

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 25th FEBRUARY 2025

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

Connétable M. O'D. Troy of St. Clement :

Would it be the right time, Sir, I need to take my wife for a hip operation at 11.00 this morning? I will be gone for about an hour. Is that permitted?

The Bailiff:

Indeed, you have notified the Assembly and by tradition the Assembly takes note of that and lets Members go on compelling appointments of that nature.

Deputy C.S. Alves of St. Helier Central:

Could I raise the défaut on Deputy Southern, please?

The Bailiff:

Should we not wait a bit? Yes, the défaut is raised on Deputy Southern.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

1. Resignation of Mr. G. Phipps from the Public Accounts Committee

The Bailiff:

In accordance with Standing Order 137(2)(b), Mr. G Phipps has given written notice to me of his intention to resign as a member of the Public Accounts Committee. I do not think we are yet in a position to move to reappointment, subject to various notice periods that have to be given.

QUESTIONS

2. Written Questions

2.1 Deputy M.B. Andrews of St. Helier North of the Minister for Children and Families regarding compensation paid by Government to Islanders who have been in care (WQ.31/2025):

Question

Will the Minister detail the total amount of compensation paid by Government for each of the last five years to Islanders who have been in care?

Answer

It is assumed that this question relates to damages payments made following a claim against the Minister for Children and Families ("the Minister") by individuals who, as children, were in the care of the Minister where the claim arises from alleged negligence to those individuals while they were looked after.

There were fewer than 5 such payments per year made from 2020 to 2025 and therefore there is a risk that if specific information is provided per year it could lead to the identification of individuals. The total sum paid in damages in this period is £380,500.00.

2.2 Deputy R.S. Kovacs of St. Saviour of The Chair of the Comité des Connétables regarding speed limits in Parishes (WQ.32/2025):

Question

For each Parish, will the Chair provide a list detailing –

- (a) all roads within the Parish;
- (b) the current speed limits on each Parish road;
- (c) the Parish roads where the speed limit was reduced in 2023 and what the previous speed limit was; and
- (d) the Parish roads where the speed limit was reduced in 2024 and what the previous speed limit was?

Answer

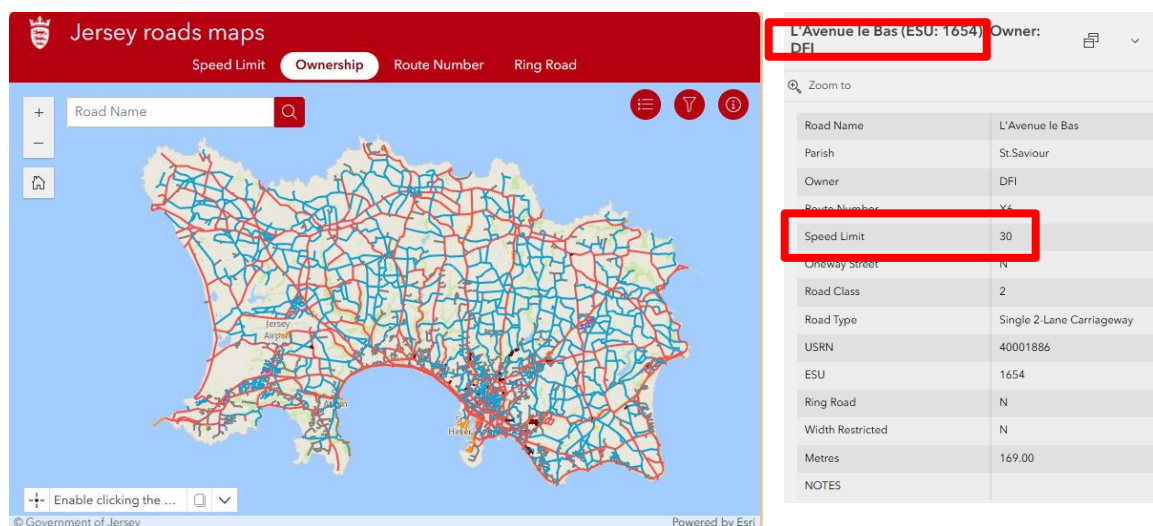
(a) and (b)

The Parish is responsible for the by-roads (*chemins vicinaux*) within the Parish.

The Government of Jersey, through the Department for Infrastructure, is responsible for main roads.

Some roads may be privately owned or administered by another body, such as a housing trust, or a company including Andium Homes.

Roads are shown on the [Jersey roads maps \(arcgis.com\)](https://arcgis.com) and the example below shows the information available for each road which includes the speed limit (road ownership has not been independently checked by each Parish).








The attached spreadsheet contains a 'List' tab with data from that map and a 'Data Dictionary' tab as an aid to understanding the data. The coding included is helpful when identifying segments of the same road and may be useful when comparing to the digital map or for further enquiries for a specific entry or entries. As mentioned in the Data Dictionary, the historic speeds by year are not necessarily the year that the speed limit was changed in law, but instead the speed held in the GIS database at the end of the year mentioned (for details of the previous speed limit on a road, please refer to the relevant legislation referenced in (c) and (d) below).

(c) and (d)

A review of speed limits on roads on a Parish-by-Parish basis commenced in 2019 in conjunction with the Infrastructure and Environment Department (I&E); these included public consultations. The final three Parishes are due to be reviewed in 2025 and I&E is looking at the process to see how this could be improved.

The all-Island maximum speed limit is 40mph, or 30mph for vehicles over 3.5T or towing a trailer. Speed limits are summarised in the table below, available in the Jersey Highway Code – see [idjerseyhighwaycodepdf20090923clem.pdf](#).

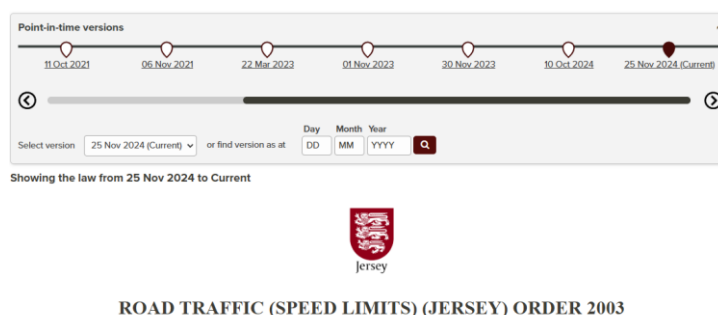
| Type of vehicle | 40 MPH LIMIT ZONE | 30 MPH LIMIT ZONE | 20 MPH LIMIT ZONE | 15 MPH LIMIT ZONE |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Cars (including car derived vans and motorcycles)  | 40 | 30 | 20 | 15 |
| Cars towing boats or trailers (including car derived vans and motorcycles)  | 30 | 30 | 20 | 15 |
| Buses and Coaches  | 30 | 30 | 20 | 15 |
| Goods vehicles (not exceeding 3.5 tons laden weight)  | 40 | 30 | 20 | 15 |
| Good vehicles (exceeding 3.5 tons laden weight)  | 30 | 30 | 20 | 15 |
| Some Jersey housing estates have a 20 mph limit. | | | | |

Lower speed limits apply to some roads and are prescribed in the [Road Traffic \(Speed Limits\) \(Jersey\) Order 2003](#) available on the Jersey Law website.

Amendments to speed limits were made in 2023 and 2024 as follows:

- a) 22 March 2023 - R&O.20/2023 relates to
 - a. 30 mph zone in St Brelade, St Clement, Grouville, St John, St Saviour
 - b. 20 mph zone in St Clement, St Saviour
 - c. 15 mph zone in St Clement
- b) 1 November 2023 - R&O.86/2023 relates to
 - a. 30 mph zone in St Helier
 - b. 20 mph zone in St Helier
 - c. 15 mph zone in St Helier
- c) 30 November 2023 - R&O.105/2023 relates to
 - a. 30 mph zone in Trinity
 - b. 20 mph zone in Trinity
- d) 10 October 2024 - R&O.55/2024 relates to
 - a. 20 mph zone in Trinity
- e) 25 November 2024 - R&O.67/2024 relates to
 - a. 30 mph zones in St Brelade, St John
 - b. 20 mph zones in St John
 - c. 15 mph zone in St John.

The Order includes a ‘point in time’ option so that earlier versions may be viewed.



2.3 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding increasing the minimum wage to the living wage (WQ.33/2025):

Question

Will the Minister publish any advice he received from his officers in relation to the Government’s decision to increase the minimum wage to the living wage and offer a financial support scheme, along with any related correspondence?

Answer

Following the adoption, by the States Assembly, of P.98/2021 as amended and the subsequent inclusion of this commitment within the Common Strategic Policy, my officers have worked on economic modelling and the preparation of a support package.

These economic assumptions and the details of the Better Business Support Package were presented to States Members on 11th November 2024, and I have asked that this detail is made available to States Members alongside this Question.

2.4 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding the Future Fit Retail Road Map (WQ.34/2025):

Question

In relation to the [Future Fit Retail Road Map](#), and the option of levying a fee on businesses in St. Helier to fund a “Business Improvement District”, will the Minister –

- (a) explain the rationale for this fee;
- (b) clarify how many retail units this fee would apply to;
- (c) state the anticipated income to be generated;
- (d) detail how this money would be spent, and who would be involved in that decision making; and
- (e) advise whether he has the support from local businesses for this initiative and, if not, explain why not and what plans he has to gain their support?

Answer

As outlined in my response to OQ.7/2025, there is no mention of added fees suggested in the Retail Road Map.

Business Improvement Districts (BIDs) are a voluntary, business led, initiative which enable businesses in a specific area to make improvements to their local environment.

BIDs are suggested in the Retail Road Map as a possible option retailers may wish to consider and is certainly not something that can be decided on or created by anyone other than business owners themselves.

The decision to create a BID would be entirely up to businesses. The ambition in the Roadmap is simply to create the legislative framework to allow businesses to take this step, if they wish to do so.

2.5 Deputy I. Gardiner of St. Helier North of the Chair of the States Employment Board regarding employees leaving within the first year of employment (WQ.35/2025):

Question

For each of the years 2022, 2023, and 2024, will the Chair state –

- (a) the total number of employees, broken down by post grade, who started within each Government department;
- (b) how many of these employees, if any, left their position within the first year of employment; and
- (c) the total number of exit interviews that were conducted by each department, broken down by employees who left within the first year of employment, and all other leavers?

Answer

Number of new starters for the years 2022, 2023 and 2024, by Department and Grade are shown below. Figures <5 have been redacted for data protection purposes to avoid individuals potentially being identified.

| Department / Grade | 2022 | 2023 | 2024 |
|--------------------------------------|------|------|------|
| Children, Young People, Edu & Skills | 388 | 532 | 406 |
| ACS06 | | | <5 |
| AET | | | <5 |
| CONN | | <5 | |
| CS01 | <5 | | |
| CS04 | <5 | <5 | <5 |
| CS05 | 11 | 9 | 7 |
| CS06 | 24 | 29 | 32 |

| | | | |
|-----------------------------------|-----------|-----------|----------|
| CS07 | 10 | 22 | 8 |
| CS08 | 14 | 24 | 8 |
| CS09 | 8 | 21 | 9 |
| CS10 | 7 | 9 | 15 |
| CS11 | 8 | 15 | <5 |
| CS12 | <5 | 7 | 9 |
| CS13 | <5 | <5 | <5 |
| CS14 | <5 | <5 | 7 |
| LEAD | 7 | | <5 |
| LSUP | <5 | 6 | <5 |
| MW01 | | 7 | <5 |
| MW02 | <5 | 6 | <5 |
| MW03 | <5 | 15 | 48 |
| MW04 | <5 | 8 | <5 |
| MW05 | 5 | <5 | 9 |
| NM02 | | | <5 |
| NM04 | | | <5 |
| NM05 | <5 | | |
| NM06 | | <5 | |
| SAS | | <5 | |
| SPOTSALARY | | | <5 |
| TAF03 | 18 | <5 | 6 |
| TAF04 | 18 | 36 | 13 |
| TAF05 | 55 | 78 | 63 |
| TAF06 | 55 | 52 | 35 |
| TAF07 | <5 | 19 | 10 |
| TCH1 | 107 | 137 | 84 |
| TIER 2 | | | <5 |
| VAR1 | <5 | <5 | 9 |
| WFMC | 12 | 14 | 7 |
| WFMD | | <5 | <5 |
| Department for the Economy | 17 | 11 | 8 |
| CS05 | | <5 | |

| | | | |
|------------------------------------------------|-----------|-----------|--------------|
| CS06 | <5 | | <5 |
| CS07 | <5 | | <5 |
| CS09 | <5 | | <5 |
| CS10 | | | <5 |
| CS11 | <5 | <5 | |
| CS12 | <5 | <5 | <5 |
| CS13 | <5 | <5 | |
| CS14 | <5 | <5 | |
| CS15 | <5 | <5 | <5 |
| SPOTSALARY | <5 | | |
| Department of External Relations | 5 | | <5 |
| CS06 | <5 | | <5 |
| CS07 | <5 | | <5 |
| CS08 | <5 | | <5 |
| CS13 | <5 | | <5 |
| Digital Services | 48 | 17 | <5 |
| CS06 | | <5 | |
| CS07 | 10 | 5 | |
| CS08 | 7 | <5 | |
| CS09 | 12 | | <5 |
| CS10 | 6 | <5 | |
| CS11 | 7 | <5 | <5 |
| CS12 | <5 | | |
| CS13 | <5 | <5 | |
| CS14 | <5 | | |
| CS15 | <5 | | |
| NM06 | <5 | <5 | |
| TIER 1 | | <5 | |
| Employment, Social Security and Housing | 85 | 61 | 25 |
| CS04 | | <5 | |
| CS05 | 14 | 10 | 6 |
| CS06 | 6 | <5 | |

| | | | |
|-------------------------------|------------|------------|------------|
| CS07 | 50 | 39 | 12 |
| CS08 | <5 | <5 | <5 |
| CS09 | 7 | <5 | |
| CS10 | <5 | | <5 |
| CS11 | <5 | <5 | <5 |
| MW05 | <5 | | <5 |
| SPOTSALARY | | <5 | |
| Health and Care Jersey | 364 | 390 | 407 |
| ACS09 | | | <5 |
| CFEL1 | 12 | 22 | 10 |
| CONN | 10 | 15 | 12 |
| CS01 | <5 | | |
| CS03 | <5 | <5 | |
| CS04 | 6 | 6 | <5 |
| CS05 | 31 | 25 | 25 |
| CS06 | 45 | 36 | 37 |
| CS07 | 7 | 9 | <5 |
| CS08 | 9 | 9 | 12 |
| CS09 | 11 | 16 | 10 |
| CS10 | 20 | 18 | 21 |
| CS11 | 11 | 9 | 10 |
| CS12 | 5 | 6 | 11 |
| CS13 | <5 | 6 | 5 |
| CS14 | <5 | 5 | <5 |
| CS15 | | <5 | <5 |
| FONE | <5 | <5 | |
| FTWO | | <5 | |
| FY1 | 20 | 17 | 18 |
| FY2 | | | <5 |
| MW01 | | | <5 |
| MW02 | 16 | 12 | 10 |
| MW03 | 6 | 7 | 6 |
| MW04 | 10 | 9 | <5 |

| | | | |
|---------------------------------------|-----------|------------|-----------|
| MW05 | | <5 | |
| MW07 | <5 | <5 | |
| MW08 | <5 | | <5 |
| NM01 | 41 | 30 | 38 |
| NM02 | 8 | 11 | 6 |
| NM03 | <5 | | <5 |
| NM04 | 31 | 53 | 101 |
| NM05 | 11 | 12 | 20 |
| NM06 | 9 | 8 | 8 |
| NM07 | <5 | <5 | <5 |
| NM08 | | <5 | <5 |
| NMD8 | | <5 | |
| NMP4 | 7 | <5 | 7 |
| NMP5 | <5 | <5 | <5 |
| SAS | <5 | | |
| SCOR | <5 | | <5 |
| SGR | 13 | 14 | 7 |
| SLT2 | | <5 | |
| ST1 | <5 | <5 | <5 |
| TECH08 | | <5 | <5 |
| TIER 2 | | | <5 |
| WFMC | | <5 | |
| Infrastructure and Environment | 98 | 128 | 82 |
| APP1 | | | <5 |
| ATM01 | <5 | <5 | <5 |
| CS03 | <5 | <5 | |
| CS04 | <5 | | |
| CS06 | 10 | <5 | 8 |
| CS07 | 14 | 16 | 8 |
| CS08 | 7 | 15 | 7 |
| CS09 | <5 | 11 | <5 |
| CS10 | 13 | 7 | 10 |
| CS11 | 7 | 5 | 5 |

| | | | |
|---------------------------------|-----------|------------|-----------|
| CS12 | 6 | 5 | 7 |
| CS13 | <5 | <5 | <5 |
| CS14 | | | <5 |
| CS15 | | <5 | |
| EW01 | <5 | | |
| EW05 | <5 | <5 | <5 |
| EW07 | <5 | | <5 |
| EW09 | | <5 | |
| EW11 | | | <5 |
| MW01 | | <5 | <5 |
| MW03 | 7 | 18 | 8 |
| MW04 | <5 | 16 | <5 |
| MW05 | 8 | 11 | 6 |
| MW06 | <5 | <5 | |
| MW07 | <5 | <5 | <5 |
| MW08 | | <5 | <5 |
| SPOTSALARY | <5 | | |
| TECH08 | | <5 | <5 |
| TRM01 | | | <5 |
| Justice and Home Affairs | 71 | 101 | 55 |
| CS05 | <5 | | <5 |
| CS06 | 7 | 13 | 7 |
| CS07 | 12 | 20 | 5 |
| CS08 | <5 | <5 | <5 |
| CS09 | 7 | 5 | <5 |
| CS10 | <5 | <5 | |
| CS11 | <5 | <5 | |
| CS12 | | <5 | <5 |
| CS14 | | | <5 |
| CS15 | | <5 | |
| FFAA | <5 | | |
| FRFF | | | <5 |
| FRSC | | | <5 |

| | | | |
|---------------------------------------|-----------|-----------|-----------|
| MW01 | | <5 | <5 |
| MW04 | <5 | | 5 |
| MW05 | <5 | <5 | |
| PLCA | <5 | 16 | |
| PLCO | 5 | 7 | <5 |
| PROP | 12 | 19 | |
| PSS2 | <5 | | <5 |
| PSS3 | | | <5 |
| ROFF | 5 | <5 | <5 |
| SGNT | <5 | | |
| SLT2 | <5 | | |
| SLT3 | | <5 | |
| SPOTSALARY | | <5 | 9 |
| TIER 3 | | | <5 |
| WFME | <5 | 6 | <5 |
| WFMH | | | <5 |
| WFMI | <5 | | |
| Non-executives and Legislature | 26 | 40 | 32 |
| ALA1 | | | <5 |
| ALA2 | | <5 | |
| ALA3 | | <5 | |
| ALA4 | <5 | <5 | |
| ALD | | <5 | |
| CS05 | <5 | 6 | 8 |
| CS06 | | <5 | |
| CS07 | <5 | | <5 |
| CS08 | 6 | 7 | <5 |
| CS09 | <5 | 9 | 7 |
| CS10 | <5 | <5 | <5 |
| CS11 | <5 | | <5 |
| CS12 | <5 | <5 | <5 |
| CS14 | <5 | | |
| LA2 | <5 | | |

| | | | |
|---------------------------------------------------|-----------|-----------|-----------|
| LA3 | <5 | | |
| LADV1 | | <5 | <5 |
| LADV2 | <5 | <5 | <5 |
| MW03 | | <5 | <5 |
| PL | | <5 | <5 |
| SPOTSALARY | <5 | <5 | |
| Office of the Chief Executive | 16 | 14 | 6 |
| CS06 | | <5 | |
| CS07 | <5 | <5 | |
| CS08 | 5 | 5 | <5 |
| CS10 | <5 | 5 | <5 |
| CS12 | <5 | <5 | <5 |
| SPOTSALARY | <5 | <5 | <5 |
| People Services | 16 | 27 | 10 |
| ACS07 | | | <5 |
| ACS09 | <5 | <5 | |
| CS04 | | | <5 |
| CS05 | <5 | 5 | <5 |
| CS06 | | | <5 |
| CS07 | <5 | 10 | <5 |
| CS08 | <5 | <5 | <5 |
| CS09 | <5 | <5 | <5 |
| CS10 | <5 | <5 | |
| CS12 | | <5 | |
| CS13 | <5 | <5 | |
| MW02 | <5 | | |
| SPOTSALARY | | <5 | |
| Strategic Policy, Planning and Performance | 37 | 31 | 14 |
| ACS06 | <5 | | |
| ACS08 | | <5 | <5 |
| CS05 | | <5 | |
| CS06 | 5 | <5 | <5 |

| | | | |
|-------------------------------|-------------|-------------|-------------|
| CS07 | 11 | <5 | <5 |
| CS08 | <5 | <5 | <5 |
| CS09 | | <5 | <5 |
| CS10 | 6 | 6 | <5 |
| CS11 | <5 | <5 | |
| CS12 | <5 | <5 | <5 |
| CS13 | | <5 | <5 |
| CS15 | <5 | | |
| NM04 | <5 | <5 | |
| NM06 | | <5 | |
| SPOTSALARY | <5 | | <5 |
| Treasury and Exchequer | 64 | 38 | 31 |
| ACS06 | | <5 | |
| ACS08 | | <5 | <5 |
| CS03 | <5 | | |
| CS05 | 13 | 5 | <5 |
| CS06 | <5 | <5 | <5 |
| CS07 | 13 | 13 | 10 |
| CS08 | 8 | <5 | <5 |
| CS09 | 5 | <5 | 8 |
| CS10 | <5 | <5 | |
| CS11 | 5 | <5 | <5 |
| CS12 | <5 | <5 | <5 |
| CS13 | 5 | <5 | |
| CS14 | <5 | | |
| CS15 | <5 | <5 | <5 |
| Grand Total | 1235 | 1390 | 1083 |

Total number of new starters, who left with less than 1 year's service for the years 2022, 2023 and 2024, by Department are shown below.

| Department | 2022 | 2023 | 2024 |
|--------------------------------------|-------------|-------------|-------------|
| Children, Young People, Edu & Skills | 56 | 85 | 28 |
| Department for the Economy | 2 | 2 | |

| | | | |
|--------------------------------------------|------------|------------|-----------|
| Department of External Relations | 1 | | |
| Digital Services | 7 | 1 | |
| Employment, Social Security and Housing | 10 | 16 | 2 |
| Health and Care Jersey | 48 | 65 | 18 |
| Infrastructure and Environment | 13 | 15 | 2 |
| Justice and Home Affairs | 3 | 9 | 9 |
| Non-executives and Legislature | 3 | 5 | 2 |
| Office of the Chief Executive | 2 | 2 | |
| People Services | 3 | 7 | 4 |
| Strategic Policy, Planning and Performance | 10 | 6 | 2 |
| Treasury and Exchequer | 8 | 3 | 3 |
| Grand Total | 166 | 216 | 70 |

Total number of Exit Interview forms completed for the years 2022, 2023 and 2024, by Department are shown below. Please note that as the forms completed online by the employee and not linked to their employment record, they are based on submission year and the leavers own account of their length of service. People Services are working to improve awareness of exit interviews and colleagues are being encouraged to take up the opportunity.

| Department | Number of forms completed from leavers with less than 1 year's service | | | Number of forms completed from leavers with more than 1 year's service | | |
|--------------------------------------|------------------------------------------------------------------------|------|------|------------------------------------------------------------------------|------|------|
| | 2022 | 2023 | 2024 | 2022 | 2023 | 2024 |
| Chief Operating Office | 2 | 1 | 1 | 10 | 7 | 11 |
| Children, Young People, Edu & Skills | 10 | 11 | 10 | 51 | 52 | 46 |
| Customer and Local Services | 4 | 4 | 2 | 11 | 13 | 7 |
| Department of External Relations | 0 | 1 | 0 | | 2 | |
| Department for the Economy | 0 | 0 | 1 | 2 | | 1 |
| Health and Care Jersey | 10 | 10 | 10 | 44 | 44 | 45 |
| Infrastructure and Environment | 3 | 3 | 1 | 26 | 17 | 16 |
| Justice and Home Affairs | 2 | 0 | 2 | 24 | 19 | 4 |
| Non-Executives and Legislature | 0 | 0 | 1 | 5 | 9 | 6 |
| Office of the Chief Executive | 0 | 0 | 0 | 4 | 2 | 5 |

| | | | | | | |
|--------------------------------------------|-----------|-----------|-----------|------------|------------|------------|
| Strategic Policy, Planning and Performance | 1 | 2 | 0 | 8 | 11 | 1 |
| Treasury and Exchequer | 1 | 5 | 3 | 10 | 17 | 15 |
| Grand Total | 33 | 37 | 31 | 195 | 193 | 157 |

2.6 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding sexual assault complaints made by staff within the Public Sector (WQ.36/2025):

Question

Will the Chair advise whether there have been any sexual assault complaints made by staff within the Public Sector in each of the last five years, and, if so, how many of these complaints have been reported to the States of Jersey Police?

Answer

There have been no complaints of sexual assault reported by staff against their colleagues during the past five years.

In respect of sexual assaults by external individuals, the information is held by departments. There were 20 incidents of a sexual nature reported in the period 2019-2023 in the Health and Care Department involving service users. These claims, (which were set out in a recent FoI response) were made by staff members against clients or customers. Three were classed as physical sexual assault.

One further complaint was submitted by a staff member in a different department against a service user and this was referred to the States of Jersey Police. In order to protect the identity of individuals involved, no further details can be provided

2.7 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding numbers of social workers (WQ.37/2025):

Question

Will the Minister state how many social workers are employed and the number of social worker vacancies that currently exist across the Government?

Answer

Please see the below table of current employed social workers and vacancies across the Government.

| Team | Current Employed Social Workers | Vacancies | Comments |
|---------------------|----------------------------------------|------------------|----------------------------------------------------------|
| Children's Services | 86 | 9 | |
| Adult Social Care | 13.8 | 1 | Includes Chief Social Worker and Principal Social Worker |
| Safeguarding Adults | 3 | 1 | Vacant post is in recruitment. |

| | | | |
|---------------------------------|-------|----|-----------------------------------------------------------------|
| Capacity and Liberty Assessment | 5 | 0 | |
| Hospital Social Work | 2 | 1 | Post in recruitment |
| Adult Mental Health Services | 14 | 3 | 2 posts are starting in March and 1 is at pre-employment checks |
| Total | 123.8 | 15 | |

2.8 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding Cabinet Office staff (WQ.38/2025):

Question

In relation to Cabinet Office staff, will the Chief Minister advise –

- (a) the number, if any, recruited in the last 12 months;
- (b) the number, if any, dismissed in the last 12 months; and the total number currently employed?

Answer

The Council of Ministers has set a clear direction that the growth in the public sector headcount should be curbed and the Cabinet Office, in particular, should be right-sized.

When reviewing the data below, it should be noted that a recruitment freeze was introduced from July 2024 and this will have had an effect in the later months of the requested timeframe. The recruitment freeze is one lever being used to deliver the required savings of the Cabinet Office, specifically £1.681 million savings during 2025 and a further £1.335 million savings during 2026.

- a) the number, if any, recruited in the last 12 months (headcount):

| Department | New starters |
|----------------|--------------|
| Cabinet Office | 14 |

All recruitment for these posts was under way prior to the recruitment freeze commenced.

- b) the number, if any, dismissed in the last 12 months (headcount):

| Department | Compulsory redundancy | Voluntary redundancy | Voluntary move | Retirement | Total |
|----------------|-----------------------|----------------------|----------------|------------|-------|
| Cabinet Office | 4 | 5 | 7 | 1 | 17 |

There have also been a further 18 voluntary leavers during this period plus 14 staff transferred into other departments. This brings the total number of leavers from the Cabinet Office to 49.

c) the total number currently employed (Full time Equivalent - FTE)

| Department | FTE on 1 January 2024 | FTE on 1 January 2025 |
|----------------|-----------------------|-----------------------|
| Cabinet Office | 215.7 | 166.8 |

These figures show a direct like-for-like comparison. They do not include the FTE for Digital Services and People Services, which were removed from the Cabinet Office Head of Expenditure from 1st January 2025. This change was approved by the States Assembly in November 2024 through the Budget 2025-2028 process. In addition, the Public Health directorate and strategic health policy team have transferred to the Health Care Jersey department from 1st January 2025. Therefore, these teams have also been excluded from the headcount data for the purposes of year on year comparison.

2.9 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding Jersey's regulatory system for medicines (WQ.39/2025):

Question

In relation to Jersey's regulatory system for medicines, will the Minister detail –

- (a) the maturity level of the system as assessed against [World Health Organization \(WHO\) standards](#);
- (b) how the system compares to global benchmarks for regulatory systems; and
- (c) any reports on, or evaluations of, Jersey's system, including any references to [WHO's Global Benchmarking Tool \(GBT\)](#).

Answer

The following answer will cover (a), (b) & (c):

Good Manufacturing Practice (GMP) is the standard for production of medicines. There are many different versions of GMP for different parts of the world, however the aim is always the same – to protect patients from harm from poor quality medicines.

Jersey, as with the EU and the UK, operate to EU GMP standards and EU Good Distribution Practice (GDP) standards – *not* the WHO-GMP. This is for all medicines. Therefore, the system of assessment used by the World Health Organisation (WHO) is not relevant in the Jersey, EU and UK context.

Medicines placed on the market in Jersey are subject to regulation by the Medicines and Health care products Regulatory Agency (MHRA). The MHRA is the UK medicines regulator and is recognised globally as a National Regulatory Authority. This is applicable to Jersey.

The WHO GMP guide can be used in countries where there is no recognised pharmaceutical inspection system – for example parts of Africa, South America and Asia. This is not applicable in Jersey.

Further information

- For companies in Jersey wishing to set up as a pharmaceutical manufacturer or wholesaler, there is an MoU in place with the UK medicines regulator, the MHRA. The MHRA will provide technical support through inspection against EU GMP and EU GDP standards.
- The Government of Jersey uses the expertise of MHRA, as a globally recognised National Regulatory Authority, to confirm whether or not any operator is compliance with GMP or GDP. This will form the basis of any licences issued by the Minister for Health and Social Services under the Medicines (Jersey) Law.

2.10 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Sustainable Economic Development regarding super yachts (24 metres long and above) (WQ.40/2025):

Question

In relation to super yachts (24 metres long and above), will the Minister detail –

- the number that have visited Jersey in the last five years;
- what strategies, if any, are being planned or implemented by Ports of Jersey to attract more yachts, and explain if these strategies aim to position Jersey as a top destination for high-net-worth visitors in the yachting community; and
- what annual target, if any, is proposed for super yachts visiting Jersey in the future?

Answer

The Government of Jersey's 2024 [Ports Policy Framework](#), published by the Ports Policy Ministerial Group, sets out eight strategic objectives for Jersey's ports sector, including support for the development of the harbour and airport estates.

Within this context the Government positively endorses measures which support growth in the blue economy, develop Jersey's visitor economy, and support the sustainable development of the wider Ports sector.

a)

Table 1 Vessels over 35m (requiring pilotage) and showing individual vessels.

| Year | Number of Super yacht visits (over 35m) |
|-------------|------------------------------------------------|
| 2020 | 2 |
| 2021 | 0 |
| 2022 | 2 |
| 2023 | 2 |
| 2024 | 3 |
| 2025 so far | 1 |

Table 2 Vessels over 24m. Please note some of these visits are multiple visits from the same vessel.

| Year | Number of Super yacht visits (over 24m) |
|-------------|------------------------------------------------|
| 2020 | 3 |
| 2021 | 5 |
| 2022 | 6 |
| 2023 | 17 |
| 2024 | 18 |
| 2025 | 2 |

b)

1. Superyacht Ready Accreditation – The Yacht Harbour Association (June 2024)

In June 2024, Jersey Marinas was awarded Superyacht Ready accreditation by The Yacht Harbour Association (TYHA). This internationally recognised certification ensures that our marina facilities meet the highest industry standards, offering larger yacht visitors a premium experience. The accreditation enhances Jersey’s global reputation and provides assurance to yacht owners, brokers, and captains that Jersey is a well-equipped and welcoming destination.

2. Specialist berthing infrastructure – Albert Pier

Ports of Jersey Ltd has developed a product that meets the needs of the larger yacht market. The increased capacity of all tide access pontoons on the Albert Pier now provides berthing options for vessels between 25 and 70 meters.

- Berths are conveniently located close to the centre of St Helier, safe footpath access has also been developed to enhance the experience whilst moored on Albert Pier.
- Berthing on pontoons offers convenient access which is especially beneficial given Jersey’s significant tidal range.
- Opportunity for increased security measures.
- Procedures have been developed to ensure vessels can refuel efficiently and safely via road tankers.

The ability to provide a berth on a floating pontoon will ensure that Jersey can accommodate and attract a greater number of larger yachts while maximising economic benefits for local businesses.

3. Partnership with Channel Island Port Services

A closer partnership with Channel Island Port Services and the Channel Islands Ambassador for Super Yachts UK is being leveraged to proactively engage with key industry stakeholders, including yacht brokers, charter operators, and yacht management companies. This collaboration aims to:

- Promote Jersey's enhanced superyacht facilities through direct industry engagement.
- Streamline the arrival and support process for visiting yachts.
- Provide a seamless, high-quality experience for owners, guests, and crew.

This targeted industry engagement is critical to increasing the visibility of Jersey as a superyacht destination and ensuring that our facilities align with market expectations.

4. Leveraging Jersey's Geographical Location

Jersey's location provides a natural advantage for superyachts traveling between Northern Europe, the Mediterranean, and the Caribbean. Positioned as an ideal stop-off point for refuelling, provisioning, and leisure, Jersey offers:

- A convenient, high-quality marina destination along key transatlantic and European yachting routes.
- A unique blend of British and continental European influences, offering an attractive stop for high-net-worth visitors.

By marketing Jersey's geographical advantages to the superyacht sector, Ports are enhancing its profile as a visitor location.

- c) While there is no target metric, superyachts have been identified within Ports of Jersey's Strategic business plan as a valuable opportunity, not only for Ports of Jersey but also for our key stakeholders and Jersey's wider blue economy through support services.

2.11 Deputy S.M. Ahier of St. Helier North of the Minister for Sustainable Economic Development regarding funding a ferry service contingency (WQ.41/2025):

Question

In relation to funding a ferry services contingency, will the Minister provide a breakdown of the costs incurred during the whole of the ferry tender process and detail how this expenditure correlates to the allocation of up to £3,989,000 included in the [Finance Law Delegation Report For The Six-Month Period To 31st December 2024 \(R.15/2025\)](#)?

Answer

The Government of Jersey ("GoJ") and States of Guernsey ("SoG") jointly contracted with DFDS A/S to provide contingency ferry services in December 2023. This followed two requests for funding presented to GoJ and SoG by the majority shareholder of Condor to support Condor's continued solvency. The nature and urgency of those requests presented considerable risk to the supply chain for goods into the islands, including fuel, postal services, food and medical supplies, each forming elements of competent authority responsibility set out in the Emergency Powers and Planning (Jersey) Law 1990 at articles 5, 6A, 8 and 8A respectively.

Having determined that public sector financial support to Condor on the scale requested could not be supported, steps were taken to insure against an abrupt loss of Condor's ferry services through commissioning of contingency arrangements with DFDS A/S. This necessitated the onward charter, or planning for charter, of vessels by DFDS A/S and including berthing trials of any vessels that had not previously called at the ports of St Helier or St Peter Port. It was

not appropriate to commission Brittany Ferries for provision of contingency given their shareholder interest in Condor.

Absent any tangible evidence throughout 2024 that Condor had been able to resolve its financial difficulties through shareholder and / or lender interventions, there was assessed to be a continued risk to ferry connectivity throughout 2024. Furthermore, it was critical that GoJ and SoG could make an objective decision on the tender outcome without fear of failure of the incumbent should they fail to secure the new contract. Correspondence received from the Chair of Condor's board, dated 11th September 2024, set out ongoing insolvency worries of the Board that may necessitate anything between £11m and £34m of further financing in order to complete the current Operating Agreement obligations.

The exact commercial terms of the contracts between DFDS A/S and the governments, remain commercially sensitive. The total sum paid in 2024 €5,182,737, converting to £4,318,127 at today's exchange rate. Whilst satisfied that these costs were entirely necessary to protect island residents and businesses, I am exceptionally dissatisfied that taxpayers have been exposed to this liability by Condor's precarious finances and repeated failure of Condor's board and executives to tangibly demonstrate solvency of the company.

2.12 Deputy D.J. Warr of St. Helier South of the Minister for Sustainable Economic Development regarding charging an annual license fee to hospitality businesses (WQ.42/2025):

Question

Will the Minister explain the purpose of charging an [annual licence fee](#) to hospitality businesses under the [Places of Refreshment \(Jersey\) Law 1967](#), and advise the total revenue this licence fee has generated for the years 2022, 2023 and 2024?

Answer

Under Article 4(1) of the Law, no person may operate a place of refreshment unless the premises are registered. The registration process requires an application and payment of a prescribed fee, as set out in the [Places of Refreshment \(Registration\) \(Fees\) \(Jersey\) Order 2008](#). As of January 2025, the annual fee is £101.

The fee contributes to the costs of:

- inspection by a Regulatory Standards Officer to ensure adequate sanitation facilities for the maximum number of permitted customers,
- liaison with the States of Jersey Fire & Rescue Service and the relevant Parish authorities as part of the registration process to ensure;
 - adequate fire precaution measures are in place,
 - clear responsibility for the collection and disposal of litter which may also include a condition extending this beyond the perimeter of the premises and within a designated time frame,
 - determining the maximum occupancy of the premises, and
 - setting out the permitted hours of operation.

Other bespoke conditions may also be attached to the registration to mitigate other community concerns surrounding possible disruption and anti-social behaviour.

Total revenue generated from the licence fee in recent years:

- 2022: £16,910
- 2023: £17,941
- 2024: £17,729

This income is paid to the Treasurer of the States.

2.13 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding expenditure on the Havre des Pas Lido (WQ.43/2025):

Question

Will the Minister provide a breakdown of the expenditure by his department on the Havre des Pas Lido over the past 6 months, and advise how much of the £500,000 allocated for this work remains to be spent?

Answer

There is a total commitment of £495,102.58 of capital expenditure on the Havre des Pas Lido. Of this, £76,534.46 remains to be spent. The breakdown of capital expenditure to date is

- Electrical Works: £61,438.50
- Fire Risk Assessments: £2,480.00
- Structural and Engineering Consultants: £2,165.50
- External Redecoration and Repairs: £230,017.59 (Total Expenditure to date: £157,308.86) (Remaining Commitment: £72,708.73)
- Pool Repairs: £169,875.00
- Consultancy Services: £29,125.99 (Total Expenditure to date: £25,300.26) (Remaining Commitment: £3,825.73)

In addition, revenue expenditure on the Havre des Pas Lido in the past 6 months has totalled £17,171.36, with a remaining commitment for this period of £1,473.10. This includes expenditure on cleaning services and reactive works.

2.14 Deputy J. Renouf of St. Brelade of the Minister for Justice and Home Affairs regarding corporate manslaughter (WQ.44/2025):

Question

Further to her answer to Oral Question 31/2025, in relation to introducing specific legislation to regulate corporate manslaughter, will the Minister provide a full list of projects that have been prioritised and those that have been deprioritised since she took office?

Answer

Legislative priorities were modified following the change of government in January 2024. The most significant change to the Justice policy work plan was this Government's wholehearted support for implementing all of the recommendations of the Taskforce on Violence Against Women and Girls (VAWG), as outlined in the Common Strategic Policy. This Government's commitment to fiscal discipline means that it has not been possible to simply expand the size

of the policy development resources to also meet every existing priority, and so difficult decisions have been required.

These decisions are taken collectively by the Council of Ministers.

New priorities emerging in 2024

Legislation to address VAWG recommendations-

- Pre-conviction management of domestic abuse
- Non-fatal strangulation and suffocation offences
- Online offences involving the taking, transmitting and altering of intimate images
- Sexual harassment in public
- Stalking and associated behaviours, on and off-line

Items deprioritised in 2024

To allow those items to be prioritised, delivery of other justice and home affairs legislation has been rescheduled beyond this Government's term of office:

- New Civil Contingencies/ Resilience Law
- Pyrotechnic Articles Regulations
- Firearms legislation
- Corporate manslaughter

Work to develop improved legislation to address fire precautions has continued, but delivery within 2024 is contingent on capacity appearing in the legislative drafting office (i.e. it will be deliverable if another project falls away).

2.15 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Families regarding communicating the changes to legislation that provide equal parental rights to same sex parents (WQ.45/2025):

Question

Will the Minister advise what plans exist, if any, to communicate the changes to legislation which will provide equal parental rights to same sex parents, and if there are no such plans, explain why not?

Answer

The Children and Civil Status Law will benefit and improve the rights of same-sex parents, and those using certain fertility treatments. The provisions include a number of retrospective elements:

- to enable same-sex female couples to re-register their child's birth to add the second parent's name to the birth certificate; and
- to allow the Court in Jersey to make recognition orders for Jersey-born children, to retrospectively recognise parental orders already granted by courts in England or Wales.

I appreciate that families are waiting keenly for these changes. However, it is vital that our communications to the families who will benefit from these changes, and the wider community, are clear, well targeted, easily understandable, and provide certainty. This legislation is extremely complex and has been developed in several stages. At the moment, policy

development work and law drafting is still ongoing to abolish the status of illegitimacy. I do not want communications to be unclear, set false expectations regarding dates, or cause upset or confusion. We will communicate with families and the community with certainty when there is a clear coming into force date via the Appointed Day Act, which will be brought before the States Assembly as soon as possible.

A communications plan has been developed in conjunction with stakeholder mapping, and this will be published alongside the Appointed Day Act. All relevant Heads of Communications have been briefed on the impact the legislation will have on their specific departments. Officers are working with departments and internal stakeholders to ensure that they are ready for the Children and Civil Status Law to come into force. This includes developing new processes, forms, and registers. Updates to the Government website and guidance documents are being identified. Poorly planned or piecemeal communications strategies are likely to result in conflicting information and cause further uncertainty for families.

I would encourage families with specific questions or concerns to contact me directly. My officers are always very happy to provide accurate updates or advice to families.

2.16 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding medicines manufactured in Jersey (WQ.46/2025):

Question

In relation to medicines manufactured in Jersey, including vitamins and medicinal cannabis products, will the Minister –

- (a) list the products produced;
- (b) provide a list of manufacturers;
- (c) advise whether distribution of these products is permitted in the Island and/or outside of Jersey; and
- (d) detail the regulatory framework(s) that apply?

Answer

In relation to Vitamins:

The Minister for the Environment oversees the regulation of food businesses, which includes those that sell, manufacture and process vitamins. Vitamins are considered ‘food’ under the Food Safety (Jersey) Law 1966.

Vitamin businesses (food businesses) are registered with the Environment Minister under [Food \(Registration of Premises\) \(Jersey\) Order 2001](#).

List the products produced: Specific data on this is not collated and recorded. Products will range from food supplements to vitamins and minerals.

Provide a list of manufacturers: Currently all vitamin manufacturers are registered as ‘Retailers.’ They cannot be specifically segregated from over 1,250 other registrations on the database.

Advise whether distribution of these products is permitted in the Island and/or outside of Jersey: All Jersey registered vitamin businesses are permitted to sell within and outside of Jersey. Any specific third Country requirements would be the responsibility of the exporter.

Regulatory Framework: As set out above, vitamin businesses (food businesses) are registered with the department under [Food \(Registration of Premises\) \(Jersey\) Order 2001](#) and are required to comply with the [Food Safety \(Jersey\) Law 1966](#) which includes the following subordinate legislation;

- [\(Food Hygiene \(General Provisions\) \(Jersey\) Order 1967\)](#),
- [Food Safety \(Labelling\) \(Jersey\) Order 2005](#),
- [Community Provisions \(Food Supplements\) \(Jersey\) Regulations 2014](#)
- [Community Provisions \(Nutrition and Health Claims on Foods\) \(Jersey\) Regulations 2014](#).

2.17 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding the Government COVID-19 support for businesses (WQ.47/2025):

Question

In relation to the Government COVID-19 support for businesses, specifically the deferral of Social Security payments by employers for 2020 and 2021, will the Minister advise –

- (a) how many businesses deferred their payments, and the total amount deferred;
- (b) how many businesses owed money at the end of 2024, and the total amount outstanding;
and
- (c) what plans exist, if any, to recover any remaining payments?”

Answer

To support businesses who were most adversely impacted during the COVID-19 period the Government offered a range of measures including the deferral of Class 1 Social Security payments.

- (a) At the end of August 2020, there were 1,400 businesses that had deferred Class 1 Social Security payments totalling £16.7 million.
- (b) At the end of 2024, there were 823 businesses that had deferred Class 1 Social Security payments totalling £7.7 million.
- (c) In January 2025, the Government wrote to all businesses with outstanding deferred Class 1 Social Security payments to inform them that deferred Class 1 Social Security payments are now due. If businesses are unable to pay, they are able to contact the Debt Collection Team to discuss a payment plan.

2.18 Deputy I. Gardiner of St. Helier North of the Minister for Treasury and Resources regarding the Government COVID-19 support for businesses (WQ.48/2025):

Question

In relation to the Government COVID-19 support for businesses, specifically the deferral of GST payments by businesses, will the Minister advise –

- (a) how many businesses deferred their payments, and the total amount deferred;
- (b) how many businesses owed money at the end of 2024, and the total amount outstanding;
and
- (c) what plans exist, if any, to recover any remaining payments?

Answer

To support businesses who were most adversely impacted during the COVID-19 period the Government offered a range of measures including the deferral of GST payments.

- (a) Under Covid deferral schemes 216 businesses deferred GST payments totalling £4.9 million.
- (b) Some of these amounts have been repaid and at the end of 2024, a remaining 163 businesses had deferred GST payments totalling £2.6 million.
- (c) In January 2025, the Government wrote to all businesses with outstanding deferred GST payments to inform them that deferred GST payments are now due. If businesses are unable to pay, they are able to contact the Debt Collection Team to discuss a payment plan.

2.19 Deputy A.F. Curtis of St. Clement of the Minister for Infrastructure regarding the sale of Jersey's geospatial data (WQ.49/2025):

Question

In relation to the sale of Jersey's geospatial data, will the Minister advise for each core data set, and for each of the last five years –

- (a) the organisation sectors buying the data (for example States-owned entities or private sector);
- (b) the number of licences issued;
- (c) the revenue generated; and

will he provide the total revenue generated from geospatial data for each of these years?

Answer

The answer to the written question is summarised in the following table.

| ser/Product | | 2020 | | 2021 | | 2022 | | 2023 | | 2024 | |
|------------------|-------------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|
| | | No. of Licences | Royalty (GST Incl.) | No. of Licences | Royalty (GST Incl.) | No. of Licences | Royalty (GST Incl.) | No. of Licences | Royalty (GST Incl.) | No. of Licences | Royalty (GST Incl.) |
| Commercial Users | 2D Mapping Data | | £141,008 | 2 | £166,600 | | £199,213 | 3 | £358,735 | 1 | £320,780 |
| | Address Data | 66 | | 93 | | 105 | | 112 | | 129 | |
| | CAD & 3D Mapping Data | 39 | | 43 | | 39 | | 39 | | 33 | |
| | GPS Local Grid Service | | | | | | | 1 | | 1 | |
| | Other (prints, bespoke) | 18 | | 20 | | 22 | | 16 | | 22 | |
| | 2D Mapping & Photo | 24 | | 23 | | 27 | | 27 | | 24 | |
| | Site License (all data) | 2 | | 2 | | 2 | | 2 | | 2 | |
| | CAD & 3D Mapping Data | 1 | | 2 | | 1 | | 1 | | 2 | |
| | GPS Local Grid Service | 2 | | 3 | | 6 | | 2 | | 3 | |
| | 2D Mapping & Photo | 3 | | 3 | | 3 | | 3 | | 5 | |
| ALO's & Parishes | Site License (all data) | 3 | £49,726 | 3 | £53,423 | 3 | £77,715 | 4 | £89,217 | 3 | £99,727 |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| Grand Total | | 158 | £190,734 | 194 | £220,023 | 208 | £276,928 | 212 | £447,952 | 225 | £420,507 |

2.20 Deputy A.F. Curtis of St. Clement of the Chair of the Privileges and Procedures Committee regarding the new States Assembly Website (WQ.50/2025):

Question

“In relation to the new States Assembly website, will the Chair advise –

- (a) if the website provides public open access to Assembly data in a structured and common format (such as JavaScript Object Notation, Extensible Markup Language, Comma Separated Values) through any type of Application Programming Interface (API);
- (b) whether this function was included within the original project scope, and if not, why not; and
- (c) what plans, if any, exist to provide public access to Assembly data in a structured format if this doesn’t already exist?”

Answer

- (a) The website does not currently provide States Assembly data with front-end access in a structured and common format (such as JavaScript Object Notation, Extensible Markup Language, Comma Separated Values). However, the data can be accessed in these formats via opendata.gov.je.
- (b) This function was not part of the original project scope as opendata.gov.je was designed to house public data in this format
- (c) There are no current plans to provide States Assembly data in a structured format via the Assembly’s website. However, this matter will be given further consideration in light of the fact that it would be a helpful addition to the site.

2.21 Deputy C.D. Curtis of St. Helier Central of the Minister for Sustainable Economic Development regarding support for Jersey’s fishing industry (WQ.51/2025):

Question

Will the Minister provide details of the work he is undertaking to support Jersey’s fishing industry, including any work within his portfolio to support the development of onshore facilities such as a fish processing facility?

Answer

The Marine Support Scheme (MSS) which I launched in 2023 provides direct financial support to the marine sector using a points based ‘marine credit’ system. In 2025 this scheme will distribute up to £500,000 to this sector.

I will also be bringing forward amendments to the Regulations governing the Agricultural Loans Scheme to expand the eligibility criteria for loans to the fishing industry and aquaculture sector.

Where businesses in the marine economy are an employer they are also eligible for funding under the [Better Business Support Package](#) which is being deployed in 2025 and 2026 to support businesses to make productivity improvements with the transition to the living wage.

Joint work between the Department for the Economy and Department for Infrastructure and Environment is summarised in the Environment Minister's response to WQ.52/2025.

2.22 Deputy C.D. Curtis of St. Helier Central of the Minister for the Environment regarding developing the provision of marine and offshore amenities (WQ.52/2025):

Question

Further to the priority identified within the [Marine Spatial Plan](#) for onshore facilities for the fishing industry, will the Minister advise what progress, if any, has been made in developing the provision of appropriate marine and offshore amenities, including a fish processing facility?

Answer

This answer is based on the assumption that “and offshore amenities” should read “and onshore amenities”. We have no intention of developing anything out at sea.

A working group is being established between Marine Resources, Rural and Marine Economy and MENV and MSED to investigate fish processing opportunities around St Helier harbour. An initial meeting is planned for 7th March.

The group will produce a paper on current issues and opportunities to take to commercial sector and key stakeholders including Ports of Jersey for consultation before building a strategy to support industry on this front.

Also of note is the emerging issue of Octopus that was discussed at recent Marine Resources panel. Catches are increasing but the unprocessed price is poor. This species is also impacting the catch of other key commercial stocks, primarily lobster. Again, this highlights need for processing systems.

Industry is being encouraged to use Government Productivity scheme to improve and enhance current fishing and fish processing systems.

Last year Marine Resources officers met with the Scallop diving fishers and colleagues from Rural & Marine Economy to look at industry issues including onshore processing. Following further meetings with Rural Economy and Jersey Business the Scallop divers have been tasked with developing a business plan to progress this.

2.23 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Infrastructure regarding the report entitled ‘Fuel Farm Lease Renewal’ (P.A.C.3/2016) (WQ.53/2025):

Further to the report entitled ‘[Fuel Farm Lease Renewal](#)’ (P.A.C.3/2016), will the Minister advise what progress, if any, has been made in relation to the six recommendations that were made, including in relation to each one –

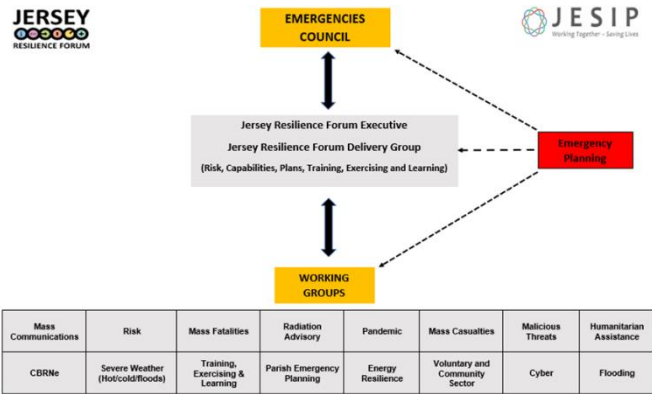
- (a) the provision of a Red, Amber or Green rating;
- (b) a statement of who is responsible for advancing the recommendation; and
- (c) if no progress has been made, an explanation of why not and of what plans, if any, there are to implement the recommendations and by when?

Answer

- (a) The six recommendations made in the report entitled '[Fuel Farm Lease Renewal](#)' (P.A.C.3/2016), are rated as follows;

| Recommendation | Rating | Responsibility | Commentary |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The Chief Executive should task (and ensure sufficient resources for) one department to have overall responsibility for strategic assets. | Amber | Cabinet Office & I&E | <p>Jersey Property Holdings ("JPH") was established in 2005 when the States Assembly adopted P. 93/2005 – ("States of Jersey Property Holdings: establishment") which sets out that all public properties (excluding properties administered by Arm's Length Organisations such as Ports of Jersey and Andium Homes) would be administered and managed by a single Corporate Landlord.</p> <p>As the Corporate Landlord, JPH ensures that Government Departments are adequately accommodated, that the future asset requirements for each service are identified and delivered, and that the public property estate is maintained and managed in accordance with the Government of Jersey's strategic priorities, relevant property regulation, health and safety legislation, and always in the best interest of the Public of Jersey.</p> <p>As Corporate Landlord JPH should remain the custodian of strategic property assets within public ownership.</p> <p>JPH works with the Cabinet Office to ensure that the fuel facilities meet estimated current and future strategic requirements. *</p> |
| 2. The Chief Executive should consider whether the fuel farm should be relocated in | Green | Cabinet Office | No decision has been made to relocate the fuel farm, and the PAC report makes no reference to any such decision. It is therefore logical that no coherent plan for relocation would be devised or published for a decision that was never taken. |

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| order to maximise the value of the current site (as part of the cohesive strategy of recommendation 3). | | | |
| 3. The States of Jersey should publish a cohesive strategy for the management of the fuel farm. | Green | Cabinet Office & LCTL | <p>The facility is owned by the incumbent tenant La Collette Terminal Limited (LCTL) and is therefore managed by LCTL in accordance with the Lease Agreement, which includes an Operating Agreement, and the conditions imposed by the CICRA.</p> <p>Strategically, it is imperative that Jersey retains:</p> <ul style="list-style-type: none"> a) the capability to receive bulk fuel via tanker ship; and b) to deliver that fuel via a pipeline to a bulk fuel storage facility that can safely accommodate the volumes needed for energy security in the Island*. |
| 4. The Chief Executive should ensure that key stakeholders, including States Members, are briefed on issues relating to key strategic assets so they can be part of an informed decision-making process. | Green | Cabinet Office & I&E | <p>Jersey Property Holdings as Corporate Landlord for all public real estate can take the lead on the use and tenancy of the land on which the fuel farm is built, but, as with all strategic infrastructure, will require input from policy makers within the Government of Jersey and other stakeholders.</p> <p>SPPP, though the consultation and publication of policy documents such as the Bridging Island Plan, would also ensure Key stakeholders are briefed*.</p> |
| 5. The Chief Executive should undertake a high-level review of the | Green | Cabinet Office & I&E | The Government of Jersey employed ARUP to conduct an Infrastructure Capacity Study in December 2020 and the findings of this study was incorporated into the Bridging Island Plan 2022. |

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>management of key strategic assets, including the fuel farm, and present a report to the States.</p> | | | <p>Jersey Property Holdings continues to provide strategic planning within the public estate, however it does this in consultation with stakeholders; tenants, operating departments, policy makers and wider input as deemed necessary. JPH therefore retain coordinating responsibility for strategic real estate planning, but is not the sole arbiter of operations or activity discharged from the sites.</p> |
| <p>6. The Emergency Planning Officer should be consulted at all stages to ensure a robust contingency plan is in place at all times for the supply of fuel.</p> | <p>Green</p> | <p>Emergency Planning (JHA) & Jersey Resilience Forum</p> | <p>The management of the Jersey Resilience Forum (JRF) is a core activity within Emergency Planning. As part of this structure and following a recommendation of the C&AG report 2024, a JRF Energy Resilience Working Group has been formed.</p>  <p>This group has an aim of strengthening energy resilience and emergency response capabilities with a focus on – infrastructure, vulnerability, business continuity (including supply), cyber incidents, malicious and non-malicious threats.</p> <p>All members of this working group will be responsible for their organisation’s development and maintenance of their energy resilience plans.</p> <p>They will need to regularly update these plans to reflect new risks, technologies, and best practices.</p> <p>They will also ensure the implementation of systems for the continuity of energy supplies, co-ordinating efforts to protect and strengthen critical national infrastructure and developing strategies for managing energy supplies during crises.</p> |

| | | | |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | Emergency Planning have strengthened their relationship with the main fuel supplier and are working with energy infrastructure owners and suppliers to ensure they have high quality, proportionate and tested emergency planning and business continuity management arrangements. |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

*NB In 2025, the Minister of the Environment is commencing work to develop an Energy Strategy. As part of that work, and in considering energy resilience and security going forward, the requirements for long term liquid fuel storage will be considered. However, early work indicates that a fuel farm is essential in providing storage capacity for liquid fuels with its associated infrastructure such as the fuel berth and pipelines. This conclusion was supported by the work undertaken by Arup for the Bridging Island Plan.

(b) The recommendations are the responsibility of several directorates, and these are listed in the table above.

(c) The commentary on progress is recorded in the table above.

2.24 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding the cost of consultants on the new hospital (WQ.54/2025):

Question

Will the Minister state how much has been spent since 2012 on consultants in developing a new hospital?

Answer

This request involves retrieving historical data from a previous system. As this process is more complex than extracting information from the live Connect system, additional time is required for thorough verification and approval through all necessary governance levels, to ensure the response is accurate and complete.

Therefore, a further response will be submitted on Monday 3 March, aligning with the next submission deadline in the written question cycle.

2.25 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding the Home Carer's Allowance (WQ.55/2025):

Question

Will the Minister advise whether any analysis has been undertaken of whether the Home Carer's Allowance discriminates against persons receiving an old age pension and if so, what the results of that analysis were?

Answer

An analysis of the current rules suggests that they discriminate **in favour of** individuals who claim Home Carer's Allowance and reach state pension age^[1] (SPA) as this is the only claimant group given the opportunity to continue to claim a working age benefit above SPA.

Home Carer's Allowance is one of a number of contributory benefits available under the Social Security Law. During working age, the contributory benefit system limits individuals to receiving one contributory benefit at a time. For example, it is not possible to claim HCA and sickness benefit (STIA) at the same time.

The Old Age Pension is the largest single contributory benefit, and this is available to contributors when they reach their SPA. The other contributory benefits under the Social Security Law fall away at this point and are not available to people above SPA.

The only exception to this rule is the Home Carer's Allowance - an individual below SPA can choose to continue to claim Home Carer's Allowance once they reach SPA if this is being paid at a higher rate than their Old Age Pension entitlement.

Home Carer's Allowance provides a benefit to a carer who has substantially given up employment to provide unpaid care, normally to a close family member. In addition to Home Carer's Allowance, a family in this position are often able to receive Long-Term Care benefits. The Long-Term Care scheme is separate to Social Security contributory benefits and is available to adults of any age who require long-term care. Depending on the care package provided, the Long-Term Care benefit can include support for respite costs for family carers.

^[1] The Law also allows contributors to choose to claim an old age pension up to 2 years before their pension age. If this option is chosen, then the OAP is paid and working age benefits cease from the chosen date.

2.26 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding the old age pension (WQ.56/2025):

Question

Will the Minister state whether it is her assessment that the level of the old age pension has led to any people in receipt of the pension deciding to leave Jersey?

Answer

The Jersey old age pension is paid at the same value whether the pensioner lives in Jersey or elsewhere.

There are no statistics which link the level of the old age pension to the decision that individuals take to leave Jersey and so it is not possible to make an assessment of any correlation.

Statistics Jersey do publish population estimates which include migration breakdowns by age. For example, these show that in 2023 the over 64 population had the lowest rates of both emigration and immigration across different age groups.

The [report](#) explains:

“The working age (16- to 64-year-old) group had the highest rates of immigration and emigration per 1,000 people. In 2023, for every 1,000 working age people, 54 immigrated in the year, and 47 emigrated in the year.

The next highest rates were among the under 16 population. In 2023, per 1,000 people under 16 years old, 23 immigrated in the year, and 22 emigrated in the year.

The lowest rates were among the over 64 population. In 2023, per 1,000 people over 64 years old, nine immigrated in the year, and 11 emigrated in the year.”

2.27 Deputy D.J. Warr of St. Helier South of the Minister for Social Security regarding the provision of carpets (WQ.57/2025):

Question

Will the Minister advise the total number of grants given by her Department for the provision of carpets in properties in 2023 and 2024?

Answer

2023: 130 special payment grants were provided in respect of carpets

2024: 146 special payment grants were provided in respect of carpets

2.28 Deputy D.J. Warr of St. Helier South of the Minister for Housing regarding the eligibility criteria to assess the Social Housing Gateway (WQ.58/2025):

Question

In relation to the eligibility criteria to access the Social Housing Gateway, will the Minister –

- (a) state the current maximum value of assets permitted, excluding income criteria;
- (b) advise what maximum limits were permitted in 2022, 2023 and 2024; and
- (c) explain what criteria have been used to establish these maximum limits?

Answer

- (a) A person who applies for social housing through the Affordable Housing Gateway is permitted to have savings or capital assets up to £70,000. My policy on savings and capital assets is set out in the ‘Eligibility Criteria for Renting Social Housing.’¹
- (b) The savings and capital asset limit was introduced by the then Minister for Housing and Communities in April 2022. The Minister’s intention to introduce this limit was set out in the ‘Fair Rents Plan’ (December 2021).² The limit has not changed since its introduction.
- (c) The savings and capital assets limit was introduced in April 2022 following a review of policy options, including benchmarking against other jurisdictions. The limit is a reasonable maximum amount of money for a prospective tenant to hold in order to provide them with a financial safety net. Where a person’s savings or assets exceed this limit, they should be able to use the savings or release assets to help secure accommodation in the private sector. It should also be noted that these policies are subject to annual review based on evidence of changing need.

2.29 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the proposed ‘Partnership Board’ (WQ.59/2025):

Question

In relation to his plans to reorganise healthcare as set out in the [Health and Community Services Annual Plan 2025](#), will the Minister provide further detail as to how the proposed ‘Partnership Board’ will work and state how it will be resourced?

Answer

Detailed proposals are currently being developed. In accordance with P170/2010 the Minister will, in early Q2 2025, bring forward a report and proposition seeking the Assembly’s approval to establish the proposed Partnership Board.

That report and proposition will provide the terms of reference for the Partnership Board and explain all matters related to funding.

2.30 Deputy K.M. Wilson of St. Clement of the Minister for External Relations regarding working relationships between Jersey and Brittany, Normandy and Guernsey (WQ.60/2025):

Question

Following the award of the ferry tender, will the Minister advise what actions, if any, have been taken to maintain cooperation and positive working relationships between Jersey and –

- (a) Brittany;
- (b) Normandy; and
- (c) Guernsey;

and will he provide information on the specific outcomes of any actions taken?

Answer

Jersey maintains strong ties with Brittany, Normandy, and Guernsey through regular engagement, agreements, and joint working.

Through the Bureau des Iles Anglo Normandes (BIAN), Jersey collaborates with the Regional Councils of Brittany and Normandy on a range of key issues, including trade, travel, and maritime initiatives. Both regions continue to welcome this engagement irrespective of the ferry tender decision.

Jersey maintains close cooperation with Guernsey on several matters of mutual interest, including maritime links. We also engage regularly as partners internationally, notably through our joint offices in Caen and Brussels.

Some key outcomes of Jersey’s ongoing engagement include:

- Annual summits with Brittany, Normandy, Ile-et-Vilaine, and La Manche.
- Collaboration with La Manche to support the Manche Iles Express service.
- Engagement with maritime stakeholders on range of issues related to fisheries matters.

- Cooperation on offshore wind projects, including planned discussions with Normandy and Guernsey.
- Cultural links, including education exchanges and joint work with Guernsey to support the 2027 'Year of the Normans' initiative.

We remain committed to positive cooperation and practical collaboration with our regional partners across a range of policy areas and key sectors.

2.31. Deputy K.M. Wilson of St. Clement of the Minister for Housing regarding a downturn in house sales in the Island (WQ.61/2025):

Question

Further to the recent publication of statistics indicating a downturn in house sales in the Island, will the Minister –

- state the number of Andium Homes properties available for sale and sold each month over the last two years;
- advise what work, if any, is being undertaken by his department to obtain data allowing for analysis of the sales and rental markets;
- explain what action, if any, he is either taking or considering to stimulate housing sales; and
- advise what work, if any, is being undertaken with estate agents, banks and lenders to address the downturn?

Answer

- Sales of existing homes occur as and when they become available, so there is not a pre-determined number of properties for sale at any given time. All homes for sale are advertised on the Andium Homes website, [Andium Homebuy – Homes to buy](#).

Existing Properties sold by month

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 2023 | 2 | 2 | 6 | 0 | 4 | 3 | 6 | 2 | 4 | 1 | 3 | 10 | 43 |
| 2024 | 2 | 1 | 2 | 5 | 5 | 2 | 5 | 3 | 6 | 3 | 7 | 5 | 46 |

New Build Properties sold by month (The Limes)

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 2024 | 0 | 0 | 0 | 0 | 18 | 6 | 5 | 3 | 2 | 0 | 0 | 1 | 35 |

- Statistics Jersey produce reliable statistics in relation to analysis of the sales market in Jersey, which I consider upon their quarterly publication. As part of the House Price Index, Statistics Jersey also report the on Jersey Private Sector Rental Index although it is recognised that this data is limited to advertised rents, and does not capture *actual* rents paid, nor changes to the size and nature of the rental market. It is, therefore, my intention to bring forward – as part of my forthcoming amendments to the Residential Tenancy (Jersey) Law 2011 – a mechanism to help address our ability to assess the private rental market. I also understand that Statistics Jersey intend to undertake further analysis and reporting of Jersey's rental market in light of the relatively recent establishment of a Rented

Dwellings Licensing scheme, as introduced under the Public Health and Safety (Rented Dwellings) (Licencing) Regulations 2023. I fully support Statistics Jersey in their intention to achieve this.

- c) I am not undertaking – nor do I intend to undertake – specific work to stimulate overall housing market activity. My focus is to stimulate access to affordable homes, which is being achieved through: the delivery of the First Step Scheme; new affordable housing supply being delivered by Andium Homes; supporting the progression of re-zoned housing sites; and working with developers of larger schemes to deliver a minimum of 15% of their developments with assisted purchase products. I have also met with local developers and support their endeavours to deliver a range of incentives to stimulate market interest. Together, these schemes are providing a diverse range of opportunities for Islanders to access Jersey’s housing market.
- d) I have met with the Jersey Association of Estate Agents to discuss market issues and ensure they remain sighted on my wider policy aspirations. My officers also make themselves available to professionals working in the property industry, attending the House Price Index industry briefings held by Statistics Jersey and facilitating direct conversations with those who wish to engage more deeply on challenges and opportunities being faced. A good example was the work to implement the First Step scheme, where engagement with industry professionals facilitated policy development and the swift delivery of the scheme, as well as an efficient transaction process for subsequent sales through the scheme. I also routinely engage with the planning process and provide my support for quality housing proposals, including those being brought forward in the open market.

Whilst answering the specific questions posed, I feel it important to clarify that I do not necessarily agree with the premise that the present housing market ‘downturn’ requires a direct Government intervention at this time. Indeed, what can be seen in the latest House Price Index is what some may call a housing market ‘correction’, in recovery from a period of over-heating. Whilst the period of low transactions and reducing house prices does pose a challenge for some, it is also important to recognise that, whilst incomes are increasing, this creates vital opportunity for home ownership to become a more realistic prospect for Islanders who had otherwise started to lose hope.

2.32. Deputy K.M. Wilson of St. Clement of the Minister for Justice and Home Affairs regarding substance misuse matters (WQ.62/2025):

Question

Will the Minister provide details of the following substance misuse matters for the last five years, broken down by month –

- (a) the number of cannabis users in contact with the criminal justice system broken down, where possible, into those using prescribed cannabis and those using non-prescribed cannabis;
- (b) the number of people prosecuted for importing cannabis;
- (c) the number of people, of all ages, prosecuted for supplying cannabis; and
- (d) the number of people prosecuted for consuming cannabis?

Answer

- (a) The number of cannabis users in contact with the criminal justice system broken down, where possible, into those using prescribed cannabis and those using non-prescribed cannabis.

The States of Jersey Police (SoJP) cannot accurately provide data on cannabis ‘users’ as SoJP data relates primarily to subjects who have been reported/investigated/prosecuted for offences involving the importation, supply or possession of cannabis. An important distinction to note is that not all persons being prosecuted will, necessarily, be cannabis users.

It can be construed that all offenders prosecuted for cannabis offences (as outlined in the data below) are or have been in contact with the Criminal Justice system for possession of non-prescribed cannabis. SoJP data cannot be readily researched for prescribed vs non-prescribed cannabis accurately. In order to provide accurate data a manual search of all cannabis related investigations would be required.

It should also be noted that the figures included in this answer relate to prosecutions, and not discrete individuals. Individuals may be subject to more than one prosecution.

- (b) Table 1 below outlines the number of people prosecuted for importing cannabis. These figures do not include written cautions.

| JCIS prosecutions for cannabis importation | | | | | |
|---------------------------------------------------|-------------|-------------|-------------|-------------|-------------|
| | 2020 | 2021 | 2022 | 2023 | 2024 |
| January | 3 | 2 | 1 | 1 | 0 |
| February | 1 | 2 | 0 | 0 | 3 |
| March | 1 | 4 | 0 | 3 | 0 |
| April | 6 | 3 | 0 | 0 | 1 |
| May | 2 | 1 | 0 | 1 | 0 |
| June | 3 | 1 | 1 | 3 | 1 |
| July | 2 | 1 | 1 | 0 | 2 |
| August | 2 | 0 | 0 | 0 | 0 |
| September | 1 | 0 | 0 | 1 | 0 |
| October | 2 | 0 | 2 | 1 | 2 |
| November | 3 | 0 | 1 | 2 | 2 |
| December | 1 | 0 | 1 | 0 | 0 |
| | 27 | 14 | 7 | 12 | 11 |

| SOJP prosecutions for cannabis importation | | | | | | |
|---------------------------------------------------|-------------|-------------|-------------|-------------|-------------|--------------|
| 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | Total |
| 1 | 0 | 0 | 3 | 5 | 1 | 10 |

- (c) The number of people, of all ages, prosecuted for supplying cannabis. The below figures include prosecutions for offences of supplying cannabis and possession with intent to supply cannabis.

| 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | TOTAL |
|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
|-------------|-------------|-------------|-------------|-------------|-------------|--------------|

| | | | | | | |
|----|----|---|---|---|---|-----------|
| 12 | 16 | 9 | 6 | 0 | 1 | 44 |
|----|----|---|---|---|---|-----------|

- (d) The number of people prosecuted for the offence of possession of cannabis. There is no specific offence for ‘consuming’ cannabis.

| 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | TOTAL |
|------|------|------|------|------|------|--------------|
| 105 | 76 | 86 | 92 | 73 | 1 | 433 |

2.33. Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the subsidy and support provided to Jersey Homes Trust (WQ. 63/2025):

Question

In relation to the subsidy and support provided to [Jersey Homes Trust](#) (JHT) by the Minister for Treasury and Resources and the Minister for Housing, will the Minister –

- state when the last meeting took place with JHT to discuss the subsidy and support to be provided;
- detail the outcome of that meeting or, if no meetings have taken place, explain why;
- specify what subsidy payments JHT claimed from the Government on interest paid on loans in 2022, 2023, and 2024;
- advise what discussion or consultation, if any, the Government has had with JHT regarding the £60 million loan from M&G Investments (UK); and
- advise whether the M&G Investments loan qualifies for the Government’s interest subsidy payment and, if so, whether she has agreed to underwrite the interest costs at certain levels or provided a letter of comfort regarding the interest subsidy to M&G Investments?

Answer

The subsidy and support that the Deputy refers to is assumed to be a reference to the historic letters of comfort that were issued to the JHT to support their historic borrowing arrangements. Separate letters were issued for each specific loan and put in place between 2004 and 2009. Each letter was reconfirmed by the Treasurer on behalf of the Minister for Treasury and Resources and Minister for Housing under the original terms between 2012 and 2014.

These arrangements provide for a subsidy based on interest rate movements on those borrowing arrangements. No claims were made between 2009 and 2021 due to the low interest rate environment.

- Treasury officers corresponded most recently on the matter of the letters of comfort in late January 2025, this related to the 2022 and 2023 interest claims. There have been no recent meetings between Treasury officials and the JHT.

- (b) JHT has submitted claims relating to 2022 and 2023 based on interest paid above the threshold levels detailed in the letters of comfort and these values have been reviewed and validated by Treasury officials.

The original letters required periodic financial review of the Housing Trust, and this is being carried out to assess whether financial support, if any, is required and warranted under the terms of the letters of comfort, before the matter can be considered by the Minister and any payment agreed.

- (c) The JHT has submitted claims outlined in the attached table. No payments will be made until the financial review mentioned above is completed.

| Year | Claimed value |
|------|----------------------------------------------------------------------------|
| 2022 | £4,533 |
| 2023 | £527,212 |
| 2024 | No claim has yet been lodged, expected quantum would be in line with 2023. |

- (d) The Chair of the JHT Board of Trustees addressed the JHTs intention to re-finance on a number of occasions with the Minister for Housing and his officers, who subsequently informed Treasury officials.

The JHT is independent of Government and hence has no obligation to seek Government approval to alter its financing arrangements, particularly where this does not adversely affect the government's exposure to liabilities under the letters of comfort.

- (e) The M&G Investments loan served to refinance the original loans. No letter of comfort was issued in relation to that loan, hence the interest guarantee provided against the original loans, no longer applies from the point of the refinancing.

2.34. Deputy R.S. Kovacs of St. Saviour of the Minister for Sustainable Economic Development regarding the Building Food System Resilience report (WQ. 64/2025):

Question

Further to his response to [Oral Question 20/2025](#) regarding the supply of food in the Island, will the Minister clarify who commissioned the [Building Food System Resilience](#) report and, in relation to the report's recommendations, will he –

- (a) advise which recommendations were accepted and with which priority and, if not all, which were rejected and why;
- (b) detail what work, if any, has started and the estimated timeframes for implementing each work stream;

- (c) state which recommendations will be delivered by the Department for the Economy directly, by Farm Jersey, or both; and
- (d) given the particular recommendation to increase the availability of allotments in each Parish, explain how he intends to achieve this?

Answer

The report was commissioned jointly by the Department for the Economy and Farm Jersey.

- (a) The report was received in November 2024 and is being used to inform the ongoing update of the Economic Framework for the Rural Economy. This Framework was originally adopted in 2022 with the intention to update rural economy policies in a dynamic environment, which reflects fast moving changes in the sector and reduces the risk of government policies becoming outdated and redundant due to changing market factors. The framework update process is ongoing. At this stage it is too early to specify exactly which recommendations are to be accepted and which may be rejected, whilst the update process will, in itself, address issues of priority during the course of 2025. All recommendations will be taken seriously, as the resilience of our food supply is clearly of fundamental importance to the Island and must be taken into account with short, medium and long-term planning and ensure we deliver best value outcomes for the Island with the investment we are now making into the rural economy as a result of the States Assembly decision on additional funding taken in November 2023.
- (b) The report outlines 51 strategic recommendations (pages 79-92), of which
 - 3 are complete;
 - 21 are in progress; and
 - 27 are not yet started.

Estimated timeframes for recommendations will be published when the rural framework update is published later in 2025. It is intended to update the framework in a manner which reflects all the recommendations made in this report.

- (c) 27 of the 51 strategic recommendations will be delivered directly by the Department for the Economy and Farm Jersey as they fall entirely within the remit of these organisations. All of the recommendations currently in progress fall within this category as they are the ones we have been able to action directly within our own resources.
- (d) The remainder of the recommendations (including the issue of allotments in each Parish) will require other departmental and organisations input. Success in these areas will only be achieved through the coordination of efforts of relevant agencies – the Department for the Economy will strive to assist in the coordination of efforts by convening relevant parties and enabling discussion, though fully recognise willing participation will be required from other parties.

2.35. Deputy R.S. Kovacs of St. Saviour of the Minister for Sustainable Economic Development regarding the extension of eligibility to off-Island competing disciplines and relevant sporting organisations for travel grants (WQ. 65/2025):

Question

Following the adoption of [P.82/2024, as amended](#), and the review to be conducted by Jersey Sport by the end of January 2025 regarding the extension of eligibility to off-Island competing disciplines and relevant sporting organisations for travel grants, will the Minister advise –

- (a) the current list of eligible disciplines and any that have been added since the review;
- (b) what other disciplines from the arts and academia, if any, are under consideration for inclusion to expand the eligibility list by year-end;
- (c) what additional work, if any, remains to be undertaken to develop the scheme in full by the end of the year;
- (d) how many organisations had applied for a grant to represent Jersey in competitions abroad this year when the application process closed on 14th February 2025, detailing which disciplines they represented and how many competitors' costs would be covered; and
- (e) whether the increased budget is sufficient to cover all applications and, if not, how much of the requested funding which would otherwise be eligible will remain unsupported?

Answer

- (a) All sport disciplines are now eligible for funding through the Jersey Sport travel grant scheme. Previously, athletes over the age of 23, inter-island travel and profit-making private organisations were excluded. These are now all included.

Profit-making organisations are eligible to apply under the following conditions:

- assessed as Green status on the Jersey Sport Safe and Sustainable Sport Health Check
- travel grant monies must be distributed directly to competitors and any undistributed funding must be returned to Jersey Sport
- additional governance checks will be undertaken

Where a sport is not affiliated to a National Governing Body recognised by Sport England, the risk profile of the organisation is increased and opportunities to compete in national and international competitions can be restricted. Therefore, non-affiliated sports which are deemed to be high risk by Sport England, will be assessed against the [CPSU standards for safeguarding children in sport](#), [Safeguarding Code in Martial Arts](#) and/or [The Ann Craft Trust Safeguarding Adults in Sport Framework](#) as appropriate, prior to any funding decision. This ensures that public funds are supporting organisations with the highest standards of safeguarding and governance.

- (b) As per the approved amended Proposition, a specific reference to arts and academic grants was removed as it has been established that there are a number of sources of grant funding already available (whereas limited sport travel grant funding was available). Arts disciplines are eligible for funding through a number of existing arts grants ([Arts grants and how to apply](#)) and grants for academic endeavours are available from a variety of sources ([Educational trusts, bursaries and gift funds](#)).
- (c) No other work is required to implement the scheme.
- (d) 46 applications were received from 35 different sports, including:
 - Motor sports
 - Pétanque
 - Table Tennis
 - Equestrian

Boxing
Fishing/Angling
Weightlifting/Powerlifting
Squash/Racketball
Rugby
Athletics
Cycling
Skating
Archery
Football
Swimming
Hockey
Shooting
Softball
Bowls
Triathlon
Water Polo
Fencing
Cricket
Lifesaving
Skateboarding
Dance
Golf
Tennis
Netball
Touch Rugby
Surfing
Volleyball
Judo
Gymnastics
Rowing

It is not possible to determine at this stage how many competitors' costs will be covered. The new scheme provides grants directly to sports organisations who will then distribute the funding to their travelling members as they see fit.

- (e) Following the approval of additional funding, the deadline for travel grant applications was extended to 14th February to allow time for previously excluded sports organisations to submit applications. Jersey Sport are now reviewing applications and assessing them against the published criteria and a tiered award system which considers factors such as size of membership, size of travelling membership, necessity of travel and impact of travel and alignment to a sport organisation's development plan/strategic priorities.

All successful applicants will receive funding. The level of funding awarded to each tier will be determined by the number of successful applicants. The total amount available for each tier will not be known until after 24th February, with all applicants being notified by Jersey Sport on 28th February.

Previously, the way the grant operated meant that sports were required to forecast travel at the beginning of the year which was difficult and subject to unforeseen changes including athlete injury or travel disruption. As a result, despite the fund being oversubscribed, it was often underspent at the end of each year. The aim of the expanded and revised scheme is to distribute all funds in a timely manner to all organisations demonstrating high standards of governance and safeguarding and who can demonstrate the necessity for travel.

Jersey Sport will support successful applicants to distribute their awarded funding in line with the published criteria. Sport organisations awarded travel grant funding will be required to submit a report at the end of the year detailing how the monies were distributed and what impact the funding had on their sport offer. In the unlikely event that any funds are unspent at the end of the year, they would be returned to Jersey Sport. Jersey Sport and Government would then agree how these unspent funds should be used.

2.36. Deputy T.A. Coles of St. Helier South of the Minister for the Environment regarding the Residential Space Standards Supplementary Planning Guidance (WQ.66/2025):

Question

In relation to the newly published [Residential Space Standards](#) Supplementary Planning Guidance (SPG), will the Minister provide details of the changes made when compared to the previous SPG; and advise what consideration, if any, was given to 'Minimum Residential Space Standards' ([P.87/2023](#)) in developing the updated SPG?

Answer

Changes to supplementary planning guidance have been made to give effect to the Minister's decision to remove the 3,000 square feet (279 square metres) floorspace limit on the development of larger homes, as set out in MD-ENV-2025-0094: [Supplementary Planning Guidance: 3000 sq. ft. Floorspace Limit: Review](#).

The specific change to [Residential space standards guidance.pdf](#) (February 2025), as stated in Section 1: introduction of the revised guidance, was *‘to remove reference to a standard about the development of larger homes in excess of 279 square metres (sqm.) or 3,000 square feet (sqft.) gross internal floorspace.’*

As stated in the Minister’s response to an oral question in December last year ([States Assembly | OQ.238/2024](#)), the work required to be undertaken in response to the Assembly’s request for the Minister to review parts of the guidance for residential space standards (as set out in part (a) [P-87-2023.pdf](#)) is being actively progressed: the Minister is currently viewing a number of properties in this respect as part of his consideration of this matter.

As a result of the Minister’s review, a report will be tabled with the Assembly, as soon as possible, in due course.

2.37. Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the Heritage (Jersey) law 202- (WQ.67/2025):

Question

Will the Minister advise what progress, if any, has been made in finalising the Heritage (Jersey) Law 202- and when he proposes to bring this Law to the States Assembly?

Answer

The draft law is now in a mature form and due to be lodged before the 2025 summer recess.

The necessary subordinate legislation has been developed alongside the new primary law and, taken together, will provide clarity on the technical definitions of treasure troves and the crowns customary rights.

A public consultation is planned for Q2 2025 ahead of consideration by the States Assembly.

2.38. Deputy J. Renouf of St. Brelade of the Chair of the States Employment Board regarding performance related issues of Government employees (WQ.68/2025):

Question

Will the Chair state the number of Government employees who have lost their jobs as a result of performance related issues for each of the last 10 years?

Answer

The data on staff performance has been held centrally since 2016. Since then, 100 employees have been subject to the performance process. Fewer than 10 employees have been dismissed under the formal process in each of the last 9 years that the data has been available.

2.39. Deputy H.M. Miles of St. Brelade of the Chief Minister regarding Arm’s Length Organisations (WQ.69/2025):

Question

Further to the Chief Executive's speech at the Chamber of Commerce lunch on 23rd January 2025, will the Chief Minister provide a full list of the 54 new Arm's Length Organisations since 2005 which have been in receipt of public funds?

Answer

In the context of his speech at the Chamber of Commerce lunch on 23rd January, the term 'ALOs and organisations linked to Government' was used to highlight the range of organisations that either receive funding from the taxpayer or have been established by the States. The Chief Executive mentioned '54 new bodies since 2005' not 54 ALOs. This was used to illustrate the complex landscape of organisations that exist in what is a small jurisdiction, and to stimulate debate.

| | |
|--------------------------------------------|---------------------------------------------|
| Andium Homes Limited | Jersey Bank Depositors Compensation Board |
| Autism Jersey | Jersey Business Limited |
| Best Start Partnership | Jersey Charity Tribunal |
| Bureau des Îles Anglo-Normandes | Statistics Council |
| Care Commission | Jersey Community Foundation Limited |
| Channel Islands Brussels Office | Jersey Cyber Security Centre |
| Channel Islands Financial Ombudsman | Jersey Data Protection Authority |
| Charity Commissioner | Jersey Gambling Commission |
| Commissioner for Children and Young People | Jersey Independent Prison Monitoring Board |
| Digital Jersey | Jersey National Park |
| Director of Civil Aviation | Jersey Police Authority |
| Financial Intelligence Unit | Jersey Product Promotion Limited |
| Fiscal Policy Panel | Jersey Resolution Authority |
| Fisheries Scheme | Jersey Safeguarding Partnership Board |
| Government of Jersey London Office | Jersey Sport |
| Howard Davis Farm Trust | Jersey Teachers' Superannuation Fund |
| Income Support Medical Appeal Tribunal | Law Officer's Department |
| Investigatory Powers Commissioner | Law Society of Jersey: Disciplinary Panel |
| PFAS Scientific Advisory Panel | Office of the Comptroller & Auditor General |
| Jersey Appointments Commission | Office of the Information Commissioner |
| Performers List Appeals Panel | Commissioner for Standards |
| Ports of Jersey | States of Jersey Development Company |
| Health and Care Jersey Advisory Board | Statistics Jersey |
| Rates Appeal Board | Tenancy Deposit Scheme |
| Rent Control Tribunal | Treasury Advisory Panel |

| | |
|--------------------------|----------------------|
| Risk and Audit Committee | Victim Hub |
| States Employment Board | Visit Jersey Limited |

A States Members' briefing has been arranged in which the Chief Executive will deliver his Chamber of Commerce presentation to them.

2.40. Deputy H.M. Miles of St. Brelade of the Chief Minister regarding Project Breakwater (WQ.70/2025):

Question

In relation to Project Breakwater, will the Chief Minister –

- (a) provide the Terms of Reference for this project, stating when they were agreed and by whom; and
- (b) provide a breakdown of all engagements he has had since February 2024 regarding this project with individuals or organisations who are external to Government, including with representatives of Arm's Length Organisations and States Owned Entities?"

Answer

- (a) Project Breakwater is a high-level scoping exercise, still at concept stage, to consider which areas of infrastructure and service could benefit from early investment, with the aim of regenerating Jersey to make it a more attractive place to live, work, visit and do business.

As it is still at concept stage, formal Terms of Reference have not yet been established. Once the concept has been agreed in principle by the Council of Ministers, more detail will be provided to States Members prior to a broader public consultation.

- (b) The project is being led by the Deputy Chief Minister with support of officials from the Cabinet office and the Treasury. The Chief Minister has not held any meetings with external individuals or organisations in relation to Project Breakwater.

Project Breakwater has been discussed at the Council of Ministers and Regeneration Steering Group.

2.41. Deputy I. Gardiner of St. Helier North of the Chair of the States Employment Board regarding employment terms and conditions for teacher and teaching assistants (WQ.71/2025):

Question

Further to [Oral Question 46/2024](#) and [Written Question 68/2024](#), will the Chair confirm whether the employment terms and conditions for teachers and teaching assistants have been updated; and, if they have, will he provide a copy of the updated terms and conditions and advise when they came into force?

Answer

Teachers

The work to update the terms and conditions is ongoing. An options proposal has been discussed with the States Employment Board and the Council of Ministers. The review oversight group is still considering updates to working hours and other elements. The updated terms and conditions will be provided as soon as they have been agreed.

Teaching Assistants

Teaching Assistants Terms and Conditions are not subject to review.

A revised teaching assistant framework has been developed and is currently open to consultation. Job descriptions have been updated and streamlined. A professional training programme has been developed which allows for career progression.

2.42. Deputy I. Gardiner of St. Helier North of the Minister for Children and Families regarding the long-term future of Greenfields secure children's unit (WQ.72/2025):

Question

Further to the response to [Written Question 187/2024](#), will the Minister advise what progress, if any, has been made in determining the long-term future of Greenfields secure children's unit, whether these plans include the redevelopment of the site, and if there are no such plans, why not?

Answer

There are plans for further development of Greenfields secure children's unit. The island must have secure provision for those young people who are remanded, and those who receive a custodial sentence, as well as young people made subject to secure accommodation orders on welfare grounds.

Although there has been development of the secure unit, there is more work needed to ensure that we have a unit which offers a sustainable secure provision for young people. The long-term plans for Greenfields have been considered as part of the work to review the residential estate for children in care in Jersey as part of the refreshed improvement plan. This has included modelling and analysis of the sufficiency need over the next five years.

The plan is to develop Greenfields secure unit further, so that it is part of a specialist campus, where there is a children's home, step down unit and an emergency bed and a remand bed, to better meet the needs of young people. Work is also planned to establish whether it is possible to develop alternative options to the use of secure accommodation orders through the use of inherent jurisdiction.

This site development will include the development of a multi-disciplinary team, including child and adolescent mental health staff (CAMHS) who will be able to provide support to the residential staff group to wrap around young people's plans.

The proposals for the developments were considered by the Council of Ministers on 28 January 2025, and work is now underway to develop the business case which will be needed to support the development of the site, including funding requirements.³

3. Oral Questions

The Bailiff:

The first question would normally be asked by Deputy Ozouf, who is currently at a medical appointment. Do Members agree that question 1 may be put to the end of the question list, if time still remains to deal with it? Very well.

3.1 Connétable K. Shenton-Stone of St. Martin of the Minister for Infrastructure regarding the Hierarchy of Road Safety (OQ.38/2025):

Following the publication of the Collision and Casualty Reduction Plan 2025 - 2034, will the Minister outline what plans exist, if any, to educate the public on the hierarchy of road safety and will he advise when a road safety officer will be appointed?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy not only for her question - the Constable, I beg your pardon. I should know that - the Constable not only for her question, but also should acknowledge the work that she did in order for this Collision and Casualty Reduction Plan to get off the ground. My thanks to her. The Collision and Casualty Reduction Plan is built on the safe systems approach with 6 priorities. Priority 5 of that is around safe people, which is about promoting responsible behaviours through education, enforcement, and shared responsibility. We are in the process of recruiting a technical support officer, which will be similar to a road safety officer, but will do a variety of tasks. We are launching a website in April, we are using social media and we will be using events as part of our education plan.

3.1.1 The Connétable of St. Martin:

Will the technical support officer be going into schools, as a road safety officer used to, and what will the role be?

The Connétable of St. John:

The technical support officer will be going to schools. We are also working with C.Y.P.E.S. (Children, Young People, Education and Skills) to see what else we can do, but we will also be targeting other groups throughout the community, and not just youngsters. We need to work with all of our community about the importance of road safety. I was at a talk yesterday, and the subject of dark clothing came up. It is not just youngsters that wear dark clothing when they are out on the

³ Note (27th February 2025):

The Council of Ministers meeting date in the last paragraph of the answer was corrected from 11 February 2025 to 28 January 2025.

road. There are many people of all different ages. We have a lot of work to do here, and the role and the team will be working very hard.

3.1.2 Deputy M. Tadier of St. Brelade:

One of the factors that may contribute to pedestrian safety is when fields encroach on to pavements so there are areas ... I have raised this with the Minister before. What steps will the Minister be taking to determine who is responsible for such encroachments whereby pavements are often so narrow that barely an individual can walk along safely let alone a pushchair or a wheelchair.

The Connétable of St. John:

I thank the Deputy for his question. We have corresponded in the past. I am aware of a number of pavements not only in St. John but around the Island where the hedges are encroaching the roads. There is some capacity in the branchage law, but it is quite difficult. We try to encourage landowners in the first instance when it comes to charging that when we do get a problem. But we try to encourage the landowner in the first instance.

3.1.3 Deputy M. Tadier:

Does the Minister understand that this is not just about hedges, it is about when banks are spilling over on to pavements, taking up often half of the pavement, and it is a case of putting that back and establishing who the owner is? Is that something that is on the Minister's radar?

The Connétable of St. John:

It is but not under the road safety area, but it is a matter that is on our radar. It is not just pavements, it is also on roads and byroads. It is becoming more and more of an issue. Traditionally the bannelais (road sweepings) used to be collected, but clearly that does not happen now, and so we have to work with landowners.

3.1.4 Deputy J. Renouf of St. Brelade:

I wonder if the Minister has any sort of vision for what he is hoping to achieve in terms of road safety. For example, a goal of reducing deaths to zero over a certain period of time.

The Connétable of St. John:

Yes, that is part of the plan, and if people do get a chance to read the plan they will see the aim there is to reduce the amount of injuries and deaths in collisions in the next 10 years, but clearly we would love to get to zero collisions and zero serious incidents. But it is included in the plan; the targets.

[9:45]

3.1.5 The Connétable of St. Martin:

I am hoping that the education will go out to all Islanders and will the Connétable confirm that the education will extend to the life-changing and sometimes fatal effects of drink driving?

The Connétable of St. John:

Yes, the report talks about the cost of fatal collisions and serious collisions, but really it is the human cost, which is immeasurable, and we all need to play our part. Not only with drink driving but drug driving is becoming more of an issue, and the team are working on legislation to introduce levels and also roadside testing for drugs.

3.2 Deputy H.M. Miles of St. Brelade of the Minister for Infrastructure regarding the accessibility of the States Chamber (OQ.37/2025):

Following reports written in 2018 and 2022 to assess the accessibility of the States Chamber and environs, will the Minister advise how he is ensuring that the necessary work is being carried out in the States building to ensure compliance with disability legislation and what priority is being given to this work?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy for her question. It is an important topic which we are taking forward. This building, which houses the Island's Parliament, should be as accessible as possible, but of course we work in an old and historic building with practical challenges. Officers from Property Holdings most recently met with the Diversity Forum on 13th February and we continue to work with them to determine which of the recommendations made in those reports fall to the tenants and which are an obligation of the landlord. We will also be in discussions with Planning to understand the recommendations made; what is and is not achievable due to planning restrictions associated with the premise. We have given a 4-week timetable to get feedback on that.

3.2.1 Deputy H.M. Miles:

I thank the Minister for his question. I was certainly part of the Diversity Forum when his officers came in to talk to us. We have an election coming up again in 2026 and we are trying to make this Assembly as diverse as possible. How will the Minister tackle the current accessibility issues of this Chamber and what will he do before 2026 to remove the barrier for some potential candidates from standing for election?

The Connétable of St. John:

I do not believe anybody should be barred from standing for election because of physical ability. There is a larger piece of work to develop a matrix across all of our properties, not only this building, and clearly funding is a challenge for us. It is an objective for the team in 2025 to come up with a plan where we can find ways to make this building and other buildings in our responsibility more accessible.

3.2.2 Deputy L.M.C. Doublet of St. Saviour:

Does the Minister believe that it is possible to make this present building completely accessible and compliant?

The Connétable of St. John:

I am not an engineer. I believe it is possible to get people to this part of the building, to the floor of the Assembly. I think it would be a struggle to get people to the gallery.

3.2.3 Deputy L.M.C. Doublet:

Does the Minister believe that this building is still fit for purpose?

The Connétable of St. John:

We are meeting here today, so I believe it must be fit for purpose. Is it ideal? No, it is not. Would a new building be appreciated? Yes, it would. But where is the money coming from and where is it on our priorities?

3.2.4 Deputy I. Gardiner of St. Helier North:

Following the previous answer from the Minister that mentioned that he would like to see this building and other buildings in the Government ownership being fully accessible, would the Minister advise if he does have a framework or table that all recommendations from reports from 2018 into 2021 are included and we have prioritisation over the years bringing the building to comply with disability requirements?

The Connétable of St. John:

I think I tried to touch on that earlier, that there is a larger piece of work to develop a priority matrix across the whole estate. We only have a small amount of funding each year within Property Holdings to undertake D.D.A. (Disability Discrimination Act) works, and that is the objective within the team to do the matrix this year and come up with a priority list.

3.2.5 Deputy I. Gardiner:

Would the Minister advise if he had requested funding for disability work to make sure that buildings are complied with disability in 2024?

The Connétable of St. John:

I must confess, I did not ask for extra funding last year in the Budget process.

3.2.6 Deputy H.M. Miles:

In the interim, what discussions take place with the States Greffe in the Jersey Property Holdings capacity as landlord to understand and mitigate the risks associated with this building?

The Connétable of St. John:

I am not aware of the detail but I will find out and I will get back to the Deputy and Members.

3.3 Deputy M.B. Andrews of St Helier North of H.M. Attorney General regarding the Social Security (Overlapping Benefits) (Jersey) Order 1975 (OQ.36/2025):

Will the Solicitor General advise whether the Social Security (Overlapping Benefits) (Jersey) Order 1975, preventing carers in receipt of a States pension from receiving a home carers allowance could be considered discriminatory?

Mr. M. Jowitt, H.M. Solicitor General (rapporteur):

I am grateful. The answer is no, the order is not capable as a matter of law of being considered discriminatory. Discrimination as a matter of law can only arise in specified factual contexts, which are set out in the Discrimination (Jersey) Law 2013; for example, employment, charity work, education, club membership. Then it can only arise in respect of the protected personal characteristics which are listed in schedule 1 to the law. The personal characteristics, which the law protects from discrimination, do not include the fact of a person being in receipt of a States pension. Indeed being in receipt of a States pension is not a personal characteristic at all. It is a financial benefit enjoyed by the person who receives it. It is not possible in law therefore to say that a reduction in a person's entitlement to a home carers allowance to take account of the fact that they are already receiving a States pension is discriminatory because, under the Discrimination Law, it is not. Even if it could somehow be argued that it was, and in my view it firmly cannot, the Discrimination Law expressly provides that acts done pursuant to legislative authority are excluded from the operation of the law. The 1975 Order and the Social Security Law pursuant to which it was issued are examples of authority for the system to be operated as it is. The Act in question here is that of operating a scheme to regulate how much money individuals can receive in publicly-funded financial benefits. That is an Act done pursuant to legislative authority and it is therefore excluded from the operation of the Discrimination Law.

3.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Minister for External Relations regarding the Moneyval Report 2024 (OQ.39/2025):

Further to the favourable findings of the MONEYVAL Report 2024, will the Minister provide an update on the regulation and legislation of financial services review that he advised was being undertaken?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Minister for External Relations - rapporteur):

I thank the Deputy for her question. Following Jersey's very positive MONEYVAL report, the Minister for External Relations announced a review of the regulatory environment. He also established a working group to explore ways to increase the competitiveness of Jersey's financial services industry. The regulatory review forms an important part of this wider piece of work. The competitiveness programme has 4 workstreams: an international tax strategy, on-Island improvements to the business and regulatory environment, an external growth strategy and a review of future financial services competitiveness, and future regulatory posture. This final workstream will bring together the outputs from the other 3 and will be led by a panel of experts. Those workstreams are ongoing and will result in changes to policy and legislation during the course of this year, with a final report being published in 2026.

3.4.1 Deputy K.L. Moore:

Following the also positive MONEYVAL report into Guernsey, will a review of the respective legislation and regulation be included in the ongoing review into our own legislation?

Deputy M.E. Millar:

Sorry, can I clarify? Did the Deputy mean that we are reviewing Guernsey's legislation?

Deputy K.L. Moore:

Yes, the respective areas of legislation and regulation that also appear in our own.

Deputy M.E. Millar:

I believe that the focus is on the position of Jersey's regulation and legislative framework. It may be that we will consider things they do in Guernsey, where there is a competitive difference between us. But I do not think that an overall review of Guernsey - just because it is Guernsey - is on the cards, but it will, I am sure, form part of the overall competitiveness work.

The Bailiff:

Deputy Jeune is excused therefore question 6 falls off the order and we move now to question 7 that Deputy Ahier will ask of the Minister for Sustainable Economic Development.

Deputy S.M. Ahier of St. Helier North:

I think you are going off the previous Order Paper. I do not think your Order Paper has been updated. Just to mention, Sir.

The Bailiff:

My Order Paper has been updated but I made my personal notes from the wrong Order Paper, so thank you, Deputy, for that correction. We now come to question 6 that Deputy Ahier will ask of the Minister for Sustainable Economic Development.

3.5 Deputy S.M. Ahier of St. Helier North of the Minister for Sustainable Economic Development regarding alternatives to the DFDS A/S supplied contingency ferry service (OQ.45.2025):

Further to his response to Written Question 41/2025, will the Minister advise the Assembly whether alternatives to the DFDS A/S supplied contingency ferry service were sought and whether an equivalent amount was paid by Guernsey to secure the service and, if so, how much?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

Given the scale and urgent nature of funding support requested of the Governments of Jersey and Guernsey by Condor at the time, it was mutually agreed between the Islands that a direct approach to DFDS was appropriate to ensure the immediate provision of contingency of the Island's supply chain. This followed on from contingency scenario planning undertaken jointly with Guernsey dating back to January 2023. All contingency costs throughout 2023 and 2024, including berthing trials of contingency vessels, were met equally by the Governments of Jersey and the States of Guernsey. It was only the last few months in 2025 where Guernsey was not involved in the payment. I am just realising as well that the Deputy has asked how much, and I do not have that to hand, so I will have to send that to the Deputy afterwards. I do apologise.

3.5.1 Deputy S.M. Ahier:

In Written Question 41, it was mentioned that correspondence was received from Condor in September 2024, setting out worries about the solvency of the company and that it may need between £11 million and £34 million of further financing. Why was the decision not made then to side with DFDS and could the cost of the contingency ferry service have been avoided if DFDS had been awarded the contract earlier?

Deputy K.F. Morel:

I thank the Deputy for his question. I think the Deputy has put his finger on many of the what-if scenarios that were going through planning and processes at the time. The Deputy is right that in September 2024 I received a letter from Condor in response to my request from them whether they would be able to maintain services should they not win the tender process. They responded by saying they could not guarantee that unless support between £11 million and £34 million was provided. We could have at that point, although we were in the middle of a tender process at that stage, so the tender process was in full flow at that stage in September 2024. It did, in my mind, seem appropriate to take that tender process to its conclusion. But equally, even if we had aborted the tender process at that stage to appoint an alternative to Condor, there is every chance that we would then have been in a situation where Condor were unable to provide those services from September through to the end of March next month. There is a lot of balance of probabilities and risk assessment in that respect of understanding what would be the better way forward; the most important being protecting the supply chain to the Island at the time.

3.5.2 Deputy M. Tadier of St. Brelade:

The Minister said that the matter of contingency only became an issue if Condor were not awarded the contract. Given that the contract was not going to be awarded for many months, why was contingency sought to be put in place and could he confirm ... I think that the figure which he has previously mentioned, £500,000 a month that Jersey pays for contingency or has paid?

Deputy K.F. Morel:

The Deputy has made an assertion that I have said something. I do not believe I have said that.

[10:00]

3.5.3 Deputy M. Tadier:

The Minister could clarify, if he does not agree with the assertion, that would be the most helpful, I think. But in the absence of that, could he ... the supplementary is really whether or not he considers having awarded DFDS ... I think my figure is correct in saying that Jersey has given DFDS £3 million for doing nothing to date, does that not put them in an advantageous position when they are one of the companies that was tendering for a process?

Deputy K.F. Morel:

To go back in terms of history because the assertion the Deputy made was that it was only from that September letter that we have ...

Deputy M. Tadier:

May I raise a point of order? The Minister said he did not want to answer my question initially. I have asked a separate supplementary question, could he answer that question not the one that I asked at the beginning?

The Bailiff:

That is probably right. You indicated you were not in a position to respond to the first question because you had not said what it was said you had said. In response the Deputy has asked a supplemental question and it is reasonable to address it on its terms, if you can.

Deputy K.F. Morel:

I was just providing the context to get to the answer the Deputy required. If he could reappraise me of his question that would be wonderful.

Deputy M. Tadier:

It would be preferable if the Minister just listened to the question in the first place.

The Bailiff:

No we do not need exchanges like this. This is question time. It is not uncommon for Members who have not understood to ask for a repetition of the question or if they have not heard it clearly to ask for a repetition. I do not think it is appropriate to make direct personal observations about people listening or not listening. It would help us if you could just, I think, ask a question.

Deputy M. Tadier:

Can I seek direction from the Chair, because this is eating into question time, and the Minister clearly remembers what the first question, which he did not want to answer, was and has forgotten what the second question is, so I will put it to him again. But I am not the one in the wrong here. The question is: given the fact that DFDS, I think, has had £3 million from Jersey's Government for doing nothing to date while they were also involved in a tender process against their competitor, did that not put DFDS at a competitive advantage given the fact that they are receiving that £3 million which Condor did not receive?

Deputy K.F. Morel:

I thank the Deputy for his question and I can assure the Deputy that I asked for the question to be repeated because that interchange meant that I forgot it. It was not because I was not listening. I think it is really important to understand that DFDS were not paid to do nothing. DFDS were paid to secure the charters of ferries, and it is my understanding that DFDS did so at cost. Those monies paid to DFDS were then passed on to the ferry owners for charters of those ferries. That is exactly what happened. It was not DFDS making money, assuming that they were correct that they did it at cost. So they were not placed at a competitive advantage. The contingency securement or the securing of contingency and the tender process were 2 completely different processes. DFDS were very aware of that and I still, to this day, know that I have remained open to both Brittany Ferries and DFDS winning that tender process.

3.5.4 Deputy S.M. Ahier:

Will the Minister advise: were any legal fees for the ferry tender process included in this allocation of £4.3 million and if so, how much?

Deputy K.F. Morel:

I would have to check. I do not know off the top of my head whether legal fees were included, but the Deputy talks about £4.3 million and that was a figure that was not in his original question, so I am not sure what he is referring to in that £4.3 million.

3.6 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding the Terms of Reference for any current consultation regarding the reorganisation of his department (OQ.48.2025):

Will the Minister commit to providing the terms of reference for any current consultation regarding the reorganisation of his department, with either internal and external stakeholders; and if not, why not?

Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):

I thank the Deputy for her question. I have to say that there is no current consultation, there is no planned future consultation. There were no terms of reference at the beginning and, as such, there are no terms of reference that can be made public. For my part, I cannot see where terms of reference would fit into this work, so perhaps the Deputy could explain to Members how terms of reference could be applied in this particular situation?

The Bailiff:

The answer to the question, I think, was that there were no terms of reference, and that is why they cannot be provided, was it, Minister?

Deputy T.J.A. Binet:

That is completely correct.

Deputy I. Gardiner:

Just to clarify, was it also answered that there is no ongoing consultation for restructure?

Deputy T.J.A. Binet:

The work that we are able to do is either being done or is in the process of being done. The work that has to come back to the Assembly is being formulated now and that will come to the Assembly in the form at the time.

3.6.1 Deputy I. Gardiner:

I do have a supplemental, and I would like to ask the Minister to clarify because at the public hearing with the chief executive officer on 12th February he expressly said that the Minister continued to consult its existing extensive consultation. When the consultation will be finished we will write a business case. What is important for me to understand: is the Minister and his team doing consultation for the restructure or not? Who is right and who is wrong with this?

Deputy T.J.A. Binet:

From my point of view, we have spoken to all the professionals involved because they are the ones that we rely on to have feedback and they are all very much in favour of what is happening. It does not mean that at certain points in time we may not ... we will continue talking to the professionals involved as we need to because it might need fine-tuning. But there is no formal consultation process currently happening or no formal process planned.

3.6.2 Deputy M.B. Andrews of St. Helier North:

If there is no consultation process that is ongoing could it be considered rather autocratic if we are to then see a new independent body be set up and charities are then given little choice but to be part of this new independent body, when they may choose to remain independent and away from the Government?

Deputy T.J.A. Binet:

I do not seem to remember saying that it would be an obligation for charities to become involved. It is an opportunity for them to become involved. I do not see that there is anything autocratic in this at all. We are elected to do a job, and it seems to have become a crime to have an initiative to do something positive to deliver better care for patients. I find that very strange.

3.6.3 Deputy M.B. Andrews:

The purpose of the independent body is to obviously bring everything into one. However, if charities and other organisations choose to remain independent, will the Minister still be providing funding for those entities, and if not, why?

Deputy T.J.A. Binet:

I think all that will depend on how things evolve from hereon. I do not see a particular tension in this regard at all.

3.6.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Is the Minister aware of the Government of Jersey's guidelines on holding consultations, and when did he last consider them?

Deputy T.J.A. Binet:

I have not inquired about them because I do not think I need to. I will be bringing a proposition to the Assembly shortly, and that is the point at which the Assembly gets involved in this. I am really at a loss as to know what is going wrong here. I cannot help feeling that some of the Members here are trying to create a crisis of process abuse where none exists, and it certainly would not be the first time.

3.6.5 Deputy K.L. Moore:

It appears that the chief executive considers that a consultation process is under way. It might be helpful if the Minister could outline why there seems to be a difference of opinion with regard to the consultation process between himself and the chief executive.

Deputy T.J.A. Binet:

The chief executive is a busy man, and he may not know that we have reached the point at which the principal consultation is finished. But, as I say, this is not a crime. If I carry on talking to health professionals about fine-tuning, I do not see there is anything untoward in that at all. As I say, this looks to me like another attempt to create a crisis of process abuse where none exists.

3.6.6 Deputy J. Renouf of St. Brelade:

I think I heard the Minister say that he had spoken to a lot of professionals who had all agreed with the proposals. The former chief officer, Chris Bown, has been employed by the department in an advisory capacity since December. Can the Minister outline what discussions he has had relating to his reorganisation of the health service with Mr Bown?

Deputy T.J.A. Binet:

I do not have a list of the conversations I have had. I have spoken to a good number of people over a good many months, and we have to bear in mind that the former chief executive left office formally

to go for an operation at the beginning of October. That is something like 5 months ago. I am sorry, I do not have a list of my engagements and conversations with him on the matter.

Deputy J. Renouf:

I do not feel that answered the question. It is one person.

The Bailiff:

But the Minister has said that he does not have a list of his conversations, and therefore he cannot answer the question. What the consequence of that is a different thing but if he cannot answer ...

Deputy T.J.A. Binet:

I am happy to say that I have spoken to the chief executive on it on a number of occasions, but as I say, when you have hundreds of conversations with people about a particular issue, it is hard to be able to ... if the Deputy would have asked me for a list, I could perhaps look back in my file. But as I say, off the top of my head, I cannot give him a list of dates. I think if the Deputy was in the same position as me, he would find that very difficult too. I do not think it is a realistic question, to be honest with you.

The Bailiff:

There we are. That was the question.

3.6.7 Deputy J. Renouf:

The Minister said that the former chief officer had gone for an operation 5 months ago. However, he did come back to the department in an advisory capacity and has been working in that capacity, or available at least, in that capacity since December. So the department is paying him money. He is highly experienced in different types of health organisations. Can the Minister confirm whether or not he has spoken to Mr Bown since he came back to work in December?

Deputy T.J.A. Binet:

No, I have neither seen nor spoken to the individual concerned, and I will say again that I do not consider that to be a crime.

3.6.8 Deputy L.M.C. Doublet of St. Saviour:

Could the Minister give some information, if there is not a terms of reference, what materials were presented to those being consulted? Who was included in the consultation? Who was not included? What format did it take? What questions was the Minister seeking to answer? How wide was the scope? We would like some more detail, I think, on it exactly what the form of the consultation was.

Deputy T.J.A. Binet:

I will tackle this from my notes. I will just say details of this consultation, who was consulted, the ideas upon which they were consulted and the feedback received is all a matter of public record. All Members of this Assembly were invited to a briefing on the consultation results, and the feedback report was circulated to all Members. I think everything that needs to be said has been said.

The Bailiff:

Effectively the answer is that it is in the public domain.

3.6.9 Deputy L.M.C. Doublet:

Can the Minister explain what the difference is between a briefing and a consultation is in the work that he has done around this matter?

Deputy T.J.A. Binet:

A briefing I think is when you tell somebody exactly what you are going to do and a consultation is when you take ideas to people and ask them for opinions.

3.6.10 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

I would just like a bit more information about the “all professionals” comment. When the Minister said that all professionals had been consulted, could he give some examples of what he considers to be “all professionals”? What levels are we talking and how far is that encompassing? Is it just within health or elsewhere?

Deputy T.J.A. Binet:

I make the point again that all of this material ... and I wish that Members, if they can ask these questions would first do their homework because all of the stuff that I have spoken about is in the public domain. I think we did 14 different consultations. We spoke to G.P.s (general practitioners), charities, care homes, home care providers and various sections of H.C.S. (Health and Community Services), so it is pretty comprehensive.

3.6.11 Deputy L.K.F. Stephenson:

The Minister did say various sections of H.C.S. Again, I was asking about the levels that people were consulted at, and I think it is one thing saying that there are sections. G.P.s for example; is it all G.P.s were spoken to and all healthcare professionals? What level are we talking about here?

Deputy T.J.A. Binet:

I do not want to use the word, I will be careful how I describe that question. I think there were over 3,000 people involved so I have to say categorically we did not speak to 3,000 people; no, we did not. We, in the main, spoke to their representative bodies in exactly the same way as you would expect.

3.6.12 Deputy I. Gardiner:

At least we have a clarity. I would like to ask the Minister, so if I understood correctly, there is no consultation any further for the reorganisation of the Health and Care Jersey. If it is correct, can the Minister communicate with the chief executive and reassure him that the consultation is finished and that the officers can get on to create a business case, which the chief executive agrees is important to good governance, which is previously requested?

[10:15]

Deputy T.J.A. Binet:

The question presupposes that somebody has been prevented from doing something insofar as they are going to be allowed to get on. Of course they are getting on with things. I do not see the chief executive every day of the week. I am certainly happy to update him. He has an awful lot of work to do, and I think he has taken the view that we get on with things and things have been progressing without interruption. Once again, there is no crisis here and there is no crime being committed. I think it is a good piece of work trying to improve patient care, and I am sorry that certain Members do not seem to be able to be a little bit more supportive than they are.

Deputy I. Gardiner:

It was not about a crime, it was asked if he can inform the chief executive that the consultation is finished? Yes or no, that he can progress with business.

Deputy T.J.A. Binet:

I certainly can, but I consider that to be a complete irrelevance, if you do not mind me saying.

The Bailiff:

I think the question has been answered, Deputy Gardiner, and we are moving on.

3.7 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding the DFDS freight services charges (OQ.51.2025):

Following the publication of the DFDS freight services charges, will the Minister explain why DFDS has been appointed as the new ferry operator given their higher rates?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I think it is very important that the Assembly understands that both ferry operators who tendered for the ferry services provided higher rates in terms of freight. Regardless of who was chosen, freight rates would be slightly higher as a result of the tender process. That is a reflection of the cost of providing a sustainable fleet and a sustainable ferry service going forward. Because I think one of the things we can probably agree on is that, particularly given the requests for multimillion pound cash injections, the previous ferry service or the current ferry service has not been sustainable from a financial perspective. As well as both tender bidders giving higher prices, DFDS scored highest overall during independent evaluation across a broad range of tender criteria including pricing, customer service, financial sustainability, fleet investment, scheduling and also commercial operations. So a tender process does not focus on just one element of any service, regardless of what you are tendering for. It has to look at the whole range of elements within that service.

3.7.1 Deputy H.M. Miles of St. Brelade:

Thank you to the Minister for his response. Can the Minister just clarify whether there was any consultation with the public and from freight providers to move to a flat rate card? Can he tell us what the outcome of those discussions were?

Deputy K.F. Morel:

I thank the Deputy for her question. I think it is very important at this point that people have been talking about a flat rate card. A flat rate card provides transparency. A flat rate card provides the ability for competition in the freight services sector, which until now has been impossible due to barriers that have been created by the current pricing system. Consultation was undertaken by the J.C.R.A. (Jersey Competition Regulatory Authority) with regard to their freight review, and informal consultation rather than formal consultation had been undertaken by officers in my department and elsewhere with regard to freight but not in a formal manner.

3.7.2 Deputy J. Renouf of St. Brelade:

I think Members will recall that the Minister was certainly hopeful that the flat rate card would lead to lower freight charges overall, and perhaps help ease cost-of-living pressures. Is he disappointed that the freight rates have gone up?

Deputy K.F. Morel:

I am neither disappointed nor the opposite of what that may be. Freight rates were going up. As I started the answer to the original question, both tender bidders provided higher freight rates in order to provide that sustainable fleet. There is a reality in life; pricing goes up. Indeed, we have seen this year - so January this year - Condor in their current pricing put their freight rates up for the first quarter of this year, the last quarter that they are serving Jersey. Obviously in the past Condor and freight providers have put their freight rates up significantly, I believe, in double figure amounts just a year ago. So, again, one of the things that we have now in the current ... well, not the current, in the provision for ferries that will come from the end of March is we have R.P.I. (retail price index)

limits on freight pricing. From now on, we have a price cap in that respect, freight rate card, and that will be the same going forward. So we can take away any surprises for freight users for the next 20 years.

3.7.3 Deputy J. Renouf:

I thank the Minister for his answer. Transparency is obviously a good thing in general. Could the Minister clarify whether he still believes that transparency will lead to more than just the good feeling of transparency, but could lead to lower prices in the long term? Or is it just a hope that it is a good thing to have?

Deputy K.F. Morel:

I understand the question, and it is impossible to 100 per cent predict the future. I cannot tell ... none of us will know exactly what will happen in 10 minutes, let alone in 20 years. So there is always an element of hope, I think, to address that element of it. I do believe transparency now means that there is no mystery about the ferry freight pricing. Until now, even at the level of Government, we have not had a full understanding of where ferry freight pricing is. From now on, we will have that. That, I think, is very, very important. Then we will be able to see how much logistics providers are offering or requesting fare pricing for their services, as opposed to this mystique and this mystery as to how much was for the ferries and how much was for the freight service providers. Now we will know exactly how much it is for the ferries, so then the freight service providers will be able to compete in a much more informed manner than they were previously.

3.7.4 Deputy A.F. Curtis of St. Clement:

Actually that last part of the answer I think is really helpful from the Minister because my question will still be around that flat rate card. Does the Minister have any knowledge as to whether any of the operators on top of the freight service have seen a lower price based on the flat rate card? In essence they were punished. It sounds like he may not know but obviously has any operator come forward and said: "Actually this is a better deal for us"?

Deputy K.F. Morel:

I believe that that is the case. Certainly if you work off the current rate card - as in Condor's current rate card - then the majority of freight logistic service providers I believe should be experiencing lower prices from the ferry company.

3.7.5 Deputy M. Tadier of St. Brelade:

The Minister said that a flat rate card provides transparency but does he also agree that it prevents the business - so DFDS - offering discounts for bulk buying?

Deputy K.F. Morel:

That is correct, it does do that. I think the kind of metaphor that I have used or the imagery I have used is it is a toll bridge. The ferry service is a toll bridge or is akin to a toll bridge. On a toll bridge you do not tend to get volume discounts. It is the same with a ferry service. What is important is that we understand how much and now we are limiting price rises in the ferry service coming forward. Everyone will be paying the same amount for that ferry service, therefore the competition can take place on a fair foundation provided by that ferry service.

3.7.6 Deputy M. Tadier:

The Minister talked about the fact that he expected that the majority of importers would see a reduction in their fees relative to what Condor Ferries currently offer, but does he also acknowledge that there are perhaps one or 2 big importers in Jersey that previously might have benefited from a bulk discount? If that bulk discount is no longer being passed on to customers that there is a strong

likelihood that that discount will not be passed on to customers and they will see their prices going up in the shops potentially.

Deputy K.F. Morel:

I should firstly qualify me saying “majority”. That was just my understanding, potentially I might be wrong in that, it may not be a majority, I do not know because I have not done a poll. But it is possible that the biggest freight providers find themselves at something of a disadvantage as a result of these changes. That is possible. It is also very difficult for us to know. We have only been able to work off Condor’s published rate card. Any further discounts, et cetera, may not be in line with things such as the Competition Law and stuff like this and matters like this. So we are not informed, as Government, of any other deals beyond the rate card itself. Were there any other deals then I think that could be problematic from a competition perspective.

3.7.7 Deputy D.J. Warr of St. Helier South:

I just want to tackle the Minister about the rate-capping policy which is brought in, because I am very conscious that there is a rate charge, but what we have seen in the past have been additional supplementary charges being made so it could be that the fuel price has suddenly jumped so we find there is a supplementary on top of the base rate charged. When the Minister talks about capping, does he mean capping for everything or does he mean capping for one element and then there is an opportunity for the freight companies to put in a supplementary charge if things change and they cannot match that capping in line with inflation? Could he elaborate on that a little more?

Deputy K.F. Morel:

It is an excellent question from the Deputy and it is really important. Yes, the capping is on the actual freight price. There is for both, and again both tenderers and currently Condor do operate a supplementary element for ... it is called B.A.F. (bunker adjustment factor), but it is for the bunker fuel and for fuel prices which provide volatility. Now, importantly, under the DFDS service, their formula for how they work out the supplementary fuel charge is public, so all Islanders will be able to see exactly how they calculate the fuel surcharge. They insist absolutely that there is no profit made out of that fuel surcharge. It is purely a surcharge for excess fuel costs. On their website you can find the fuel surcharge for every route they operate. So they are entirely transparent, telling you exactly how much their fuel surcharge is and how they calculate it. That is there. That level of transparency is not there currently.

3.7.8 Deputy K.M. Wilson:

Thank you to the Minister for those answers. One of the questions that is repeatedly being asked by Members is what support was there originally to move to a flat rate card under this tender process and if that support was ... on questioning, can he guarantee that there will be no changes to the flat rate card arrangements during the course of this tender?

Deputy K.F. Morel:

I am not 100 per cent understanding what the Deputy means by support. But in terms of the contract, yes, these are contractually written in elements and so there will, to my knowledge, be no change going forward. We have locked in kind of R.P.I. pricing rises, maximum R.P.I. pricing rises or R.P.I. linked pricing rises. I believe it is just R.P.I. While you can negotiate changes to a contract, et cetera, so that is possible, but that would need to be through negotiation. Obviously, any changes to the revenue delivered via the contract ultimately have an impact on other elements, such as fleet investment, ticket pricing for passengers, and so on. If there are changes, because obviously the model has been built on the existing contracts, so any changes to that contract would require revision to other elements of the model, such as fleet investment.

3.8 Deputy J. Renouf of St. Brelade of the Chief Minister regarding a review of current Island regulations (OQ.50/2025):

Further to the chief executive's statement that Jersey is "over regulated", during his speech at the recent Chamber of Commerce lunch, will the Chief Minister advise whether he intends to undertake any review of current Island regulations, and if so, in which areas, and if not, why not?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

Some work is already underway to review regulations. For example, Deputy Gorst has started a review of Jersey's economic competitiveness and growth, particularly in the financial services sector. The Minister for Treasury and Resources alluded to that in an earlier answer. This will include a review of the regulatory regime. Deputy Luce has announced improvements to the planning system and there is a wider review of planning regulation ongoing. That will shortly be going out to public consultation. Changes are also being considered to the Alcohol Licensing Law, new Control of Housing and Work Regulations have been lodged and the answer to the original question is that we are considering a government-wide review of all regulation.

[10:30]

We have not decided if that is absolutely necessary yet, as we are focusing on areas we believe to be quite heavily regulated. In the meantime, Ministers will continue to look for opportunities to reduce regulatory burdens and streamline processes.

3.8.1 Deputy J. Renouf:

I thank the Chief Minister for his answer. It was noticeable that the focus is very much on Government and business in terms of over-regulation. Can he confirm that there is another side to the regulatory question, which is that the public also have an interest in regulation and, indeed, in the protections, the economic level playing fields and so on that regulation can bring? Can he reassure the Assembly that it will not just be a question for business and Government, that the public will also be invited to contribute to any reviews of regulation?

Deputy L.J. Farnham:

Yes, I can. I am not sure whether the public will be invited to consult with every bit of regulatory regime we are looking at, but planning is a good example and the Minister is going to public consultation on that soon. Of course, we recognise there are very necessary and important aspects of regulation. Regulation provides a safety and well-being for Islanders and that is areas where it would be absolutely appropriate to seek public consultation, should we wish to look at those.

3.8.2 Deputy T.A. Coles of St. Helier South:

As alluded to in the previous question, there are certain aspects of services that are provided to the public that are not provided by Government, therefore a base level of competency should be assessed, and this can be achieved by regulation. Does the Chief Minister then think that these kinds of regulations should still be a priority?

Deputy L.J. Farnham:

I wonder if the Deputy could allude to the regulation; he lost me a little bit there. I am not quite sure what he is referring to.

Deputy T.A. Coles:

Certain services - for example, counselling services are something I have mentioned previously - are currently unregulated within Jersey, so anybody can call themselves a counsellor and offer support

to people for their mental health. Without any form of regulation in this area there is no minimum level of qualification required.

Deputy L.J. Farnham:

While I would have to think about that, generally, professional qualifications are required by the associations that govern those sorts of areas of business. There is also legislation that also acts to protect ... but I am not sure what the answer to that ... we would have to consider that. I am not sure there are any major gaps in that area of the market, although we have been made aware of people practising without the necessary regulation in the past. Short answer is, it is something we could look at, but we are reluctant to introduce new regulation unless it is absolutely necessary.

3.8.3 Deputy T.A. Coles:

There are many industries like this, including dentists as well as people who provide cosmetic procedures. Some of these services, again, are not regulated in any way. Should not public safety come before red tape?

Deputy L.J. Farnham:

Yes, I believe public safety should always come first, but that is not to say we have to regulate every single activity. We need to be considered in what we do regulate. I hope to reassure Members that public safety and well-being are at the forefront of our thoughts on regulation so when we look at areas that are over-regulated, we will always bear that in mind.

3.8.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Has the Chief Minister been made aware of the work that the director of the Ministerial Support Unit had been tasked with - and I do believe commenced under a request from the former Chief Minister - to identify regulations that can easily be removed because they are now superseded or in place with little effect?

Deputy L.J. Farnham:

We will utilise that work on our quest to continue to reduce unnecessary regulatory burden.

3.8.5 Deputy A.F. Curtis of St. Clement:

Will the Chief Minister be making it clear the difference between regulatory burden and the level of regulation in any consultation?

Deputy L.J. Farnham:

We will try, yes.

3.8.6 Deputy A.F. Curtis:

The examples of regulation the Chief Minister gave earlier described problems that his Ministers seem to be wanting to solve regulatory burden. Does he think it is appropriate to continue a narrative of over-regulation when the key areas he wishes to solve seem to be the burden of regulation on businesses, not the fact that it exists?

Deputy L.J. Farnham:

I think we are talking about terminology. I will try and simplify it. This Government believes that in certain areas we were over-regulated. Now, we can call that a burden, we can call it over-regulation, but what we want to do is to make sure we have appropriate regulation - regulation that benefits our community and our society - and we are trying to find the right balance. If that helps.

3.8.7 Deputy M. Tadier of St. Brelade:

Will the Chief Minister state whether he believes the C.E.O.'s (Chief Executive Officer) comments about over-regulation also apply to Jersey's finance industry?

Deputy L.J. Farnham:

It was a general comment; I am not sure it was meant to be specific to any particular sector. But that regulation of Jersey finance is something that is being reviewed, as I mentioned earlier, as part of the work that the Minister with responsibility for financial services is leading on.

3.8.8 Deputy M. Tadier:

Would the Chief Minister give his own view and perhaps state where, on the one hand often regulation, particularly the finance industry, is something that is celebrated - that we are well regulated - and on the other hand, we often hear calls from certain sections of the industry that they are over-regulated. Could the Minister say if he has got any initial inclinations as to which of those may be more likely to be true?

Deputy L.J. Farnham:

I think regulation, when it comes to financial services, one of our most important unique selling points is that we are well and properly regulated and that has been reflected in the recent MONEYVAL report. It is also reflected in the fact that we are one of the highest regarded offshore financial centres in the world. Regulation is important, but we need to make sure that that regulation is balanced and appropriate, that it does not stifle competition and that it continues to promote our financial services industry as one of the best in the world.

3.8.9 Deputy K.M. Wilson:

Could the Chief Minister tell us what he actually means by over-regulation?

Deputy L.J. Farnham:

If we take "regulation" in its broadest term of being rules imposed on society, businesses by the Government, I deem that some of those rules perhaps go too far and are stifling business activity or freedoms of the public in certain areas. That is a very broad description of what we mean. I caveat that of course by saying some regulation is absolutely necessary, especially in relation to public safety. A good example of that, where we are looking at making changes, is in the road safety strategy recently announced by the Minister.

3.8.10 Deputy K.M. Wilson:

Does the Chief Minister believe that it would be helpful to have some frameworks for the public to understand what is good regulation, what is beneficial regulation, so that we know what the standards are and that it improves transparency?

Deputy L.J. Farnham:

Yes, I think any good regulation needs to be balanced and it needs to be clear, plain, fairly simple as it possibly can, so it can be communicated to the public, so it can create greater understanding. I think if you asked an ordinary member of the public to explain what they knew about our financial services regulation, our planning regulation, our rather complicated alcohol and licensing laws, they would not know very much about it, so I agree with that. If we can introduce an element of simplification, so it is easier for the public to understand, we would support that.

3.8.11 Deputy J. Renouf:

This is an interesting exchange; what it raises in mind is surely the issue is rather than focusing on over-regulation - which risks creating a simplistic impression that regulation is bad and a burden -

the focus should be on good regulation, on being well-regulated in recognition of the vital importance of some regulations.

Deputy L.J. Farnham:

I think that is at the heart of what we are trying to do. I have used some examples of where we feel over-regulated, but the Deputy is absolutely right. We aim to have good regulation, well-balanced regulation, and that will be our key objective.

3.9 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding ‘External Redecoration and Repairs’ at Havre des Pas Lido (OQ.40/2025):

Further to the response to Written Question 43/2025 and the £230,017.59 committed to external redecoration and repairs at the Havre des Pas Lido, will the Minister provide a breakdown of this expenditure by each piece of work undertaken and advise the organisations engaged to carry out the works?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

The breakdown of the expenditure is as follows. Preliminary works, £54,126. The work schedule, which included hardstanding areas, elevations A, B and C, the plunge and children’s pool and the freestanding store totalled £143,244. Other costs including day works, provisional sums and contingency totalled £32,646. I can break this down further and give greater detail outside the time constraints of an oral question. Acer Bespoke is the appointed main contractor for these works and therefore the contractor to Jersey Property Holdings.

3.9.1 Deputy D.J. Warr:

I thank the Minister for his answer. In the answer to Written Question 43 I note that there was £61,000 spent on renewing the electrics, yet no budget has been set aside to repair the roof that has been leaking for the best part of a decade. When does the Minister believe that his department will repair the roof so as not to jeopardise the good work that is being carried out?

The Connétable of St. John:

The Deputy repeatedly asks me questions on this subject, which I try to answer as best I can. Today’s question is about external redecoration and repairs; I have answered the Deputy the sums that I have got in front of me, and I have to go away and find out further details. I have a 12-page schedule in front of me, which I think is more akin to a written question than an oral question.

3.9.2 Deputy T.A. Coles of St. Helier South:

Can the Minister provide details of the level of insurance for the parts, labour and materials of the work carried out at the Lido?

The Connétable of St. John:

Sorry, could the Deputy repeat the question?

The Bailiff:

Could you point out the level of insurance for the parts, labour and materials of the work?

The Connétable of St. John:

I do not know the details; I would imagine that they are part of our standard terms and that we would agree with any contractor for any of our buildings, not specific to the Lido.

3.9.3 Deputy T.A. Coles:

Will the Minister assure that if any failures of the work of this large investment occur, that he will be approaching the contractor to ensure it is repaired?

The Connétable of St. John:

That would depend on the nature of the failure. We have to remember the Lido is in the middle of the sea, and we see storms that submerge the Lido. It is a very difficult building to maintain. If there is faulty product or faulty workmanship we would certainly challenge the provider of that service, but we have to appreciate that the Lido is in the middle of the sea.

3.9.4 Deputy J. Renouf of St. Brelade:

My apologies if I misheard, but the sums that the Minister read out did not seem to me to come close to £230,000, I think it is, in total. Is it the case that the work has come in under, or did I just mishear? That there are elements there that do get us to that total?

The Connétable of St. John:

In my head, the sum is 230; 143, 54 and 32.

The Bailiff:

Do you have a supplemental question?

Deputy J. Renouf:

No, Sir. I misheard. Apologies.

3.9.5 Deputy D.J. Warr:

Just to come back to this breakdown of the figure, I noticed that in the last Assembly the Minister withdrew his commentary around the cost of the scaffolding. I note he has not separated that out; could he give an update on the scaffolding cost within that figure?

The Connétable of St. John:

I understand that the Deputy had received a written response to that question. I believe the sum was £42,000 for the scaffold, but that is from the top of my head. I will get back and reconfirm that figure today.

[10:45]

3.10 Deputy B.B. de S.V.M. Porée of St. Helier South of the Minister for Health and Social Services regarding the process of diagnosis of adult ADHD (OQ.35/2025):

Will the Minister explain the current process required for an adult to obtain a diagnosis of A.D.H.D. (Attention Deficit Hyperactivity Disorder) and advise the current waiting time to receive a diagnosis and start any treatment?

Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):

I thank the Deputy for the question. Adults are referred to the specialist A.D.H.D. service that sits within the mental health services. Initial information is gathered, including from the patient, and a clinical interview and assessment is then undertaken, usually resulting in a diagnosis of A.D.H.D. It is possible for a diagnosis of A.D.H.D. to be given within another part of the mental health services by a suitably qualified and experienced clinician who feels confident in making that diagnosis. But in practice, most clinicians do not feel confident to do this and, as a consequence, they make a referral to the A.D.H.D. specialist. It is also possible to receive an A.D.H.D. diagnosis privately in Jersey. As of 21st February, there were 957 adults on the waiting list for an A.D.H.D. assessment. Based on the current planned assessment rate, that gives a current waiting time of 4 years and 7 months, if

somebody is referred today. However, it is anticipated that this will reduce with a planned introduction of additional capacity to the team, assuming there is no increase in referral rates.

3.10.1 Deputy B.B. de S.V.M. Porée:

Following the recent review and recommendations produced by the H.S.S. (Health and Social Security) Panel for Government-funded additional staff to alleviate the large waiting list, can the Minister provide an update on the work done to date?

Deputy T.J.A. Binet:

The principal work being undertaken at the moment is to recruit a new nurse specialist, who is also a prescriber. The hope is that that will bring down rates reasonably rapidly; that is the principal focus at the moment.

3.10.2 Deputy L.M.C. Doublet of St. Saviour:

In the Minister's response to my panel's report on this area, he stated that there are 2 nurses currently undergoing training and also a senior nurse that has been recruited. Can the Minister update on those 3 posts, please; the senior nurse and the 2 nurses? Who is actually in post and, if they are not in post yet, what is the timescale that the Minister is aiming for to have them in post?

Deputy T.J.A. Binet:

I do not believe they are in post at present and I do not have a date on me at the moment for when that is likely to be done, but I am certainly happy to make that inquiry later today and get back to the Deputy.

3.10.3 Deputy L.M.C. Doublet:

Could the Minister also update on the issue of an A.D.H.D. hub or clinic, which is something that has been called for among the A.D.H.D. community very strongly?

Deputy T.J.A. Binet:

I am led to believe that there are some difficulties in terms of the qualification as to what can happen there, and there is a requirement for more money. As I think the Assembly knows well, there is no spare cash. I am meeting a lady who co-ordinates the A.D.H.D. group. I do not think it is formally a charity, but it is a large group on the Island and there is a date in the diary to meet with that lady to discuss the hub in more detail.

3.10.4 Deputy K.M. Wilson of St. Clement:

Could the Minister explain what discussions have taken place with G.P.s to expand capacity for treatment?

Deputy T.J.A. Binet:

I am due to have a meeting with the representative bodies of G.P.s to have further discussions on the shared care pathway; I am happy to update the Assembly once that meeting has taken place.

3.10.5 Deputy K.M. Wilson:

Thank you for the response, Minister. Are there any barriers to these negotiations at all? For example, will it involve more investment?

Deputy T.J.A. Binet:

I do not think the work with the G.P.s would involve more investment, but the creation of a hub probably would.

3.11 Deputy M. Tadier of St. Brelade of the Minister for Housing regarding an empty residential property tax (OQ.44/2025):

Further to the adoption of P.48/2022, will the Minister advise whether he is taking steps to implement an empty residential property tax or a similar mechanism, and if not, explain how he intends to encourage the use of empty properties?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

The short answer to the first part of the Deputy's question is no, I am not currently taking any steps to implement an empty residential property tax. In a previous Government Plan several years ago, £500,000 was allocated for a project to deal with empty homes. At the end of 2023 that funding expired with only 10 per cent of it having been spent, but some unbudgeted commitments set to continue in 2024 when I took over office. Because those commitments constituted little more than managing a spreadsheet of data of empty homes and not actual action to tackle empty homes, I decided to suspend that service because I regarded it as bad value for money. I regret that because that £500,000 of funding for a project like this expired and went back in as an underspend. I do not have resources within my budget at this point to pursue the kind of option that I would like to, to help tackle empty homes. My preferences remain some kind of empty residential property tax or the introduction of empty property management orders, which I think would be helpful. But in the absence of being able to undertake that kind of project, members of my staff have been working with His Majesty's Receiver General to assist him in using some of the old legal powers that he has to bring some formerly empty homes back into use. I am pleased to see some of that has been happening, and I continue to liaise with some of my colleagues in Government about Government-owned empty homes where there are opportunities to bring some of those back into use as well.

3.11.1 Deputy M. Tadier:

I thank the Minister for that comprehensive answer. If I refer the Minister back to the actual wording of the proposition, part (a) stated that - and it was a decision that was passed by a strong majority - was to ask that an effective mechanism should be introduced to discourage domestic properties from being left vacant for long periods. That is an in-principle decision of a previous Assembly and I know how the Minister feels about previous decisions not being implemented. Would he revisit that first part with the Council of Ministers and ask for a fresh mandate from them to say that this decision still stands and that he can be provided with all the support that he might need in order to make sure that that effective mechanism to return empty properties back into use is brought to fruition?

Deputy S.Y. Mézec:

I thank the Deputy for that question. I think the key word that he used in there was "effective" and I think it is a matter of regret that funding was either not used or used on a measure that was not effective. The Deputy is right though that the decision of the States Assembly stands, and I am more than happy to do what he has just suggested that I do and hopefully at the very least provide for some groundwork so that at some point in the future a project could recommence to help deal with this problem. I do not have the resources to tackle it right now, but it would be good if I could muster some political support to be able to do so in the future with perhaps an allocation at some point in a future budget. But I thank the Deputy for his suggestion, which I will look at taking up.

3.11.2 Deputy J. Renouf of St. Brelade:

On 3rd October 2022, Deputy Mézec wrote to the then Chief Minister regarding P.48. He said: "There may well be a reasonable explanation as to why the Minister is unable to fulfil this Assembly decision, but no full explanation has been provided to States Members." That was written less than 3 months after the Government had taken office; he has had more than 13 months since he took over the responsibility. Can he detail all the actions that he has taken to bring that into fruition?

Deputy S.Y. Mézec:

When I took office, I attempted to utilise what work had already been done to get as much positives out of it and I regret to inform the Assembly that there was precisely no positives to be taken from it. An unbudgeted spending commitment had been made without the outgoing Government at that point seeking to provide long-term funding for it, so that meant that was money coming out of my budget for a project that was not capable or not set up to be able to get a single empty home back into use. My officers, I am sure, would testify to the challenge that I put to them to try to salvage that service and get something good out of it, but that was not possible because nothing good was able to be achieved out of it as it constituted not much more than a spreadsheet. What I have done is asked my officers to work, as I said in response to an earlier question, with His Majesty's Receiver General to use some legal powers that do exist. That is resulting in some empty homes being brought back into use. But I think this is a good episode of showing what can happen when money is allocated to a project but those in charge at the time do not have the vision to actually do anything positive with it.

3.11.3 Deputy J. Renouf:

I think we get that the Minister does not think that the previous Minister was doing a good job on this, but the question is really about what he has done since. The previous Minister was at least able to get some money together. The proposition in question relates to an empty property tax, so can he tell us what he is doing to try and bring in an empty property tax?

Deputy S.Y. Mézec:

I believe I have answered that question very comprehensively, and I did so in the first sentence to my answer to Deputy Tadier. I am currently not doing anything to pursue that because I do not have the budget or resources to do so because, in a previous budget - it was the 2021 Budget by the way, so under the previous term of office - £500,000 was allocated to do that, 90 per cent of which expired and was subsumed back into general revenue as an underspend and not reallocated, and I had not a penny in order to be able to dedicate to doing anything. I think that is regrettable.

3.11.4 Deputy D.J. Warr of St. Helier South:

I am truly saddened that the Minister did not follow up on this because the biggest issue we had was we did not know how many vacant homes there were in existence. It started out around between 4,000 to 6,000; we managed through our research to get that down to 900. The purpose of the work is to make more effective use of the built environment and, as the Minister knows, his party has consistently voted against greenfields being redeveloped outside of St. Helier. Surely, if we are going to make more effective use of the built environment, make housing more affordable for the people of Jersey, this kind of work should have been carried on, should be pursued. As my department at the time found out, a tax is totally inappropriate in this setting ...

The Bailiff:

Deputy, this has to be a question.

Deputy D.J. Warr:

Sorry.

The Bailiff:

You have effectively done half a speech.

Deputy D.J. Warr:

Okay, thank you, Sir. My question is: does the Minister not believe in collecting data?

Deputy S.Y. Mézec:

Yes. It was a strange question; I have no idea what else to say to that.

Deputy D.J. Warr:

Is that: “Yes, it is correct to collect data” or: “Yes, it is not correct to collect data”?

The Bailiff:

I think the question was: “Does the Minister believe?” and the answer was in a rather casual affirmative. I am not sure it requires ...

Deputy D.J. Warr:

I do not think we can carry on this. Thank you, Sir.

3.11.5 Deputy M. Tadier:

I am not so interested in the number of empty properties; we were told by the census that it was somewhere in the region of 4,500. I know, just walking around St. Brelade knocking on doors before Christmas, that is entirely believable. But could I ask the Minister: does he agree that, if it is a question of money that is required to continue this work, could he - certainly for the next financial year - ensure that he has sufficient resources to continue to find a way to introduce an effective mechanism to discourage the disuse of properties being left vacant for long periods of time?

Deputy S.Y. Mézec:

I cannot unilaterally ensure it, because obviously budget processes involve more than just me; they will involve the whole Government and ultimately the whole Assembly. But I can ensure that I can make representations to ask to be in a position where we do get the resourcing in place to find not just an effective mechanism, but effective mechanisms, because I think that there would need to be more than one to approach empty homes that are empty in the long term for different reasons, some of which would be financial penalty-based, others which in my view would be useful would be empty property management orders. But as I have said to the Deputy, I am happy to make those representations to try to be in a position where we can move forward on that.

The Bailiff:

Question 13 falls away because Deputy Jeune is excused.

[11:00]

Question 14 is from Deputy Ozouf. The Assembly agreed that Question 1 could go to the end of the list and I assume this, if he is available, goes to the end of the list as well. Very well. We come then to Question 15 that Deputy Warr will ask of the Minister for Infrastructure.

3.12 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the Structural and Engineering Consultants and those who provided Consultancy Services for the works undertaken at the Havre des Pas Lido (OQ.41/2025):

I am flavour of the month, Sir. Further to the response to Written Question 43/2025, will the Minister provide the names of the structural and engineering consultants and those who provided consultancy services for the works undertaken at the Havre des Pas Lido and advise whether all, or any of them, are Jersey based consultants?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy for his question. The structural engineering consultants are Hartigan, who are Jersey-based with over 40 years’ experience; Mr. David Atkinson, who lives in Jersey; Pitch and

Track, who are based in Jersey; and Latitude Building Consultancy, who are based in the U.K. (United Kingdom).

3.12.1 Deputy D.J. Warr:

A couple of days ago, a fire was reported in the disabled toilets at the Lido. The smoke alarm failed to go off. Can the Minister advise which consultancy service determined that the fire safety system at the Lido needed replacing at a cost to the taxpayer of tens of thousands of pounds, and check that the work had been done properly, despite there being a report dated 24th August 2024 from the fire service advising the existing alarm coverage was adequate for the use of the premises?

The Bailiff:

Deputy, I am not sure that as a supplementary that really has much to do with listing the names of the people who are employed in a certain capacity and identifying whether they are Jersey-based or not. I am afraid it is not a general question about the work done on the Lido, it is a specific ...

Deputy D.J. Warr:

In that case, Sir, could I ask which consultancy firm was used for making the recommendation on the fire system?

The Bailiff:

I think that is a legitimate question, if you are aware of the answer.

The Connétable of St. John:

I apologise; I have no idea which of those 4 companies I listed was responsible for that element of the work.

Deputy I. Gardiner of St. Helier North:

Before I ask my question, can I raise a point of when, during the Ministers' responses, they say they will follow up with information, what is the possibility of having this information made public? Because as States Members we receive this follow-up information for our oral questions, but the public cannot see this extra information; so, would it be published?

The Bailiff:

I think the short position to that is that the undertaking to follow up is a political commitment made on the part of the Minister and it is to follow up by providing an answer, in my view, to the person who has raised the question. On the basis, though, that if the Minister had had the information available to them so they could have answered the question and did not need to follow up - it would have been available then to the public because it would have been Hansarded and recorded in the normal way - it seems to me that unless there is a reason why that information cannot be provided, it should normally be provided in a publishable form. But I am not able to assist further, if that does assist.

3.13 Deputy I. Gardiner of St. Helier North of the Chief Minister regarding an overall Government I.T. strategy (OQ.49/2025):

Thank you. Back to the question. Will the Chief Minister provide detail on what progress, if any, has been made to provide an overall Government I.T. (information technology) strategy, and advise when it will be finalised?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

An overarching I.T. strategy for the Government is under development and due to be finalised later this year; June 2025 is the estimated completion. The project has taken on board the groundwork of

previous draft I.T. strategies - started by Deputy Wickenden and then worked on further by Deputy Curtis - and refocused primarily on what could be referred to as fixing the basics - getting the basics right - which is what we need to do in our I.T. estate. The aim of this work is to ensure we have a robust I.T. infrastructure and consistent processes to underpin our various I.T. systems. This will not only improve consistency and efficiency but it will also help to reduce and/or mitigate risk. The workstreams include focus on I.T. networks, I.T. applications, cloud and data centres, artificial intelligence and the way we use and manage data. Once completed, the strategy will guide key decisions and future investment. The project has been progressing well and last month the Digital Services team started consulting local digital companies operating in the Island.

3.13.1 Deputy I. Gardiner:

I am grateful for the Chief Minister for a commitment that the strategy will be published this year and the details of the strategy are welcome. Would the Chief Minister advise if the strategy with all prioritisation will be published in time for the Budget debate, so we can see alignments between strategy and prioritisation and what we will have in the Budget for the next year?

Deputy L.J. Farnham:

Absolutely, yes.

3.14 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding a lack of public consultation in his proposed reorganisation of health services (OQ.52/2025):

Further to his response to Written Question 18/2025, will the Minister explain why he does not plan to hold a public consultation on his proposed reorganisation of health services?

Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):

I thank the Deputy for his question. I have to confess to being a little confused, because I think my response to the Written Question 18/2025 is particularly well detailed, so I am not at all sure what it is that the Deputy considers should be put out for public consultation. It may be helpful to me to be able to answer the question comprehensively if he would be kind enough to explain exactly what form that would take.

Deputy J. Renouf:

Sir, I ...

The Bailiff:

Yes, the question has been allowed in its current form. It may be easier, but are you not in a position to answer the question as put, Minister?

Deputy T.J.A. Binet:

Well, are we really going to go and consult with 100,000 people about internal changes? I have tried to make some inquiries as to similar situations, and in similar situations to this it would not go to public consultation. That is why I simply ask whether the Deputy would be kind enough to explain, given that I did answer the written question comprehensively, what part of that he thinks is appropriate to go to public consultation. We have 2 pieces of work. One is work that we have already done, and it seems to me to be perfectly in order to have done, and that is transferring policy and certain other areas into the health service. We have looked to appoint a director of finance and digital services and H.R. (human resources) and hopefully, in time, procurement. What part of that should we be taking to the public? We are looking to put a board in place; a partnership board. I am just

mindful that, under the previous Government, we introduced an advisory board, and I do not recall Deputy Renouf standing up and saying that that should go to public consultation. Perhaps the Deputy would be kind enough to explain what it is about this scenario that is different to the last.

The Bailiff:

No, Minister. It is not for the Ministerial responder to ask a question unless it is an obscure question in the first place. As the Chair is speaking, perhaps do not speak at this moment.

Deputy T.J.A. Binet:

Sorry.

The Bailiff:

It seems to me that what you are in effect saying - and please correct me if I am wrong - is that, in your view - and it is backed up by the information that you have provided in answer to the written question - there are no areas which you think would be appropriate for public consultation. Is that a correct characterisation of your answer, or is it not?

Deputy T.J.A. Binet:

It is indeed, and I apologise for not putting it as succinctly as you have, Sir.

3.14.1 Deputy J. Renouf:

The reason I think that we would want this to go to public consultation is that it is the most fundamental reorganisation of health service delivery, certainly that I can remember, and therefore it might be appropriate. In particular, it might be appropriate because on 31st July 2024, the Minister wrote to the new Hospital Review Panel saying that, and I quote: "It is anticipated that these proposals for structural reform will be published for public consultation in Q4 2024." Six months ago, a consultation was planned, but now it is not. What has changed?

Deputy T.J.A. Binet:

I have to give the Deputy points for finding that; I do not know how I came to have said that there was going to be a public consultation. It was probably an error to have said that, for which I apologise, because I cannot see an instance why I would have suggested that. But I make the point that it is not appropriate for public consultation, and if I made an error in saying that, perhaps what I was meaning to say was it would be there for public consumption rather than consultation. Because I cannot think of a point in time at which I would have thought that it was an appropriate course of action.

3.14.2 Deputy I. Gardiner of St. Helier North:

At the same public hearing to the Public Accounts Committee from the chief executive ... I am reading through the transcript. "It is a policy under development, the organisational concept in which we try to integrate health services." Does the Minister consider this work, as the chief executive considers, policy under development?

Deputy T.J.A. Binet:

It is under development until such time as it is all through. You do not reach a point in time where you suddenly make an arbitrary decision to stop talking to people; so it is constantly under development and it is going through various stages, so that is correct.

3.14.3 Deputy I. Gardiner:

Thank you to the Minister for confirming that reorganisation of the health service is the policy under development. According to the guidelines, any policy under development within the Government of

Jersey when public money is involved requires public consultation. Does the Minister agree with the Government's guidelines, or would he like to change them?

Deputy T.J.A. Binet:

Without access to those guidelines, as we speak, I cannot say that that is not a fact, but it is not appropriate under the circumstances. I can certainly take a look at those guidelines and see where we go from here. I still do not think it is appropriate.

3.14.3 Deputy J. Renouf:

The Assembly would usually regard it as entirely unremarkable for there to be a public consultation on matters that are so fundamental to the delivery of health services in the Island. The Minister has confirmed that he has not asked his former chief officer about these changes, even though he is paying him quite a lot of money to be an adviser. He has not read the Government's guidelines on consultations, and yet he is absolutely sure that he should not be holding a public consultation. Will he please review his attitude to consultation and consider whether the public might have an interest in hearing more about this and involving themselves in the consultation process?

Deputy T.J.A. Binet:

I would like the Deputy to withdraw his comment that I have not consulted with the former chief executive. That is not correct, and I do not think it is fair to say so. In terms of reviewing my approach to this, not at all. What I will be doing ... I phoned the Policy Department after the question from Deputy Gardiner and suggested that we organise another briefing, because there seems to be a relatively small number of Members that seem unable to get their head around what is being proposed. What we are actually doing is just trying to support health professionals to provide a better service. The nature of the questioning this morning, you would think that there is something criminal about what is happening, not that we are trying to improve things for patients. I do intend to organise another briefing for Members so that we can get matters a lot clearer, but I do not intend to change the course of events going forward.

The Bailiff:

Very well. That brings all the questions to an end. There were 2 questions deferred to the end for Deputy Ozouf; he is not present in the Assembly. Once I close the question period, that must bring the matter to an end. And as if by magic. **[Laughter]** Morning, Deputy. Are you ready to answer the 2 questions ...

Deputy P.F.C. Ozouf of St. Saviour:

If I may just have a few moments to collect my things, Sir. Please, if I may. I am not ready at this ...

The Bailiff:

I could quite happily look at my papers for a minute or 2, if Members would agree.

Deputy P.F.C. Ozouf:

I apologise, Sir; I am one of those people that deals with some of the health issues that have been referred to earlier. Thank you for the forbearance of you and the Assembly, Sir.

The Bailiff:

We are now starting with Question 1 on the Order Paper.

Deputy P.F.C. Ozouf:

Yes, if I may.

The Bailiff:

Yes, please do ask your question.

3.15 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Sustainable Economic Development regarding the high costs of food and groceries in the Island (OQ.46/2025):

Will the Minister advise what steps, if any, are being taken by the Government to investigate and address the high costs of food and groceries in the Island, and the disparity with other jurisdictions, and will he explain what support, if any, is available to Islanders struggling with these escalating costs?

[11:15]

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I will start by taking the last part of the question first: “Will he explain what support, if any, is available to Islanders struggling with escalating costs.” That is a question that I think better placed asked of the Minister for Social Security, rather than the Minister for Sustainable Economic Development. But with regard to the cost of living and the cost of food and groceries in the Island, research in 2023 by the J.C.R.A. and Frontier Economics identified a number of Island specific factors which influenced the higher cost of groceries in Jersey, compared to the U.K. or mainland Europe. We also understand and recognise the value that competition can provide in ensuring pricing efficiency and mitigating inflation. With that in mind, the Department for the Economy is working to deliver updates to the Competition Law. Additionally, the new concession agreement for ferry services removes artificial barriers to competition, as well as placing caps on price increases for future years for the next 20 years, so that Islanders are not exposed to significant increases, as we have seen in recent years. The Government service committed to aiding Islanders with the cost of living and the Deputy will, I am sure, be familiar with the measures taken by the Government under the affordable living section of the Common Strategic Policy.

3.15.1 Deputy P.F.C. Ozouf:

I am not alone in, I think, asking Ministers in Government about what is regarded and called in this week’s *Economist* the cockroach that is the problem of inflation and the real and underlying historic issues that we have in cost of living. Is the Minister able to give some public information in maybe a written response or some briefing for States Members about exactly what are the issues that he says and refers to, kindly and rightly, about what the J.C.R.A. is doing and the Government is doing? Not to put money back into people’s pockets by way of more taxpayers’ funding but dealing with the underlying costs of inflation, which are rising, as I have been asking on a number of occasions.

Deputy K.F. Morel:

It is interesting. Obviously inflation in the right amount is seen economically as a good. If you were to have deflation it is usually seen as a bad. Looking to previous U.K. Chancellors of the Exchequer, they suggested a 2 per cent inflation rate was the target for the Bank of England at the time, and 2 per cent is seen as generally the appropriate level of inflation to ensure you have a growing economy. Jersey’s R.P.I. most recent release was 2.5 per cent and so I do not think it can be argued to be excessive inflation. We have of course in the past few years seen excessive inflation as high as 10 per cent in the Island. There is no doubt that that was excessive but was clearly driven in the main by off-Island factors. I think the context is very important and right now the figures we have suggest that inflation is not where it has been over the past few years and has reduced significantly. The Government will continue to work with that and I will continue through the Cost of Living Group

especially to ensure that the Government does maintain a view on inflation and I believe should seek to mitigate potential risks. I, myself, am concerned about potential damage that could be caused to the Island and cost of living in the Island should the U.K. economy continue to deteriorate, and particularly in terms of valuing of the pound. Because any significant devaluation in the pound in the U.K. would lead to significant cost rises in Jersey and I think that is something that we should have on our radar.

The Bailiff:

Very well we come to question now 14 that the same Deputy will ask of the Minister for Housing. [Aside] No, the way it works is that if no other Member asks there is no final supplementary.

3.16 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Housing regarding urgent interventions to stimulate housing activity (OQ.47/2025):

Very good, Sir. To the Minister for Housing then if I may. Given the decline in property transactions, affordability issues for first-time buyers and challenges for Islanders aspiring to upsize to family homes, alongside the prolonged stagnation across the wider housing market, is it the Minister's assessment that urgent interventions are necessary to stimulate housing activity; and, if so, will the Minister advise what measures, if any, are under consideration to stimulate the sale and rental housing market?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

I do not think that I agree that urgent interventions are necessary in the way that I think the Deputy might be suggesting or alluding to. While the current layout of the housing transaction market poses some challenges for some people, it also poses opportunities for others. With every potential intervention that may well exacerbate things or reverse things, so that those who currently have opportunities lose those for the sake of alleviating those who currently face challenges. It is a very complex thing to do and measures can have unintended consequences if you are not careful on them. My view is that at this moment in time we are experiencing housing market correction where in the years leading up to this point house prices were rising at such unsustainable levels and severely affecting housing affordability for many Islanders in Jersey through a bubble, that that is now being corrected. With prices going down, as they did last year, they are getting closer to the normal levels where they otherwise would have been were it not for that bubble. That, I am sure, poses challenges to some in the moment but it also poses opportunities to others who may now find that housing is more affordable for them than it otherwise was before. I think that there is a degree of that correction that ought to be welcome and I would not want to implement urgent interventions that put that at risk.

3.16.1 Deputy P.F.C. Ozouf:

Does the Minister not accept at all that the statistics which I have been reviewing in recent days right up to date, that the housing transactions in Jersey are at and remain at historic lows, particularly in relation to buy-to-lets and the rental market, which is seeing an escalating rental price increase as a result? Does he not accept that there is an unintended maybe consequence of the 3 per cent surcharge on buy-to-let, which is completely stagnating the rental market and that is having detrimental effects on renters who are seeing rents rising and the statistics prove it? Will he not at least accept that?

Deputy S.Y. Mézec:

I will not because the statistics prove no such thing. If he has obtained statistics that Statistics Jersey do not have, I would love to see them. But as it currently stands, we do not collect data on actual rents. I want to fix that and my proposed Residential Tenancy Law will get to that. The only rental data that Statistics Jersey collect is advertised rents, which are falling; the exact opposite of what Deputy Ozouf has just suggested. He referred to the 3 per cent stamp duty surcharge is causing an

unintended consequence of fewer buy-to-let purchases. No, that was precisely the intended consequence of it. While we have seen the proportion within transactions of buy-to-let purchases going down, the proportion of first-home buyer purchases has gone up, which is exactly the direction that I wanted that policy to influence and it appears to have done that.

3.16.2 Deputy J. Renouf of St. Brelade:

Would the Minister accept that there is indeed a counterview to the one put forward by Deputy Ozouf and agree that in many respects, as he suggests, the policies are working and that after a long period of unsustainable rises in property prices and rents, both have fallen, although they have not yet reached the levels of affordability that they were in the past? Therefore, it might be better for the industry to adapt to the current situation, including the buy-to-let stamp duty surcharge, rather than try and return to the previous model which did not work for renters or for home buyers.

Deputy S.Y. Mézec:

I completely agree with him but, in particular, the last sentence he used there, which is that the situation we were in a few years ago was dire and hurting many, many Islanders because of what they were seeing with their own eyes on housing affordability, which is why so many of them were losing hope in a prosperous future in Jersey and giving up on the Island. That could not carry on for ever, otherwise the Island would have been doomed. I appreciate that a change in the landscape can be difficult for people who got used to conditions as it was previously. But it is right that Islanders who want to own their own homes or have homes that are at the very least affordable to rent, their needs ought to be seriously considered by the Government. I think that if I could try to be kind and helpful to those in the industry who keep bringing up the 3 per cent stamp duty surcharge, the Assembly has had that debate and it led to conclusive results. I think that it would be more productive to spend time focusing on other things that could potentially be done to alleviate things and not pin their hopes on a policy that is doing what it was meant to do and which there is not a mandate to change it at this point.

3.16.3 Deputy K.M. Wilson of St. Clement:

The Minister, in response to a Written Question, 61, provided some details on the number of properties that have been sold by Andium, which I believe accords with his intentions to provide access to affordable homes. Could he explain why then since September last year there has only been one sale?

Deputy S.Y. Mézec:

Yes, because there was only one available to sell at that point. The homes that Andium sell, they are not a permanently consistent stream with numbers being equal every month. They fluctuate very significantly and that will depend on multiple things. It will depend on new developments opening. When The Limes was made available last year there was a spike in homes being sold. When Maisons Les Arches is open in the next few months there will be a big spike of purchases there. I am particularly looking forward to that development. But we have quieter months and there are months where none get sold or very few get sold, and that is perfectly normal in our system.

3.16.4 Deputy K.M. Wilson:

Would the Minister be in a position to tell us what projections or what forecasts he has for the sale of affordable housing?

Deputy S.Y. Mézec:

I mentioned Maisons Les Arches, the first block of that is due to be done in the next few months. I walk past it frequently and it looks absolutely fantastic and Andium's advertising campaign is

particularly strong with that one. That will be 54 homes from that first block. I believe that we are also looking at 131 homes for sale at the next project that Andium will be completing in the following months after that, which is Le Grand Douet.

3.16.5 Deputy P.F.C. Ozouf:

I wonder whether or not the Minister would agree before the next Assembly to have a meeting with all those buyers and sellers of properties that are currently suffering because of his policies and because of what he has explained in his answers. That he may hear from them directly, quite the turmoil and difficulty that the people that are wanting to get into home ownership and those that want to move on or out of home ownership are experiencing. Would he agree to meet those people and I am happy to have that meeting in public, if necessary?

Deputy S.Y. Mézec:

I would be absolutely delighted to have such an opportunity to do so. He referred to all of the people; I doubt that it is possible to identify all of these people. But if Deputy Ozouf wants to volunteer to facilitate that kind of meeting, I would be more than happy to attend it. Because I have absolute confidence in our strategy to provide more affordable homes for people to purchase, better conditions in the rental sector. I would wager that we would walk out of that meeting with the Deputy not quite thinking it had gone to plan.

The Bailiff:

That brings an end to questions with notice.

4. Questions to Ministers without notice - The Minister for Children and Families

The Bailiff:

We now move to Ministerial questions without notice. The first period is for the Minister for Children and Families, the Connétable of St. Peter.

Connétable R. Vibert of St. Peter:

Thank you, Sir.

The Bailiff:

Is that a question?

Deputy S.M. Ahier of St. Helier North:

He is the Minister.

The Bailiff:

Right. Deputy Ahier.

Deputy S.M. Ahier:

I was waiting for the Minister's question. [Laughter]

The Bailiff:

Yes, so were we all, Deputy; yes, so were we all.

4.1 Deputy S.M. Ahier of St. Helier North:

Will the Minister advise what actions he is taking to support parents and children in respect of online safety?

Connétable R. Vibert of St. Peter (The Minister for Children and Families):

No question this time. Yes, this is a really important aspect of the work of Children's Services in conjunction with Education. The support that we are currently giving parents with regard to online safety was updated in 2024. That had originally come about because a report had been instigated by the Chief Minister, John Le Fondré, so that was some time ago. On the gov.je website you can find practical advice and guidance to parents. It is including how to talk to children about online risks; parental controls are available, screen time and eye health, mobile phones, and that is extremely topical at the moment, although there are good aspects to mobile phones.

[11:30]

The threat from A.I. (artificial intelligence), which of course is a new factor and this shows how things develop quite quickly with regard to how we provide that support. There is also help through education; the schools often have their own websites. We also provide support through the Youth Service working with children and of course encouraging children to raise concerns themselves. Those are the primary ways that we are achieving this.

4.1.1 Deputy S.M. Ahier:

Will the Minister be conforming to the U.K. Online Safety Act or will he be bringing forward his own legislation?

The Connétable of St. Peter:

The legislation will be brought forward through the Minister for Sustainable Economic Development's office. However, it is very much supported by Children's Services and we are working with them. We are not part of the U.K. Act which has recently come in. I thoroughly support that because in fact if we are part of that Act it would be difficult to subsequently make changes in what is a fast-moving world. Our own Act would have principles based on our duty of care; that is the Government's chief role in this. Tackling online children abuse, tackling legal but harmful content that can be legal content that is harmful. However, what we need to ensure is that it is not without teeth, so there needs to be strong investigative powers and criminal and financial sanctions. Those are the things that I would wish to see within our own Act.

4.2 Connétable K. Shenton-Stone of St. Martin:

Would the Minister advise what progress has been made in setting up the Children in Care Council?

The Connétable of St. Peter:

The Children in Care Council is an important part of the Corporate Parenting Board. It has taken some time for this to gain traction. However, we have now given responsibility to this to our independent reviewing officer service, which functions separately from Children's Services work. Work has commenced with pace to build a participation plan for the development of the council and we are achieving this through a series of informed drop-ins to allow young people the chance to ask questions about the council and how they can play a part. We also have "Come Dine with Me" events where children can meet staff and a children in care celebration event of talent and achievements; again, where we will ask children for their views on how the council should be formed.

4.2.1 The Connétable of St. Martin:

Could the Minister say ... it is very well that he has set it up but what future plans do you have for the Children in Care Council?

The Connétable of St. Peter:

I recently had the opportunity to visit Medway Council and to join their Corporate Parenting Board when they met. There we had a representative from their Children in Care Council who had undertaken a review of a subject and had come to the council, in effect, to present that and formed a

very active part within the Corporate Parenting Board. What I was also told was that another project that the Children in Care Council had looked at was inspections of premises where children in care were living where they had formed their own small inspection group independently of other inspections, and came back to the Corporate Parenting Board with a report. Those are the sort of things that I would like to see the Children in Care Council doing. Also, for members of the Children in Care Council to, ultimately, be members of the Corporate Parenting Board and play a part in running that board.

4.3 Deputy H.M. Miles of St. Brelade:

Could the Minister tell us please what the capacity of Greenfields is and whether that has increased in 2024?

Connétable R. Vibert of St. Peter:

Of course we never divulge the numbers of children in Greenfields. Greenfields was built for 8 children and what I can say is that there are under 8 children in Greenfields at present.

4.3.1 Deputy H.M. Miles:

My question was not about the number of children in Greenfields; it was the capacity of Greenfields and whether that capacity has been increased in 2024.

The Connétable of St. Peter:

What I can say is that, yes, the capacity has increased. That has resulted from custodial sentences, of which Children's Services has no control, and also in conjunction with that children who are held without bail. But I obviously cannot give specific numbers.

The Bailiff:

Minister, there may be some element of confusion. I think the question is how many can it take, not how many is it currently taking? Has the number it can take, potentially, whether occupied or not, increased over the last ...

The Connétable of St. Peter:

I did say it had increased and that was the question.

The Bailiff:

The capacity has increased.

The Connétable of St. Peter:

The capacity.

The Bailiff:

In other words, the number of available beds has increased.

The Connétable of St. Peter:

The number of available beds had increased but not to the full capacity of Greenfields. In theory, it has a capacity of 8 children.

The Bailiff:

I am so sorry to be sounding like I am cross-examining you but I think there is a genuine misunderstanding, a misalignment between the question and the answer. My understanding of Deputy Miles' question does not relate to how many are there, whether the numbers have increased,

it is what is the total possible capacity of Greenfields, whether occupied or not? Has it increased in the last 12 months?

The Connétable of St. Peter:

The short answer to that is of course that, if I was to answer in a strict sense, it was built with 8 units, 8 beds; it still has 8 units. However, of course there is a difference between registered beds and the actual capacity.

The Bailiff:

I am afraid that is as much as I feel able to intervene in your answer. Very well.

The Connétable of St. Peter:

Yes. I think the question should have been: had the number of registered beds increased? I could truthfully answer to that is that, yes, they have.

Deputy H.M. Miles:

Supplementary, Sir?

The Bailiff:

That was your supplementary.

4.4 Deputy C.D. Curtis of St. Helier Central:

In our recent public hearing the Minister stated the intention for the Child and Adolescent Mental Health Service to be moving to a 7-day per week service this month. Could the Minister confirm that is now happening?

Connétable R. Vibert of St. Peter:

Could I just ask Deputy Curtis if she could just repeat that because I missed some of that? Sorry.

Deputy C.D. Curtis:

Could the Minister confirm whether C.A.M.H.S. (Child and Adolescent Mental Health Service) is now a 7-day a week service?

The Connétable of St. Peter:

Yes, I am pleased to say that is a 7-day a week service, from 9.00 a.m. until 5.00 p.m. and that we will shortly move to an 8.00 a.m. to 8.00 p.m. service. Yes, in April we hope to extend that 7-day service to additional hours.

4.4.1 Deputy C.D. Curtis:

Could the Minister confirm whether there has been any difficulty in recruiting any extra staff for this expanded service?

The Connétable of St. Peter:

I would say that I do not think specifically for this service there has been an issue. Is there an overall issue with recruiting staff? The answer to that is yes. If I look at the numbers for C.A.M.H.S., we have a vacant head count across C.A.M.H.S. of 31 staff. But despite that we have increased the service to 7 days a week. But there is a head count of 104. We have got vacancies of 31 of which 12 are covered by agencies. Across the U.K., it is not unique to Jersey, it is difficult to recruit staff for C.A.M.H.S.

4.5 Deputy P.F.C. Ozouf of St. Saviour:

Does the Minister acknowledge the widespread concern of parents that I have spoken to in my constituency of St. Saviour and those coming to St. Saviour in their huge numbers to drop their children at the schools here, of the impact of smart phones on children's learning and safety in schools? Has he sought to gauge the depth of this concern and does he accept the continuing action and discussion must give way to at least some firm action by Government?

Connétable R. Vibert of St. Peter:

I do share the concern of smart phones. Of course smart phones are very often given to the children by their parents but I very much do accept the issue. We talked earlier about online safety and of course phones play a major part in that. I think the Minister for Education and Lifelong Learning may well correct me but I believe in most schools phones are no longer permitted in the classroom. A large part of children's time is not in our care; it is in their parents' care. That is why quite a bit of our work focuses on educating parents on how they can take greater control of those phones.

4.5.1 Deputy P.F.C. Ozouf:

I am grateful for the Minister's appreciation of the concern. Because I am not sure that it is correct to say that there is a policy, if there is it is here and there and it is not being properly ... and the issue of peer pressure with kids having smart phones. Would it be helpful if the Assembly determined that there should be a trial ban for smart phones in schools on a trial basis, starting pretty well immediately in all schools in the Island? Would he find that helpful in order to ascertain whether or not smart phones should be? I think he is clearly worried about it, other parents are, what is he going to do about it? Would he agree a trial is necessary?

The Connétable of St. Peter:

I have concerns. I am not sure that blanket bans are necessarily the right way forward. I know not just in schools but Australia wants a blanket ban on certain aspects of the use of mobile phones. When I spoke to a member of the U.N.C.R.C. (United Nations Convention on the Rights of the Child) when they were in Jersey, they did not support that as a way forward; that blanket bans are not necessarily effective and may not achieve the right results. Of course within schools that is a matter for the Minister for Education and Lifelong Learning, who will be facing Q.W.O.N. (Questions without notice) after me.

Deputy P.F.C. Ozouf:

Sir, can I just ask? My question was not answered, I asked whether or not he would find it helpful if a trial ban was considered by this Assembly so that we could have a clear direction?

The Bailiff:

I think the answer, Deputy, was ...

Deputy P.F.C. Ozouf:

He did not answer in relation to a trial.

The Bailiff:

The Minister's answer was that he was far from sure that there was such a benefit to have from a trial ban. But if I have mischaracterised your answer ...

The Connétable of St. Peter:

Yes, that is my answer. I would need convincing that a trial ban was the right way forward. At this point I would not support that.

Deputy J. Renouf of St. Brelade:

Can I ask a point of order, Sir?

The Bailiff:

Yes, of course.

Deputy J. Renouf:

There was an interchange earlier trying to clarify an answer ...

The Bailiff:

I am adding injury time, if that is your question.

Deputy J. Renouf:

That is what I was going to ask, Sir.

The Bailiff:

Yes. I am going to add at least a minute's injury time to the question period available.

Deputy M. Tadier of St. Brelade:

Sir, could we have some V.A.R. (video assistant referee) as well please on some of the answers?

4.6 Deputy D.J. Warr of St. Helier South:

The Minister previously committed to bring professional standards for foster carers, including pay, what progress has been made?

Connétable R. Vibert of St. Peter:

On foster carers, we have improved the packages. That is certainly part of our reform programme and looked at not just pay but the overall package. I very much appreciate the work that foster carers have done and I do not think anybody could say that I have not or will not make the very best efforts to ensure that they are recognised with the appropriate package.

[11:45]

But, yes, we have made progress on that and introduced changes.

The Bailiff:

I have time for a supplementary question from you and then one additional question from someone else.

4.6.1 Deputy D.J. Warr:

It is just really, what feedback has he had from the Foster Carers Association on this?

The Connétable of St. Peter:

No package is perfect but we have had some positive feedback on that. There are always exceptions. As we changed over in fact from one package to another certain people fell into different areas, particularly with specialised care. But overall I have had fairly positive comments.

The Bailiff:

Final question will be from the Connétable of St. Lawrence.

4.7 Connétable D.W. Mezbourian of St. Lawrence:

We know that if the Aviemore site is sold, an endowment fund to benefit care experienced Islanders will be created from the sale proceeds. We are told that the Minister is considering that the

management of this fund will be handed to a third-party administrator. Will he advise the Assembly, please, who he is considering to manage that fund?

The Connétable of St. Peter:

At this point I do not believe we have specifically chosen anybody. That is what is considered the best way forward. But at this point, I am not aware that we have chosen anybody. But placing it within a third party we think is the best way forward. It would be inappropriate, I think, for either the Government or Children's Services to be deciding on how those funds should be allocated on individual cases.

4.7.1 The Connétable of St. Lawrence:

Will there be a right of appeal for the decision-making of this third-party agency?

The Connétable of St. Peter:

I thank you for the question. I would certainly like to see a right of appeal. But do I honestly know whether that is the case? I do not at this stage but I am happy to get that information.

The Bailiff:

Very well. That brings the period of questions, allowing for injury time - no V.A.R. - to a close. The next period is for the Minister for Education and Lifelong Learning

5. Questions to Ministers without notice - The Minister for Education and Lifelong Learning

5.1 Deputy M. Tadier of St. Brelade:

The United Nations Convention on the Rights of the Child Article 12 says that: "Opinions of children and young people should be considered when Government Assemblies make decisions about things that involve them." With regard to the forthcoming debate on electoral reform, would the Minister state whether he thinks that children ... we know that young people can vote from the age of 16 and they are still considered children at that age, whether they have been consulted sufficiently on any changes that we will be making, potentially, to our electoral system? If not, could he say how he thinks that they might be consulted so that we can hear their voice in this very important area?

Deputy R.J. Ward of St. Helier Central (The Minister for Education and Lifelong Learning):

I thank the Deputy for his question; really interesting. Because the simple answer is, no, I do not think children have ever been consulted on our electoral system ... and young people, and it is a very good idea to do exactly that. I think the consultation I have focused on has been more around education I have to say. I will offer the Deputy a model, I am about to start some focus groups in schools about post-16 education. We have written to all heads to get young people together and myself and Deputy Alves will be going in and talking to people about what their views are there. There is a model for doing that and I think it would be a very interesting thing to do. I would obviously pass the ball on to P.P.C. (Privileges and Procedures Committee) who might want to be involved in doing that. But I would certainly support it in schools; it is a very good idea.

5.1.1 Deputy M. Tadier:

I understand that young people were consulted about when the decision to allow 16 year-olds to vote, something which I think the States Assembly was in a very progressive state of mind and I think needs to be congratulated for. They were consulted then, so it seems obvious that if we are changing our system, perhaps going back to a system which is 70 or 80 years old, they need to be consulted on whether they think that is also fit for the future. Because after all it is them who will be inheriting the system. Does the Minister agree?

Deputy R.J. Ward:

Yes, I do. I think the progression for 16 year-olds voting, it is nice to get that in the public domain; 16 year-olds can vote and I think they need to remember that. That may help with our engagement with politics as well to say: "You can vote." There may be a change to the electoral system, let us get some consultation going with young people because we consult widely on many other things. Yes, there are mechanisms to do that because young people in schools and colleges are very accessible, even via a simple survey. It would be interesting to talk to perhaps P.P.C. about that. Yes, good idea.

5.2 Deputy S.M. Ahier of St. Helier North:

Can the Minister update the Assembly on his plans for a new school in St. Helier on the gas works site?

Deputy R.J. Ward of St. Helier Central:

I do thank the Deputy for his question. The problem we have with the Gas Works site is that we do not own it yet. However, I am very ambitious and hopeful that we may have some news on that sooner rather than later. I am also very superstitious, so I do not want to ruin something by making statements. But I assure the Assembly as soon as there is any information in obtaining the site I will let the Assembly know. But then we move on to the work and some work has gone on on planning. There have been things produced in the previous 2 years which are not lost. We have got a very good idea of what the site would look like, what it would be used for and then we can move, I think, rapidly. I will be honest with the Deputy, I think the best we can hope for is to have planning permission in place before the next election so it does not become an issue and can be got on with whoever is in this Assembly after the next election.

5.2.1 Deputy S.M. Ahier:

I thank the Minister for his response. Due to the delay, will there not have been an increase in the cost of the site because obviously Andium have not managed to do anything with it for a number of years? Does he feel responsible for that delay?

Deputy R.J. Ward:

I am not sure about increasing costs of the site because of its usage. Am I responsible for the delay? I am Minister, so I am responsible. I take my responsibility seriously. However, I would also say it was me who brought the change to the Island Plan some years ago to have this site. Previous Governments have not acted on it at all in the way that we need to. What I would say is if we can get the site in our hands, we start planning permission moving forward, then I would be pleased to come and say that is my responsibility and I have taken it very seriously.

The Bailiff:

Deputy Alex Curtis. Deputy Catherine Curtis, I am sorry, you will guess the mistake I made then.

5.3 Deputy C.D. Curtis of St. Helier Central:

In a letter dated 20th December, the Minister wrote that a meeting was scheduled for mid-January to review progress on the plans for schools to hold spare auto-adrenaline injectors which could save children's lives. Could the Minister provide an update on the progress?

Deputy R.J. Ward of St. Helier Central:

I thank the Deputy for the question. The Deputy might remember when I attended the recent quarterly hearing with the panel less than 4 weeks ago, I advised I had written to the Minister for Health and Social Services to seek support in making the necessary legislative change to enable schools to access. I would refer to them as auto-adrenaline injectors and there is a reason, it is not just me being a pedant, is that there are other brands available and that will probably be what appears in the

legislation, so there is a point to making that. I am pleased to advise the Minister for Health and Social Services is very supportive of progressing the work. Initial contact has been made with law officers. I can update the Deputy. I will not get my email out but an email at 9.52 today I received back that the law officer work can continue, that a lot of good work has gone on there already and it is perhaps not as difficult as we were concerned about. I am trying to get my laptop over so I can read: "Although they do not form part of the current Government's legislative plan, I believe that we can proceed with this as quickly as possible." But, unfortunately, I cannot give a definitive date today but, yes, that has been acted on. The agreement is there and the work is in progress, which I think is a good step forward.

5.4 Deputy J. Renouf of St. Brelade:

I wonder if the Minister could update on progress with the youth centre at the Ann Street Brewery site.

Deputy R.J. Ward of St. Helier Central:

The simple answer is that is not my remit, so I cannot. However, quite happy to because, being politically opportunistic, that was the second amendment I brought to the Bridging Island Plan for a youth facility. It is really nice that we are now getting on and getting one because it is desperately needed in the centre of St. Helier. I have sort of left that because that is delegated elsewhere and, as the Deputy knows, it is very busy to be taking on these roles. But I am fully supportive of it. I believe that plans are in place. I believe that they are a good way forward. Perhaps may I suggest a written question to the Minister involved and we can get an answer together? Other than that I am afraid I cannot answer any more than that. I do apologise to the Deputy.

5.5 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Can the Minister outline how Skills Jersey collaborates with local businesses and does he believe this partnership effectively meets the needs of both businesses and jobseekers?

Deputy R.J. Ward of St. Helier Central:

Yes, I can say to the Deputy, just to outline, it is quite an in-depth process in the way in which Skills Jersey do liaise with businesses. Yes, I do believe they do so effectively. I want to give the correct number, and I looked it up and I memorised it and it has gone straight out of my head. There are 456 apprentices currently enrolled on the Island and I think sometimes we have discussions around apprenticeships and contact with Skills Jersey and businesses which are absolute. It is either perfect or it is nothing at all. I want to change that dialogue because there is a lot of good work going on. Is it perfect? Probably no. Can it be improved? Yes, absolutely. I have a meeting on Friday with Skills Jersey to talk about the future planning and the way we are going to act on that. I think the work that is done with Skills Jersey is good. Can it be improved? Yes, but we always try to be a self-improving department, which is a feature of a good department.

5.5.1 Deputy H.L. Jeune:

I do believe - but the Minister can correct me - that Skills Jersey is not just for the apprenticeships or those who are just leaving school but also for those who are seeking to maybe change jobs and get requalified in different areas if they are coming back into the workforce or finding new jobs. Just wondering if the Minister could maybe address the issue at the moment, that we are hearing a lot about the lack of trust in Government which could, potentially, discourage Islanders from going to Skills Jersey to access the services. What kind of specific steps he could take to rebuild that kind of confidence and improve engagement to those and more the jobseekers who potentially feel that Skills Jersey would not give them what they need to rethink their jobs in the future.

Deputy R.J. Ward:

I thank the Deputy. There are a couple of things there. First of all, yes, I drew us into apprenticeships but the Deputy is absolutely right, there is a lot of work for those seeking employment. I have spoken to a number of people myself. I have had emails from people saying thanks for the work that is happening with Skills Jersey. I do not agree with the Deputy that there is this lack of trust in Skills Jersey. I think Skills Jersey has a good reputation. I think it is seen to help a great deal. I would like to take this opportunity to say to members of the public, if you do have a lack of trust in governance, whatever that may be, do not extend that to Skills Jersey. They are there to help, they are there to help you seek employment, they are there to help with training, with mentoring, with finding appropriate things, helping you to decide which of your skills you can utilise the best. I think there is a good service there, as there is with all of our career services in schools and beyond in colleges. I do not agree with there is a lack of trust in Skills Jersey and indeed I would up their image as much as I can to the members of our Island.

5.6 Deputy H.M. Miles of St. Brelade:

When is the Minister planning to publish his policy on student funding for higher education where students choose distance learning courses?

Deputy R.J. Ward of St. Helier Central:

There is some work going on there and I think I may have something very soon. I am hoping by the end of this month. It is a bit of a nuanced piece of work because when you look at distance learning you have to be very specific in what you want to do and look at all the knock-on effects. The work that has been going out has been very, very skilled and I want to compliment the officers who have done that work. In terms of higher education funding, the final steps of the law drafting will soon be able to confirm the changes to the order that were from 1st September 2025; produce a 5.2 per cent increase in income thresholds, 2.5 per cent uplift in maintenance grants and a 3.1 per cent increase in the maximum tertiary fee grant, and I am hoping that that can be signed very, very soon, if not by the end of this week.

[12:00]

5.6.1 Deputy H.M. Miles:

Will the Minister tell us if there will be a differential in the maintenance grant for students who choose to do distance learning courses and remain on Island and students who go off to the U.K. or elsewhere for a more traditional education?

Deputy R.J. Ward:

I thank the Deputy. I have got all these notes and I try to not use notes because I try and memorise them; you cannot memorise everything. I believe that that is exactly where we are heading. But if I could just ask the Deputy's indulgence for a few more weeks and I will get the information to her as soon as I possibly can. I think that is the right thing to do. The differential has been too great but it comes hand in hand with what we mean by distance learning. I have said this before and I will say it again, I think I have said it to the panel, distance learning is not just an online course. It is learning at a distance from the university in a particular way with a particular level of support, which is a very, very nuanced and skilled way to learn. Therefore, it does need that equality or other forms of learning and I would support that.

5.7 Deputy D.J. Warr of St. Helier South:

When will the terms and conditions for teachers be completed and when will the terms and conditions for teaching assistants be agreed?

Deputy R.J. Ward of St. Helier Central:

I do not need notes for this one. The teaching assistants is going out to consultation now and there are meetings. In fact I am attending one of the meetings to see how that is conveyed to teaching assistants. They have been through an entire process. Had a briefing on it the other day, so that is ending very, very soon. I think that has been a very constructive and useful process. Indeed one of the changes I believe in teaching assistants and others that work in schools will be referred to as educational ... I apologise to the Deputy, I have probably got the wrong term here but I believe it is educational assistants, which recognises things that are happening. Teachers' terms and conditions; there has been some very positive work on that moving forward with the trade unions. We have a very positive relationship at the moment that we are building on and that work is ongoing. But there are specific things coming forward which I hope we can act on, particularly in terms of trying to make ... and what I want to do as soon as I can is to increase planning preparation and assessment time for staff to lower that workload. I do not think we have really addressed workload for the teaching profession for many, many, many years and we have to make a step somewhere. I believe that I would have the support of Council of Ministers in doing so. I hope that satisfies the Deputy.

The Bailiff:

I am afraid a life of 3 or 4 seconds, that brings the period of questions for this Minister to an end. The next question period is for the Chief Minister

6. Questions to Ministers without notice - The Chief Minister

6.1 Deputy J. Renouf of St. Brelade:

The Chief Minister referenced earlier that last week the Minister for the Environment revised planning guidance for large homes over 3,000 square feet, removing the presumption against development. The report that accompanied the decision made clear that when the limit was introduced there was a public consultation, which found, quote: "Overwhelming support for the 3,000 square foot limit." Can he explain why there was no consultation when it came to removing the limit?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I would have to refer that question to the Minister for Planning and Environment.

6.1.1 Deputy J. Renouf:

The reason I ask the question is that consultation and lack of it is an issue at the moment. The Chief Minister had referenced that very guidance-changing in his answer to a previous question about regulation. Can I put it this way then? The report that accompanied the decision also made clear that the only reason the change was being made was following pressure from the head of High Value Residency Engagement. In particular, he referenced 3 clients who, quote: "Have projects that are directly concerned by the 3,000 square foot limit." How does the Chief Minister justify taking instructions from 3 high-value residents while excluding the public from the decision-making process?

Deputy L.J. Farnham:

That is news to me. We do not take instructions from high-value residents; there are strict criteria to the entry of that. But it struck me, I was not aware there was significant public consultation on the introduction of the 3,000 square foot rule. You will have to refer to the Minister for Planning and Environment for that. But I do agree with that, I thought the 3,000 square foot rule is not just relating to high-net worth individuals; far from it. But I think it was in an era where we were trying to encourage development and find support for our construction sector. It was perhaps a little too severe and restricted. Generally, 3,000 square feet is not a huge amount of space for a modern house.

6.2 Deputy P.F.C. Ozouf of St. Saviour:

I have previously asked the Chief Minister, which he has kindly said that action was taken concerning the Fuel Farm lease and the long-term arrangements, given the trigger clauses in the previous lease. Is he able to publicly confirm an update on what has been done in relation to the Fuel Farm and those particular important trigger clauses, including tenders, in order that the cost of living then be constrained in longer term?

Deputy L.J. Farnham St. Mary, St. Ouen and St. Peter:

That is an ongoing negotiation, the Minister for Infrastructure and team are working on that. The time limit has been extended to the end of April to allow more time for detailed discussions and I am happy to provide, although I think the Minister will provide regular updates to Members on that.

6.2.1 Deputy P.F.C. Ozouf:

Just very briefly, I am really grateful for the Chief Minister taking action so quickly on something that was missed it appears. I just worry, and could he give some comfort, that it is possible to deal with the issues that need to be taken by that deadline that he has said in April?

Deputy L.J. Farnham:

Yes. The discussions are taking place, are delivered and I understand it has wrung every detail, very mindful of the long-term impacts of making the wrong decision. I am reassured by the Minister and the team that we are following those guidelines to ensure we make the right decision in line with some of the concerns the Deputy has raised. For many years this has been an ongoing situation that has been restricted by entering into long leases without proper consideration. I am assured by the team that due consideration will take place.

6.3 Deputy H.M. Miles of St. Brelade:

In a BBC interview broadcast on 31st January the Chief Minister said that: "Project Breakwater had been in progress for nearly a year and its proposals were due to be published in around March time, which would provide answers and a proposal to deliver much needed investment on the Island." Yesterday in an answer to Written Question 70 the Chief Minister said that: "Project Breakwater was a high-level scoping exercise, still at the concept stage and without a formal terms of reference." Can the Chief Minister explain which of those is true?

Deputy L.J. Farnham St. Mary, St. Ouen and St. Peter:

The Deputy is clearly giving her own interpretation to my words, which she has done before. We will be presenting where we are with Project Breakwater the concept to Members shortly. I am due to write to Members to make further detail and explanation. As the written question states: "Project Breakwater is a high-level scoping exercise still at the concept stage." As it is still at the concept stage, we have not created formal terms of reference yet. We are still following that process. It still needs to be approved by the Council of Ministers. At the time when we have all of the relevant detail - the Deputy Chief Minister is leading on it - he will share that with Members and it will follow the correct process at the right time. A business plan will be developed and it will be built into the democratic process, which will be a proposition here and, ultimately, any funding will be built into the budget debates that we have. That is the process we followed for a large project such as the hospital. I hope it will not be as long and as tortuous as that, so that is basically the situation.

6.3.1 Deputy H.M. Miles:

I thank the Chief Minister for that answer. I was pleased to see that the Chief Minister's answer to my written question said that Project Breakwater will be shared with States Members and be subject to a public consultation once the concept has been agreed. Will the Chief Minister commit to making

this a full and genuine public consultation which gives Islanders the chance to shape what could be a unique opportunity for regeneration?

Deputy L.J. Farnham:

Yes. I think I would certainly support public consultation for this. As Members I hope will realise, when we start to share what is being proposed, it will present a unique opportunity for important investment in the Island in many aspects of the Island. I would support that we hold strong public consultation on it to make sure we are in tune with what the public need and expect from us from this Government and future Governments.

6.4 Deputy D.J. Warr of St. Helier South:

What future uses are being considered for the Philip Le Feuvre building at La Motte Street?

Deputy L.J. Farnham St. Mary, St. Ouen and St. Peter:

I am not sure there is any hard and fast future use agreed for that. There have been a number of ideas. That it has been considered for the health estate, it has been considered for a green space, it has been considered for housing but no decision has yet been made.

6.4.1 Deputy D.J. Warr:

He alluded to green space there. Would the Minister agree that car parking would be a good use to support town retail and hospitality, in conjunction with a new area of public open space?

Deputy L.J. Farnham:

I think there is all sorts of potential there but I would not like to pre-empt or express a personal opinion at this stage. In fact St. Helier is short of green space and needs more improvements to its public realm parks and green space. I would like to see more parking. I would like to see town more accessible by parking. But there are discussions ongoing and I do not want to pre-empt or perhaps steer those discussions by expressing a personal opinion. We need to be open-minded and have the debate.

6.5 Deputy M. Tadier of St. Brelade:

At the last sitting 3 weeks ago I asked the Chief Minister about the ongoing situation with the Opera House. In the meantime, I think last week, the Performing Arts Development Group have written an open letter to the Chief Minister again saying that the unusability of the Opera House because of the technical state of the equipment there means that it cannot host many types of show. They have said that it is almost as if they have built an airport but they have forgotten to build a control tower, put in the landing lights or the landing system. I am not interested in necessarily allocating blame because this was something that came up in a Scrutiny hearing on Thursday. But will the Chief Minister undertake to find a solution to this ongoing situation so that what should be a good news story for the cultural community in Jersey can be that? If so, would the Chief Minister commit to matched funding for the new equipment, bearing in mind that already £1 million has been raised by the Opera House from donations?

Deputy L.J. Farnham St. Mary, St. Ouen and St. Peter:

We just received an audit report on the state of the equipment within the Opera House. The report says that the equipment is usable, fully functional, it is quite old but it works. At the Opera House, I want to make absolutely clear, according to the report we have received is capable of staging shows. I think it is a huge disappointment that the current management are not prepared to do that and have instead put their heels in the ground and said: "We are not doing anything unless we get all of the new equipment that we need." I think that is hugely disappointing, given the amount of taxpayers' money that is spent on it. Should we have made sure that new equipment, technical equipment, was

included in the refit? Possibly with hindsight we should have done but it came in late in the day. It was asked for late in the day by the Opera House and of course at a time when it would have to be carefully considered. I know, because the Minister has been keeping me closely updated on the situation, that we want the Opera House to have the very best equipment but that equipment cannot be bought at any cost. We must do the research, we must go out to tender, we must make sure we are getting the right deal. I am sure the Government will find a contribution towards that equipment in due course. Let us be clear, the Opera House can open, it can stage shows. Okay, we might not be able to get the all-singing and all-dancing West End touring shows over right now. But I would like to see the Opera House open for Liberation 80 with a great concert. **[Approbation]**

6.5.1 Deputy M. Tadier:

It might take a bit more than foot-stamping to get the Opera House up and running, on top of the £12.7 million. The letter was also co-signed by the Jersey Amateur Dramatic Club, the Jersey Green Room Theatre Company, the Curtain Up Theatre Group, the Tin Pan Alley Productions, the Jersey Symphony Orchestra Association and the Jersey Island Singers, all of whom agree that in its current form the theatre cannot open and cannot host a great number of productions. These are not clubs and associations which complain readily ...

[12:15]

The Bailiff:

Could you reach your question?

Deputy M. Tadier:

Does the Minister accept that there seems to be a difference of opinion from various groups who are in the know, have expertise and that rather than pointing fingers about who knew what, when, that we need to sit down - and I would be happy to be part of that - and to find a solution about what equipment is needed so that this theatre can be, I think, if not worldclass certainly of national class to host these kinds of events.

Deputy L.J. Farnham:

We all agree with that. We all want the Opera House to look its best, to be its best, to perform at its very best. We want the very best equipment, but we have to make sure we are doing that in a sensible manner that delivers the best value for the taxpayer. That will take a little bit of time, hopefully not too long, and I welcome the letter that I received on Friday evening of last week from those groups. They are well-regarded, well-respected groups that contribute a lot to the arts in Jersey so, of course, I was pleased to receive that and will listen to it. But I have to disagree, we have one report recently produced that says it can open and another group saying it cannot. I am minded to side with the report that says: "Yes, we can open", because it has been technical. They have been down there. They have tested all the equipment and said it can open but I do agree that it would be preferential for us to update the ageing equipment as soon as possible. The Minister agrees. We have just got to sit down and find the right path to do that as quickly as possible. In the meantime, I would urge those involved with the management of the Opera House just to relax their position and, in the interest of Jersey and the taxpayer investment, get something going on there so in the meantime it can be doable, and they would have our full support if they were to do that.

The Bailiff:

There is time, perhaps, for a very quick question.

6.6 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Could the Chief Minister clarify whether businesses that have yet to repay their COVID overpayments should be eligible to apply for and receive taxpayer funded support through the Productivity Fund?

Deputy L.J. Farnham St. Mary, St. Ouen and St. Peter:

I was looking at the Minister for Treasury and Resources because I was not sure whether that is already a requirement in place. I am not too sure. I think where there are agreed repayment terms in place for COVID debt that are operating in line with what was agreed, that could be fine, but I think if businesses are in general arrears, then there is a restriction on receiving support. But I would have to check with the Treasury on that.

The Bailiff:

I am afraid there is no time for a supplementary question, Deputy. That brings the question time available for the Chief Minister to an end and the end of question times more generally.

PUBLIC BUSINESS

7. Reduction of Lodging Period

The Bailiff:

We therefore move towards Public Business but before we start it formally, we need to make a decision about whether the minimum lodging period can be reduced for a matter on the Order Paper. The Minister for Justice and Home Affairs, do you wish to make a proposition under the appropriate Standing Order for the lodging period to be reduced to allow P.8, Draft Crime (Public Order) (Jersey) Amendment Law, to be debated at this meeting?

7.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I would like to ask the Assembly to take this matter early, before the completion of the usual lodging period, because I believe that it is in the public interest to do so. If adopted, this provision will restore legal certainty to the application of some restraining orders which has become unclear due to the recent legislative changes. If the Assembly will be willing to take this matter today, then it can be passed to the next meeting of the Privy Council and hopefully receive Royal Assent in early March rather than delay the debate until April and seeking Royal Assent in May. I have discussed the proposal with my Ministerial colleagues and also with the Scrutiny Panel.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does any Member wish to speak? Those in favour of adopting, kindly show. Those against? Very well, we will deal with the matter at the end of the list of Public Business at this sitting.

8. States of Jersey Development Company: Pre-Sales Provisions for Residential Developments and Pre-Let(s) Provisions for Commercial Developments (P.88/2024) - as amended (P.88/2024 Amd.)

The Bailiff:

The first then formal item of Public Business is the States of Jersey Development Company: Pre-Sales Provisions for Residential Developments and Pre-Let(s) Provisions for Commercial Developers, P.88, lodged by the Council of Ministers and the main respondent is the chair of Environment, Housing and Infrastructure Scrutiny Panel. Chief Minister, there is an amendment that has been lodged by the Council of Ministers, do you wish to have the proposition as amended?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

Yes, Sir.

The Bailiff:

Are the Members content that the proposition be taken as amended?

Deputy H.M. Miles of St. Brelade:

Excuse me, sir, to interrupt. You said the main respondent was the Environment, Housing and Infrastructure Panel. I believe it is the Corporate Services Scrutiny Panel.

The Bailiff:

You may very well be right. Let me consult. It should be. Yes, I am sorry; you are quite right. It is the Corporate Services Scrutiny Panel is the main responder and therefore, that panel gets a chance to speak without the time constraints in the normal way. The Chief Minister was asked, and Members have agreed, we will take the proposition as amended and I ask therefore that the Greffier read the proposition as amended.

The Greffier of the States:

The States are asked to decide whether they are of opinion - that the States of Jersey Development Company Limited should accord with the following pre-sales provisions for residential developments and pre-let(s) provisions for commercial developments:- if it is proposed that a specific development is undertaken directly by S.o.J.D.C. (States of Jersey Development Company) before committing to construction costs S.o.J.D.C. will on a residential development, have to secure a minimum of 25 per cent of the Gross Development Value as legally binding pre-sales and meet third party funding requirements or, on a commercial development, a sufficient level of legally binding pre-let(s) that, together with the unlet space will deliver an end value of the completed building that exceeds the costs of constructing the development. This will remove part of the sales/letting risk of a particular development project.

Deputy L.J. Farnham:

The Minister for Treasury and Resources will act as rapporteur for this item.

8.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources - rapporteur):

As the Members of the Assembly have accepted the amendment, I think I will deal with the proposition as amended starting with the main proposition. P.73/2010, which established States of Jersey Development Company, contains a number of risk mitigation measures that S.o.J.D.C. are obliged to follow when progressing property developments. One of these measures relates to the level of pre-sales that S.o.J.D.C. have to secure before they can engage a contractor to commence the development. This measure has served S.o.J.D.C. well to date in a low inflation and low interest rate environment, and S.o.J.D.C. has successfully delivered a number of developments that have met or exceeded projections in terms of profitability. However, 14 years on from P.73, the economic environment is now very different. The existing measure now creates greater risk as S.o.J.D.C. attempt to forecast the level of pre-sales needed to meet the threshold while construction and interest costs may escalate during a protracted pre-sales period. P.88/2024 was therefore designed to recognise that S.o.J.D.C.'s board and their third-party lenders will assess each development on its own merits and determine the appropriate level of pre-sales, of pre-lets rather than having an arbitrarily high threshold. The original proposal was approved by the Regeneration Steering Group and the Council of Ministers as it would provide a number of benefits. The principal benefit for Islanders is that with this more flexible approach, S.o.J.D.C. will be able to progress their developments more quickly, delivering much needed quality homes and public realm and

infrastructure improvements. It will also provide S.o.J.D.C. with greater certainty in terms of the viability of developments going forward. The construction industry will also potentially benefit from the earlier delivery of S.o.J.D.C.'s development pipeline. Members should not be under any misapprehension that in supporting this proposition S.o.J.D.C. are being given free reign with their activities. In accordance with the provisions of P.73, S.o.J.D.C. provides regular reports on all of their activities to the Regeneration Steering Group. Those updates include progress on pre-sales and pre-lets of individual developments. To take an example, S.o.J.D.C. will shortly be launching their pre-sales proceeds process for the South Hill development - although I believe it has a new name, but I am not entirely sure what it is - and during that period, updates will be provided both to the Regeneration Steering Group and to myself in our regular shareholder meetings. Further, each development is subject to individual Ministerial approach so, again, taking the example of South Hill, assuming S.o.J.D.C. meet both minimum threshold for pre-sales as well as the lender and board's own thresholds, the board will seek my approval to their decision to progress the development, appoint a main contractor and enter into borrowing for the development. The Ministerial Decision, in my case, is supported by a third-party analysis of the business case which will be prepared by an independent adviser. If I could return now to the amendment. The amendment follows positive engagement with the Corporate Services Scrutiny Panel, and I thank the members of the panel for that. While S.o.J.D.C. is by no means a speculative developer, I am confident that providing for a minimum 25 per cent of pre-sale threshold as proposed by the panel and recommended by the panel will provide Members with further assurance. The reality is that the third-party lender for each development and the S.o.J.D.C. board itself may well assess that a greater threshold is needed before construction can commence. I can also provide further assurance that, as I have said, the commencement of a development is subject to Treasury and Ministerial approval. I believe that the amendment represents a sensible refinement of the original proposition and in view of the supportive comments from the C.S.S.P. (Corporate Services Scrutiny Panel), I am happy that Members also support, we would urge Members to support the proposition as amended. In summary, I believe that this is a positive step to support and enhance and accelerate S.o.J.D.C.'s activities and, given its track record of delivering successful and profitable developments, I urge Members to support this proposition as amended.

The Bailiff:

Is the proposition as amended seconded? **[Seconded]** Does any Member wish to speak on the proposition?

8.1.1 Deputy H.M. Miles of St. Brelade:

I rise to speak as chair of the Corporate Services Scrutiny Panel. As Members will see, the panel has provided comprehensive comments about this proposition, and I will not revisit the content in full, but I do want to refer to some specific points. As part of its review of the draft proposition, the panel reflected on the changing risk profile and its impact, the risk of the current market conditions where other development units are struggling to sell and the scope and viability of the proposals in respect of the South Hill Development and on any future S.o.J.D.C. developments. The panel also assessed the Government's process and steps taken to assess risk by all entities involved and the implications of the establishment of a robust memorandum of understanding between the Minister for Treasury and Resources and the S.o.J.D.C. to ensure that appropriate risk management in governance is achieved. The panel is under no illusion that the proposed revisions to P.73/2010 would bring a change in the risk profile. However, after careful consideration, the panel is mindful of the reasoning for the draft proposition under the current economic conditions and of the potential impact should the status quo be maintained which could potentially impact growth, material costs, labour and lead-in times associated with developments by the S.o.J.D.C., hence the rationale for establishing measures which support a model where development costs can be affirmed sooner rather than later

and to help support the delivery of more viable schemes. Finally, the panel is very grateful to the Minister for Treasury and Resources, her officers and the S.o.J.D.C. for their very positive engagement on the draft proposition, which has assisted in informing the review of the draft proposition and outcomes including the proposed amendment. The panel is content to support the amended proposition.

8.1.2 Deputy A.F. Curtis of St. Clement:

As a panel member for the chair who just spoke, I do not intend to add much and I would like to thank, likewise, the Minister for proposing an amendment following the work Scrutiny performed. I would like to just highlight a bit from my experience at that Scrutiny engagement and where I think there are some interesting areas we still have to cover. The report of P.88, for one thing, makes it very clear that this is an element to address South Hill. It references the opportunity or risk that S.o.J.D.C. and the Minister can conceive with the timeline for that. I think the panel naturally agreed that the previous terms of P.73 were not correct for the current market and the position to be in now is a better one and I think the safeguards provided with the 25 per cent are important.

[12:30]

One concern that I think came up was that the terms would be between either that of a financial lender or that of the board and, in further examination, we did uncover and understand that any development by S.o.J.D.C. is, as many Members know, held within an independent company to limit liability on both S.o.J.D.C.'s other developments and on the Government of Jersey but what this also means is that the security for two-thirds of the lending by any financial lender is on the assets being developed within that development. What that means is that if the development or the financial provider wants to call in their debt, say because S.o.J.D.C. have failed to generate sufficient payments, all they need to realise is 66 per cent of what the target value was to bring back their money and the Island could be left with both a burden of what was funded by S.o.J.D.C. and obviously having lost potentially valuable public land being developed by S.o.J.D.C. That is why I think one element of bringing in a minimum is important, and I think it is important in all these conversations we talk about that risk profile and who is holding that risk. One thing we were told is S.o.J.D.C. very much manage risk as a board who cares about and is worried about their sustainability and their viability, but I do think we still have to recognise S.o.J.D.C. to some extent operate under the shelter of the Government of Jersey. In a recent meeting, one professional explained that at the end of the day movement between the Government of Jersey and S.o.J.D.C. are, in essence, group transfers. There is still a level of interconnectivity between the liabilities and the assets of S.o.J.D.C. and of the public of the Island, of the Government, so I think it is important that risk mitigations are in there. I would draw that we do need to think beyond South Hill and understand what these kinds of decisions mean to other developments. Of course, later today we will be debating a proposed sale of Aviemore and what happens under these arrangements is a minimum of 25 per cent of the development value of Aviemore, likewise, will be needed to have a pre-sale prior to construction contracts being commenced. Members may feel that is a good thing or a bad thing. The proposition is as now amended. There is no way to change that and lower that. It will, I think, highlight a question of S.o.J.D.C.'s identity when it comes to development. A development like Aviemore that we will see, and others, feel to many may be more ad hoc compared to the strategic nature of regeneration proposed in P.73/2010, which is S.o.J.D.C.'s remit. If we look around, I think many of the developments that we have seen based on speculative nature have sometimes the entire property portfolio still unsold, and there could still be risk that engaging in this kind of activity with our development company, without thinking about the wider model, and making smaller ad hoc changes like this could in turn be challenging to developments that are more akin to open-market residential and speculative developments. I think this is a change that is suitably mitigated in risk but I do think in what we have uncovered in having these conversations with S.o.J.D.C., and having conversations

with officers from the Government, there is more work to be done to understand the implications of how one funds and develops different types of property through S.o.J.D.C. and I am sure that is a topic we will discuss quite briefly. Those are the comments, but I do thank the Minister for the amendment, and I can support it as amended.

The Bailiff:

Does any other Member wish to speak on the proposition? No other Member wishes to speak. I close the debate and call upon the Minister to respond.

8.1.3 Deputy M.E. Millar:

I do not think I have a great deal to say in response other than simply to assure Members that risk is considered very carefully in each and every development and in each and every thing that S.o.J.D.C. do. I would have to say I meet them quarterly and I am absolutely confident in the board's professionalism and care with which they conduct their business and which they enter into any ventures within their remit. South Hill, yes, of course, that is the next thing in the development so clearly that is front of our minds in thinking about how this proposition will have effect, but it will apply to all future developments where there is lending and the risk of unsold units or unlet units is very, very much in their mind. We do have to remember - I will just make this comment - S.o.J.D.C. are not just asked to build a building and put whatever in it, sell it to allcomers. They are either building homes. They have a clear remit on placemaking and building communities and building places where people want to live. Now, there are, I believe, in the Horizon development still one or 2 unlet units in the bottom and, as the chief executive has said to me, he could let those any day of the week if he was putting offices in there but they are looking for businesses and hospitality outlets that will contribute to community and sense of place, and that is why they are taking the time to try and get good tenants into those buildings that will contribute to the waterfront and make it a place where people want to live and visit for work and leisure. I will simply say, as regards Aviemore, which we will discuss later, taking a, I believe, unused and derelict building and turning it into homes is entirely regenerative in my opinion. I, again, urge Members to support the proposition as amended.

The Bailiff:

Those in favour of adopting the proposition ... the appel is called for. I invite Members to return to their seats. The vote is on P.88, and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The proposition has been adopted:

| POUR: 40 | | CONTRE: 0 | | ABSTAIN: 0 |
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| Connétable of St. Helier | | | | |
| Connétable of St. Lawrence | | | | |
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| Connétable of Trinity | | | | |
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| Connétable of St. Mary | | | | |
| Connétable of St. Saviour | | | | |
| Deputy G.P. Southern | | | | |
| Deputy C.F. Labey | | | | |
| Deputy M. Tadier | | | | |
| Deputy S.G. Luce | | | | |
| Deputy L.M.C. Doublet | | | | |
| Deputy M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy C.S. Alves | | | | |
| Deputy I. Gardiner | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy P.F.C. Ozouf | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B. de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| Deputy H.L. Jeune | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy R.S. Kovacs | | | | |
| Deputy A.F. Curtis | | | | |
| Deputy B. Ward | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

We can carry on and ...

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Yes, Deputy, even though we are slightly earlier than we need to. I think the next item of Public Business will be the Minister for Justice and Home Affairs and then we will deal with the Aviemore matter at the end. After luncheon we will take that. The Assembly stands adjourned until 2.15 p.m.

[12:37]

LUNCHEON ADJOURNMENT

[14:26]

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

9.1 Tribute to former Senator Antony (Tony) Chinn

Before we continue, there is a statement from the Chair. Members will be aware that former Senator Antony (Tony) Chinn has recently passed away. Mr. Chinn was born in 1934, the middle child of 3 and was educated at Victoria College. His grandfather, Edwin Hettich, established Hettich Jewellers in 1900 and Mr. Chinn followed in his footsteps in 1954, having completed his studies at the London Central School where he focused on jewellery and design. He was the first Jerseyman to become a Fellow of the Gemmological Association of Great Britain. In 1958 he went on to win the prestigious George Greenough Trophy, a national competition in which jewellers demonstrated how to achieve excellence within their profession. Under Mr. Chinn's direction, the company focused on selling exclusive jewellery and items and he spent much of his time in Europe, Italy, Switzerland and Germany to secure highly prized working partnerships with major watch brands. In tandem with the growth of business he was prominent in local affairs, serving on the Juvenile Court panel for 10 years and other voluntary boards. He joined the Jersey branch of the Institute of Directors in 1966 and was chair from 1987 until 1990, making the organisation more inclusive and political, and overseeing a major rise in membership. In 1990, he stood successfully as a Senator and served a 6-year term, following in the footsteps of his grandfather, for a second time, as he has served as a Senator from 1948 until 1966. During his time in the States, he sat on a number of committees, including Finance and Economics, Telecoms, Harbours and Airports and, as vice-president, he took the role of the chair of the Trade and Industry Sub-Committee, producing a number of reports in relation to the construction industry, promoting negotiation of tenders for best value for money and ways to achieve efficiency and competitiveness. He also served as a member of the Mary Alexander Committee of Inquiry in 1993. In 1997, Mr. Chinn was asked to formally unveil local artist Derek Tristram's "Clasped Hands" sculpture at Corbiere, which commemorated the rescue of 370 passengers from a catamaran called the Saint Malo, which had run aground on rocks in 1995. Mr. Chinn had been the vice-president of the Harbours and Airports Committee at the time of that dramatic rescue. Following his time in the States, he continued as chairman of Hettich Jewellers and passed away peacefully at home, aged 90, as the company expanded, as we all know, into additional premises in King Street. Our thoughts are with his wife, Suzanne, his 4 children and his grandchildren, and indeed his great grandchild. I would ask Members to stand for a minute's silence in his memory. **[Silence]** May he rest in peace.

[14:30]

PUBLIC BUSINESS - resumption

10. Draft Crime (Public Order) (Jersey) Amendment Law (P.8/2025)

The Bailiff:

The next item of Public Business is the Draft Crime (Public Order) (Jersey) Amendment Law, P.8, lodged by the Minister for Justice and Home Affairs and the main responder is the chair of the Children, Education and Home Affairs Scrutiny Panel and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Crime (Public Order) (Jersey) Amendment Law 202-. A law to amend the Crime (Public Order) (Jersey) Law 2024 in connection with restraining orders made under previous legislation. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law.

10.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

Firstly, I would like to thank Members for agreeing to take this item early. Members will recall that in January last year, we approved the Crime (Public Order) (Jersey) Law 2024 which I brought forward as my first act as Minister. That law now contains all the offences against public order in one place, which includes things like rioting, threats, disorderly conduct and so on. It also deals with the offence of harassment and takes over the arrangements for restraining orders moving them out of the old 2008 harassment law, which was repealed. In January, I was alerted to an issue with the treatment of restraining orders. The 2008 law allowed for restraining orders to be made and these duly remained in force as intended after the law was replaced. The 2024 law also allowed for restraining orders to be made, which will work in the same way as the old orders, again, just as intended. The question arose about how to treat breaches of the old 2008 restraining orders now that we have the new 2024 law. Those old orders are still in force but there is no explicit read-across between the laws saying that 2008 orders can be enforced by the 2024 law. This amendment will resolve any uncertainty by putting an explicit provision in the 2024 law to allow the older 2008 restraining orders to be enforced as though they had been made under the new law. This is a simple change that will have no other effects on the legislation, and I ask Members to support it.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? Those in favour of adopting the principles kindly show. The appel is called for. I invite Members to return to their seats. If Members have had the opportunity of returning to their seats, then I ask the Greffier to open the voting. The vote is on the principles. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The principles have been adopted:

| POUR: 47 | | CONTRE: 0 | | ABSTAIN: 0 |
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| Connétable of St. Helier | | | | |
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| Deputy G.P. Southern | | | | |
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| Deputy S.G. Luce | | | | |
| Deputy L.M.C. Doublet | | | | |
| Deputy K.F. Morel | | | | |
| Deputy M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy R.J. Ward | | | | |
| Deputy C.S. Alves | | | | |
| Deputy I. Gardiner | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy P.F.C. Ozouf | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B. de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy M.R. Scott | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| Deputy H.L. Jeune | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy R.S. Kovacs | | | | |
| Deputy A.F. Curtis | | | | |

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| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

Does the Scrutiny Panel wish to call the matter in?

Deputy C.D. Curtis of St. Helier Central (Chair, Children, Education and Home Affairs Scrutiny Panel):

No, thank you, Sir.

The Bailiff:

How do you wish to propose in Second Reading Minister?

10.2 Deputy M.R. Le Hegarat:

The Articles are very simple, and I would be happy to take them *en bloc*. The first Article describes what the amending law will do. The second inserts a new Article containing a provision that allows the 2024 law to treat the 2008 restraining orders as though they were made under the new law which resolves any uncertainty about their treatment. The third Article simply brings the others into force.

The Bailiff:

Are they seconded for Second Reading? [**Seconded**] Does any Member wish to speak?

10.2.1 Deputy P.F.C. Ozouf of St. Saviour:

I do not know whether this was a relevant question maybe in the preamble, but I wonder if the Minister could address in confirming what seems to be absolutely sensible Articles why they were not included in the original. Have there been any lessons learnt because there are supposed to be a First Reading, Second Reading, Third Reading, law officers, law drafting scrutiny. I just wondered why we are in this position that a mistake had been made, if I may ask.

The Bailiff:

Does any other Member wish to speak in the Second Reading? No other Member wishes to speak in the Second Reading. I close the debate and call upon the Minister to respond.

10.2.2 Deputy M.R. Le Hegarat:

I understand that this is an unusual situation in which an oversight has passed through the usual exhaustive checking processes without being picked up. The need to ensure that the interactions between legislation are properly understood is now at the forefront of everybody's mind and I am confident that this will not happen again.

The Bailiff:

Do you maintain the Articles in Second Reading?

Deputy M.R. Le Hegarat:

I do, Sir.

The Bailiff:

Do you call for the appel?

Deputy M.R. Le Hegarat:

Yes, please, Sir.

The Bailiff:

The appel is called for. I invite Members, if they have not rushed out in the last couple of minutes, to return to their seats. I ask the Greffier to open the voting. The vote is in Second Reading. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The law is adopted in Second Reading

| POUR: 46 | | CONTRE: 0 | | ABSTAIN: 0 |
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| Deputy M.R. Le Hegarat | | | | |
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| Deputy R.J. Ward | | | | |
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| Deputy K.M. Wilson | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

Do you propose in Third Reading, Minister?

10.3 Deputy M.R. Le Hegarat:

Yes, please, Sir.

The Bailiff:

Is it seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? Those in favour of adopting in Third Reading, kindly show. The appel is called for. I ask the Greffier to open the voting. The vote is on the adoption of the law in Third Reading. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The law has been adopted in Third Reading:

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11. Revocation of Aviemore sale (P.9/2025)

The Bailiff:

The next item of Public Business is the Revocation of Aviemore sale, P.9, lodged by Deputy Alex Curtis and the main respondent will be the Minister for Infrastructure and I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – (a) to request the Minister for Infrastructure not to proceed with the sale of the property known as Aviemore, La Rue de la Pouclée et des Quatre Chemins, St Martin, to the Jersey Development Company, as proposed in the Report presented to the States on 17th January 2025, by the Minister, in accordance with the provisions of Standing Order 168(3); and (b) to request the Council of Ministers to consult the States Assembly and the public on the future use and ownership of Aviemore and the support of care-experienced Islanders, before 30th September 2025, and to include any funding considered appropriate pursuant to such consultation within the Government Plan (Budget) 2026-2029.

11.1 Deputy A.F. Curtis of St. Clement:

Like most Members, I still have that lingering cough so, as I open today, I might have to slow down and take a sip of water, and I ask Members' patience with me.

The Bailiff:

I presume it is not the smoke from the fire. **[Laughter]**

Deputy A.F. Curtis:

It is not, no, but I will make sure we are hopefully out before second fire alarm happens today, Sir. Today I want us to take a moment to pause. This debate, P.9, the revocation of the sale of Aviemore, is not designed to frustrate the regeneration of this site. Members should know that they can still support this proposition today and the final outcome may still be the same, that the States of Jersey Development Company will develop the site in one form or another. What would happen should we agree to this proposition is a chance for us to pause to ask some questions about the future of Aviemore and what journey it will go on. To start this conversation, I want to frame my opening speech into a couple of brief sections. We will find as we go that these inevitably interlink with each other, but it is worth trying to identify a few of them in isolation. First, I want to talk about the impact

of selling the site from a public of the Island perspective: what are the risks and likewise the opportunities? I then want to address the proposed use of the funds generated from the sale and suggest very clearly to Members that we should treat the sale of Aviemore and the creation and funding of a fund for care-experienced Islanders as separate items. I want to step into the wonderful world of planning policy and of risk and of the implications of S.o.J.D.C. developing this site. The sale can be considered in many similar ways as a transfer, so we need to ask ourselves today whether S.o.J.D.C. should be buying the site as much as whether J.P.H. (Jersey Property Holdings) should be selling it. As we cover these topics, I will address remarks made by the Minister for Infrastructure in his comments paper, and I may touch on some wider themes, including vision, strategy and value, concluding with some remarks on those and a question. On the context of the site, to remind Members who are not as familiar, it is worth saying that Aviemore is a site of 0.68 acres entirely adjacent and currently part of the Haut de la Garenne land parcel. It is heavily isolated. It is in the protected coastal area, and it is distant from the built-up area. Simply from looking on a map, we can see that the 2 sites form a discrete rectangle with Aviemore further from any other development than the main listed building. Turning to the proposed sale of the site, as has well been covered, the proposed sale has been the discussion of multiple Councils of Ministers and it has featured in respective Government Plans, now called the Budget, with a suggested use of open-market housing. At this point I will say, when it came to a Council of Ministers in 2023 I could not attend, and it should be noted that the Government Plan has no power to rezone or reallocate land under the Planning and Building Law. In 2024, January, the site was marketed for tender with a very clear expression window, offers in excess of £3 million. Now in 2025, we find that it is proposed for sale for £1.3 million with an overage of up to £1.2 million. The comments paper now explains how this will work but it is clearly disappointing that this was not included in the Standing Order report. It also shows us that there is a real risk that we will receive less than £2 million for the site judging on the overage payments and all likelihood. This brings me to the first time I will ask: should we be selling the site for open-market housing given the context of new information? Members may have accepted the loss of this site if it generated receipts of over £3 million and that risk of development from planning to sales would have sat with a private developer but, with such a low value, is it right to sell when viewed through the lens of the public purse? Members may also be concerned about deviating from the Budget suggested use. Well, you will be glad to hear, Members, that this is not a sufficient argument for the Council of Ministers to provide. Today we heard in questions without notice, the Chief Minister said that the future use of Philip Le Feuvre House is not yet set, with various uses being discussed to find the best solution. This, of course, is in contrast to the designation of page 70 of the Budget 2025 designating that site as maximised number of affordable homes with consideration of some open-market homes. The Chief Minister rightly stressed this morning we need to be open-minded and flexible, clearly thinking it is right to re-evaluate decisions in the face of new evidence. I hope all Members, including the Council of Ministers, can reflect on this during the debate and see the same for Aviemore. I do want to touch briefly on the proposed use of the funds generated from the sale of Aviemore. Members may well hear today that without this sale we cannot establish a fund for care-experienced Islanders. This argument should be dismissed at the first chance. Every year this Assembly - apologies for my language - divvies up over a billion pounds of expenditure. We find money outside of this planned expenditure for purposes all the time. If we cannot find at least £1 million to instantiate this fund, if that is a will of this Assembly, I find that baffling. We were able to find £3.6 million outside of a Government Plan debate to purchase a seaside café, and almost all Members agreed to that. Put simply, if Members and C.O.M. (Council of Ministers) want this fund, they should establish and fund it. There is really no excuse to tie it back to the sale of our public estate if it is no longer favourable to do so. To remind ourselves, the Chief Minister said today: "We must be flexible. We must be open-minded to new evidence."

[14:45]

Staying on the impact of selling, we are now realising far less money than before. Would we commit to selling other assets if the financial return for the public purse was minimal? How are we going to weigh up the lost opportunity to the public? I will touch on that shortly. It is at this point I will turn to planning and risk. With Aviemore, the States of Jersey Development Company are stepping outside of their traditional remit. P.73/2010 explains that S.o.J.D.C.'s remit is to redevelop surplus government sites to secure the gain, where these are strategic developments in line with a regeneration zone approved by the Minister for the Environment and a strategy approved by the R.S.G. (Regeneration Steering Group). In fact, the concept of ad hoc development is discouraged, with it referenced in the company's formation in regards to private property purchases saying: "All acquisitions of private third party assets should be undertaken in a context of a need to rationalise land ownerships as part of a clear regeneration strategy, rather than as ad hoc opportunistic purchases. These should not be pursued in preference to the acquisition or transfer into S.o.J.D.C. of States-owned assets that would satisfy the same strategic objectives. While, again, I must be clear, that is with regard to private purchases. There is nothing strategic about developing Aviemore into open-market housing and it falls outside, in my view, of that original regeneration remit. It may well be the right thing to do, but immediately that requires further scrutiny. Put simply, S.o.J.D.C. have a strategic remit and this development feels like the opposite. Please remember, all I am asking is for time, time for this Assembly and the wider public to scrutinise and to consult. Members might ask: "What is the risk involved, S.o.J.D.C. is after all owned by the public?" For this, we do need to explore the planning context of Aviemore and whether S.o.J.D.C.'s ambitions align to the policies of the Bridging Island Plan. This is vitally important. What happens if S.o.J.D.C. embark on a development path inconsistent with the Island Plan and incur significant design costs that have to be aborted? We learnt through the comments paper and a States Member briefing that S.o.J.D.C. desire 10 3-bedroom semi-detached houses or the conversion and expansion of the existing building on site for housing. What happens if S.o.J.D.C. conclude that the site can only accommodate a smaller number of units? Have we wasted two-thirds of an acre of employment land on a couple of luxury houses? Members will have a copy of a brief circulated this morning with the main specific policies I believe are relevant, beyond the more general tests associated with development in the countryside. As with any matter of planning, it is always worth stating that all policies must be considered in the round in permission to grant or refuse. I am not providing a position; I am trying to highlight in that some relevant policies that Members will need to draw conclusions with the wider 96 policies of the Island Plan. The simplest point I want to make is that Aviemore is not a case-closed site for residential housing. Beyond this, there is a risk from a developer perspective that that yield will be very low. This should cause concern for us, since the developer is us, it is S.o.J.D.C. All these questions only emerge because we would be the developer. The fact that no other developer offered as much should leave us to question: "What do they know that we do not here?" I am left asking that as well. Again, I would not be using this argument if a private developer were buying this. If they want the risk of a site and want to hand over millions to us the deal is different. This is a 2 or 3-sided question. Aviemore is not residential housing currently. It is a class in planning called Class J Residential Institutions. Immediately this should raise alarm bells, that there may be some further planning tests, as clearly a change of use will have to occur. Residential institutions are considered employment land. This is outlined in the extant and still valid Supplementary Planning Guidance on protecting employment land. Members have a copy of this excerpt in the email with the use class defined within it. Why does this matter? Because employment land and residential land have different policy tests ... that is £10 for a vibration; somebody phoned me.

The Bailiff:

Yes, somebody just phoned you, have they? Thank you very much, Deputy, and that is gratefully received.

Deputy A.F. Curtis:

Why does this matter? It matters because employment land and residential land have different policy tests when it comes to developing housing. In his comments paper, the Minister claims the site is surplus to requirement, requires considerable reinvestment and there is a presumption in the Bridging Island Plan that the first consideration for government sites surplus is for housing development. I would like the Minister to point to where in the Bridging Island Plan he or his officers have drawn this conclusion. The Minister may be looking to reference this for the Island public estate strategy within the Bridging Island Plan. But the narrative around public assets is that they can contribute to housing supply, but I find no reference within the main policy, not any preamble, to a direct route to conversion of change of use of property to residential over any other policy tests. These policy tests include C.I.4 and S.P.6, which Members have a copy of. C.I.4 is the most obvious, community facilities and community support infrastructure. It states: "The redevelopment of existing community facilities [Class J residential institutions being some of them] for alternative uses will not be permitted except and only where it can be demonstrated that the site, or any part of it, is surplus to wider community needs." A basic test on whether this site has another purpose to serve. Has the Government advertised a site appropriate to test that the site is no longer valuable as a community facility or infrastructure? This seems unlikely, since it was marketed based on a residential valuation and the guidance explicitly states to market sites with a price for sale and for rent in line with its current use, not speculative valuation increase. We now look at policy S.P.6, Sustainable Island Economy. That states: "In particular there will be support for the protection and maintenance of existing employment land and floorspace for employment related uses." Have other employment uses been tested in line with this guidance? Members have the flowchart that planning officers should be using in testing how sites are treated. Could we end up in a bizarre scenario here where S.o.J.D.C. have bought a site and now need to prove that it is redundant for both its existing use and other employment uses before it can even embark on a programme of housing? Lastly, we should look at the enabling policy that will dictate what housing should be delivered there, if those other tests are met. That is H.9, housing outside the built-up area. It is clear that employment land that is changed to residential should deliver reductions in the use or size and improvement of the landscape. It states: "Proposals for new residential development outside the built-up area will not be supported except where: in the case of redevelopment of existing buildings in employment use, involving demolition and replacement, where redundancy is proved and the principle of change of use to residential development is acceptable having regard to other policy considerations." We have to get through all those policy tests first then: "Significant environmental gains can be delivered [and should be delivered] through improved design and appearance of the land and buildings(s); the repair and restoration of landscape character; and reduced intensity of occupation and use." The preamble gives more information on those tests and it states: "Redevelopment of employment land outside the built-up area for residential use will be permitted only where the residential yield is extremely limited and secures significant reductions in floor space and or occupancy. Consideration will be given to the intensity of use and impact, travel, traffic and noise on the character of the area." A proposal of 10 new houses suggests that S.o.J.D.C. want to maximise the yield on this site. Now we might ask ourselves: do Members see any problem with that maximising the yield the site can deliver? The problem is that maximising yield goes against a core aim of the Bridging Island Plan. That is to directly new housing to the built-up area. It is not an argument that a site in the protected coastal area could helpfully contribute to our housing need. In fact, that argument has been hashed out before. I will read to Members an excerpt from an appeal on a glasshouse site in the green zone, not even the protected coastal area, that proposed 7 open-market houses among other assets such as commercial property. A key argument made in the appeal by the appellant was that this would deliver housing, which is an aim of the plan. The inspector disagreed and said: "The spatial strategy of the Island Plan concentrates new development within the defined built-up area." The policy further

directs the greatest amount of development to town, more limited amounts to local centres and much more limited amounts to smaller settlements. Outside the built-up area, in the countryside, where the appeal site was located, the policy's key test for any development is whether the countryside location is justified, appropriate and necessary. Notwithstanding the other policies and exemption provisions, which I review later, he says ... again this is important, because it is open-market housing. These are not affordable sites that are part of a rezoning process. He says: "The erection of open-market houses in this rural location clearly fails the S.P.2 test at the first hurdle. Indeed the appeal site location is the antithesis of where the Bridging Island Plan seeks to deliver new housing delivery." Further on this argument he said: "The proposal would conflict with the policy H.3 provision of new homes, as its location is not within the built-up area. Nor is it a site allocated for the provision of affordable homes." It would further conflict with policy H.9, in this case because it did not meet any of the new housing exceptions: "While noting the appellant's submission that the scheme would deliver much needed housing in line with the Government objection to deliver more homes, this could be said of any housing proposal in the countryside and does not provide a basis for allowing new homes in a location where the Bridging Island Plan dictates that they should not be built." I raise all this because we, through S.o.J.D.C., are taking on the risk here. It is not a private developer, chancing their luck in the planning system. This is our company expenditure of S.o.J.D.C. money on plans ... of the Members, I should say. Yes, our risk is twofold here. One, we spend money on abortive plans; the other, the site may well deliver a lower yield. Then, obviously, we incur the loss of opportunity. Other States Members, I should add, ask for pre-application advice received from either Jersey Property Holdings or S.o.J.D.C. beyond informal conversations. We are of the understanding that no formal written advice was provided and any emails that were mentioned that were sent between the departments have yet to be shared by the Minister. Today, we are in many ways deciding more on a development than a sale. Either way, we incur risk, both financial and opportunity. At this point, I do want to turn to opportunity. It all sounds doom and gloom and highly technical. However, what if we tested the other uses for this site? Those community or employment-related uses. The Minister for Sustainable Economic Development wants to see a reinvigorated visitor economy. Should we not test the demand for this site to provide and expand on our local tourism offering? Whether that be self-catering, student accommodation or an extension of the facilities offered next door by the Jersey Accommodation and Activity Centre. Would that not be a valuable asset to Jersey? Members of the public have suggested a dementia village. As Class J, this use would fall within the existing policy test of C.I.4 and may even allow for the expansion of provision, since it is current use. What about staff accommodation? Despite claims from the Minister the site is in disrepair, one option S.o.J.D.C. suggests is retaining the existing building. It cannot be that bad then. We do know that we need to provide staff accommodation to make some roles in the public sector or even private sector more attractive. Other Members may have more suggestions for the site and I would welcome them to jump up and talk about them. All of which are strategically more valuable to this Island than open-market housing. To me, the options really stack up against looking down the barrel of less than £2 million for the public, a risk of lost money and provisions of homes we frankly do not need. A quick search on place.je shows us that there are over 256 3-bedroom houses actively for sale in the eastern Parishes alone. Members know the risk of development sitting with empty property, despite their attractive views offered as a reason for difference here. Whether it be on La Grande Route des Sablons in Grouville or La Rue de la Haule in St. Lawrence, developments are holding open-market houses on the books far longer than they would like. What gives S.o.J.D.C. such assurance that they can deliver a better more viable scheme than the private sector? I would say here, States Members are commonly accused of being siloed or thinking in short-termism. Here we have a site that the public and many Members here can clearly see more value. To unlock that, we have to think strategically. Sometimes we have to hold on to things a little longer and we have to think about how we fund things a little differently. That is what we have to ask now: what are the needs of our economy and our community institutions? I will not go on much longer here. I genuinely want to

hear from Members who support this sale and development without a single pause for thought that is being offered. If Members want to know what I am asking for, it is that. It is just a pause. A chance to test the policies, may be bottom out the best use for the site, in line with planning and in line with strategic aims. Some quick cost-benefit analysis of losing two-thirds of an acre of employment land to luxury housing. Remember, Members should not be swayed by any argument that this is necessary to establish the fund we have discussed. Are we really saying that that fund is so low down the agenda we cannot be flexible with funding sources when plans change? Yes, as I open this debate, I would ask Members: what is the hurry?

The Bailiff:

Is the proposition seconded? **[Seconded]**.

Deputy P.F.C. Ozouf of St. Saviour:

Can I ask a point of clarification from the speaker's speech?

The Bailiff:

Yes, you can ask a point of clarification.

Deputy P.F.C. Ozouf:

I am grateful to the Deputy. He cited a particular case as directly relevant to this in relation to a St. Clements' glasshouse site.

[15:00]

Would he be kind enough to explain which site he is meaning, because he is obviously talking about something in the public record that I would like to look up before I speak?

Deputy A.F. Curtis:

Happily. I provided the planning reference to all Members, it is P.2022/0267. I would just clarify, as I have explained in my brief and today, that planning must be taken in the round in all policy considerations. What I am citing is the contravention and contradiction that providing any quantum of open-market housing outside the built-up area was a strategic aim.

The Bailiff:

That was a proper point of clarification, thank you very much, Deputy.

11.1.1 Connétable A.N. Jehan of St. John:

The Standing Order 168 process exists precisely so that States Members can raise their concerns and questions, and ultimately objections, to the transfer of property and or land into or out of public ownership. Deputy Alex Curtis has quite rightly exercised his right in respect to the proposed sale of Aviemore. I would like to open my remarks by recognising some shortcomings on the part of my department. As a general rule, the detail we set out in some of our Standing Order 168 propositions could and should be improved. We have reflected on this and need to do better in the future. Currently we have been too vague. In this spirit, I do not think that R.11/2025, the report which confirmed the intention to sell Aviemore, was sufficiently detailed. In the report, we confirm the sale of the property, the address of the property, who we are selling it to, the upfront payment of £1.3 million and then reference an overage payment scheme. There was no further detail. It is fair for Members to have had further questions. We did engage with Deputy Alex Curtis on receipt of his email on 21st January, as the Deputy has recognised in his report. His timeline of communication with officers is accurate and does not require my repetition. We could have been better and more expeditious and thorough in our responses. For that, I apologise. Deputy Alex Curtis has not dwelled on the issue of our communication with him. He has stuck to the issue at hand and that is to his

credit. I too will try and stick to the issue. I believe the States Members briefing held on 18th February did a much better job in responding fully to Deputy Alex Curtis' legitimate questions and indeed explained the detail of the Aviemore sale. We got our engagement with Members right in the end, albeit not early enough. That, as I have said, is a learning point for us in the future. I should be clear that I strongly support the sale of Aviemore to the States of Jersey Development Company on the terms we have agreed. I believe that this sale represents the best value for Islanders. I am therefore opposed to this proposition, which I think will only bring unnecessary delay, both to the sale of a property which we no longer require, and to the establishment of the much needed and long overdue endowment fund for care-experienced Islanders. I should say, the sale of Aviemore is not a knee-jerk decision of one Minister or one Administration. Far from rushing a decision, the decision to sell Aviemore was first made by the then Council of Ministers in September 2021, which politically and practically feels like another age. That decision was upheld by the last Government and Aviemore formed part of the 2023-2026 Government Plan, as we heard, as development for open-market housing. The decision was again upheld by this Government through the Regeneration Steering Group, the group mentioned by Deputy Alex Curtis. It has been a long-term policy of successive Governments to sell Aviemore for housing development. We did look at alternative uses for the community, but we could not attract sufficient certainty that the freehold would stay with the public. Naturally, Members and the public will want to be assured we have secured the best deal for the sale of the site. I accept that selling to our own developer might have raised eyebrows in this respect. I suppose that is natural and inevitable. We have demonstrated in the States Members' briefing and in our comments to the proposition that the S.o.J.D.C. offer gave the best value to taxpayers, both in terms of the immediate site value of £1.3 million and the overage payment scheme that would depend on the number of units that are approved for development and do not require the sale which was part of some of the other deals. More detail as to the nature and value involved in the overage scheme is included in the comments paper. Ultimately, it could realise a maximum value of £2.5 million for the site, depending on what is approved. Deputy Alex Curtis spoke about planning advice and that was discussed during the States Members briefing. It is my regret that we have not been able to share emails. I did request them again this morning, but I have not had them to share. I fully accept officers telling me that they spoke with Planning prior to putting the site on market. They needed to do that to identify what the value would be. Planning spoke about the intention that the site had been developed for residential uses. Planning indicated that the principle of residential use was in line with the current Bridging Island Plan policies and objective, but the size and scope of any residential development would need to be tested, as Deputy Alex Curtis says, through a formal planning application process. The site was marketed on this basis and so the final development potential will rest with the developer to test with Planning. It is fair to say although the site was marketed on this basis, we did have interest from people who did not want to use it for residential but wanted to use it for other things. Unfortunately, however, they did not come up with the price. That is why the overage payment, which is not an unusual arrangement to make, made particular sense in this instance. I can also confirm, based on a point raised by colleagues in our briefing last week, that the States of Jersey Development Company will be using local professionals and local construction firms to develop the site and that 15 per cent of the developments will be affordable through a shared equity scheme and also that the usual States of Jersey Development Company deposit support scheme will be available, something that not many people offer. The comments also confirmed that discussions did take place with the Parish of St. Martin regarding a Parish-led affordable housing scheme, long before my time, that the sale of the site and commercial basis and the location of the site did not lend itself to this option. Deputy Alex Curtis raised a number of his own queries in his proposition, which were addressed both in the briefing and in the comments paper. I do not think Members need me to address every point again today. I will say though that I do believe that this sale is fully aligned with the public interest. We marketed the site openly and independently, based on a professional evaluation. It is true that we are not going to realise the original valuation of £3

million for the site, but that is because market conditions have changed; something we all recognise. We have taken a while to sell this site and while the Government is entitled to wait and sometimes ponder and sometimes delay, the market waits for no person. Aviemore no longer serves a purpose for the Government and is no longer needed. Three Governments have agreed that it is right to sell the site. I can see no merit in further delay and in retaining an unnecessary site within the States property portfolio and the associated costs of maintaining that site. Deputy Alex Curtis is fully entitled to challenge the sale and he may well have been right to do so in this instance. He has shed further light on the intricacies of the sale and given us cause for reflection. This is a worthwhile debate, but we have shown that this transaction represents best value for taxpayers and the Island. We can leave Aviemore as an empty site which is not fit for purpose or we can move forward and deliver housing on this disused site. I hope Members will allow us to move forward. In terms of the endowment fund, in my remarks I have not gone into the detail of what is a key part of this sale, and that is the establishment of the endowment fund to benefit care-experienced Islanders. This would meet a recommendation of the Independent Care Inquiry and provide a much needed and currently absent source of support for Islanders who have previously been in care, as they progress through their lives. Other Members, including the Minister for Children and Housing and other colleagues, will cover this in more detail. For my part, I remind Members that a decision not to sell Aviemore, which in my view would be a decision contrary to the evidence and logic, would be a decision to delay the establishment of this fund and the support it would provide. I respectfully ask that Members reject the proposition. Thank you.

11.1.2 Connétable K. Shenton-Stone of St. Martin:

I have only just written this and one of the first things I wrote was “public benefit project”. This is a prime site situation adjacent to the Jersey Activity Centre. I would suggest it is not a prime site for housing. The activity centre provides reasonably priced accommodation which serves the Island well and is always busy. My concern is the housing that will be built, which by the nature of the site, and we have been told that only 15 per cent will be for first-time buyers, each property should probably cost well over £1 million per home. I am a Constable that administers a Parish where the Aviemore site is situated. St. Martin boasts 2 campsites in the activity centre. I would like to point out something very fundamental, a rather important point: it is so short-sighted for anyone to believe that you can put a covenant on these proposed houses basically telling buyers/owners that they will not be able to complain about any noise emanating from the activity centre. What happens if they do? Do we then lose the activity centre? The activity centre is crucial for Jersey. We do not have any other accommodation like that in the Island. People will complain regardless that the activity centre was there first. Believe me, I know this. When Deputy Binet was Minister for Infrastructure, he invited the Procureurs and I to visit the site and said that the site was for sale at £3 million. Obviously as a Parish that was way out of our reach. It was not that we were not interested; it is just that we do not have £3 million to spend on it. It is a spectacular site. I believe that we should be thinking outside the box and re-evaluating the proposed use of this site. Looking at my fellow Connétables and Deputies from the east of the Island, time and time again we have stated in this Assembly that the east of the Island is very badly served of sporting facilities and other facilities. It is fantastic if you are living out west, but if you are living out east, we are always being forgotten. This could make an ideal site, next to the activity centre. I believe sporting facilities would be a public benefit project and would make much better use of the site. If people are worried about housing, 2 fields in St. Martin were earmarked in the Bridging Island Plan for right-sizing and first-time buyer homes. The Parish is currently working on this. It is hoped that one of the sites will be ready to be built next year. The Parish also delivered first-time buyer homes in the Parish in 2020, so that is 3 fields we would be giving over. Aviemore is not completely crucial for 15 per cent of first-time buyer homes and open-market homes. I am reiterating: we need to think outside the box. Aviemore is a site that should not be used for residential homes. St. Martin, as I have just said, have delivered housing. Aviemore

is a prime site to be used for something else. Please can we support Deputy Alex Curtis' proposition and hold back for just 6 months. We are only asking for 6 months - I am all in favour of the endowment fund. I think that is amazing - but 6 months, so that we can deliver a community facility for the east of the Island. Putting open-market housing next to the adventure centre, again, and telling buyers they cannot complain about any noise is quite frankly pie in the sky. This is a wonderful opportunity for the States to do something innovative. Please think strategically and let us deliver the best use for this site.

11.1.3 Deputy K.M. Wilson of St. Clement:

Clearly this is a matter of concern to a number of people, the proposed sale of Aviemore. The transaction as it currently stands is an aspect which portrays potentially public trust and the Government's responsibility as custodians of shared assets. I am not so much concerned with the intended use, but the value of the sale in financial terms and what it returns. The fact that Aviemore, a property in a prime and beautiful location is being offered for sale at a mere fraction of its true value, is troubling. It does deserve to see a full value being realised. We have been told that S.o.J.D.C., the Government's own development company, has put forward a favourable offer, but whose interests are they favouring here? Can we be assured that they are acting in the public interest and should this be a paramount concern for the Government to ensure that they are? The original valuation of Aviemore has been summarily disregarded in favour of a sale price that is 50 per cent below the level that it was advertised for. In my view, this is not sound public administration; this is a failure to uphold the fiduciary duty that the Government owes to the people of this Island.

[15:15]

As custodians of the Island's assets, Ministers have a responsibility to ensure that any sale of public property is secured at a premium and not at a discount. If the market conditions are not favourable for realising the full value of Aviemore then the prudent course of action is to wait for the right opportunity, not to hastily offload it at a bargain-basement price. We know it is a valuable asset, not just in financial terms, but in its potential to contribute to the social and environmental well-being of our community. By selling it off at a discounted rate, we are not only shortcoming the public, but we are also squandering an opportunity to redefine the value of Government assets in a way that goes beyond the narrow confines of a financial gain. This is not the time to be selling off the Island's silver at bargain-basement rates. It is a time, however, to demonstrate the values of trust, responsibility and resilience that should be the hallmarks of good governance. We owe it to the people of the Island to ensure that any transactions involving the public realm are conducted with the utmost transparency and with the clear intention of maximising social, financial and economic benefit to the community as a whole. How can it be a benefit to care leavers when only 50 per cent of the sale value is achieved? I urge Members to support the proposition put forward by Deputy Alex Curtis. We must halt the sale of Aviemore until such time as the true value of this asset can be realised and, where possible, make a connection with Project Breakwater's ambitions, which also should be made fully transparent, so that the value of this sale can be properly understood within this context also. The value may well be financial, but the values we as an Assembly attach to our assets need to be considered in line with our ambitions for sustainable well-being and economic sustainability.

11.1.4 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

I want to reflect a little bit on what the Minister said in his speech. He made some big statements, but I felt that there was no detail behind it. My question is, and maybe other Ministers could help in this: how is this best value for Islanders? The Minister said it was best value for Islanders, but how? How do you know that the site is no longer required as part of the States property portfolio? How has this been assessed? What about the future need, maybe not necessarily now, but what about in

the future? We talk a lot about trying to support our ageing population, maybe this site could be seen, and I completely support the Connétable of St. Martin in this, in seeing outside the box. We are talking about an ageing population, maybe this site could be developed with that in mind. Why are we giving Government land away so easily, with having these statements from the Minister, but without having detail or understanding behind it? I would like to ask the Minister and Council of Ministers: what is the overall strategy looking at the estate? It feels sometimes that it is very piecemeal in its decision-making around the estate. So there is a specific look about Aviemore, for example. Has there been an assessment where the Government has looked at its estate as a whole and seen not only what is needed now, but about the future and about the fact that we made need this land in the future and do you then not give it away to private housing? As the Connétable said, only 15 per cent will be for first-time buyers and so it will be given just as part of the general housing community in the future. Deputy Alex Curtis' speech at the beginning was very detailed and full of specific references to the Bridging Island Plan. It is important to reflect that, as he mentioned, we always have to weigh up the different policies within the Bridging Island Plan. I did not hear from the Minister much detail to say it is okay because the S.o.J.D.C. will be able to get planning permission. I will be supporting this proposition so that we can have time to talk about these big questions. I worry that we will get in a situation where the site is purchased by S.o.J.D.C., an arm of the Government, but then they will struggle to get planning permission. The onus will then fall on the Planning Department and, yet again, we will hear complaints about Planning. We will hear complaints about the Planning Department. We will hear complaints about restraining development, et cetera. When it is clearly laid out, and Deputy Alex Curtis has clearly said from the beginning, that the Bridging Island Plan has clear set policies that ... when he talked about employment yield or about other uses of the land, not just residential, but those are weighted more than residential land. If the proposal is put forward to Planning and Planning then refuse that because they are taking it from the Bridging Island Plan, what then? It then undermines, yet again, the Planning Department and the Bridging Island Plan, something that many of the States Members in the Chamber voted for. It will undermine something when from the beginning it is very clear that it is the aspirations of this site that the Government and the S.o.J.D.C. are hoping for is already not aligned with the Bridging Island Plan that many Members voted on. It is important to reflect that. We do not have time at the moment in this current format to be able to reflect that before the sale goes through. I would be supporting this proposition because of that. Finally, this fund, we have not heard much about how this fund would be set up. I would like the Minister to talk a little bit about this fund. If it is a fund of £2.5 million, is this a recycled fund? Is it purely grant-based? Is it something else where only the interest is being spent? Or is it £2.5 million and then when that is spent it is gone? What happens when it is gone? Is it only for a limited amount of time? I would like to hear a bit more of how many care leavers is it supposed to be supporting. How much potentially could be given to care leavers when they are applying for it? I do not know if we have been given that information to say this fund would potentially be able to last 2 years, 10 years or 20 years. It is not clear. Again, that is important. If this fund is depleted within a 5-year period, is that again ... is that the benefit of a fund that has been utilised for care leavers for only 5 years versus, hopefully, for a lot longer? The impact is completely different. That also is a decision for Members to think: is that really what we want, to have such a short-term fund, rather than something that is more long term? I completely agree with Deputy Alex Curtis. If we can find money to buy a piece of land for the café at the Grève de Lecq, we can find money to support care leavers outside of this particular thing.

11.1.5 Connétable R. Vibert of St. Peter:

I would remind Members that as part of the realisation of the Independent Jersey Care Inquiry's recommendations in September 2021, the then Council of Ministers agreed in principle that the full value of the revenue for the sale of the Aviemore site would be used to create a fund. The decision led to the Aviemore site identified in the 2024-2027 Government Plan to be developed for open-

market housing, to specifically support the creation of a fund to support care-experienced Islanders. The published Common Strategic Policy 2024-2026 continues the commitment to learn from the lessons of the Independent Jersey Care Inquiry. It is correct that we already have a care leavers offer, which ends when a person reaches the age of 25. However, for this particular group of individuals, above the age of 25 without the family support network that most of us rely on, they still have some unmet needs, particularly in terms of their mental health and well-being or if they experience unexpected financial crises. The group will be disappointed that there may be a further delay. I was somewhat surprised when this proposition was brought. Many Assembly Members who sat and agreed the original policy process are sitting in the Assembly today. I would not want the outcome of this debate to derail the original policy intent as an unintended consequence. I can confirm that we are working with the Minister for Treasury and Resources to develop the fund and that it is expected that it would last a minimum of 10 years. Upon completion of that work with the Minister for Treasury and Resources, we would bring forward a proposition to establish the fund in the next few months, that is subject to the outcome of this debate.

11.1.6 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I am rising to speak in support of the Minister for Infrastructure and to reject this proposition. The Minister has provided comprehensive information in both his comments lodged at the end of last week and the Members' briefing last week. I wanted, however, to emphasise a couple of aspects from my perspective as the S.o.J.D.C. shareholder representative. It seems to me that there are 2 areas of concern in this proposition; that Members were not briefed about the proposal and, secondly, whether the strategy involving S.o.J.D.C. is appropriate. If I could emphasise the Minister's comments about approval, the Government Plan of 2023-2026, which was approved by this Assembly, earmarked the Aviemore site for open-market housing to specifically support the establishment of the fund that the Minister for Children and Housing has just discussed. The strategy, so far as disposal of the site is concerned, to fund the creation of the endowment fund was approved by the then Council of Ministers in 2021. It was also discussed by the previous Council of Ministers in January 2023. At that meeting, a sale to S.o.J.D.C. for open-market housing was agreed to be the preferred option of the 3 presented to the Council of Ministers in January 2023. If I could turn now to S.o.J.D.C.'s involvement, it is worth remembering the provisions of P.73/2010, which established the *raison d'être* for an oversight of S.o.J.D.C. P.73 does provide that redundant government sites may be released to S.o.J.D.C. for regeneration without consideration. In that sense, I believe consideration means without price and not without thought. This has been very well considered. The reason for the position of P.73 is on the basis that all profits generated by S.o.J.D.C. are either reinvested in future developments or returned to Government in the form of dividends or improved public realm and infrastructure. Since the Aviemore sale proceeds were to be directed to the endowment fund, the sale had to be conducted on a commercial basis and it has been, as the Minister described. The Minister has already made the point that S.o.J.D.C.'s offer, given the lapse of time since this process was begun, was the best on the table, in terms of both quantum and certainty. Again though, it is worth emphasising the point that any profits the S.o.J.D.C. generate on this development, over and above the funds, will be contributed to the endowment fund by way of purchase price, will be reinvested for the ultimate benefit of all Islanders. This contrasts clearly with any sale to a third party developer. Others may comment on this, we are not talking about luxury homes, unless we are saying that any home built in the countryside is a luxury home. S.o.J.D.C. is planning to build 10 3-bedroom homes which will be semi-detached and they will be about 15 per cent with an assisted basis. S.o.J.D.C. has worked very hard to provide schemes to enable people to buy homes, particularly first-time buyers.

[15:30]

If we sell to a private developer, they may very well build luxury homes and I am just slightly confused at the notion that we should not be, whether a government developer or via Government, building houses with 3 bedrooms. We keep saying we want young families to stay, we want people to have more children, but we do not want them to live in a house. We are content for them to live in apartments. People are entitled to have homes and I think we should all be supporting the building of homes in this Island that is not a flat which have gardens for young families. I believe the location has been investigated and has been found to be not suitable for homes for older people because of its location, it is not close to amenities and it does not suit the provision for older people. Finally, I would just like to remind everybody again that we own S.o.J.D.C. It was created to regenerate areas and redundant properties to deliver public realm and infrastructure. Everything it does is for the benefit of Islanders and I can only repeat again my comments this morning that I have never been anything other than satisfied that S.o.J.D.C. is an entirely professional, capable organisation, which really has its main objective of generating good for this Island at its very heart. I would urge Members to reject this proposition and send a clear message in support of our commercial property developer.

Deputy I. Gardiner of St. Helier North:

Sir, can I ask a point of clarification from the previous speaker, please?

The Bailiff:

If the previous speaker is prepared to give way for clarification, yes.

Deputy I. Gardiner:

Would the speaker explain again what happened in January 2023 because in January 2023 there was a decision that the S.o.J.D.C. would develop this site?

Deputy M.E. Millar:

Yes, at a Council of Ministers' meeting in January 2023 this was brought forward and 3 options were on the table. The Council of Ministers at that time preferred the option of S.o.J.D.C. being the preferred developer to build open market housing. It would seem to have evolved from that to test the open market first. The open market has been tested. S.o.J.D.C., I believe, have put in a bid with other developers and they were the best bid.

Deputy I. Gardiner:

Open market housing specifically for Aviemore for this site or general discussions?

Deputy M.E. Millar:

For Aviemore. The sale of Aviemore.

The Bailiff:

This cannot be just a toing and froing exchange.

Deputy M.E. Millar:

Sorry, no. Sorry, Sir.

The Bailiff:

You asked for a point of clarification. You have given a point of clarification.

Deputy I. Gardiner:

Apologies.

The Bailiff:

If you asking for a point of further clarification, then it is up to the Minister whether she agrees to give you a point of further clarification.

Deputy M.E. Millar:

My notes say: “Option 2. The sale of S.o.J.D.C. was the preferred option of C.O.M. and it was agreed to proceed to the next steps regarding the sale and redevelopment of Aviemore and the creation of the endowment fund.” That was a decision in January 2023, I believe.

11.1.7 Deputy M. Tadier of St. Brelade:

I was not necessarily going to speak or speak at this point, but I was prompted to by the argument of the Minister for Treasury and Resources where she seems to be focusing on the provision of homes in Jersey. Let us put this in perspective. What we are seeing here is 10 homes being delivered, 8 of which are unaffordable homes because if they are not affordable, they are unaffordable, and up to 2 will be some kind of scheme that is yet to be identified, which might kind of be affordable, we hope, in shared equity. I have no detail of whether that shared equity is in perpetuity. I hope it would be and that it be ring-fenced or somehow they will find their way back into the open market. I presume there is nothing to stop the other 8 homes being bought by one person, so if you are rich enough you can just come in and buy them. “Thank you very much and I have all 8 of those homes and I will rent them out” so they could be rented to families. We do not know that they will necessarily be bought. Maybe there will be conditions put on that, but I am not sure if that is possible because it is open market so open market is presumably what it says it will be. I am also reminded by the movement of the proposition that there are hundreds of 3-bedroom houses available for sale right now which cannot be shifted just in this half of the Island let alone in the west, and I would look at the Minister for Treasury and Resources and say: “Do these extra 8 unaffordable houses to be added to the ones that are not shifting yet on the market help people get housed?” I suspect not and I would ask the Minister for Treasury and Resources to maybe direct her attention to maybe thinking about how those families which might want to buy some of the hundreds of houses - just one presumably per family - would do and how they might be able to get the financing. Of course what they did in my parents’ generation is that they had a States loan scheme where ordinary people could buy their own home with the help of a States loan scheme. It was not to do so much with supply, it was to do with affordability, and I think that is what we are grappling with here. I am concerned that we are not getting the best use of the site. I do not buy the argument that we need this money to set up a fund for the care leavers - and I know the names have slightly changed but those who have been in care or care-experienced individuals - because that fund can be set up and the idea that we have to wait to sell this in order to set the fund up is, frankly, I think disgraceful that it has come to this point. The fund could and should have been set up quite a long time ago I would suggest. It should not be dependent on a sale and it should not be dependent on this sale for a specific purpose to housing. We are selling it to the States of Jersey Development Company so we are not sure that is going to get planning permission. If it does not get planning permission, what happens then? Do we just leave it up to the States of Jersey Development Company to put different plans in? The concern I have here is that this is like one big piece of a jigsaw, or rather it is a piece of a big jigsaw I should say, and without knowing what we are going to do with the other critical parts of the infrastructure that we have in Jersey and, indeed, knowing what this Government’s particular strategic plan is in their vision for the Island in the next 5 to 50 years, how do we know that this is the right sale? You might sell it now and then, in 5 years’ time, it can go bang, so we should have kept that because we could have done something with that. When we have the Minister for Sustainable Economic Development speak to us at our quarterly hearings - and we had one last week - it is not so much the demand for housing that we hear about because, obviously, he is not the Minister for Housing, but we hear perennially that there is a shortage, for example, of suitable self-catering accommodation in Jersey, that there are not necessarily suitable new hotel sites coming through and what do we have up there already? Well,

we have a site which is in tourism/education - not formal education - but it is being used for those kind of leisure activities which appeal to a certain type of tourism. I will not call it the lower end of the market because that is more informal, but hostel-type of accommodation where people come over to do all sorts of courses potentially, but also to appreciate Jersey in its rural and coastal beauty, and I just wonder are we missing an opportunity there as well? It could be used for those purposes. We have already moved quite a long way away from the original recommendation of the Care Inquiry and I would hope that nobody is making the suggestion that if you support this proposition today you are in some way not supporting care leavers or the original intention of the Care Inquiry. Certainly that is not the case for me. I fought tooth and nail to get an inquiry at a time when it was not easy and we had to build a consensus across the Assembly. Of course the original proposition that the Care Inquiry came up with was rip down Haut de la Garenne because it should not be kept there. It has too many painful memories. Yet Haut de la Garenne will stay there, and that is with the consent I think and the consultation with care leavers in the wider community. But of course you are ripping down something which is next door to it so there can potentially be houses to look at at that building which once there were some terrible things that happened in it. So I think we have moved on and I think those arguments have changed and it has evolved. The mover of this proposition said he was interested in hearing from all sides about potential other uses, so those who might be supporting this proposition. Why would we maybe not want to sell it to the States of Jersey Development Company for them to potentially develop it? I say "potentially". We have heard that this is fraught with potential problems getting it through planning and if it does not have problems getting through planning, I would be concerned because it should have problems. There were serious questions that need to be asked by the Planning Committee. I would not like there to be a suggestion that the Planning Committee would somehow rubber stamp this just because it was a desired project of this Government. I think that would breed alarm and probably increase cynicism from the public. I do not think there is any suggestion that would be the case, so it is not a done deal anyway. For my part and, again, when we had the Minister in at the quarterly hearing on Thursday, I did ask about the fact that we have a dwindling birth rate. So, in 20 or 30 years' time, if nothing changes, we are going to start to find that we have a lack of 20 or 30 year-olds in the Island at a time when we have an increased population of pensionable age, although I am fully expecting that we will have to work into our 80s with probably a smaller pension in the future, but I still live in hope. So what are we going to do about that? I think we need an idea to accept that we will need to import, whether we like it or not, people of working age because I do not think we can do anything about forcing people to have children apart from maybe giving them some hope back in terms of the economic outlook and the cost of living in Jersey, but that is a matter of personal choice. We need to look at diversifying our economy, and I know it is not universally popular with Members, but I think one of those has to be the development of some kind of higher education/university provision in the Island. I look at a site like Aviemore which is in the countryside, which already has a similar usage in terms of it could house students, and I look at things like even if it is not a full-blown university that Jersey can definitely extend its offering to specialise in areas like marine biology, ecology and finance. English language courses I think is an area which is completely under-tapped and there could be vast expansion given the fact that we are an English-speaking Island now. The Institute of Law is already established and I think it has growth potential there, not just for local students, but in all of these areas for importing students so that Jersey could become a centre of hopefully increasing tertiary education excellence. What would the by-product of that be? It means that of course students would come to Jersey to learn and students, surprisingly, still spend even though they are not necessarily working, and they will look to work here in the short term as students and some of them will stay on, as students do. They stay on at their university towns and indeed how many times have we heard people say: "Twenty or 40 years ago, I came to Jersey. I was intending to stay for a weekend." "I was only intending to work for one summer. Yet here I am 20 or 30 years later." So that is just one idea what this could be used for. I am not saying that this should necessarily be for that purpose, but we need to look at the portfolio in the round. We have just heard this morning that the Chief Minister does not know what is happening

with Philip Le Feuvre House, and that is kind of reassuring. It is good in one sense, but if we do not know what we are doing with that how can we be sure of the decisions for Aviemore, Fort Regent and the potential decisions that could be made around the education of States up in Highlands and Hautlieu? Hautlieu might not be around for ever. There are all sorts of potential moving parts both in the tangible and the untangible assets that the Government administers, and until we have looked at all of these and what kind of provisions and position we expect Jersey and its economy to be in in 20 years' time, I think that we make these short-term gains in haste and then regret them at our leisure. I think the analogy has been made that we are selling off the family silver here. We may well be doing that. You can only sell off the family silver once and it is even more concerning when you get the price of scrap brass for it rather than the true price of silver that you should be getting for it. So I think there are so many reasons to support this. It does not stop any future sale, but it just means that a more realistic discussion can be had, I think, with the wider community and I think the fact we are already getting alarm bells from the Constable of that particular Parish in this regard is sufficient for me or another reason for me to think that the cautious approach and the wise approach is to perhaps support this particular proposition.

[15:45]

11.1.8 Deputy I. Gardiner:

I am really grateful to Deputy Tadier for his speech because this is what prompted me to speak because I came to this debate very open-minded because, from one side, as the Connétable of St. Peter said, this was a policy and I was a party of this policy when I believed that the sale, in which we expected £3 million, would introduce a good foundation to the care leaver fund. It was 2 years ago when I was involved with this and 2 years ago we had a different situation. We did expect the £3 million and we also did not have 200-plus properties on sale only at the east of the Island, and I am grateful to the proposer raising this point because I was not aware. Why I raised this debate is because this debate was, for me, eye-opening on lots of different ideas that I did not think about when I came to this debate and what it was for because we need a care leavers fund. At the same time, I was thinking, 2 years ago, we tried to find this site for a therapeutic children's home. We allocated £3.5 million for a therapeutic children's home and we could not find the site that was anywhere for this price. This site was more expensive and we did have neighbours who objected to the site, so we could not find a site for a therapeutic children's home which will have an amazing location, there are no neighbours and it might work. It might not. I do not know, but it was my thought. My amendment to the Common Strategic Policy was to build the accommodation suitable for the elderly or for the retired people in that they might have joint facilities but, at the same time, independent living. Listening to the Connétable of St. Martin who raises the noise, I remember how many noise complaints and nuisance complaints we have at least in my district as well, and we need to deal with when people are not happy with the noise from various activities. The Connétable said: "We do not have sport facilities on the east of the Island and we tried to have sports facilities on the east of the Island. We do not have a swimming pool at the east of the Island." The people who live on the east of the Island do deserve their swimming pool and their skatepark and their general good quality sport facilities because more and more families moved to the east of the Island and lots of my friends. This is what happened to me during the debate. Interesting enough, when the Minister for Treasury and Resources talked about S.o.J.D.C., people asked me, do I have concerns around S.o.J.D.C.? My genuine answer, I do not know because S.o.J.D.C. was created 14 years ago. This very clear remit over regeneration. If this project is regeneration ... I do not think this project is regeneration. It is open market sale. I think for the last 5 years, since I had first become the chair of the Public Accounts Committee, the Comptroller and Auditor General called for the strategic review of S.o.J.D.C. That did not happen. What we have now is we have rejected a proposal for the waterfront and we have another waterfront proposal coming. I am not sure where South Hill is but it is struggling to progress.

We do have on their books Fort Regent. I am not sure where we are going with Fort Regent. I do not know what is happening, but to create another project with all the questions that Deputy Curtis asks, I do have a question. Probably if it would be £3 million we would be speaking differently but it is not. My question to the proposer before I really made up my mind, because I think I am leaning towards supporting this proposition, I would like to understand how the proposer envisages what would happen in the next 6 months, who would need to drive this work that you envisage that needs to take place and what is the outcome we can have and this will help me to make up my mind.

11.1.9 Deputy D.J. Warr of St. Helier South:

I will just keep these notes brief here. For me, Deputy Wilson highlighted this is about transparency and this is about trust. I was asked at lunchtime by the BBC about why I was asking so many questions around the Lido and the reason is because no one comes up with the numbers in a clear and transparent way. I think Government has to start getting a grip on being more transparent. The Minister, we heard earlier, said he hoped to have details of emails between Infrastructure and Planning. Why is it so impossible to get straightforward information from officers? As a Minister, I find that quite extraordinary. The other commentary in the report given by the Government is this is a high value site in the C.O.M. report, so why is the sale price such a low one? The commentary is that current market conditions are not as favourable. Well, we have to watch and wait and if we make a quick decision and make the wrong decision, that is a loss to everybody. The other question I have is when we are starting at half the value of public assets, what is the implication for the wider public realm out there? We are told it is worth £1 billion. Is it only worth £0.5 billion or £0.25 billion? What is the value of those assets and what is that implication to the overall Government's balance sheet? Just to carry on about overage - and it is quite interesting because I had to look up what "overage" means as I am not in the building trade - I was just interested to see, technically, what this is all about. So it is sometimes referred to as a "clawback". "Overage refers to a sum of money which may be due to a landowner following completion of the sale of property." It says: "There are many different scenarios. If future permission is granted and additional further permission is granted, sales proceeds of the property exceed an agreed threshold." The disadvantages are interesting. "An overage arrangement can mean that the initial purchase price is lower because the developer is unsure of the expected sales proceeds so there is a lower purchase price with an overage to enable a landowner to share in the sale. The landowner may have to wait several years to receive any money at all. There are no guarantees. Most importantly, there is no guarantee that the landowner will receive any money." That should be of concern to us, and I am so pleased that Deputy Curtis has brought all of these issues to bear. Six months is tiny in the grand scheme of things. The Connétable of St. Martin has highlighted some issues, and to her point, at one point, we are at £3 million. Now we are £1.2 million and £1.3 million. That makes a massive difference to the decision-making process, so I am absolutely in support of the proposition as brought by Deputy Alex Curtis, and I hope the Council of Ministers do think and give time and space to ensure that the right decision is made for the public of this Island.

11.1.10 Deputy M.R. Scott of St. Brelade:

I have been listening to the arguments very carefully on this matter, and it has been a very interesting debate. I think it raises questions which perhaps are not being addressed at the right logical level. Many of the issues that seem to be raised seem to be down to a concern that there has been a lack of joined-up thinking. At the same time, I can see in terms of what I have learned from being in a Government position - and nearly all of us have - there seems to be with this proposition a hijacking of process or an ignoring of it. We have heard from Deputy Curtis some concerns regarding the way that the value of the site perhaps is being affected by the planning policy about problems with planning, bearing in mind that the Planning Committee has the power to approve deferments that do not comply with policy if they think there is a case for it. What that is really highlighting to me is

the risk that is attached to this site. It has given a case for offloading it. Then we have heard other argument such as: “Well, I have an idea. It could be a sporting facility.” But then to my mind, I am thinking: “Well, did we not have an inspiring places strategy? Did we not have a sports strategy?” Where was the proposition saying: “Why do we not have this here?” If you are building sporting facilities or a community facility, is it not cheaper to do it on an undeveloped site, on which we have heard of a couple? So somewhere in all this kind of messiness is a natural need to have some clear thinking about what Members want and how that is introduced in things such as, of course, the next Island Plan. It would have to be fed into a strategy saying: “We want this in the new strategies. We are going to find this and we are going to have this.” But instead my concern is that we have this debate: “We could have lots of different things there and then we will pause for 6 months while people come up with their ideas.” Maybe we will have 4 different propositions saying: “Let us have this” and we will have another hospital scenario and yet what is really being put forward in great detail now because ... and I totally understand why Deputy Curtis would have said: “Well, hang on a bit. Can you go through the process where you have looked at the options?” which she should quite rightly when you are decision-making. I am sure that the chair of P.A.C. (Public Accounts Committee) is quite aware of the Comptroller and Auditor General’s report on decision-making at least when it came to the hospital site. You have to think through the options and what is most appropriate for that site. But what we have had and what we have seen and has been continuing, and indeed the chair of the P.A.C. is well aware of, one of the areas of work of the P.A.C. was to do with the lack of an overarching property strategy. Indeed, the P.A.C. has been in a position to look at this property strategy and say: “Hang on, this is missing and that is missing.” Yes, let us hear it, but we have not heard it in the form of this proposition. It just seems to me that there is work to be done, but in different areas such as the overarching property strategy. It has these holes in it and, at this point, you need propositions that say: “Well, let us plug this hole and let us plug this hole.” But in terms of this particular site and it being deferred, from what I have heard so far ... let us take the nursing home as an example, and we need more, but of course what sort of nursing home are we talking about? If we are talking about a private one, why have we not had bids? Well, if we talking about one that is owned by the States, why have we not had the proposition? Where is the kind of strategy or the proposition saying: “Right, come on, your strategy for nursing homes, let us have it right now. What is the population going to be? What is going to be the numbers?” All of this work I invite States Members to do, but not through focusing on one single site and saying: “Yes, we could do something else with it.” This is just tiring. This just is not clear thinking and I very much associate Deputy Alex Curtis with logical thinking, more so than many of us are capable of, but I do not believe that what is being presented right now really presents a solution or breathing space. It almost creates more problems than answers because what it is really doing - and I think it has been useful having this debate - is it is saying: “Why are we not thinking more in terms of ideas and these ambitions and putting them into practice?” Indeed, I think that is a valid question. In terms of the kind of arguments I have heard so far like: “We could have this site for a sport facility or a community centre”, my concern is that that may not be the right solution to the problem that is being proposed even if there is that problem. So at this moment - and I am still listening to these arguments - I am not convinced that I will be persuaded from the Council of Ministers’ decision, but if Deputy Alex Curtis has some answers to these questions I am asking then I am still all ears.

11.1.11 Deputy M.R. Ferey of St. Saviour:

I will rise primarily to answer a question earlier from Deputy Jeune in relation to the makeup of the fund and the reasoning behind it. So anyone who has children will know that sometimes, once they are beyond the age where they would be considered independent, they still might need financial assistance of some sort, and so parents are very often there to be that safety net for our young people to give them the support that they might need if they are moving into their own property or they have a big event. That is part of parenting duties. Of course, care experienced young people do not have

that safety net, so the primary objectives of the fund would be to look at the particular issues that care experience people may encounter. So it is primarily for small sums of money of between £500 to £2,000. The fund itself would be invested and the yield from that fund used first and foremost to satisfy the claims against that fund.

[16:00]

But they would be looking at issues like the promotion of health for care-experienced people, so people who have been care-experienced may need counselling for mental health issues. There may be a cost associated to that counselling. So the fund would be there for that benefit. Also, for the advancement of education. Lifelong learning is key to empowering care-experienced adults to have a more successful future. So if there were a course that would help with their career development, then the Care Experience Fund would be there to support that cost. Community integration, very often care-experienced adults may experience loneliness and isolation, and in that context they may want to have access to helplines or social activities to reduce that isolation and improve well-being. Again, if there is a cost associated to that, the fund would be there to support care-experienced people with that endeavour. Finally, emergency financial assistance. I just spoke earlier about how very often parents are there to help out when someone's car has broken down or they just need that extra couple of hundred pounds to tide them over until the next payday. Again, care-experienced young people do not have that safety net. So those are the 4 main objects of the fund. It would be independently managed and, of course, we do not have large amounts of people in care in Jersey, so it is a relatively small cohort of people. In that context, the fund should last at least 10 years; I think 10 years is a conservative estimate. If we can invest it wisely and seek to look at the claims just from the yield from the fund, it could last a lot longer than that.

11.1.12 Deputy J. Renouf of St. Brelade:

It is good to hear more details about the proposed fund, but it is not really related to this proposition. This fund can be set up at any point, and if a sale at Aviemore happens at some future point, the Government could then be reimbursed for the money that it had used to set up that fund. I want to thank Deputy Alex Curtis for bringing this proposition and for explaining it in such a detailed way. He has done us all a favour in showing how a really thorough examination of an apparently simple procedural matter can unravel under more serious examination. I am also grateful to the Minister for his acknowledgement that the communication around this proposition and the original Standing Order was not as good as it should have been. But I would say that notably he has not answered the most important questions raised by the proposer. Fundamentally, there is an issue here, which is that the Government has not done its homework and, not just this Government, but previous Governments, indeed ones of which I was a Member. Lots of questions remain. The central assertion in the Government's report on this is that the Bridging Island Plan supports the site's conversion into open market housing, and it is simply not the case, as Deputy Curtis has explained and I will come back to that in a moment. There are other questions raised. What would have happened if the site was offered at the eventual accepted price as opposed to the £3 million? How much did the £3 million deter potential purchasers who thought the planning risk here is simply too great and we cannot justify that price. But had they at least known that the price might be around £1 million, just over, maybe there might have been more interest. The question around the role of the J.D.C. (Jersey Development Company) in all of this, Deputy Curtis has brought to the fore this question of what is the J.D.C. legally set up to do? It is set up legally to do strategic developments. That is not the case for Aviemore. I have not heard a single person say on the Government side that this is a strategic development. It does, however, fit into what you might call the more colloquial definition of what J.D.C. is for, namely that it is the Government's development arm. That is a kind of shorthand that we use quite a lot to just say, "What is the J.D.C.?" "It is our development arm and it does development projects for the Government." But that is not what its technical defined in statute

definition of what it is there for. So it does call into question whether the J.D.C. is the right organisation for this or whether they need to specify more clearly what their objectives are around the site so that it does fit into their remit. So I would say that the Minister has focused and the Government in general has focused very much on value for the taxpayer and the fact that we are getting a return that is greater than any return that was offered by the private sector. I have made one point already about why that might have been different had it been marketed differently, but let us take that at face value for a moment. The problem is, and I think the thing which Deputy Curtis has pointed out, which the Government has not quite taken on board, is that we are on both sides of this equation. Therefore, while it may be good that we get good value in terms of the sale price, that is not so good if the J.D.C. end up wasting money, which is ultimately our money, on a failed development process that simply cannot get past planning because of the multiple planning risks. It also does not take into account the opportunity cost that people have talked about in terms of what else might the site be used for. So it does not matter in the end. The other point that has been made is that it is very much in line with government policy, government policy going back to 2021. It has been in Government Plans and so on and so forth. You could argue that simply represents a slight group think and maybe that is one of the reasons why it has not been questioned enough. But, again, leaving that aside, the fact of the matter is that it does not matter how much this is in line with government policy. There is still the planning hurdle. Government may want to make this into a housing site, but the test is whether it is possible or likely to be possible under the current planning regime. Not the planning regime that people might want, but the planning regime as it currently is. Because that is what investments are based on. So it is worth remembering that, as Deputy Curtis said, this is a Class J residential institution and that has planning policies built around it. They are not easily side stepped. So first of all, redundancy has to be proved and, if you want to gain planning permission, you will have to show that you have offered it to other users who might have had a use within that category. Otherwise, you are likely to find yourself failing the planning test. Then, even if it passes that test, it is still employment land, and therefore it has to be offered to people who might have potential other employment uses for the land. You then have to get past the hurdle that Deputy Curtis has talked about at some length, which is that this is the very antithesis of a site that would be developed for open market housing, according to the current Island Plan. Now, none of that means it is impossible to develop open market housing on this site, but it does mean that it is going to be done as an exception to policy, if it is done at all. Exceptions to policy are unlikely to be at the upper end of the applicant's hopes - 10 units in this case - they are much more likely to be at the bottom end of what the applicant is hoping for if it is an exception. So this is the very definition of planning risk. We are selling this to the J.D.C., which means we own that planning risk. Had we sold it to a private developer, they would have taken on that planning risk and then perhaps it is not surprising that nobody offered £3 million for it, given the extensive planning risk that sits around the site. Now we are taking on board that planning risk and I do not think that has been sufficiently addressed by the Minister or by the Government in their comments. It is unfortunate to say at the least that the Minister was unable to locate the email correspondence that apparently showed that there was advice from the Planning Department that was relevant to this site. One would have thought ... I recall from the briefing that the Minister gave where Deputy Ozouf, in front of me, repeatedly pressed the Minister for information around the planning guidance; repeatedly pressed. Yet that has not yet been forthcoming, despite the fact that briefing was some considerable time ago. So, as I say, it is very unfortunate that supposed planning advice that does give some succour to the idea that this could be redeveloped has not been put into the public domain. So the other argument sits around other possible uses and the opportunity cost that goes with deciding that the development we would like the J.D.C. to undertake is a housing development. I would say that the opportunity here is to have another look - just have another look - because I think there has been an element of a train that is at full tilt and nobody has thought: "Hang on a minute, let us just slow down a bit here and just have a think." It has been accepted for a long time and it has not been properly questioned, and I think this is an

opportunity to do that. A therapeutic children's home has been raised as a possibility. I know from talking to people in the marine resources area that the idea of a marine centre connected to J.I.C.A.S. (Jersey International Centre of Advanced Studies) in a location that is close to the coastal location, Ramsar and so on, and it might fit with the idea of an activity centre as a neighbour. That is another possibility. It may not come to anything, but we are asking for a delay to think about these things and market the site in a slightly different way to the way it has been marketed so far. Marketed as an opportunity, a wider opportunity than just: "Here is a site we think you might be able to turn into open market housing. What is your best offer?" There is an opportunity here to go a bit more ambitious than that, as the Constable of St. Martin said. So I think the fundamental points I would make are that we should delay because there is a potential opportunity cost that we could explore and we could better understand the planning risk during that time and we could get to hear what the proper planning advice is. I see very little downside to taking that pause.

11.1.13 Deputy S.G. Luce of Grouville and St. Martin:

I am sure you could walk down the street and ask, let us say, 3 or 4 Islanders what they would do with the site and you would get 3 or 4 different answers. It seems to me in the States Assembly this afternoon, asking 49 States Members and coming up with 149 different answers as to the best thing to do with the site. It just occurs to me that if all these other alternative uses had legs, so to speak, they would have come forward. What is the reason they have not? Money is the answer and value and return. It is quite clear that housing would give the best return here, and that is why the price is as it is and we move forward in that direction. But the last speaker to Deputy Renouf said this is about value to the taxpayer. Well, it is not about value to the taxpayer, this is about creating money for care leavers. Let us remember that. This is not about the taxpayers. This is about care leavers. So that is why, in my view, it is important to try to maximise, in a sense, the income that we can get from the site. The Deputy is right, there is a presumption that inside the built-up area you will get your application supported if it meets policy and outside that area there is a presumption against. But I just want to quote a few little bits of the Island Plan, and I think it is clear from the proposer's speech that you can pick the policies you like and leave others alone, and I might well be putting forward some here which would argue the other side. But it is clear that the site is in institutional use, it is Class J, and it is presumed that the site has been declared surplus to health requirements, and thus the States has resolved through the Government Plan it can be used. It is not just this Government that has resolved that, it is previous Governments as well. So that presumption has been made. It is surplus to requirements and therefore it can be an exception. Then we get to healthcare facilities and I have mentioned that, alternative uses will not be permitted except when it can be demonstrated that the site is surplus to public and private healthcare requirements.

[16:15]

Again, the Government Plan has set that out. Housing outside the built up area, policy H.9 has also been quoted, and all I would say, yes, the Deputy is right, it is an exception if you like, but in both cases, in paragraph 4 and paragraph 6, there are exceptions where environmental benefit is delivered and a reduction in the intensity of the site and the repair and restoration of the landscape, character, reduced intensification of occupation of use. So there is clear policy to help with this housing, should we get this. I thought that was important to make those points.

11.1.14 Connétable A.S. Crowcroft of St. Helier:

I was coming back from the "Bergerac" premier last evening, I was lucky enough to be invited to it, and what a great thing that is for Jersey. I was struck by another great thing for Jersey, which is the International Finance Centre. All the lights were blazing at 8.00. I saw people at their desks while I had been at a very enjoyable function. I was reminded what a great, certainly from my point of view as Constable of St. Helier, but also as someone who is very keen on open space and good design. For

my money, the International Finance Centre with the new Trenton Square, which I was able to walk through on my way home, are just examples - shining examples - of what the Jersey Development Company has done for this Island. I think it is a great development and I look forward to the future when there will hopefully be a Tate St. Helier or a Tate Jersey at the apex of the site. That has certainly been mooted. So I have every confidence that the Jersey Development Company, which as other speakers have mentioned, is our development company, that they will deliver the best value and, not just best value, they will deliver what Islanders want on this site if we let them get on with it. Now, as other Members have mentioned already, there of course is always a reluctance to sell States property. The Island has a whole herd of white elephants tramping across it and these are buildings that would have been sold and should have been sold if we would let people get on with it. Perhaps the most infamous example is the former Jersey College for Girls, which sat empty for 15 years while States Members from different sides of the political spectrum decided that it was being sold too cheap, it was being sold for the wrong reasons, we had a better idea for it. Finally, we allowed Jersey Development Company to get on with it and they not only respected the listed building but they provided over 100 homes for local families. I know, because I speak to them, that they are very happy in those homes. I speak to other people who live in Jersey Development Company homes who are equally happy with what has been created for them. So, we are very good at trying not to develop our properties. I think a previous speaker, Deputy Renouf, said that this is a train at full tilt. If the States of Jersey can be described as a train at full tilt about anything, I would be very surprised. To quote the great Bob Dylan, we are a “slow train coming” when it comes to developing and passing on our assets. I am really concerned that if we do not allow the company which, as I say, I have full confidence in to get on with this job, it will be gathering moss. It will be in the long grass for a long time to come. Some Members have tried to detach this project from the purpose for which it has been earmarked, which is to give important funding to care-experienced Islanders. Now, they may be right, they may be right that we could find the money somewhere else, but I am personally not willing to join a group of Members who will be sending out the message we are going to renege on that agreement. We are going to find the money somewhere else. I believe that this has been earmarked for that funding and I think it is absolutely the right thing that we keep our word. I am not persuaded by the other arguments enough to change my view that this money should not be given to care leavers. The other very curious argument - there have been lots of them, but I am only going to focus on one more - we have heard this afternoon is that we do not need these homes anyway. The Island is awash with homes, we are told. That is funny because I thought we had a housing crisis. I thought people were desperate for family homes in the countryside, semi-detached, 3-bedroom homes in the countryside. Okay, they are too expensive but, guess what, prices are coming down. Have people noticed? Prices are coming down because people are asking too much for their homes, they are realising they are not going to get it. If they wait until next year, 8 per cent last year, it is going to go down again this year. So I believe there are many, many Islanders who would love to live in these 10 semi-detached homes, 8 unaffordable homes, Deputy Tadier characterised them. I do not believe that is true at all. I think these are going to be 10 family homes in the fabulous Parish of St. Martin. I respect the Constable’s views. I think we should always listen to the Constable. People never listen to the Constable of St. Helier, but I think we should listen to the Constable of St. Martin on many things. On this occasion, I think she should welcome these 10 families who are going to move into these homes if we allow the States of Jersey Development Company to get on with the job, and I urge Members to reject the proposition.

11.1.15 Deputy P.F.C. Ozouf:

What an extraordinary debate. If anybody was listening to this debate outside and this is the way we make decisions, I think that they would realise why the Island is in the difficulties that it is. It is absolutely appalling. I am absolutely shocked. We have heard from the mover of the proposition that we do not need housing. We make decisions on Google about whether or not there are 256

homes required. There has been a Bridging Island Plan, which, as the previous speaker, the Constable of St. Helier, has said, has proven a planning demand and a housing need. We have failed to do anything about it. We have a housing crisis Housing is not meeting, and we have got a mover of the proposition saying that he is against something the Government is doing and we do not need housing. I do not know what parallel universe that some people are living in because that is not the message that I am getting from across the doorsteps of people in St. Saviour. But I am sorry, I am looking at the Constable of St. John sitting next to the Constable of St. Martin and I may have some bad news for him, and I would explain why. Because I want to support the Government wherever they deserve to be supported. I think some of the criticism of the Government has been absolutely, if I may say, unthinking and simply not quite right. But it is a reflection of the decision-making, as the Constable of St. Helier has just said, of what we do, of how we make decisions. Everybody wants to be involved in everything and yet everybody wants to be accountable for nothing. I am afraid to say that this proposition is one of contradiction. I am afraid it does not have a solution, which is one of the problems, which is why I am going to come back to the Constable of St. Martin in a minute. Deputy Curtis and Deputy Renouf have both said, from a planning perspective, that there is a this and then that in relation to can do/cannot do in respect of planning. What on earth does that sort of certainty give our developers, poor S.o.J.D.C. who, yes, I did ask the Minister kindly whether or not he had an answer from Planning, and I am not sure, I think he did, but maybe he did, but maybe he did not, but maybe it may change. Because that is the message outside there of the absolute uncertainty that people will advance projects and buy properties and want to develop them into much needed housing because of the complete let us stick a pin in a donkey decision that you might get out of Planning or not. The former Minister has just said it. You can say yes, and you can say no. Is that certainty? That is absolutely not. So here we have it in public, in large measure, yes, we have a planning system that can say yes and it can say no, but it depends what you look like, depending on which architect you have got and it depends on who is on the Planning panel of the day. How on earth can we solve Jersey's housing crisis, deal with employment land, deal with the retail situation, deal with infrastructure costs on that basis? There we have it said in terms by the mover of the proposition, agreed with by the former Minister for Planning, and I think others as well. So, I am very pleased that the Minister for Planning is coming forward with some reforms, bring it on, it is long overdue. By the way, we are not the only people, the U.K. is in the same situation. Planning is a regulation which is absolutely fine, sounds all fine, but everybody cannot have their say and you have got to get on and do things. Where are we? Well, we have just got a hospital passed, that is good, 10 years after trying, well originally it was £297 million, now I am not sure what it is, but it is certainly more than that. In real terms, if it is £710 million, that is an example of this Assembly and the Planning making decisions which are not in the public interest. We are talking about value. I have to say to those Members who get very excited, and I understand why, the S.o.J.D.C. seems to be the new whipping person. Give it to S.o.J.D.C. and give it a good whipping. Pass them over South Hill, get them to spend millions of pounds on planning applications and then turn it down and then give them a good thrashing in public and again and again and more waste of money going down the drain. More houses not being built because a member of the Planning panel thinks the apartments are not big enough or there is not enough light or something. Apparently we have policies to deal with that, but apparently we do not because people can make it up as they go along. There is no certainty. To put S.o.J.D.C., again, in the position of a complete uncertainty, because the poor Minister - and I do feel sorry for the Minister, I really do - because he has not got absolute certainty of what the decision of the Planning panel, let alone the officer, is going to be because the policy is not clear. I hope that I am making a powerful point that our system, and I am pleased that the planning system is being sorted out, but the Bridging Island Plan and all the gobbledygook and the glue that goes through policy X4C9, paragraph 7.2, well explained by Deputy Curtis, but it does not make things happen. He has not got a solution. All he has got is a 6-month delay. But I know what a 6-month delay is going to turn out to be, it is going be years of delay, which is on top of it. There is a big issue between

planning risk and planning reality. The claims that the site are inherently risky because of planning rules make housing under current regulations, it is just all about the Bridging Island Plan. The truth is you could say yes, and S.o.J.D.C. have in good faith assumed they are going to get a reasonable hearing. The risk factor about the money, we have got the Minister for Housing this morning saying: "Lovely, housing prices are coming down." Now we have got States Members very excitable, and I know it is about care leavers and it does not really matter that the money is important to them and it should be maximised, whether or not it is the care leavers, but especially the care leavers, of course they must have their maximised value for all the trauma that they went through. But really the planning system is completely discretionary and S.o.J.D.C.'s overage payment simply means it is not a private developer. An overage - I suggest that members download ChatGPT and they can get a quick explanation of what an overage payment is - payment is simply a value that is paid later on the value depending on what you get built. It is risk factor. If S.o.J.D.C. get the 10 homes, which they have in good faith, the Minister has accepted the only other offer that was available, the only other offer that was made, they would make an additional payment. So it is a complete falsehood to say that this has being undersold to S.o.J.D.C.; I completely and absolutely reject that argument. I am in favour of what the Minister for Treasury and Resources says. The ignoring of this whole issue, this has been a masterclass in inertia, a masterclass in absolutely everybody coming up with every lovely idea; universities, I have heard marine spatial parks, I have heard universities, I have heard care homes, the flipping lot, the kitchen sink there I have heard in terms of what the site could be used for. I need to stop waffling, I am sorry about that, but I am making a speech in our Island's Parliament about policy and maybe I am not waffling, maybe I am saying some home truths to some Members. So before somebody jumps on the back of a Member that is saying he is speaking and using his legitimate right to speak, Members will not start chortling, because maybe I have got something sensible to say. That is for the electorate to decide and other Members when they vote. The problem is the refusal to act. There are contradictions in what the movers of the opposition of this proposition have said that simply beggar belief in terms of the crisis that people are living in. We cannot allow, with respect, this kind of thinking and decision making to continue. It is just not fair.

[16:30]

It is not fair for the care survivors, it is not right for the use of a valued public asset of which the Constable of St. Helier was absolutely right - J.C.G. (Jersey College for Girls) is one of the prime examples of the States' indecision - and there is an awful lot more that the Minister for Infrastructure wants to do. So I came here today wanting to support the Minister, and I still want to support the Minister. This site has got to have a proper and sensitive use and there has got to be an appreciation, and the Constable of St. Martin probably made the best and most sensible speech. The Constable of St. Martin speaks from a position of some degree of not only sartorial elegance but also a track record of a Parish getting on and doing something. St. Martin village is a model; it is fantastic. Have I got 10 minutes or 15?

The Bailiff:

You have 15 minutes.

Deputy P.F.C. Ozouf:

Yes, I will be very quick. The Constable of St. Martin has got a model Parish village. She has rezoned sites and her predecessors in her municipality, and I have been up to go and see her village hall and all the rest of that. If we have an institution serving the public, that the public can trust, and in St. Martin and in which this is there, then we have the Parish of St. Martin with a proven track record of getting on and delivering that wonderful blend of community facilities, housing, and doing the right thing by public money. The only thing I would very respectfully suggest that she talks to her good friend - because the Constables all sit together and the Constable of St. John is the Minister

for Infrastructure - can they not talk nicely and find a solution which is not going to put S.o.J.D.C. in a terrible position, and can S.o.J.D.C. not work with the Parish of St. Martin and find out the solution. If the Constable of St. Martin stands up at the Planning panel with a good scheme which has been sensibly thought out - which I know she and her other officers and Deputies will do with the track record she has got - then I bet it is going to get a yes, and then we will get a solution and some building going on. We have construction firms going bust because of the lack of certainty. There is another one gone bust last week. We have got no houses being built. So I just wonder ... I do not support Deputy Curtis' arguments for the reasons that he has says. I am sorry, Deputy Curtis, I do apologise but I just do not accept the premise that Planning can just have it one way and have the other way and there is no problem with housing. He is right about the proper process and it is a shame that there has not been a solution by people talking. The Constables talk together, they sit next to each other; I just ask nicely, the Constable of St. John wearing his hat as the Minister for Infrastructure, can he not do a triangulation with him, S.o.J.D.C. - who know how to build things as they have done brilliantly well, as the Constable of St. Helier has said - and the Parish of St. Martin in whose Parish this sits with all of that understanding of the difficult history of Haut de la Garenne. If there is anybody that can find a solution that is going to be proper, cost effective and sensitive to the public interest, it is going to be the Constable and the Parish of St. Martin. I just ask, before I have to vote against the Government which I do not want to do, but I do not want to vote in favour of Deputy Curtis because it is largely exactly the reasons why I stand up so often and say there are problems in this Island. I am not the only person seeing regulation and planning strangling economies everywhere, and there is no economic growth. We are seeing it allowed in here now. I just wonder whether or not there cannot be triangulation. I know he cannot speak again but can somebody from the Government come in and say they will work together with the Parish and S.o.J.D.C. and Infrastructure and we can get a fast solution to a problem that needs some sensitive, proper handling with good common sense and good value for money? We might get a win, win, win.

11.1.16 Deputy S.Y. Mézec of St. Helier South:

I am really pleased to follow that speech from Deputy Ozouf. I think I enthusiastically agreed with the first one minute and 23 seconds of it - I was looking at the timer up there - and the rest of it I was about 70:30 on in support. So I think Deputy Ozouf made some good points that I hope to develop on in this. He started by calling this debate extraordinary and in a sense it is but in another sense it is not. As I was listening to Members finding a variety of different reasons for wanting to support the proposition from Deputy Curtis, I could not help but feel like I was gaining a greater understanding of the psyche in our politics that has led to a situation where we spend a decade not delivering a hospital and spending £100 million in the meantime to get to that position. Where Deputy Curtis' speech in making this proposition was absolutely packed full of logic and rational thoughts and interesting exploration of the issues, in itself it did not identify any kind of solution. I do not think what he proposes in either parts of this proposition, but particularly part (b), will help get us any closer to a solution that would leave everybody feeling content. It is notable that in those speeches in favour of the proposition those Members themselves have not formed any kind of unified coalition on what they want to see. It sounds like some want to vote for the proposition because they have other potential aspirations for what could go on to the site; some of those are completely contradictory and some of those are mere ideas and not formal propositions. The Council of Ministers in 2021 - so not the previous Council but the one previous to that, which I was not a member of - agreed to the disposal of the Aviemore site. I remember when that was put on the table and I remember it being uncontentious. Nobody seemed to have an issue with it at the time. I myself was a little bit surprised. I wondered whether it might be a proposal to keep Aviemore in direct public ownership in some form, but it was not and I did not think that was necessarily a problem. Then for the 2023 Government Plan there is a clear reference to proposals to go ahead with disposing of the Aviemore site. Again, completely uncontentious; I do not recall a single person standing up and

saying: “No, this is a bad idea and we must explore an alternative instead.” It is only when we are at the point of getting ready to go ahead that suddenly this contention is raised and we find ourselves exploring all sorts of intangible alternatives that at this point have no detail behind them, no wheels on them frankly, because the actual proposal that is on the table for some people does not garner their favour. There was a point as well made that if this was about the Care Leavers Endowment Fund that Government could find funding from wherever it likes for that. That of course is true. Of course it could. Government could find funding from whatever source it chose to, to do this kind of thing, but it has chosen the source; it is the source that has been on the table for years now that nobody has posed any objection to. It is a legitimate thing to do, to dispose of an unwanted and unused site in order to find funding for that, so that you do not have to find it from another part, and nobody has got a better proposal for where that funding could come from. What budget would have to be amended to find that funding? If you combine that with the alternative proposals for the site, whether you do not use it for housing, you use it for an education facility, you use it for a care facility; that itself will also come with financial considerations, potentially millions of pounds if it is to be a public-led redevelopment of that site for another purpose. The costs mount more and more, it becomes more expensive to do all of those things, and more competing pressures on other kinds of budgets. None of that is an illegitimate thing to propose but there is no detail provided in this proposition whatsoever for what that would be. I think the reality of the situation is that if the proposition were adopted one of 2 potential things would happen, which is either we would spend 6 months to eventually come to the conclusion that we ought to do this anyway, in which case 6 months wasted, or we go back to the drawing board and a site that has already languished for years and years being unused - which nobody seems to want. That is the other side of this, there is no other Government department begging Property Holdings: “No, give us this site, we want this site to use it for something else” - would continue to be like that for years while we chased our tail trying to come up with another solution, when I do not think there is anything wrong with the solution on the table. Underpinning all of this is a point that some Members have alluded to, but though I think ought to be more prominent in this, which is the process that has got us to the point of deciding that we ought to dispose of Aviemore for a Care Leavers Endowment Fund. It is specific why it is Aviemore and not to be another budget. In the aftermath of the Independent Jersey Care Inquiry, a seminal moment for the Island where it was laid bare the decades of failure in child protection that had happened here, where there are many people in our society still here who experienced the trauma of that as a real life thing every day, it was proposed by that Inquiry that the site would be levelled. When the Government went to people with care experience in Jersey and asked them to come together in a citizen’s panel to advise the Government, whoever was in Government at that point - because it changed several times in the journey of that panel - to advise on what we could do positively as a legacy from that Care Inquiry report, we asked people for their opinions. This is what they came up with. They were the ones who said do not knock down Haut de la Garenne, even though the Inquiry had said knock it down, it was us asking care experienced people in Jersey: “What do you think?” They said: “No, do not knock it down. It was not the building that was responsible for the things we suffered in that past, it was the people, you can repurpose it to something better.” But they said it was vital that in recognising the wrongs of the past, that Government committed in the future (1) to not let that ever happen again, but (2) to provide better support to young people when they leave care to make up for the absence of support that they would not necessarily have from family that so many of us take for granted well into our 20s and 30s from the support that we get from our parents and family. They looked at the Aviemore site, and I remember when I was Minister for Children there were a couple of iterations of what that might be. There was, I think, considerations of homes specifically for people with care experience, and that moulded and changed, and eventually with their support the proposal would be that the site would be disposed of because we could use the revenue generated from it for a Care Leavers Endowment Fund. So it is not purely an idea that the Government has plucked up out of thin air because it is a convenient way to get the funding. It is one where there has been a very deep

and, for those people, emotional journey to get to that point. I look at the promises that have been broken for those people by Governments in the past, including the recent past where we have been on parts of journeys with them to improve things and we have not quite got to where we said we would be, or not quite prioritised things that we said we were going to. It is a kick in the teeth, again, to say despite having asked people to be part of this process and commit to them and promise to them that we will provide support for people when they leave care in the future, to say right when we are at the moment of being potentially being ready to go with it: “No, actually we are just going to take a lot more time to run around in circles on it all over again.” I appreciate that is not something that the proposer or many others who will be voting for this are intending to do, but that is what I associate it with, which is not advancing our commitment to uphold this promise that we made to those people in the timeliness that we ought to, and that is why I very strongly hope the Assembly will vote against the proposition. We are in a good situation where the objectively best bid for it comes from a Government-owned company, so it is not like there is a complete detachment from everything that goes on beyond that. They are a company we own, we can work with them, and if there are bumps along the way we are in a much better position to help resolve that. But what they are proposing in and of itself is not a bad option for the site. Some more family homes; obviously I would want to maximise the delivery of affordable homes on that site and support mechanisms, deposit saver scheme, so it is not like we are buying a bunch of homes to just sell straight away to investors from something that was once a public asset.

[16:45]

It is something that will benefit families in Jersey in the long run. Though this proposition is entirely legitimate, it is not a solutions-based proposition; it is a let us do nothing for a bit longer and see where we end up there without proposing exactly what an alternative would be. We have heard views from those who have spoken in favour of this proposition that they are not united in what they think the solution is as well. So whether you think it is perfect or not, what is on the table, it is certainly more concrete than anything else that anyone is proposing and it gets us to a position sooner rather than later that we can uphold that promise that we made to care leavers in Jersey. So I hope Members will vote against the proposition.

11.1.17 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

While I do not agree with Deputy Curtis on this, I start by saying I respect his right to bring it. In fact it has been quite an interesting debate. I think it has galvanised some of the views and hopefully it has made us realise that there is no real profit in trying to delay things, as we have done in the past, which has caused problems. I just wanted to spend a few minutes talking a little about the S.o.J.D.C. or J.D.C. as they perhaps prefer to be called, but they are the States of Jersey Development Company. They are our development company. It is quite disappointing; I am disappointed that some Members are still undecided whether they have confidence in them, we are not sure about them. I would like to try and work with S.o.J.D.C. to dispel those myths because despite their positive work they undertake and their very good track record, their positive results and regular engagement with States Members, we should really start to get behind them because they are part of us. The predecessor to S.o.J.D.C., some will remember, was the Waterfront Enterprise Board or W.E.B. They did not have the remit to develop and, as a result, it was reliant on third party private developers to carry out the development on the waterfront such as the Radisson Hotel and other areas. They tended to be solely focused on the financial returns and I remember some of the debates back in the day where the Assembly was furious that we were putting all of this valuable land in the hands of developers and losing out on the development profits, and that is why W.E.B. evolved into the States of Jersey Development Company. As Members have mentioned, it was specifically created in order to improve the quality of the remaining development on the waterfront and to carry out the regeneration of surplus Government-owned assets, wherever they may be, by carrying out development directly.

Returns from these developments have more than doubled and all for the benefit of Jersey. S.o.J.D.C. is 100 per cent owned by us, their financial accounts are fully consolidated into the States of Jersey accounts. Positive returns for S.o.J.D.C. are positive for all of us. They have also produced - as the Constable of St. Helier alluded to - first class financial services district that is recognised globally as having the best quality office accommodation in the Channel Islands. They have delivered that for us, which is essential because we are in a more competitive market to retain our top financial services so the provision of first class office space is essential for the maintenance of our financial services sector. Those office spaces so far in a number buildings not only are fully let but there is demand for more. S.o.J.D.C. have also successfully delivered a number of residential developments. College Gardens was fully sold on completion - I know slightly different market conditions prevailed then - and Horizon which have only 4 units remaining out of 280. Again, States Members, we all need to realise and remember that this is a tremendous achievement. We tend to forget that too easily, and while we do not want to be too soft, we want our partners and our subsidiaries to deliver, we must I think often support them a little bit more. All of S.o.J.D.C.'s profits are either paid as a dividend, invested in public infrastructure, or invested in future developments that grow the company's balance sheet and generate further profit that will benefit us, the taxpayer. Since 2011 S.o.J.D.C. have generated in the region of £56 million worth of profits, out of which it has paid significant dividends to the Treasury. They also invest in public and social infrastructure, and since 2011 have invested £8 million in social and public infrastructure. S.o.J.D.C. is focused on placemaking and creating quality developments that will stand the test of time. You could say that third party developers - while some of them produce excellent developments - might not be that focused on community benefit outside of financial. That is no criticism; I think it is just a fact. In relation to comments from Members about there being houses available for sale; the provision of more housing, I believe, is absolutely essential. Housing is our number one challenge. I would go so far as to say almost our entire future and well-being as an Island, especially now as we are looking at falling birth rates, we are looking at people leaving the Island to look for cheaper options for living, and reduction in working-age population. The challenges that will bring in keeping our Island financially viable and able to balance the books is largely down to the unrealistic cost of housing. If we are going to halt that decline we have to give Islanders hope - especially young Islanders - we have to give them realistic hope that they have a possibility to acquire good quality accommodation at an affordable price. We should be ensuring that every single Islander has availability to good quality housing, and I am not talking about small flats and things like that; proper housing where they can have and bring up families. It should not be a "nice to have"; it should be expected by every Islander in the future that they have access and can afford good quality housing, preferably to buy. I know the Minister for Housing and his team have taken the first - albeit small steps - important steps on that journey. Right now of course the market is suffering because of circumstances beyond our control, but it is important we keep the supply of housing ahead of demand, especially when interest rates start to fall again and demand will go back up. We cannot throw that opportunity away now by saying: "Well, look, we have got a bit of a lull, we will just stop building." The Constable of St. Martin, who has rightly been singled out for ... I visited the Parish and was hugely impressed at the work that has been done there. I do not want to except the other Constables, they are all brilliant of course in their own way, but the Constable of St. Martin is extra special with the work her and her team have been leading up there recently. We talk about other uses for things, whether it be recreation, sport, leisure, entertainment, nursing homes, but is there really commercial viability there? Not judging by the response we have had. What about financial viability? If we say: "Right, let us to do more recreation, let us extend the current facilities" who is going to pay for it? Who is going to subsidise it? I just ask Members to think about the budget process that we go through. What is £1 million? We can find £1 million; we found £3 million to buy Grève de Lecq. I think that probably will prove to be a very important asset to the public into the future. But then just remember all of the dozens and dozens of amendments that come in at Budget time. Many Members who have been involved in budgeting -

whether they scrutinise it or from a Ministerial post - will know that it is far easier said than done to just find £1 million when we have so many important things that need to be financed. Grateful for Deputy Luce just to sort of pull up some interpretations of various planning policies, and Deputy Ozouf also in his speech talked about the policies and the confliction or the juxtaposition we find. But I think one of the key assets of our planning system is we can be - as Deputy Ozouf called it - discretionary. I prefer to call it pragmatic or exercise some pragmatism through the Planning Committee. I think that is one of the strengths of our system. When I say pragmatism, I think of that as being an approach that values theories or beliefs in the terms of the success of their practical application, and that should be considered a strength. So despite what we might call our rather cumbersome planning legislation, our rigid Island Plans, and I know Deputy Luce is looking at ways we can provide some more flexibility about that because once the Island Plan is locked in it is locked in for 10 years; it does not matter what happens in the meantime. Since the interim Island Plan there has been a huge amount of change to our population forecast, our economic fortunes, but we are stuck with that Island Plan and hopefully that will be eased off in the future to give us more flexibility about policy and decision-making. As other Members have said, there is no solution on this proposition, it would just delay things for 6 months and I suspect we would be exactly in the same position in 6 months' time because the work that has been done ... we did not just come in one day and say: "Let us just sell this." We have been out to tender, we follow processes, so there is no the market for it. The deal we have done with S.o.J.D.C., which is part of us basically as our developer, I think is a good one and I am confident that we will get planning permission for 10 really good quality houses up there. I know the Minister for Infrastructure is committed to a bigger piece of work to look at our property assets and how we might manage them in the future; that is essential and that is a piece of work this Government will start. It is a big piece of work but there is a lot of potential there if we are prepared to be bold and visionary with what we do. So I would thank the Deputy for bringing this, I think it has been a worthwhile debate, but I ask Members not to support the proposition because if we do that, if we do nothing with this property and we keep searching for a more perfect plan, the property will continue to deteriorate and decay and we will see no benefit at all.

The Bailiff:

Thank you very much, Chief Minister. Does any other Member wish to speak on the proposition? If no other Member wishes to speak I close the debate and call upon Deputy Alex Curtis to respond.

11.1.18 Deputy A.F. Curtis:

Unfortunately in summing up I doubt I shall be as prepared as I was in opening, as we often are, but I will try to address the many comments on both sides of the table that have been brought up today. Firstly, I would like to obviously thank the Minister for opening with calm, considered and objective words. I think that is the best way that we can approach this debate. His recognition of process is really helpful and allowed us to start on a good footing. It was really helpful to hear from those with more experience of these matters, like the Constable of St. Martin herself explaining the challenges of siting housing next to accommodation facilities like we have in the 3 facilities we have in her Parish at the moment. It did make me ask myself how much consultation with her and the other representatives, the Deputies of her Parish, happened and did they really get a full say in this. Are they all on board; would be what I would ask. Moving through, the Minister for Treasury and Resources said we should be encouraging the development of family homes. We encourage development entirely in line with whatever the Bridging Island Plan says.

[17:00]

It does not specify to develop a lot within the countryside, and as somebody did say to me, we are not talking about the countryside here, we are talking about the protected coastal area, a place of even

greater protection. We should have trust in S.o.J.D.C., the Minister said, and I will touch on that later, but I do think this is a debate to be kept above the comments, and I know both those who have more scepticisms of S.o.J.D.C. and those who sing their praises - and we will touch on the Constable of St. Helier later - I think this debate should be kept above that level. Any issues or feelings about the strategic purpose of S.o.J.D.C. should live somewhere else. But she did also repeat the point that the provision of this site for open market homes is in the Government Plan, is in the Budget, and other Ministers including the Minister for Housing said that. As I have said today, what we have learned from talking to the Chief Minister - who re-emphasised the word "pragmatic" as well - is that when circumstances change so much our interpretation of the best use of sites. Philip Le Feuvre House is currently under review, showing that the words on that page in the Government Plan are up for debate in the public interest. I am reiterating that is what I am asking Members to provide time for. We heard from some Members, and Deputy Wilson mentioned whether the site is undervalued. If it is good for housing maybe it really is. Members may know that one of the nearest residential developments if one heads down from Aviemore on Haut de la Garenne, down to Gorey, is Mont Sur Mer, which got permission for pretty much demolition and rebuild, described as a renovation. It is a single house with a lovely aspect that will require significant works, pretty much demolition, and is currently on the market with 2 agents for £3 million. That is not a done deal luxury house to be purchased; that is a site far smaller than Aviemore. So if this was clear cut, if this site was zoned for housing, we would be expecting more, but then we enter the conversations of planning risk. Deputy Gardiner asked who will drive this in the next 5 months, and that is a really good question because a common thread pulled out here is: "Well, the proposition is a proposition without a solution." That is naturally part of how one has to draft an opposition to a land transaction under Standing Order 168(3). You are not allowed to bring in a greater quantum of kind of defining what you want to do. In fact I will talk later about what I wanted to include in this proposition, and the Greffe advised me that the breadth of what I was asking for was too broad specifically for a proposition under Standing Order 168(3). Nonetheless, I have had some thoughts and I do hope to allay those fears of Members who think that nothing would happen in the next 6 months. I will offer Members some options on that. Deputy Scott I felt really made my case, although during the counter-conclusion described this as a potential hijacking of process. As I will describe in my solution, I think process has not been followed sufficiently here and we heard questions that a light unpicking and an attention perhaps to some details highlights the questions, and the questions are uncertainty and that is, frankly, risk. She highlighted that the Planning Committee can approve against the Island Plan. I do want to point out that is possible. Under Article 19(3) of the Planning Law the committee, not the officers, can approve something contrary to the Island Plan. But what example would that be setting if we said: "No, sites in Government ownership where we have a desire or a fancy for that we are going to overrule the policies that others play by." That does not seem to be the level playing field I think Members would want from a transparent planning system. Again, there was a comment about there is no solution, and again I am bound by what I can offer here but I will talk about where we go if Members are content to pause, let us say. Deputy Renouf, as always, able to articulate clearer what I probably started with, and I am very grateful for him highlighting and doubling down on some of the ideas with his own objective take. He mentioned did the site price deter bidders; well, it did. It did. I spoke to people and somebody said: "Well the price out there basically said, 'Do not bother applying'." When you ask for offers in excess of £3 million that is what you are saying. We will talk about valuing sites briefly when we move on to Deputy Luce, the Minister for the Environment. I am grateful that he pulled out the policies, which I felt reiterated my point. I have not said that this site cannot accommodate housing; I have been clear that the Island Plan is taken in its round. But what is highlighted, and I did not take out this policy - Deputy Luce did - is that the site must be surplus to public and private healthcare requirements - and we will talk about how that is proven - as well as the fact that the site under H.9, paragraphs (4) and (6), those dealing with employment land and not residential, must deal with environment improvement and a reduction in intensity or use.

This is what I have been saying; we are dealing with a complex planning position and one that does not naturally support the highest density in the yield of housing. That is not a bad thing, it is just the nature of a highly sensitive site. Members will know housing estates in prominent locations ... there are some in our Parish of St. Clement on very high areas which the architecture is nothing to do with their high and prominent locations in the landscape. Everyone will go: "Well, why would you put that there?" The answer is nowadays we would not, we have a plan to stop that, and these are the policies that constrain development in sensitive locations. Then we heard from the Constable of St. Helier, and I am glad he is happy to be such a supportive member of S.o.J.D.C. We are all here to be supporting the Island when we can but we should never do so at the expense of scrutiny. S.o.J.D.C. for many has delivered good schemes; it has delivered public realm, that is appreciated. It has also had more challenging developments. It inherited after the purchase of Horizon plans approved by the former developer. It chose to progress those plans and I think it is safe to say the Island's expectation as to what it got out of Horizon is more mixed. I am not going any deeper than that really on that, but I think for every benefit there is scrutiny to be had, and I do not think we should say that S.o.J.D.C. is beyond scrutiny in how it will act, knowing it will be acting now in a very different financial environment. We have just approved P.88, changing its risk factor, because it is going to have to navigate a new development world, and we are thrusting on it a completely different type of project than it has done before. I am reading my notes for Deputy Ozouf and I have got to work out where to start on this one because if Members were worried and falling asleep I think they woke up by the end of it. I am really disappointed with the phrases. The first one I have written down here is: "This debate is appalling." I never like to hear that because I felt, as I say, we started to a good debate. Other Members have highlighted that this debate is useful. He says: "We are talking risk." I refrained from saying that I did not use Google to make decisions on housing, but he does highlight that housing demand is proven through the Bridging Island Plan. He may wish to remember that the housing demand figures in the Bridging Island Plan come from a 2018 Objective Assessment of Housing Need, which forecast a population increase of circa 700 people per year, and estimated that at that time there was 107,000 people in the Island and that we would see increases. That has not played out. In fact that is part of the reason the Minister for the Environment has said - and I look to him and he can clarify for me if I am wrong - that the demand to replace a plan is not so great because provision in it will last longer. So I do reiterate that housing should not be built at any cost. His comments about criticism of Government is unthinking; I think people have all naturally had a fairly good reciprocal conversation here today, and I think this is not the right language. "What does this mean to the voter about planning detail?" It is not a will they/won't they, it is a set of requirements within the Island Plan, there is context and constraints and they are there for a purpose and I will defend that. Can a process be better? Can it be operated better? Yes. Is it running better? Well, the numbers would say yes. The Minister for the Environment will highlight his numbers have gone up. But that is not to be at the detriment of good spatial management of a constrained Island. Then the last part was the questions about the economy and the damage. I will touch on the economy later because this is land and we are threatening it with residential development. I will give some examples of where I think that is a shortcoming. He also mentioned Members should download ChatGPT. One area I asked in my opening was for clarification where the first consideration for housing on government surplus sites appears in the Island Plan and no Minister responded. I have done my own analysis, I read the Island Plan a bit too much, but I fed it to ChatGPT last night so he is clearly on my wavelength. It read all pages and all 96 policies and concludes: "The B.I.P. (Bridging Island Plan) does not establish an absolute presumption that surplus government land is first considered for housing. It strongly prioritises affordable housing in decisions about Government-owned land. Thus while the statement aligns to a policy direction it overstates a certainty and exclusivity of housing as the first consideration." I would like to think I am somewhat au fait with the tools there. Deputy Mézec, the psyche of our politics. Deputy Mézec was very keen to stay on the topic of the funding model, and while I respectfully agree that it is important we find that money I was unable to include

the funding of that fund in isolation to the sale of Aviemore through this proposition. I worked on trying to include that because I wanted the Assembly to have the choice to say: "Yes, no delay on that funding, we will get that done." I was informed that is outside of a Standing Order 168 proposition. So I tried that and Members could turn around and lodge something within 3 weeks, we could be approving money for this. I do not buy ... though I do note and respect obviously the journey people have been on who have made those decisions, we have heard though, if the site is not going to realise the money for that fund they hope, we should fund it in other sources, would be my view. Then the Chief Minister disagreed, but an interesting debate; I do appreciate that line again. There is no profit in delay; well, there may be. There may be Island profit. We have talked about value and the opportunity for the site. Why leave it to the public sector; we heard a bit of a history of the Waterfront Enterprise Board. Well, actually, that was at a time when the developing was easy and the money was flowing. Now the development is not easy and the money is not necessarily flowing, so there is always risk. It was mentioned that S.o.J.D.C. accounts are fully consolidated into the Government accounts. Well, yes, that is what I am describing by "risk". It is still us taking it on. Whether they are the highest bidder or the lowest bidder, frankly we hold risk on developing open market housing on that site. It would not be a proposition if you did not reference your own manifesto and I do think I have, and as my first proposition outright I will mention it. One thing I highlighted that I think I have stayed true on is on the economy. I said it is hard to run many types of business if you do not have a place to run it from. Employment land is limited in Jersey and much of it is under threat of residential development. It is often claimed that this is poor quality commercial land, however local businesses need access to a variety of quality and size of sites so they can start and grow their businesses. We must ensure that all employment land is tested for its potential use by businesses before approving any employment change to residential. I stand by that and that is one of the key tenets I think this Assembly has to protecting a vibrant economy. If we do not use our policies we will see sites lost. When I think of the sites lost I think of my childhood at least; I was too young to enjoy a strawberry farm but I did enjoy the Living Legend. That site was developed for a small amount of luxury open market housing. The choice of luxury open market housing in a small quantum was of course because it had to demonstrate environmental benefits and lower trip generation. But I ask Members, 8 years on from that 2016 planning application and approval, has it been a better scheme for the Island? In hindsight, should we have tested those employment land policies harder? Was it marketed at the right price? I should remember here that Deputy Luce said: "Well, of course, it is priced at residential; that is higher." Well, again, back to how we should test things, it is not what we want to price it at, it is what the Island Plan tells us to price it at. It is in appendix A, the site marketing of this protection of employment land document that says: "It is important that the price of the property reflects the current market value of such a property based on its condition and use status. The price should not include any potential residential or other non-employment use value." I am trying to explain here why we are seeing a discrepancy between what people offered and why other sites with approved plans might be worth more, and we need to stop and think what is this site worth to what type of use. Touching back on the Seaside Café because it is one I just want to touch on. We ended up buying that because I think Members felt that the decision made here may well have been the wrong one to change so much of it out of employment use. The site was employment land, a decision on environmental grounds, and had a large amount of it to be residential. I know some Planning members quite rightly stick by their decision as to how they would have voted on the day for that one.

[17:15]

This Assembly did not. It felt that employment land there is a better use because that is something the community accesses. I voted against that because I felt the time to decide was before you developed a site, not after, and I am asking for that again today. I do not want to hold up any more time, it is 5.15 p.m. But Members have asked for a solution. I could not provide a solution. I do not

want to propose a future use for the site; that is not my job. I am here asking that we apply policy and we derisk the actions of Government. How can we do that if we vote for this today? Well, immediately we can request formal written preapplication advice on 2 fronts. We should ask (1) what redundancy test and methodology would planning like to prove that a community use and an employment use is no longer suitable? Once we know that we can deduct that it will likely involve marketing the site for its actual use in line with a price for that. In parallel, departments can explore their uses as part of that phase. We should then also in parallel seek preapplication planning advice on the quantum of development this site can accommodate under the principle that it can be residential. We will then have an idea as to, in written terms, how much this site can accommodate and we can make an informed decision, is that worth it. If it comes back: “The only way you do this is with 2 large houses because they are large but the trip generation is sufficiently low” this Assembly might make a different decision. We will have derisked the sale. We may even open up who we sell it to, or we may choose to continue to sell it to S.o.J.D.C., as is our right. That to me seems specific, targeted, measurable, and I think would be the right thing to do to derisk this, to ensure that we follow the process, that we have contained trust in the planning system and that we do not find ourselves 5 to 10 years later walking down some of the fantastic lanes we have in St. Martin seeing a wonderful facility and 10 plots carved out of it for housing and asking: “Well, whoever did that?” With that I ask Members, allow us 6 months, we follow a good timeline, and I do call for the appel.

The Bailiff:

The appel is called for. I invite Members not in the Assembly to return to their seats. If Members have returned to their seats the vote is on P.9, and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The proposition has been defeated:

| POUR: 13 | | CONTRE: 29 | | ABSTAIN: 3 |
|---------------------------|--|---------------------------|--|----------------------------|
| Connétable of St. Martin | | Connétable of St. Helier | | Connétable of St. Lawrence |
| Connétable of St. Clement | | Connétable of St. Peter | | Connétable of St. Brelade |
| Connétable of Grouville | | Connétable of St. John | | Deputy R.S. Kovacs |
| Connétable of St. Mary | | Connétable of St. Ouen | | |
| Deputy M. Tadier | | Connétable of St. Saviour | | |
| Deputy I. Gardiner | | Deputy G.P. Southern | | |
| Deputy K.L. Moore | | Deputy C.F. Labey | | |
| Deputy D.J. Warr | | Deputy S.G. Luce | | |
| Deputy H.M. Miles | | Deputy L.M.C. Doublet | | |
| Deputy J. Renouf | | Deputy K.F. Morel | | |
| Deputy H.L. Jeune | | Deputy M.R. Le Hegarat | | |
| Deputy A.F. Curtis | | Deputy S.M. Ahier | | |
| Deputy K.M. Wilson | | Deputy R.J. Ward | | |
| | | Deputy C.S. Alves | | |
| | | Deputy L.J. Farnham | | |

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| | | Deputy S.Y. Mézec | | |
| | | Deputy P.F.C. Ozouf | | |
| | | Deputy T.A. Coles | | |
| | | Deputy B.B. de S.V.M. Porée | | |
| | | Deputy M.R. Scott | | |
| | | Deputy C.D. Curtis | | |
| | | Deputy L.V. Feltham | | |
| | | Deputy R.E. Binet | | |
| | | Deputy M.E. Millar | | |
| | | Deputy T.J.A. Binet | | |
| | | Deputy M.R. Ferey | | |
| | | Deputy B. Ward | | |
| | | Deputy L.K.F. Stephenson | | |
| | | Deputy M.B. Andrews | | |

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

Very well, that concludes Public Business for this meeting and I invite the chair of P.P.C. to propose the arrangements for Public Business for the future meetings.

12. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

The arrangement of Public Business; at the moment we have a very busy Order Paper scheduled for our sitting on 18th March. There are 10 items of business listed, some of them are quite weighty. Selection of Elected Member to Preside at States Meetings P.86/2024; Promotion of Political Education P.1/2025, Re-instatement of Senators P.2/2025; Draft Shipping (Jersey) Amendment Law P.4/2025; A National Day for Jersey P.6/2025; Rate Appeal Board: Appointment of Members P.7/2025; Evidence-Based Energy Strategy P.11/2025; Social Security Tribunal: Re-appointment of Panel Members P.12/2025; Income Support Medical Appeal Tribunal: Re-appointment of Panel Members P.13/2025; and Jersey Police Complaints Authority: Appointment of Member P.14/2025. Therefore, I envisage that we will still be sitting on Thursday, 20th March, and may even still be sitting on Friday, 21st March. So I would ask all Members to keep the week free. I make the arrangement of business.

Deputy P.F.C. Ozouf of St. Saviour:

Sir, may I ask a question of the Chair of P.P.C.?

The Bailiff:

Yes, indeed.

Deputy P.F.C. Ozouf of St. Saviour:

Thank you, Sir. The proposition about Senators is obviously a major constitutional issue and I wondered if either you, Sir, or the Chair is aware there has been some talk of some amendments and I do not know whether or not there are any amendments. If the chair of the P.P.C. could kindly say what the situation with amendments is and whether, given the seminal importance of this debate, it should not be organised in such a way that we have a day about it; because there is obviously a lot of public interest but we may want to have it on a specific day on that week. A helpful suggestion.

The Bailiff:

If there had been amendments already lodged they would have been appearing on the Order Paper in front of ...

Deputy P.F.C. Ozouf:

Yes, they have, and that is the problem.

The Connétable of St. Martin:

We are expecting some amendments but I am not sure what they are or whether they are being lodged.

Deputy P.F.C. Ozouf:

And consideration of an order so that we start a day on the Senator thing because it is clearly going to take ages with the amendments; if that could be decided on the day.

The Bailiff:

I think we are reaching an element of discord. I think what we must do is Members must now vote on a proposition as to whether we accept the arrangement of business. Do you make that proposition?

The Connétable of St. Martin:

Yes.

The Bailiff:

Is that seconded? **[Seconded]** Those in favour of adopting the arrangement for business kindly show. Those against. I should have invited any speeches on it but I am afraid I forgot to do so, if people wish to correct me and wave their arm then ... no, very well.

Deputy P.F.C. Ozouf:

So we can organise the order of it then on the day, Sir?

The Bailiff:

It is always open for Members to raise a proposition on the conduct of that meeting at that time. So it would be open, for example, for you, if you thought it should be dealt with as the first item of business, to ask that and if the Assembly agrees then that is what will happen. But it would be more prudent, if I could respectfully say so, Deputy, to raise that well in advance so Members will have a view and you will get feedback as to whether that is going to waste the Assembly's time or not.

Deputy P.F.C. Ozouf:

That is why I am raising it now. I give notice that I will talk to P.P.C. and bring forward a proposition so that we can have an orderly timing of these debates.

The Bailiff:

Well, that is a matter for us to look forward to in the future. **[Laughter]** Very well, the Assembly stands adjourned until 9.30 a.m. on Tuesday, 18th March.

ADJOURNMENT

[17:24]