

2016.02.23

3.13 Deputy S.Y. Mézec of the Minister for Health and Social Services regarding the ownership of People's Park:

Could the Minister confirm whether he would be prepared to abide by a decision of a Parish Assembly to refuse to pass ownership of People's Park to the States of Jersey for the new hospital and if not, why not?

Senator A.K.F. Green (The Minister for Health and Social Services):

This is a hypothetical question. It assumes the outcome of the debate on P.3 that we are going to have later on. I am not in a position therefore to answer this question.

3.13.1 Deputy S.Y. Mézec:

Well I am asking it on a policy basis then. The fact is that if People's Park is chosen as the option to be pursued and the States want to acquire the land from the Parish of St. Helier, there will have to be a Parish Assembly vote. We are not speaking hypothetically here; we are speaking about certainties. It will certainly vote against transferring that land there. On that basis, would he be prepared to abide by that democratic decision or would he seek to override it and pursue a compulsory purchase instead?

Senator A.K.F. Green:

It is not a matter for me whether I would override what the Parish Assembly wants. It is a hypothetical question. We are going out to consultation on a number of sites to ask the public what they want. They will inform us on the way ahead and hopefully will be clear. We will come back with a preferred option. It may not be the People's Park that the people want in this Island. It may be one of the other sites. It is a totally, totally hypothetical question; I am not in a position to answer it.

Deputy S.Y. Mézec:

Sir, a point of order. My understanding is that hypothetical questions are out of order and I did submit this question with notice, which I presume either yourself or the Deputy Bailiff approved and therefore it is not a hypothetical question. Is that the case? If that is the case, could you therefore ask the Minister to treat it as a question which is in order rather than coming up with excuses not to accept it?

The Bailiff:

Deputy, the question has been approved as being in accordance with Standing Orders and the Minister has answered it in such a way that suggests that he thinks it is not in accordance with Standing Orders. Members will have to make their own minds up about that.

Deputy S.Y. Mézec:

Surely you, as Presiding Officer, have the final say on that and it is in fact a question which is in order?

The Bailiff:

I have indicated the question has been approved. The Chair has taken the view that it is not a hypothetical question. The Minister takes a different view and Members will make their own minds up about his answer in that respect. We come to question 14 ...

Deputy S.Y. Mézec:

Also, were there not to be supplementaries for that question, Sir?

The Bailiff:

Well, as I understand it, the Minister is not answering so ...

Deputy S.Y. Mézec:

But other Members have not been asked if they want to ask.

The Bailiff:

We have still got quite a lot of questions to get through today.

Deputy S.Y. Mézec:

Well could I ask my final supplementary? I have not been asked for that yet.

The Bailiff:

Yes, indeed, you may. As long as it is not hypothetical obviously. **[Laughter]**

3.13.2 Deputy S.Y. Mézec:

Well, I will do my absolute best, Sir, as I have until this point. The question I was wanting to take this in the direction down, is that one of the reasons we are being asked to vote against the Constable of St. Helier's proposition is that somehow it is an issue of democracy and that it would be apparently wrong to take People's Park off the list because it would be depriving the public their democratic choice through this consultation. But surely, therefore, if democracy is something which we are taking into account, a Parish Assembly decision is, as the Chairman of the Comité des Connétables said before, the purist form of democracy in the world, then surely this should be something taken into account. If he has not taken it into account so far, would he be prepared to include on the Future Hospital consultation process a full explanation of the implications of a Parish Assembly result and what the options would be if that Parish Assembly voted for or against the final pursuit option of People's Park? I am fairly sure that question is in order.

Senator A.K.F. Green:

The Deputy always tries to chase me on these sort of things and, quite clearly, what I am not saying is that the views of the Parish are important. What I am saying is that we do not have a view about a site to put to anybody yet until we have carried out the consultation. Until such time as we have carried out the consultation, such time as the Council of Ministers comes forward with a preferred site for this Assembly to consider, I cannot answer his question.