which we aimed for was to have a compliant runway, with the appropriate safety areas. The optimum for a 1,463-m runway is to have a 60-m stop end at each end and a 240-m RESA at each end – runway safety area.

Deputy Kuttelwascher: Point of correction.

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The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: We do not have a fully compliant airport. We do not have a 240 m RESA at the eastern end.

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Deputy Brouard: As I said, the ideal we aimed for was to have a compliant runway with appropriate safety ends and the optimum for a runway of 1,463 m, is 60 m stop end and then a 240 m RESA at each of the ends. If Deputy Kuttelwascher would have waited a moment, by taking La Mare Road and the many fields that Deputy de Lisle mentioned, we managed to get the western end with a 240 m RESA and a 60 m stop end.

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Even then the RESA is compromised in width by the Plaisance Road, Lesbirels vegetable stall. But it is reasonably compliant. But if you go to the eastern end, although the RESA is wider, we have a 60-m stop end but a RESA of only 198 m, 42 m short of ideal. Having been on the old PSD committee, it was always envisaged that, if an extension was needed, and I stress 'needed', it would probably be at the eastern end.

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The point is, if you are going to extend the runway the plane has almost already left the hangars, so to speak; you should have done this when we were doing the refurbishment of the £80 million of the runway. If you try and squeeze a larger runway into the present boundaries, you will compromise the RESAs, which you have just spent £80 million trying to get up to be the right length so that you are as compliant as you possibly can be, for a 1,463 m runway.

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I struggle with the concept of bigger planes, with more people on board, because you would do that if you extended the tarmac area, and then compromise and have less optimum RESA than we would have for the Airport that we have now. We have made our Airport as good as it can be within the boundaries that we have got and if you could, yes, ideally to the east, you would probably add another 42 m of RESA.

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So that brings us back, then, how do you make the runway safer with smaller RESAs? Then of course you look at things like EMAS, (engineered material arrestor system). EMAS is expensive. I believe people have had difficulties dragging large planes out of it, if they ever get into it. It is a difficult procedure. What do you do if a plane is in it? Do you bring it out, can you still continue the full length of runway use while it is being moved? Do you have to keep EMAS blocks on site? Do the EMAS blocks on site degrade over time? How often do you have to replace them? Some of these things where we might shorten the RESAs with technology, there is a cost and there is an environmental cost in doing so.

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I give way to Deputy Dorey for a moment.

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Deputy Dorey: Thank you.

I just was reacting to one of your earlier points. I was just looking at the Aurigny website. In June, to go from Guernsey to Gatwick you can go on the 4th, the 5th, the 11th, the 12th, the 22nd, the 24th, 25th, 26th, 27th, for £32.99. So I think your comment about the price of an hour's tradesman is about right.

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A Member: Can you come back as well?

Deputy Brouard: Thank you very much, Deputy Dorey.

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I think that just covered the leadwork man that I had was about £32 an hour so, yes, that probably does fit very well.

If you want a 1,700 m runway it is going to be very difficult to fit that within the existing boundaries you have now because all the land, from the west to the east, is fully utilised as either RESA, stop-end or runway. There is not a blade of grass left over in that length. So we need another 237 m to make the 1,700 m; plus the shortfall on the eastern RESA, which we have

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obviously probably got a derogation for because we are running at 198 instead of the compliant 240. So in total we need another 279 m.

3170 That would probably be going to the boundary to the east and La Villiaze Road will go and you will be getting up or close to Route des Blicqs, which is the old Martel's Nurseries. Now that is a fairly steep valley to re-engineer and I am not even going to start talking about the 1,570 m. I think we are all in favour of it, if it can work, but I am just concerned, even with that, about the safety areas that we have just spent so much time and money in trying to improve.

3175 The point is if you vote to do the research for a longer runway be prepared to do the work and accept the environmental consequences and the mitigation consideration that you will need to do. This neatly raises the point on the environment. I say the environment and we do it a lot in this Assembly, we say, 'the environment'. It is actually not 'the environment' it is actually *our* environment. We actually are living in it; our lives are in it, and yet we almost have it as a detached third party.

3180 There are some conflicts and I am just going to touch on one tiny little bit of it. This is on the conflicts that we have in this whole mix. We are trying to encourage air travel and I understand that for tourism and for business connectivity. One flight to London. Some of us were down the beach the other day picking up plastic and I support the reduction in plastic bags but there is also the size of plastic bags, there is also the carbon footprint of producing a plastic bag and no doubt many of us will make strong speeches for bans and yet with one extra flight going to London, 60 seats, about 46 kg of carbon for that person, about 2.7 tonnes of carbon. In plastic bag terms that is something like 13,800 plastic bags would have had to be made to the equivalent amount of carbon for that one extra flight to London. So these are just some of the myriad of issues that we face.

3190 Now going by certain ships, cruising has got a higher carbon footprint than flying, but ferries are significantly lower in making the journey and also, because we are covering the freight, you are also piggybacking with passengers on the freight.

3195 Again I am not going to another minutiae; people say why are we moving freight around, why do we not grow our own, etc. St Peter Port has been trading since many millennia, with Roman vessels and for jars being found in the harbour. We have traded a lot by sea. Our future, we need to look very much also at the sea, where many hundreds of passengers can be accommodated, as we did in the past, reasonably low carbon footprint and yet of great benefit to our tourist industry and better for our environment.

3200 That is a good segue to turn to the sea. Our sea links are basically all tied up in Condor. Certainly the majority of freight, there are tankers and other bulk carriers, but I think we all recognise the essentiality of Condor and their services and the valuable role that they have and do fulfil. But they are not in our control and, once sold, they might not even be in their control any more than they are today. So it is not only prudent but essential that we have a plan B for our sea routes and I favour having control of our sea routes and our destiny, much closer than we have ever had before. If we have a model that works similar to Aurigny then that is probably going to get my vote.

3205 So I will vote for 1(a), which I think is more appropriate. I think Deputy Le Clerc made a very good point about the other parts of the infrastructure that will have to be looked at: the arrivals hall, the baggage handling, all those other things. When you have an A219, or whatever it is, I think there are about 160 passengers on board; that is almost double what is coming in on the Embraer. So these peaks and troughs in our servicing of the Airport, our Airport is geared up for slightly smaller aircraft operating frequently. It is not an airport that has been geared up for one or two flights, with very large numbers happening very infrequently.

3215 I think we have got a fantastic offering for both Islanders and for business with what we have now. Can we make it better? Yes, of course we can. I think Deputy Trott and Deputy Parkinson mentioned some of the new routes, etc. that are coming on stream. Great. But that has been done with our existing runway. If you want a longer runway, I do not think you need to have a £600,000-plus comfort blanket, which will probably not salve your conscience in the end.

Thank you, sir.

3220 **The Bailiff:** Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

I was not going to speak during this debate but Deputy Graham made such a fundamental point that I feel I want to reinforce it. If we vote not to commission the second phase of this report, this issue will go on and on, round and round, until finally a future Assembly ...

3225 I liken this scenario in a way to that of La Roseliere at Cobo, I believe the DPA should have agreed to hold an O.P.M., as was requested. Obviously I cannot say what the outcome of that O.P.M. may have been but the avenues and processes available to representatives would have been exhausted and would have, in my view, helped reassure the public the political board was prepared to listen to concerns and establish the facts in an open and transparent forum.

3230 Members of the public and business want us to explore further extending the runway and we should give them their wish. Without this report we do not have the evidence needed in order to determine whether or not extending our runway is a flyer. Like many others, I balk at the cost of consultants' reports such as these. Personally, I believe that within the Civil Service we have the staff with required skillsets to be able to prepare these types of reports, maybe not independently, but this is all discussion for another day.

3235 So in summary the only way to arrive at a conclusion on whether or not to extend our runway is to commission this report. I will be voting for 1(b) and if Deputy Brouard ever needs any work doing on his house, just give me a call! (*Laughter*)

3240 **The Bailiff:** Alderney Representative Roberts.

Alderney Representative Roberts: It is always wise that the decisions made around whether or not to proceed with new infrastructure are carefully based on economic need. The question of how to finance or whether or not it is affordable is a question that should come after the economic need is established.

3245 Alderney has the same problem but to a lesser degree and unfortunately we have fewer options to choose from. Nevertheless, decisions must be made on economic need and that need alone for it is an investment into the Bailiwick as a whole. You will note that I include Alderney in that because if Guernsey succeeds the Bailiwick succeeds and if the Bailiwick succeeds so does the Island of Alderney.

3250 Too often we talk Guernsey and Alderney down. Let us start talking them up for once. Look, Alderney has its problems with connectivity so, Guernsey, do not go down the same path. Air links are an economic enabler but only if they are well run. If they are state-owned, some measure of overrule must be in place whether it likes it or not. Without that you encourage corporate anarchy. Deputy Brouard, with his carbon footprint, should perhaps join the London disruption protestors.

3255 I come to sea links. Sea links are sparse to Alderney, however the little ferry brought 4,000 movements to the Island purely by offering a cheaper option and many people visited that had not visited there for years. Perhaps that is a lesson for us all. This will be replicated again in May and it can only operate in the summer but it brought our visitor numbers up.

3260 Air links always fall with our future; however medical chartered needs are indeed air links. Alderney has two lifeline links: Southampton and Guernsey. Both have proved the criteria of qualification required to two Committees here in Guernsey. One of those lifeline links is now being threatened. We must not let that route be reduced as it will impact on the economy – and greatly. It is now much more difficult to get a seat on that route, direct to the mainland.

3265 Alderney is now suffering a possible loss of air medical, with Aurigny now actively encouraged to forsake our sick and injured by the failed route of tender, PSO. I hope we get an improved offer but today, colleagues, Alderney is worried. However, medical charters are air links. This must not

3270 be forgotten. Should some operative working from Gatwick be requested to fly an injured person with a spleen bleed and who needs a surgeon within the hour but does not even know where Alderney is, it will be the responsibility of the person who took operations away from these Islands.

3275 I support this. My own personal thoughts are that a longer runway would indeed invite bigger aircraft in the future, thus releasing price tariff. A 1,700 m option may well be the result of review, or it may not. We will see. I hope so. This is just my own personal view but Guernsey should then be open for new and more competitive and exciting business. But you need a business plan for that so start it today. Fewer rotations are the same argument used in Alderney. However, you will never know if the hat fits unless you try it and, if it is starting to rain, think about getting the hat.

3280 I do not care how often I get a plane available in Alderney, I just want to get a seat and afford the fare. Talking of statistics, Deputy Ferbrache, we have to use advice from consultants. However consultants simply borrow your watch and then they tell you the time. Sometimes, just sometimes, they fail to put the clock forward.

3285 You simply cannot compete with the big airlines taking people to Spain for fantastic deals, but bring the prices down and more people will travel here. So you really do have to explore other options. But that is for Guernsey. I only wish Alderney had the same chances. But if Guernsey prospers then the whole of the Bailiwick prospers, including Aurigny. But please consider our medical accessibility and do not leave it to others for they simply do not care and it falls on the deafest of ears.

3290 Alderney people need a reliable, affordable airline. Alderney needs protection for the sick and injured. We have no surgeons on call at home, only available at PEH in Guernsey, so we need sometimes to get patients there without delay, if a life is in danger. Now can I just take this opportunity to praise that very hospital, the PEH, and we in the Assembly, all of us, should be very proud of just what we have in Guernsey and Alderney and stop talking us all down.

3295 Thank you.

The Bailiff: Deputy Parkinson.

3300 **Deputy Parkinson:** I very much enjoyed Deputy Trott's opening speech, which was delivered with typical vigour, particularly where he took credit for Guernsey's new open skies policy and the beneficial effect that market interventions have had on Guernsey connectivity. A bit ironic since he and the other Members of Policy & Resources Committee opposed Guernsey's open skies policy when we brought that proposal to the Assembly.

3305 **Deputy Trott:** On a point of correction, sir, I did no such thing. I was extremely careful, with the words I chose. I said the only two routes that have benefited from an open skies policy were in fact routes that Aurigny was competing on, i.e. Southampton and Jersey. All of the other routes have come as a consequence of market-based priming, which is the expression we need to use, to be careful, and that the Policy & Resources Committee had supported that. I think it is
3310 disingenuous of some in this Assembly to suggest that open skies has been the result of a number of new routes when it has been significant sums of money that have created them, not the absence of open skies.

3315 **Deputy Parkinson:** I beg to differ, sir, because only one or the eight or so new routes that have been introduced since open skies benefits from any grant funding. The others benefit from the standard airport discounts for new routes on landing fees, but those have been available for many years and those discounts are not new or part of a new market intervention.

3320 What Deputy Trott ignores is the fact that for many years Guernsey had no new routes and suddenly we introduce open skies and we have eight new routes in as many months. To claim that that has nothing to do with open skies is, I would suggest to him, the disingenuous point. The

reality is that, far from there being only two routes that have benefited from open skies – he claims Jersey and Southampton – they all have.

3325 In fact I can state with certainty that we would not have got the Heathrow route, which is I think a vital element towards improved connectivity for this Island, if we had not introduced open skies. So it is clearly nonsense to suggest that Jersey and Southampton are the only beneficiaries.

I give way to Deputy Tindall.

3330 **Deputy Tindall:** I thank Deputy Parkinson for giving way. I would also like to add that of course there was one reason for bringing quasi-open skies: simply because the air transport licensing regime was seen as a barrier, whether or not it was perceived or actual is another matter, but it was perceived as a barrier.

3335 **Deputy Parkinson:** Indeed. I totally agree with Deputy Tindall and the fact that we have attracted so many new routes, many of which of course have yet to come on stream because many of them are starting around now, is testament to the fact that the previous regime had been seen as an obstacle.

3340 But the success of open skies and the market interventions that we have introduced is definitely real and we are already starting to see that in figures. The passenger movements through Guernsey Airport in the first quarter of this year are 2.8% up on the first quarter of last year; 2.8%, you may say, is not very much, but as I say most of the new routes have not yet come on stream and the fact is that this 2.8% increase comes after many years of decline. We seem to be making some progress. We think we are turning the ship around and that passenger numbers through Guernsey Airport will continue to rise from now on.

3345 When I introduced the open skies policy letter, I told the Assembly that improving Guernsey's air connectivity was going to be expensive. I told the Assembly that introducing open skies was but the first step in a long process and it was by far the cheapest step that we could take. It cost us nothing to dispense with this unnecessary regulation.

3350 Clearly, further investments are required in Guernsey's air transport infrastructure. Some of those will take the form of revenue subsidies, some will involve capital investment, whether that is in new aircraft, new landing systems, new runway equipment or whatever. The States is being asked now to consider doing some research to examine whether a fairly big piece of investment in the Airport runway would be justified.

3355 We have in front of us this Policy & Resources policy letter, which is a strange beast really because it is clearly not supported by the consultants' report that they have commissioned to provide them with evidence. P&R have concluded that the States and the community is unlikely to be persuaded that the highly significant financial environmental costs are worth paying.

3360 But PwC in their report, which so-called supports this policy letter, clearly recommends that a 1,570 m and a 1,700 m-1,800 m runway option should be investigated. So P&R have rejected the consultants' advice on this point. One reason I fear that they have reached this position is a lack of clarity about what some of these runway extension options might mean and that lack of clarity is actually reflected in Proposition 1(b) itself, which talks about a runway extension outside the Airport boundaries.

3365 A little bit of history here. I have referred earlier to the December 2008 States' Report, I think it was called in those days, brought by the former Public Services Department, which recommended the rehabilitation of the Airport runway at its current length of 1,463 m. That Billet was Billet number XVIII of 2008 and the relevant policy letter was Article VIII. I do urge Members to go back to the records – they are on the gov.gg website – to refresh their memories and, for those Members who were not in the States in 2008, to actually understand the background to where we are today.

3370 It was a report, as I say, where PSD recommended the rehabilitation of the runway at its existing length. However their consultants were instructed to include consideration of the potential of a runway extension to 1,700 m. That is paragraph 3.10(k). The policy letter that came

3375 to the States included a study of what a 1,700 m runway would look like at Guernsey Airport. In fact the rehabilitation project was adjusted to accommodate the 1,700 m runway. The existing 1,463 m runway was moved 125 m to the west to create the space at the eastern end for a 1,700 m runway extension, to 1,700 m.

3380 PSD at the time recommended that that should not be undertaken, partly because it would involve a planning inquiry and the purchase of additional land at the eastern end but also mainly the additional cost, which was estimated at £34 million for a code three runway. Helpfully, appendix 3 to that policy letter – I have mentioned it before and I am sure Deputy Dorey has it in hand, or at least in his briefcase – the policy letter does show a plan for a 1,700 m runway. This comes back to the point that I am making about the confusion sown by the wording of Proposition 1(b), which talks about a runway extension outside the Airport boundaries.

3385 If Members study that plan, in that States' Report, as it was then, they will see that the runway itself, the 1,700 m runway, would be contained within the boundaries of the current Airport. However, if you add on a 240 m grass RESA –

I give way to Deputy Trott.

3390 **Deputy Trott:** I am grateful because I am sure Deputy Parkinson will wish to explain, on page 20 of PwC's report, these words:

However, a 1,700-1,800m runway breaks the existing airport boundary and therefore increases substantially the financial, environmental and political hurdles ...

If that is incorrect, is Deputy Parkinson willing to criticise PwC for the inaccuracy or is he prepared to concede the point?

3395 **Deputy Parkinson:** Well I am telling the Assembly the facts. PwC may have used infelicitous words as well. The facts are that a 1,700 m runway would be contained within the boundaries of the Airport. As I was on the point of explaining, before Deputy Trott's intervention, the issue is that the RESA would extend outside the boundaries of the Airport.

3400 Broadly speaking, the 1,700 m runway would end just before La Villiaze Road and the RESA would then extend over the road and down the fields. So a 1,700 m runway extension would involve the redirecting or closing of La Villiaze Road, the little lane at the end of the runway. (**Deputy Trott:** So it would leave the boundaries.) That road would actually have to continue from the north-west corner of the Airport down into the valley; there is an existing lane from that corner down to the Blicqs Road] at the bottom of the valley and that would become the new Villiaze Road.

3405 The issue then is what does the RESA look like? As we all know, a full-length RESA is 240 m of grass. One option would be that there becomes a 240 m grass strip, which runs from the boundary of the Airport with La Villiaze Road and runs east from there. Another option mentioned by others during the course of this debate is that you use a shorter length of EMAS and of course that would have the advantage that you do not go so far down the valley, it involves much less earth works and engineering and avoids damage to other properties. I think with a 120 m length of EMAS no properties would have to be demolished.

3410 But these are issues which need to be explored in developing a full business case. Now there are a number of other considerations to take into account in assessing any runway extension. The strength of the current runways –

3415 I give way to Deputy Brouard.

Deputy Brouard: Thank you very much, Deputy Parkinson, for giving way.

3420 I just want to touch on the point you were making about the runway and the RESAs. In my mind a runway and a RESA are one and the same. It is all part of the infrastructure. It is a bit like saying I have a car but the wing mirrors are outside of it. It is all part of the same picture.

3425 There are a considerable number of properties in the area to the east, that will be affected on the side, not only from the point of view of properties that may have to be demolished but also for those that will be affected by the actual lengthening of the runway, which will mean planes are much closer to the houses where they have never been in the past. Not even touching on the issues of the water tower, etc. So there are quite a few other environmental issues to take into account.

3430 **Deputy Parkinson:** All these and many other issues would have to be taken into account in the business case which we need to conduct to evaluate the issues. But I do not accept at all that there is no difference between an asphalt strip, which is 30 m wide, and more than a metric mile long, and a 240 m grass strip. I think environmentally there is a world of difference. To say that the 240 m grass strip is just part of the runway, so I am splitting hairs, is I think unjustified.

3435 The strength of the current runway is PN36; that is the way it is measured. A runway to regularly handle A320s, for example, would have to be reinforced to PN50. So if we were regularly landing small airbuses, the whole length of the runway would need to be reinforced.

Deputy Kuttelwascher: Point of correction, sir.

3440 **The Bailiff:** Deputy Kuttelwascher.

Deputy Kuttelwascher: I hate to do this but this PN50 relates to an aircraft operating at maximum weight, which is not the consideration. We already know and easyJet have said they would use our current runway on short sectors, where they are not operating at maximum weight, with the PCN as it is and indeed on 1,570 m.

3445 So I think what Deputy Parkinson is saying is correct, but you are looking at what is required for a maximum take-off weight for these aircraft, which I do not think will ever be an issue in Guernsey. That is all.

3450 **Deputy Parkinson:** I would thank Deputy Kuttelwascher but I was just about to get onto that and if he could contain his impatience I will try and cover the points that we need to cover. As Deputy Kuttelwascher has said, occasional use by lightly loaded Airbus jets would not require runway strength of PN50 and it would need to be determined in developing a business case what strengthening, if any, was required to the length of the runway. Just for the benefit of Members to understand what strengthening the runway would require, to increase the runway strength from PN36 to PN50, we would have to add about 125 millimetres of asphalt on top of it.

3455 In the end however, the PSD proposals were not considered until March 2009 and there is some interesting history around this as well. The policy letter, or States' Report, was brought in December 2008, for those of us old enough to remember the debates. It was not considered until March 2009 because Deputy Kuttelwascher laid a successful *sursis* to delay the debate while various options for longer runway schemes were considered. He suggested three different options.

3460 It is interesting now to look back on the names of the Members who supported this *sursis* to explore longer runway options. Deputy Brehaut, Deputy Gollop, Deputy Stephens, Deputy Brouard, Deputy Fallaize, Deputy Lowe, Deputy Paint, Deputy de Lisle and perhaps most surprisingly of all, Deputy Langlois. Were they all passionate about longer runway options and if so what has changed?

3470 I supported the 2008 PSD proposals because I was persuaded by the argument by the then Minister former Deputy Flouquet that the planning obstacles to a runway extension would take years to resolve. But that is no longer the case. The planning inquiry has been held in the context of the IDP and the area of land required for a runway extension is now zoned for airport expansion. Indeed some if it is, I believe, in States' ownership.

3475 So today a 1,700 m runway would require no planning inquiry. What it does require is a proper justification. We need to fully understand the cost and the environmental implications and we need to make an appraisal of all the possible economic benefits. That is why I will be supporting Proposition 1(b) and I will urge other States' Members to do the same.

I now turn my attention to Proposition 2 and here I digress from the general tone of the debate so far. PwC recommends that work on contingency options should continue but their view was that to meet the States of Guernsey short- and long-term objective requirements, continuing to work with Condor and the States of Jersey was the best option.

3480 The 2014 Oxera Report, which was prepared for the Jersey Competition Regulatory Authority, concluded that the Guernsey and Jersey markets were sub-optimal and it could not sustain competition on the routes. The 2014 Frontier Report, commissioned by the States of Guernsey, reached the same conclusion. It said:

We believe that it is highly unlikely that there is sufficient demand on the Guernsey routes to support a new entrant in competition with Condor.

3485 Yet once again P&R has chosen to ignore the advice of its consultants. Why on earth should we choose to spend £400,000 at this time chasing the chimera of a Guernsey only, Guernsey owned ferry service, when all of the professional advice received to date tells us that this would not be viable and that it could not compete with Condor? The ferry service depends upon its freight business and two-thirds of the freight bound for the Channel Islands goes to Jersey.

3490 Unsurprisingly there are no ferry operators offering to provide a Guernsey only service for us but we have every reason to believe that if Condor ceased trading there are ferry companies that would take over the triangular routes that Condor currently operates, because they are profitable.

3495 The Committee *for* Economic Development is working with Condor and the States of Jersey on the terms of a new service level agreement to supersede the existing agreement between Jersey and Condor. Jersey and Guernsey are aligned on the service that is required and on the need for greater financial transparency.

I believe that this is the most productive avenue for us to pursue and I am not willing to see £400,000 wasted on chasing wild geese. So I urge Members to reject Proposition 2 and to establish a sound basis for the ongoing negotiations between the States of Guernsey, the States of Jersey and Condor to define our future partnership.

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The Bailiff: Does anyone have a –? Yes, Deputy Lowe.

Deputy Lowe: Thank you, sir.

3505 During this debate we have heard very much about bigger airlines, less frequency and what a great panic that will be. Yet that is coming out of the mouths of many of those that I hear regularly saying we should be looking after the environment. We cannot have our cake and eat it. If we are going to have fewer flights is that not actually better for the environment?

3510 Equally I have heard as well about the business community; the business community want the frequency. Of course the business community are travelling to Gatwick and we own Aurigny, so I do not think that is a bit that is going to be affected anyway, so they will still have the frequency. That same business community, for some that are in the Assembly, there last term, will be fully aware that we had London City at the call of the business community. We lost shedloads of money over that and in the end we had to stop it because it was not actually being used like it was intended to be used by the business community.

3515 So I think we have to be very careful here about which way we are going on this one. Deputy Le Clerc was on about Jersey and about the passengers having to queue for so long to get through the arrivals at the airport and then going through security. I wondered if she had been up to our Airport lately because it is not particularly good. I can tell you people are waiting an hour to go through and equally we have been in the situation, myself, about three weeks ago, where we had to wait, as passengers were arriving, before we could get out to the plane.

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3525 Certainly from regarding people waiting to go through security and indeed out to the plane, now we have given away some of the area for duty free, it is not particularly comfortable as everybody is trying to find a seat, waiting for their departure. So I think we need to look at ourselves as well. That is good if it means that people are actually going up the Airport and using the Airport but it also means that from the point of view of knocking Jersey I think we also need to look at ourselves as well.

3530 Deputy Parkinson, I was pleased he actually took some time to explain about the runway, whether we needed to go beyond the current runway for the RESA or not and whether we need to take part of the valley or not, whether we would have to close some of that road completely, take away some of that road. As it was announced today we were actually closing a road for no apparent reason, by all accounts, for nine months on a trial. So we can do that for one road and save having a rat-run and yet, for the good of the community, and for our transport links, we divert a road opposite St Martin's or the Forest, why not? That is what I say.

3535 The final comment I would make, looking around the Chamber here and I am thinking who else is going to actually speak about tourism with any knowledge or information? You have got Deputy Inder who knows fully well, and has been fighting about tourism, the lack of tourists that have been coming here. You have got Deputy Ferbrache, who is talking about hotels; has got many restaurants. Both these people are actually in the trade. I cannot see anybody else around here that is actually in the trade.

3540 I am in the trade, sort of; we have got a taxi business. I can tell you almost daily the taxi drivers are sitting on the rank for an hour, hour and a half; it used to be really busy for the red eye. It is not happening, alright? Whether that is talking down Guernsey, take it if you like, but it is three of us involved daily with tourism. The trade is not there.

3545 Guernsey is still great. Of course it is great. I am always out there promoting Guernsey, as we all are. But be realistic and be factual. It is a fact that we have not got as many tourists as we had. It may be uncomfortable for some. You can play around with stats all you like but if the facts are there and you have heard it from people in the trade, in this Assembly, accept it and let us do something about it.

3550 This report, I believe, if we can go down the route ... I have always been open skies and a longer runway. Nothing has changed for me in that because I think, when you go across to Jersey and you see the planes that arrive in there and the size of those aircraft that are arriving there and you are watching passengers getting off.

3555 We were there about two months ago with the family and my little grandson looking at the window, watching people come off the plane, and he got fed up in the end. It was something to do to start with, but there were so many passengers coming off the little two-year-old soon got fed up of looking at the passengers coming off the plane. There are lots of passengers coming into Jersey because they have got that ability to accept the larger planes there.

So I welcome this and I hope that we get the report back as soon as possible and instead of the lip service that we are going to do something, we will actually do it.

3560 Thank you very much.

The Bailiff: We will rise and resume at 9.30 a.m.

The Assembly adjourned at 5.31 p.m.