

# STATES OF JERSEY

## OFFICIAL REPORT

WEDNESDAY, 29th APRIL 2015

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[9:30]

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

**PUBLIC BUSINESS - resumption**

**The Deputy Bailiff:**

I should tell Members that whereas the microphones are working fine, the electronic voting systems is at the moment not working, which means that in the event that the appel is called for there will have to be the traditional appel nominal, in other words Members names will have to be read out in sequence and their vote taken and then added up by the Greffier and announced. So there will be a delay when we come to voting under the appel system. Hopefully that will be cured by this afternoon but I will obviously keep Members informed as we go.

**1. Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2016 Amd.(7)) - paragraph (1) - resumption**

**The Deputy Bailiff:**

[Aside] We now resume the debate on the Connétable of St. Helier's amendment, amendment 7(1). When we adjourned I had noted 3 Members still wishing to speak on the amendment, on the assumption that they remain the same I call firstly on Deputy Wickenden.

**1.1 Deputy S.M. Wickenden of St. Helier:**

So to follow on from yesterday when we were talking about the proposition, unfortunately I cannot support my Constable in this. I agree with what Deputy Tadier had to say yesterday that I feel that the 5-year rule is not the right system and it is not doing the beneficial work that we want to control immigration and support our economy. Maybe it is time to look at maybe a points system model that will ... as long as it can fit within protocol 3, that can help us really build our economy and help the industries that support our Island. I also agree with Deputy Martin when she said yesterday that it is crazy we have over 1,000 in unemployment and still there are employers that are unable to fill their vacancies. I think that really needs to be looked at. What is making people choose unemployment as the better option? I know when I was younger I sometimes did 2 jobs just to pay my rent and have a quality of life, and unemployment was never an option. Is it a lack of skills and training that we ... or have we made it too lucrative to be unemployed? [Interruption] [Laughter]

**The Deputy Bailiff:**

I think, Connétable, it is very kind of you to make such a substantial donation in such a joyful manner.

**Connétable J.M. Refault of St. Peter:**

If I may say so, that is the tune to the pamphlets on everybody's desk. [Laughter] It is a copy of the original programme for Liberation in 1946. But I am sure they are pleased to hear the new tune anyway and I shall make a donation.

**The Deputy Bailiff:**

Thank you very much.

**Deputy S.M. Wickenden:**

I did ask for the music at the beginning of my speech but maybe there was a technical issue. So whether it is skills or whether it is too lucrative to be unemployed, I think we need to support the Social Security Department and Deputy Pinel in the Back to Work schemes and any other way we

can to make sure that we can help people get into work, make sure they have the right skills. I just do not think that this proposition is the way to do it so I will not be supporting it. Thank you.

### **1.1.1 Senator L.J. Farnham:**

No reflection on the previous speaker but I cannot help thinking that if it was the microphones not working and the appel working we might get through today much more quickly. But I would like to support the Constable of St. Helier but alas I cannot. I think it is really down to the wording. I know what the Connétable is trying to achieve, I just think unfortunately the wording as explained in the comments by the Council of Ministers, inadvertently mean that if we were to put all sectors on an even playing field it could lead to a bigger disadvantage for the hospitality sector in the other traditional areas of commerce. Now, I am very mindful of the work that the Housing and Work Advisory Group do. I did sit on it; the Assistant Minister, Deputy Norton now sits on it and works hard with the Minister. It is a very difficult job. When you have to sit there in front of people who, in some cases, are pleading for their livelihoods, it is a very difficult position to be in. Rather than wait for the traditional sectors to be put on a more even footing with finance or to be treated with the same irreverence that I think the Connétable was suggesting, I would like to see more equality among the traditional industries. It is difficult to square the circle when some, for example, garages have licences to employ 2 or 3 registered to work and some do not; the same with restaurants; the same with shops, - there is no equality in those different sectors. When it comes to the hospitality sector - and Members will know I have an interest, I am a director of a hotel - there is a real shortage of skills. Skills that do not just apply to the financial services sector, skills apply across the board. Skills are required to work in retail. Skills are required to work in the motor industry or construction or the hospitality sector. For example, there is an acute shortage of chefs, not just in the Island but in the whole of the E.U. (European Union) and what do we do, we have put a large barrier to importing chefs by stating a minimum salary that is required, which is about £10,000 a year higher than the industry level for such chefs. I know the hospitality sector, as we speak, are penning a letter to the Minister for Home Affairs to ask her to look at this. But we do not like using high and low value in the Economic Development Department. We have said it before, all jobs are valuable, all economic activity is valuable. At E.D.D. (Economic Development Department) we are working now with ... we are going to be working to present some ideas to the Housing and Work Advisory Group and the Population Office. Following a meeting that Senator Maclean and I had with a group that have named themselves Small Businesses in Crisis, the Senator and I went down a couple of weeks ago and we listened to these people. Now, these real people with real businesses, with real views, some of them do not really understand the process that we have for the licences and the communication between the Population Office and small businesses needs to be far better. It needs to be improved significantly, but we need to come up with a better way of doing this in the near future. So I regrettably cannot support this amendment, although I do support what the Connétable is trying to achieve. As Minister for Economic Development, I promise to work with him to try and make it more equitable.

[9:45]

It is challenging for E.D.D. One of our economic objectives is to encourage small business and it is very difficult to encourage small business when you cannot always find the right staff for them to employ. Thank you.

### **1.1.2 Deputy K.C. Lewis of St. Saviour:**

I cannot support this amendment. I believe it is very well intentioned but obviously we cannot have an open door policy. We must look after the people we have and I, too, as a very young man had 2 jobs and I take my hat off to everyone that is doing that now to make ends meet, but we must look after the residents that we have. I recall not so many years ago being invited on to the Radio Jersey

Sunday morning politics programme with a then Senator, and I made the point at the time as we were talking about immigration that I could foresee a day in the future when we would be pushing 85,000, 90,000 residents in Jersey, and here we are now nearly pushing 100,000. So I am sure this is very well-intentioned but I cannot support this amendment.

### **1.1.3 Deputy G.P. Southern of St. Helier:**

Some people are getting the wrong end of the stick on this amendment. If one reads the words: “Create a level playing field to ensure that businesses wishing to employ staff with less than 5 years residency are treated in the same way regardless of sector.” That does not lay down a population policy or migration policy. It does not say we should have tough laws, it does not say we should have lax laws. It is neutral. So this thing about we must employ our own local unemployed first is not affected by this at all. That is the first thing to say. So there could be lax laws, there could be tough laws but what it says is there should be fair laws. We should treat one person equally with another. Good grief, is that the Jersey way, I wonder? We certainly should be. So I have got on my little notes here: “Fair.” It is a move for fairness and, oh, yes, what does it do then? What does it do? It makes it ... if we are fair, which everybody is saying, whatever sector they are, it makes it more difficult to grow the economy by productivity because what is the easiest way to improve the productivity of your economy? Let us get rid of 4 farmers, 3 plumbers and turn them into bankers or FinTech people because they make lots of money and big salaries. Your productivity or your economy goes up just by switching which sector you are working in. Of course, the Council of Ministers has said: “We are going to produce productivity growth. Productivity-led economic growth.” That is what they want to do and the easiest way we can do that is open the gates in financial, in the eBusiness, *et cetera*, FinTech, let us do that because that is good earners. That means productivity will go up. We will be seen to succeed. That is what it says. No, what we should have is not a high powered economy but a balanced economy. As my hairdresser says to me every time I go in, which is not very often but often enough: “What use is that banker if I cannot get a trained-up hairdresser to give him a haircut? He is not going to get any sales next week because they will go: ‘Look at that scruff Nicky’.” If we want to encourage our own unemployed into work, what must we do? Well, Deputy Higgins will know all about this, but is it not the law of supply and demand? If we open the doors to labour its cost goes down, it becomes cheaper to employ. If we close the doors somewhat and make it tougher to import this free market of labour, then what happens? In order to attract the right people you have to pay the right wages. As somebody said yesterday, if we want to see people in our agriculture industry, our own young people in agriculture, in hotel and catering, well pay them the proper wage. Make the job attractive then they will do it. Yes, there is hard hours, awkward hours but paid properly and not at the Minimum Wage or next but one to it, then you might well have our young unemployed back in the economy and working and being productive. That is the thing to do. So, you are safe to vote for this amendment because it does not say: “Tough, we will not be closed.” It does not say tender. We will not be open to all comers. What it does say is what we must be is fair. Members may have noticed that was a theme that I was pursuing yesterday. So I will be voting for this amendment.

### **1.1.4 Deputy A.E. Pryke of Trinity:**

Population, immigration will always be a difficult issue for everyone. Do we limit immigration, put a cap on it or have an open door policy? Either way is not right but what we need here is a balance allowing some immigration but the right ones to grow our economy but not an open door policy. It is a difficult balance, that is why the Housing and Work Advisory Group was set up in line with the States approved interim population policy. All applicants must benefit Jersey to ensure a diverse economy. A great deal of work has been done to look at every business and the number of registered permissions, as you will see, have decreased over the last 2 years; 3,000 registered permissions have been removed. Emphasis must be put on getting over local

employment back to work by giving training and Social Security and the Back to Work team do an excellent job. At the H.A.W.A.G. (Housing and Work Advisory Group) meetings an officer of Back to Work is present and to advise if applicants have engaged with the team or not. But we still do need immigration and will always need to do so. There are sections of our economy that those staff, one size does not fit all. Indeed, if it did, it could be detrimental to our economy. Our population is growing with or without immigration as our birth rate is higher than our death rate and has been for many years. It is evidence that we are an ageing society. While this is, on the face of it, a good proposition it will just not work. Thank you.

#### **1.1.5 Deputy M.R. Higgins of St. Helier:**

Yes, thank you. Unfortunately, unless we break this amendment down to its elements I cannot support it. Obviously as a St. Helier Deputy I want to see St. Helier as a safe, clean, peaceful part of the Island, with the quality of life comparable to the Parishes. I want to see St. Helier voters having equity with the other Parishes, so those things I fully support. However, I cannot support the proposals that the Constable has put forward on immigration mainly because we have major problems on this Island in the sense that the low pay element ... we have such a difference, an inequality, those in finance obviously are doing quite nicely, most of them. That is not even true, I would say a minority of those in finance. There are some people doing exceptionally well in finance. There are many people who are ordinary workers who are about surviving like everybody else. But the rest of population are doing very poorly. We have a situation here where it is a low pay economy. If we have to look at the number of people, for example, who are on ... getting support from Social Security to top up their wages, which is a drag on our economy. If we talk about a deficit, I believe it should be down to the employers to pay a reasonable wage, and by that I mean a Living Wage. I think it is intolerable these days that we should be subsidising in many cases bad employers. I know there are some employers who are struggling. I have got sympathy with them but I know there are an awful lot who are exploiting their employees. If we look at it another way, retail, I have absolutely no sympathy with the retail industry in Jersey. Why? Because they have ripped-off the consumers of this Island for years. The rip-off I am talking about is the fact that many of them are charging an extra 20 per cent. Remember before we brought in G.S.T. (Goods and Services Tax) there used to be: "Oh, it is a 10 per cent surcharge or a 5 per cent surcharge because of the fact we are an Island." What happened? We brought in G.S.T. and many of them are charging the same price as customers in the U.K. (United Kingdom) are paying with their 20 per cent V.A.T. (Value Added Tax). So in other words their profit margins ... I can remember ... in fact I will name him. *[Name omitted from the transcript in accordance with Standing Order 109(7)]* from the Chamber of Commerce, I had a debate on this on the whole question of V.A.T. He said: "But we take it as extra profit." Well, I am sorry, when times are hard and the public are struggling, it is wrong to take an extra 20 per cent over and above their normal profit margin. So I believe that the low paid culture that we have for a large number of people in this Island is detrimental to the economy and because of that, if we allow everyone to come in and treat them identically, it just means there is a greater pool of labour and the price of that labour will go down. So that part of it I cannot support. So I will support everything to do with St. Helier, as you would expect as a St. Helier Deputy, but I cannot vote for this proposition unless it is broken down to elements. Thank you.

#### **The Deputy Bailiff:**

Deputy, you named an individual during the course of your speech. I direct that that gets removed from Hansard, the reference to the individual.

#### **Deputy M.R. Higgins:**

That is fine, Sir, I was just quoting someone directly who had made a statement publicly.



### 1.1.6 Senator I.J. Gorst:

I do not wish to say very much, but this is a continually difficult issue. I just want to pick up on the theme of fairness. It was suggested by one speaker, who if I understood his speech correctly, is going to support the amendment because they believe that it delivers fairness. I am not quite sure how that speaker or ... the Connétable perhaps in his summing up could explain to us where they think that fairness is going to be because if we look at page 3 of the comments then we can see that there is quite a different percentage of those who have got non-local employees and those who have not. If we were, for example, as has been suggested, to level out and deliver fairness based on the percentage of non-locals in the finance industry then we would have an issue with hotels, bars and restaurants. We would have an issue with the agricultural and fishing sector because they have a far greater percentage of non-local licences. So I am not sure and I do not believe it is the intention of the Connétable to remove non-local licences from those sectors. I believe rather it is to allow those sectors who already have the highest proportion of non-locals to increase their proportion of non-locals. That, of course, creates all sorts of issues as, I think, the speaker did suggest around productivity. We also heard a speaker who suggested that the problem in those sectors, which I think the Constable is referring to who might struggle to get non-local licences, is simply one of a low-wage culture and that if those businesses paid greater wages there would not be an issue. It is nice to live in that sort of world but when I go out and speak to farmers, when I go out and speak to those in hospitality and when I go out and speak to those in retail, hard as it might be for you to believe this, some of them believe that I am on the left-wing political persuasion and I am a soft woolly socialist because I believe that they should play their part, they should pay appropriate ... I will not be signing up for membership of the party of the Members opposite. I feared they were rumbling through for a membership form there in their papers. **[Laughter]** They should play their part but they are quite clear to me in those conversations that their margins are already narrow, they already see an arbitrage of the Minimum Wage that we have from other parts of Europe and workers coming to participate in their sectors that the Minimum Wage, as it currently stands, means that they struggle with viability. Of course, some in the retail sector are more profitable than others, as one would expect, but we have to be very careful in what we do and in how we suggest that simply if they paid a greater wage those issues would go away because I fear information from the front line that if we did force them to pay a greater wage those jobs would cease to exist in some sectors and those industries would cease to be viable.

[10:00]

So it is a balance and the Ministers involved in the Housing and Work Advisory Group each week have to carefully consider that balance and that is what they do. I believe the policy that we have got in place is working. It is trying to deliver on that balance but we have got to be very careful that we do not upset that balance, meaning that businesses go out of business and therefore there are fewer jobs available in our economy. Therefore, while I understand that there might be specific cases that the Connétable would like to make to that group of politicians, and sometimes they might take a little time to get round to what he and other Members might consider to be the right decision because they expect employers to do their part in employing locally qualified individuals and working with the Back to Work Group, and they are doing a fantastic job as they continue to do under the leadership of the new Minister. That balance is difficult sometimes to achieve and it is not lost on me that Members in this Assembly sometimes stand up and say that we are allowing too many people to come to our community. There are too many non-local licences in our economy and yet quietly behind closed doors they are going and speaking to those politicians who have to make the decisions, asking for extra licences in individual cases. We have to be open. We have to be clear about the implications of the decisions we make. I accept the Connétable's point in his opening comments about being perhaps clearer about the process that we go through, and I know that Ministers are working on that and I hope that they will be able to do that in the near future,

being clear about how the policy is applied. I think that would go a long way to helping some of those businesses. So I am afraid, having been in a position of being able to support a lot of amendments during the Strategic Plan, and I will continue to do that, this is one that I do not feel that we can. Yes, we want to improve productivity. Yes, we want to encourage people to come to our community who are going to make a valuable contribution and that is not just financial, that is also social and cultural but at the same time we have to manage it fairly and with balance.

### **The Deputy Bailiff:**

[Aside] Does any other Member wish to speak on this amendment? If no other Member wishes to speak I call on the Connétable to respond.

### **1.1.7 Connétable A.S. Crowcroft of St. Helier:**

I am grateful to everyone who has spoken. I do not propose to comment on all the contributions individually. Senator Routier, I think, gave a helpful overview of the current procedure in dealing with applications for licences and it was encouraging to hear of progress in moving this panel called, I believe, H.A.W.A.G., to Social Security where it can work closer with the Back to Work team. So that is clearly very useful. Also I am grateful to the Ministers who have agreed that there is, perhaps, a need for more transparency and a greater understanding out there in the business community, particularly among small businesses of what the procedure is and how they can appeal and so on. So that is a job that I look forward to on the understanding that this may not be successful today. I look forward to taking up that challenge with the Council of Ministers and trying to, together with the Parish Deputies and others, explain to local businesses exactly how they can service their customers' needs. It certainly was not my intention to suggest by the word "fairness" that it is about numbers because clearly it is not about numbers, as I think Deputy Southern alluded to, a farmer, a hairdresser, someone working in a restaurant. We are not talking about just balancing up the numbers of people working in the different sectors. Perhaps the problem with the table we have been given by the Council of Ministers is it does rather suggest that it is about numbers in each sector. There are just a couple of points I want to make. Deputy Martin cannot support this particular amendment and she was surprised to hear that there are clothing retailers who cannot find staff in the Back to Work scheme. I will, this week or next week, take Deputy Martin personally to a well-respected clothing retailer. I am not suggesting she needs a new outfit. [Laughter] This is a well-respected retailer of women's clothes so I am sure she will enjoy the visit. This person has had to close shops in the last couple of weeks because of a lack of staff. She simply cannot open one of her shops and that is a fact. I can introduce Members, if they wish, to a local restaurateur who runs one of the finest restaurants in Jersey who has told me quite candidly that it will be easier for her to move to a European city where not only will she get all the licences she needs to employ, she will get grants, she will get every possible assistance from the local community, the local town, the local government in running a successful business. The fact is out there, certainly among hospitality, there is an impression that all we are doing here is generating a regulation to make it more difficult to run a hotel, to make it more difficult to run a restaurant. Whereas in other European cities they are bending over backwards to invite these people to do business there. So we really do have a problem to deal with because, as I say, there are restaurants out there who could run a better business, they feel, in other places. No one has mentioned one of the ... I suppose it is a bit of a cliché, but the elephant in the room is the construction industry. We all know, particularly at a time when construction is booming, that when the ferries are running the white vans are pouring off with U.K. construction firms coming over here to do their work and that is another area ... they presumably do not get licences. A lot of them probably come off the ferry, do the work and return to the U.K. but some of them, presumably, stay here. There are a number of issues. Members have talked about low wages. They have talked about other aspects of the economics here and really what I was trying to do in this amendment was to help Members

understand that out there, certainly in the Parish I represent, there is a feeling that if you are running a financial services business or a digital business, it is much easier to get someone, straight off the plane, straight off the ferry, a licence than it is if you are running a restaurant or are a hairdresser. Deputy Southern, I think, mentioned his rare visits to the hairdresser and he made a very good point. A person working in the financial services industry needs a skilled hairdresser. They need to be able to take their clients to restaurants where the food is top notch and I know we have given licences to some of our Michelin-starred chefs but it is not just them that need the skilled chefs. The other restaurants and hotels also need licences if our financial services industry and our tourism industry are going to really succeed. So if diversifying the economy is really important to the Island then I think most of us agree that the current system -, and we are not knocking the people who administer it, they do a great job in difficult circumstances - but the current system needs to be improved because while I do not support an open door policy for Jersey of letting anybody in I do support an open door for business policy. At the moment there is a suggestion out there that we are not open for business because it is simply too difficult for small businesses and entrepreneurs to start up. So I do maintain the amendments. This is possibly not the best way to achieve what I want to achieve but at least it has put the matter on the agenda and I look forward to working with the Council of Ministers to see if we can at least make the process easier to understand in the coming months.

**The Deputy Bailiff:**

Could I ask those Members who are in favour of the amendment to kindly show? The appel is called for. The Greffier will read the appel nominal.

<b>POUR: 7</b>		<b>CONTRE: 37</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier		Senator P.F. Routier		
Connétable of St. Clement		Senator A.J.H. Maclean		
Connétable of St. Mary		Senator I.J. Gorst		
Deputy G.P. Southern (H)		Senator L.J. Farnham		
Deputy M. Tadier (B)		Senator P.M. Bailhache		
Deputy S.Y. Mézec (H)		Senator A.K.F. Green		
Deputy A.D. Lewis (H)		Senator Z.A. Cameron		
		Connétable of St. Peter		
		Connétable of St. Lawrence		
		Connétable of St. Brelade		
		Connétable of St. Martin		
		Connétable of Grouville		
		Connétable of Trinity		
		Deputy J.A. Martin (H)		
		Deputy of Grouville		
		Deputy J.A. Hilton (H)		
		Deputy J.A.N. Le Fondré (L)		
		Deputy of Trinity		
		Deputy K.C. Lewis (S)		
		Deputy E.J. Noel (L)		
		Deputy of St. John		
		Deputy M.R. Higgins (H)		
		Deputy J.M. Maçon (S)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R.G. Bryans (H)		
		Deputy of St. Peter		
		Deputy R.J. Rondel (H)		

		Deputy of St. Ouen		
		Deputy L.M.C. Doublet (S)		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy S.M. Bree (C)		
		Deputy T.A. McDonald (S)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy P.D. McLinton (S)		

## **1.2 Draft Strategic Plan 2015 - 2018 (P.27/2015): twelfth amendment (P.27/2015 Amd.(12)) - paragraph (2)**

### **The Deputy Bailiff:**

The next amendment has been lodged by the Corporate Services Scrutiny Panel, namely the twelfth amendment, paragraph (2) and I ask the Greffier to read the amendment.

### **The Deputy Greffier of the States:**

After the words “in the attached Appendix” insert the words – (2) “except that on page 12, in row 3.3 for the words “starting and growing a business” substitute the words “starting, growing and maintaining a business”.

### **The Deputy Bailiff:**

Chief Minister, I understand that this is accepted by the Council of Ministers?

### **Senator I.J. Gorst:**

That is correct.

### **1.2.1 Deputy J.A.N. Le Fondré of St. Lawrence (Chairman, Corporate Services Scrutiny Panel):**

Hopefully a short amendment essentially on looking at the Strategic Plan. It presently says: “Identify and address barriers to starting and growing a business in Jersey.” We rather felt there should be a focus on existing businesses as well so we have just inserted or changed it to: “Starting, growing and maintaining a business.” In other words, if there are impediments to people running a business over here it will be caught up by the review that they are going to do on this piece of work. At that point it has been accepted by the Council of Ministers. I welcome their support and I make the amendment.

### **The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any other Member wish to speak on the amendment? No Member wishes ...

### **1.2.2 Deputy M. Tadier of St. Brelade:**

It is just really to relate some of the issues that I have picked up in the last few years from the Les Quennevais business community although I think the issues could be shared from the wider community and it is really to support this amendment. The maintaining part is critical. If one is to take a look around Les Quennevais Precinct, for example, one will notice that there is an increasing number of shops which are vacant up there and the ones that are not vacant are increasingly looking more generic, like any High Street you might find in the U.K. There is no shortage of bookies in the Les Quennevais and Red Houses district incidentally so if one does want to go up there and waste some money very quickly either on the slot machines or on the horses one can do that very

conveniently either in Les Quennevais or at the back in the other precincts. There is also a Gregg's, which I think is being welcomed, ironically replacing a health food shop which used to be there before which could not make ends meet.

[10:15]

Talking about the maintaining part of it, I think it is all fine for incentives to be there, innovation, *et cetera*, for starting and growing but when businesses hit a little bump, which was the case with one particular shop up there, and I was contacted. He said he could not get any help whatsoever because he owned his own business. That was considered as an asset. He owned his own home as well but of course he was employing a number of staff; let us say it might have only been 10 staff but for that business to fold it was very costly, ultimately, to the taxpayer and the Social Security Department because that money was not coming in to the States coffers and also those people would have found themselves on the dole ultimately in need of some support. It seems that the system is quite intransigent. Where somebody who could have been given a loan or even a grant for a certain amount of time to help get him over the bump and help with the liquidity issues, ultimately found himself in the position where he had to lay off staff and was unable to maintain that business. I simply flag that up because it is probably not something that I am able to do in this kind of forum on a regular basis and this is probably an apposite time to do that. So, in agreeing this extra word it may seem like it is simply a logical word to insert into the Strategic Plan but I would be very keen to see what workable and practical application can be found to help businesses in that situation because I think those kind of community shops, which are quirky, which employ locals, which are locally run, are not simply manufactured global brands that we are seeing increasingly in the Island which I accept do employ people but do not necessarily have the other cultural benefits. I think the addition of this extra word is far more than we might think. It is not going to be easy to do, of course, because how do you make those judgment calls but it is just something I think worth flagging-up at this point and putting on record.

**The Deputy Bailiff:**

Does any other Member wish to speak on this amendment? In which case I call upon the Chairman to ... I beg your pardon, sorry.

**1.2.3 The Connétable of St. Peter:**

Just very briefly in regards to what Deputy Tadier just said. I could not agree with him more. I think the ability to keep community shops open is very important but there is a mechanism, I think, that is available for all businesses to go to if they have any problems or need assistance and that is Jersey Business. It is there to support not only the larger businesses but the smaller businesses and I think it is only right that the Assembly and those listening are aware that there are mechanisms to help businesses of that size and in fact irrespective of what their problems are.

**The Deputy Bailiff:**

Does any other Member wish to speak on this amendment? I call upon the Chairman to reply.

**1.2.4 Deputy J.A.N. Le Fondré:**

I think I will just thank Members for their contribution and I maintain the amendment.

**The Deputy Bailiff:**

I ask those Members who are in favour of the amendment to kindly show? Those against. The amendment is adopted.

### **1.3 Draft Strategic Plan 2015 - 2018 (P.27/2015): ninth amendment (P.27/2015 Amd.(9)) - paragraph (4)**

#### **The Deputy Bailiff:**

We next come on to the amendment lodged by the Environment, Housing and Technical Services Scrutiny Panel, namely the ninth amendment, paragraph (4) and I ask the Greffier to read the amendment.

#### **The Deputy Greffier of the States:**

After the words “in the attached Appendix” insert the words – (4) “, except that on page 13 of the draft Plan, in the section headed ‘The Ambition’ after the word ‘vibrant’ insert the words “, environmentally aware”; and in the chart on page 14 before row 4.1 insert an additional row as follows with the remaining rows renumbered accordingly. Desired Outcome. 4.1 St. Helier is an environmentally friendly and environmentally aware place in which to live and work. Key areas of focus, 2015 to 2018. Consider explicitly best environmental practice in policy development and decision-making to improve the attractiveness of St. Helier as a place in which to visit, invest and live”.

#### **The Deputy Bailiff:**

Chief Minister, I think this is accepted, is that correct?

#### **Senator I.J. Gorst:**

Yes. My microphone is not working, sorry.

#### **1.3.1 The Connétable of St. Helier (Chairman, Environment, Housing and Technical Services Scrutiny Panel):**

I am grateful to the Council of Ministers for accepting this amendment. I clearly did not have my Environmental Scrutiny Panel hat on when I was doing amendments to the plan as Constable because I missed this completely and I am grateful to my panel and to myself, with my other hat on, for spotting that the Strategic Plan needed to be strengthened with regard to the fourth key priority of St. Helier, to make sure that St. Helier is indeed a place of environmental best practice and awareness. So I am happy to propose the amendment.

#### **The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any other Member wish to speak on the amendment?

#### **1.3.2 Deputy M. Tadier:**

Very briefly. Obviously I support this amendment as a panel member and perhaps with another hat on, as an ordinary Back-Bencher, I would like to issue a challenge to both the Constable of St. Helier and the Minister for Transport and Technical Services. If I direct their attention to written question 20 this week which talks about glass which goes into the main refuse collection stream and then finds its way into the incinerator. It is very damaging to our incinerator and as such I would like to ask both of those individuals whether they will be providing facilities, whether it is a Parish facility or a T.T.S. (Transport and Technical Services) facility Island-wide so that general waste in the street can have at least 2 bins where glass can be put in one compartment and ordinary refuse in another compartment. That is before we start talking about general receptacles for recycling because it seems a very costly false economy that we are having. It has been acknowledged that glass is very damaging and very expensive to the incinerator. It seems to be very cheap to provide a second bin in St. Helier and if we are to make St. Helier an environmentally

aware place to live it seems that that needs to be followed up by action which is quite easy to do for both of those parties.

**The Deputy Bailiff:**

Does any other Member wish to speak on the amendment? In that case I call on the Chairman.

**1.3.3 The Connétable of St. Helier:**

I can only answer the Deputy's questions with my Scrutiny Panel hat on unfortunately but I will undertake to speak to the Constable of St. Helier about the problem that he has raised. It is an interesting one and what can the Parish do to help separate glass more than they already do by providing communal glass bins, a commercial glass collection service and a new glass collection kerbside trial which going to be rolled out across the Parish from what I know of the Parish. So I will certainly take that forward and otherwise thank him for his comments and maintain the amendment.

**The Deputy Bailiff:**

Those Members who are in favour of the amendment kindly show. Those against. The amendment is adopted.

**1.4 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (2)(a)**

**The Deputy Bailiff:**

The next amendment has been lodged by the Connétable of St. Helier. It is the seventh amendment paragraph (2)(a) and I ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

After the words "in the attached Appendix" insert the words – (2) “, except that in the chart on page 14 of the draft Plan in row 4.1 in the column “Key Areas of Focus 2015–18” (a) after the words “facilitates investment” insert the words “, and provides, in particular, for the use of funds generated by the development of the Jersey International Finance Centre to pay for urban regeneration projects.”

**The Deputy Bailiff:**

Minister, I think that this is accepted by the Council of Ministers?

**Senator I.J. Gorst:**

It is. Thank you.

**1.4.1 The Connétable of St. Helier:**

Once again I am grateful to the Council of Ministers for accepting the amendment, honouring commitments made in the Assembly in the several last years by previous Ministers that the receipts from the development of the International Finance Centre would be used to fund urban regeneration, not just in St. Helier but in other urban parts of the Island. I do urge Members not to treat this as an opportunity to have a debate about the merits of the International Finance Centre because if we do that we will be here until Friday. I simply thank the Council for agreeing that this commitment is going to be put into the Strategic Plan. It is going to be put in writing, in other words, rather than simply being an assurance that we have had in the past from Ministers.

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any other Member wish to speak on the amendment?

### 1.4.2 Deputy M.R. Higgins:

Notwithstanding what the Constable has just said about the International Finance Centre, I shall vote for this particular amendment as a belt-and-braces thing, (1) I personally do not see the economic argument for the International Finance Centre and I certainly will not be supporting it unless that evidence is forthcoming. However, should it go forward then it is right that the money is put into urban regeneration. So I shall vote for it on that proviso.

#### The Deputy Bailiff:

Does any other Member wish to speak on this amendment? Then I call upon the Connétable to reply.

### 1.4.3 The Connétable of St. Helier:

I thank Members for their restraint in not taking that opportunity that was offered to them. I am grateful to Deputy Higgins for making the point that Members who support this amendment, and I hope they will, are not necessarily saying they support the proposal itself but they are waiting for more Scrutiny work to be done. So I maintain the amendment.

#### The Deputy Bailiff:

Those Members who are in favour of the amendment would they kindly show?

#### Deputy M. Tadier:

Could we have the roll call please?

#### The Deputy Bailiff:

Greffier, could you read the appel nominal?

<b>POUR: 31</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 0</b>
Senator A.J.H. Maclean		Deputy M. Tadier (B)		
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator Z.A. Cameron				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				



Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy T.A. McDonald (S)				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

**1.5 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (2)(b)**

**The Deputy Bailiff:**

The next amendment is lodged by the Connétable of St. Helier. It is the seventh amendment, paragraph (2)(b), and I ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

After the words “in the attached Appendix” insert the words – (2) “, except that in the chart on page 14 of the draft Plan in row 4.1 in the column “Key Areas of Focus 2015–18” – (b) after the words “improving Fort Regent” insert the words “, seeking to acquire the land currently in the ownership of the Jersey Gas Company in order to extend the Millennium Town Park to provide additional open space and public parking as appropriate”.

**The Deputy Bailiff:**

Chief Minister, I understand that this is accepted subject to the amendment put forward by the Council of Ministers. Would that be correct?

**Senator I.J. Gorst:**

That is correct.

**1.5.1 The Connétable of St. Helier:**

It is ironic the time we saved in not having a debate in the last one, on the International Finance Centre, we wasted on the appel nominal because it seems to take so long and are we not grateful for electronic voting? Not that we should not, of course, exercise our rights to have the appel. Another opportunity for a long debate now on the Town Park and again I would urge Members ... we have recently had a debate about this. I am going to accept the amendment by the Council of Ministers for reasons which I will state very briefly and would urge Members that we do not need now to have another debate about the Town Park in the light of what, hopefully, will be agreed. I must say that the report of the Council of Ministers did not fill me with much hope and left me wanting to have a debate, a battle if you like, on the floor of the Assembly but the words themselves in the amendment seemed to me to give enough comfort that the opportunity, which was presented, of extending the Town Park across the Jersey Gas Company land will be seriously evaluated before the nightmare scenario of town planning that has been approved goes ahead. That is really what I was trying to do with this proposition, this amendment, to the Strategic Plan to ensure that open space in the heart of town around the Millennium Town Park is as important as the development of Fort Regent up on the town hill. So think with those words I am not going to say anything further. I would simply ask Members to support the amendment because it will mean that we will give significant attention to the opportunities presented to extend the Town Park.

[10:30]

The only place it can really go is across the Jersey Gas site; perhaps not across all of it but at least perhaps across some of it to increase that marriage value that we have in the Town Park. It is already a very well used facility. It is quite crowded in the summer and the idea of maybe 2,000

new homes going into that part of St. Helier and no increase in the size of the Town Park really, I do not think, is acceptable but let us not have the debate now. Let us allow that work to be done to see whether it is feasible to extend the town park over the Jersey Gas site.

**1.6 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (2)(b) - amendment (P.27/2015 Amd.(7)Amd.)**

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** There is an amendment to the amendment by the Council of Ministers. I ask the Greffier to read that proposition.

**The Deputy Greffier of the States:**

For the words “seeking to acquire the land currently in the ownership of the Jersey Gas Company in order to extend the Millennium Town Park to provide additional open space and public parking as appropriate” substitute the words “providing additional open space and public car parking as appropriate; examining the benefits and costs of extending the Millennium Town Park”.

**1.6.1 Senator I.J. Gorst (The Chief Minister)**

I am grateful to the Connétable for accepting the amendment in light of their own. I am simply going to say that the Council of Ministers understands the Connétable’s concern about having sufficient, appropriate open space particularly if there are new developments to be taking place in that area, and I am equally grateful for the comments that he has just made that even during this review work he accepts that we may not be able to have a site in its totality but it is the principle of understanding where we can deliver extra space in that area and the cost and benefits that will be delivered accordingly arising from that.

**The Deputy Bailiff:**

Is the amendment to the amendment seconded? **[Seconded]** Does any Member wish to speak on the Council of Ministers’ amendment to the amendment?

**1.6.2 Deputy S.Y. Mézec of St. Helier:**

I stood for election and at the ... I think it was towards the end of my manifesto I had a paragraph in which I said that I unequivocally supported the extension of the Millennium Town Park over the Gas Works site. I have got a choice now of voting for an amendment to it that I think provides an excuse to eventually not do it. I have a choice between an unamended amendment which says we do it or an amended amendment which still leaves the excuse for not doing it later. So it is absolute common sense and in line with my election manifesto I will be voting against the amendment to the amendment.

**The Deputy Bailiff:**

Does any other Member wish to speak on the Council of Ministers’ amendment? If no other Member wishes to speak ... I beg your pardon. I am afraid the placing of the mace is not particularly ...

**1.6.3 Deputy G.P. Southern:**

That is always the problem. I should not be so slim; I should put on some weight, have some more lunches and then you would see me both sides of the mace. Just briefly. Absolutely supportive of the position that my colleague, Deputy Mézec, has taken. It seems to me also that the amendment emasculates what was brought forward. I think with my wise head on that I can see half a dozen ways around this that will mean that the Town Park across the whole site is not delivered and that we end up with, I do not know ... I have lost count of how many more units of accommodation we are putting there or thereabouts until we will have the Town Park overshadowed and the grass

growing yellow because it does not get enough sunlight, is my impression of what we are getting. I think it is vitally important for St. Helier Deputies, in particular, and St. Saviour, just across the border, and St. Clement, where all of the development is going to happen because it is not happening in the country Parishes. They are not having the green fields. That is where the development is going to be. If the standard set by the first acceptance, the first 300 houses, is anything to go by that will be not embellishment, not improvement to our town; it is going to be, build them cheap; stack them high. That is what we have got so far. We have got a highly dense unit put right next to the park, swamping it, with more to come. What we should be doing is voting against this amendment because that indicates the way forward that we are going to see for the so-called regeneration of St. Helier and town, the urban areas. So I think it is important that we put a signal out to say: "Whoa, whatever you are going to do over the next 4 years pay attention to what is right and proper and do not cut corners" because already the corners have been cut.

#### **1.6.4 Deputy J.A. Martin of St. Helier:**

As enticing as this amendment to the amendment may sound I really read it with the hat on of a St. Helier Deputy who has been disappointed for years. This is in my District and I can read this as examining the benefits and costs of extending the Millennium Town Park and what is not written there and then dismissing this as an idea. Absolutely dismissing it and we will find you some open space somewhere else in St. Helier. I am sorry, the amendment is direct. I know the Constable has accepted the amendment to the amendment and he believes that there will be ... examine the benefits and costs of extending the Millennium Town Park. I mean unless I am missing something, and I looked, on this amendment to the amendment, there are no financial costs or manpower. I do not know who is doing this. I mean I am waiting for the Minister for Planning and Environment to speak because he might have someone in his department who is already on the case but nothing... So, it is all well and good for the amendment to the amendment telling me that they are going to do this. I have got residents fearing where they are going ... that their kids are going to play with the Gas Site and Play.com and much more. You have got La Bas Centre. It is all up for being built on and we let this go ... sorry, where are you going to find their open space? Somewhere in the other part of town? Have they got to go People's Park, St. Andrew's Park? It is not feasible. We are on the amendment to the amendment so we will hear from the Chief Minister, and I want to know who is doing this cost benefit? Where is the money coming from even if it is beneficial to St. Helier? There is nothing I have seen so far and I have asked and asked, where is the funding for your fourth priority? Even the little bit of funding that you are going to do this cost benefit analysis on, buying the Town Park or buying part of it and where are these other open spaces you are going to give to my residents and the whole of the rest of St. Helier? Not convinced. I am not supporting this amendment to the amendment.

#### **1.6.5 Deputy J.A. Hilton of St. Helier:**

I, too, cannot support this amendment to the amendment. The thing that really concerns me is the wording when it talks about providing additional open space and public car parking as appropriate. What is "as appropriate"? What is the Council of Ministers' definition of that? This deeply concerns me. I know I am going back a very long way when I go back to the mid-1990s when a group of people got together and decided that we would try and achieve some open space for the residents in the north of St. Helier. The vision all those years ago when we finally got there was a vision of standing outside the Odeon Cinema looking down the Town Park, right through to St. Saviour's Road, a completely large unhindered space by development for the people of St. Helier. I have always supported development happening in St. Helier. I have not got a problem with that. I live in St. Helier and I am proud to be a St. Helier resident but not at the expense of car parking, good amenity space for St. Helier residents and this really concerns me. I was just really hoping that today Members might support the Constable of St. Helier in doing some sort of deal with

Jersey Gas so that we could achieve this. Other Members have spoken about the level of development that is going on in the north of St. Helier. We have literally hundreds and hundreds of new units having been passed, car parking has been compromised; this is a massive issue. Just recently I helped organise a meeting in the Town Hall about the lack of residents' parking, visitors' parking, disabled parking in St. Helier and whatever this Assembly or the Planning Applications Committee agrees developments are selling St. Helier residents short on amenity and parking. This situation is going to get worse and worse and it is simply not fair. I know that this Assembly agreed the Sustainable Transport Policy, which agreed a 15 per cent reduction in commuter traffic, but the word there is "commuter traffic". This is people travelling in from outside of St. Helier into St. Helier. It is not about penalising the people who live in St. Helier. We have as much right to a car to drive out of St. Helier as all those people who live in the countryside have got to drive in whether it is for work, pleasure or whatever and I feel very, very strongly about this. So I would appeal to Members to reject this amendment. As other Members have said, there is no detail there. I think we will be sold down the river. I hate to say that but it seems to me that is how we are treated in St. Helier. That is how the Council of Ministers looks at us. The vast majority of Members in this House live outside of St. Helier and really what goes on in town does not really affect you that much. Okay, I agree with you about it but please, please, just consider the quality of life for children, especially children and older people, and just consider that and reject this amendment and support the Constable of St. Helier.

#### **1.6.6 Deputy M.R. Higgins:**

I am rising to support my colleagues in St. Helier on this. I was looking at the wording of the Constable's amendment to the Strategic Plan and he says: "Insert the words 'seeking to acquire'", it does not commit the Council of Ministers to acquiring it. Obviously, there has got to be a lot of work done on this particular thing but St. Helier is overcrowded. I have been looking, quite aghast, at all the property developments in that area that are being proposed and to my mind it is a red line. We want to keep the countryside green; we all want that. We want to keep the Parishes standard. If you are going to put people in St. Helier you have got to treat the residents of St. Helier fairly and that does mean we have got to have our fair share of grassy areas where the kids can play, but we have also got to be able to have parking for residents. I live in a house where I do not have parking. I have to park on the street. I am fighting for a car space against probably about 20 other people who are seeking that same car space. Probably a fair proportion of my salary every month goes on parking fines because if I am working at home, as I do, and I get called by a parishioner on the phone and I do not get out in time the parking wardens have given me another ticket. Now, this is commonplace for a lot of people in St. Helier. You cannot keep your car there all the time or you have got to go out and change the disc or whatever. It is a nightmare so we have got to provide facilities for the residents in St. Helier. I would urge the other Constables to support our Constable on this particular matter because imagine yourselves in the same situation. Would it be tolerable to you? I do not think so. So, I think for all St. Helier Deputies these are red lines. So I urge you to support the Constable of St. Helier and reject the Council of Ministers' amendment. It does not make any real difference. We are saying "seeking to acquire". It does not mean to say we will. There may be arguments against, maybe we cannot afford it or whatever, but the point is, reject their amendment and support the Constable of Helier.

#### **1.6.7 Connétable C.H. Taylor of St. John:**

As a Constable of a country Parish I am rather concerned that we already pay nearly half our rates over to St. Helier and if taxpayers' money is also to be used to purchase open green spaces in St. Helier it means that we are, as a country Parish, paying twice and this concerns me. An issue of car parking has been brought up by Deputy Higgins and again I strongly support that. Significantly more car parking is required in St. Helier so that cars can come in from the countryside and so that

residents have got parking and there are sufficient facilities for the cars on this Island. I also support very strongly the idea of open space. It is important. The residents of St. Helier do need it but perhaps it should be done through the rates and St. Helier Parish purchase rather than the taxpayer purchase. Perhaps that is something that should be examined.

[10:45]

#### **1.6.8 Deputy L.M.C. Doublet of St. Saviour:**

I want to speak as a St. Saviour Deputy and support the St. Helier Deputies because as your neighbours we are really affected by these issues as well. I will not go into details. I think it has been covered about the parking issues and the fact that I think there is discrimination against St. Helier and St. Saviour residents in the parking policies, but with my Education and Home Affairs panel scrutiny hat on or just myself, are we thinking about the best interests of children here? We have signed up to the United Nations Convention of the Rights of the Child and Article 3 says that we have to think about the best interests of children when we are making policies. So I will fight any way I can to get an extension to the Town Park because the children that live around that area in St. Helier and St. Saviour are being denied their rights. Article 31 says that children have a right to relax and play. I know the Minister for Education, Sport and Culture will back me up on this one. I know he cannot now but he has said before that that is his favourite article. If we do not give children enough space to relax and play we are denying them those rights. So I think that we should be not supporting the amendment to this amendment and I will be voting for the Constable of St. Helier's amendment.

#### **1.6.9 Deputy K.C. Lewis:**

I obviously echo everything my St. Saviour colleague has said and I would add that there was an enormous development planned for the Tunnel Street area. Also behind Grand Marché there is another huge development being planned there and the car parking at the moment is obviously at a premium but is woefully inadequate. Not many people really appreciate where St. Helier ends and St. Saviour begins and we are suffering very badly at the moment with the parking problem. People park all the way up from sort of Maison St. Louis, Wellington Road, Wellington Park; all the way up to Croix Besnard and Langley Avenue trying to get spaces and then walking into town. This is causing a major frustration for residents and homeowners alike and we really need to tackle this problem. We cannot have this huge development without adequate parking.

#### **1.6.10 Deputy M. Tadier:**

I think it is page 15 of the Council of Ministers report. They talk about St. Helier as one of their priorities. They did not have to put that in. They have put this in here. On the bottom of that page it says: "Improving our town as a place to live and enjoy will help create a stronger community and increase social inclusion." We were told by this Council of Ministers that they want people to live in St. Helier and they want to make St. Helier an attractive place both to live and work; not just to work but to live and in order to do that you need the fringe benefits that would go with living in that urban area. There are disadvantages to living in town which we have heard of which is the parking issues. You have got to constantly look out your window, make sure that your disc is there. If you are lucky enough you might have residents' parking which has got to be paid for additionally, et cetera. So there are many drawbacks. There is the noise of course. There is glass collection, all of those things but there is the benefit, hopefully, currently ... there are not a lot of benefits in many ways and we want to make those benefits outweigh the downside to living in town. So it is very surprising that given a choice between these 2 amendments that the Council of Ministers even decided to amend this amendment which, as Deputy Higgins said quite correctly, is very tame in the first place, it is to seek to acquire land, to enter into discussions with the Jersey Gas Company. It does not say: "We must buy this piece of land now and it will cost this much, let us tie our

hands.” It is simply: let us enter into a dialogue. I think the Constable has been hoodwinked. He has entered into this in good faith by saying: “We should accept this amendment”, but the risk is, of course, if you look at the Council of Ministers’ amendments; they are talking about: “As appropriate, examining the benefits and costs of extending the Millennium Town Park.” Now, the problem with this is that the benefits and the costs are all relative concepts because they are not just financial, the benefits are social, cultural, environmental, and how do you measure those things? It is very difficult. The famous Oscar Wilde quote, of course, which Members will know before I have even said it is that a cynic is somebody who knows the cost of everything but the value of nothing. When we are dealing with hard-nosed businessmen, some of whom make up this Assembly, who do know the cost of everything; they can give it to you on an accountant’s balance sheet and say: “This is how much it will cost.” They cannot give you the social, cultural and environmental benefits that go with that on the same balance sheet, and remember we are dealing with a legacy. A lot of the Council of Ministers were the ones who would not put up the money in the first place to fund the Millennium Park that we have got today and without that money we would not have Millennium Town Park. Secondly, this is not about town and country because I am a St. Brelade Deputy, I live in St. Brelade and I do come to St. Helier. My partner works quite close to the Town Park. She is not a St. Helier resident or ratepayer. She uses that park at lunchtime. People use that park to walk their dogs, to get a quick break from the office and to regenerate themselves so that they can ultimately be more productive when they go back to work, often working longer hours than they are paid for and that is fine. That is just one of the green lungs and its functions in St. Helier. Other Parishes have their own green lungs. St. Martin has a lovely common and I was up there not so long ago and I noticed they have got a great car park where you can just pull up your car and you can go for a walk on their common. Millbrook Park, they have got the parking there. You can just pull up your car and go and enjoy the fantastic grounds that there are at Millbrook. You can park on both sides. In fact you can park at the back or you can park on the Victoria Avenue side and just nip across. There is lots of parking there. It is enjoyed by people from all over the Island and the Town Park can also be that where you can pull up, if appropriate, it says in the Constable’s amendment, and to have additional spaces. Another point talks about ratepayers as if somehow the country Parishes are being short-changed whereas we know it is St. Helier ratepayers who are short-changed. As long as the States does not meet its liability, its moral duty to pay rates on its buildings like any other member of the public have to do, to pay rates on their buildings, St. Helier will always be on the back foot. Until we resolve this issue and until we give St. Helier the rates that its due, because they would be the ones mostly to benefit from the States paying its fair share, a level playing field, then St. Helier will constantly be on the back foot. It is sad because I have said that this should not be a town versus country argument but it seems to me that constantly the Constable of St. Helier is always the one who has to battle against, over the odds, to get anything through this Assembly, even when it is just common sense. We say that we value the Parish system but what about giving the Constable of St. Helier and the Parish of St. Helier some support for once rather than making it one lot of Parishes against the other because I do not accept that is the correct dichotomy and it does not need to be. So I think that if we want to get something done for the Millennium Park to extend it we do need to reject this amendment. It is not something that is necessarily going to be easy but I think this is one of the amendments that should be rejected. Let us debate the Constable’s amendment on its own merits unamended and let us see if we can do something that is right. Rather than just words and saying we want St. Helier to be a great place to live the Council of Ministers should be following up by actions and at least not hamstringing us so that we make the odds even more insurmountable for what should be a great place to live and work.

#### **1.6.11 The Connétable of St. Helier:**

I think the key question that the Assembly needs to ponder, hopefully in the closing part of this debate on the amendment to the amendment is, what is the best way of achieving what we all want? What we all want, I believe, and I picked this up in the previous debate on the Jersey Gas site, is we want to see the Town Park made bigger because we are looking at possibly 2,000 new homes coming in to the north of St. Helier. So what is the best way of extending the Town Park? Is it to reject the Council of Ministers' amendment and to have a debate on my amendment or not? Clearly, Members need to know that I thought long and hard about this and I looked very carefully at the wording and I perhaps owe Members an apology that my wording, which some Members have said is quite cautious and is quite reasonable: "Seeking to acquire the land owned by Jersey Gas." I think with hindsight that I could have worded that slightly better, in a way that would have made it more acceptable for the Council of Ministers. I certainly could have put in "examining the costs and benefits of acquiring the Jersey Gas site to extend the Town Park". Actually that is what the Council of Ministers is offering to do. Unless I am mistaken, somebody in that department, whether it is in Planning or in the Chief Minister's Office, somebody is going to do that piece of work and report back about whether extending the Town Park across the Jersey Gas site is viable. I must say I do not think that is a defeat to my amendment. I think that is quite constructive and because my main objective is not any kind of political point scoring, it is not saying that the Council of Ministers is the same colour it always has been in relation to St. Helier because I think it has changed. As I say in my comments to all of my amendments, we are working in an entirely new way together. So when I look at the amendment to the amendment and I am thinking: "Am I more likely to get for my ratepayers the extra parking and the extra open space that other Deputies have been talking about?" and which I have, of course, been elected to achieve? It is simply a question for me about how we can get to where we all want to be. I do not take a cynical view of the amendment. I think the Council of Ministers cannot commit at this stage to buying that land because they need to know what it is going to cost. I will say another thing about it. Deputy Hilton said, why cannot we have a deal? Why cannot we have a deal to acquire this land? That deal is already being talked about. Ministers are talking about how can we extend the Town Park over the Jersey Gas land but they are not going to do it for nothing. We know now that planning permission has been granted. This is an expensive site. So we will have to talk as a Parish to the States about how we can achieve this end. There is going to be a budget to that. There is going to be a cost and I am quite happy to have those discussions and I am sure the Deputies will be as well. Once that cost benefit analysis has been done we are going to have to do some hard talking because they are not going to give us the whole of that site for nothing. There are going to be things they want from the Parish; it may be a land swap. There may be other things that the Council of Ministers will come to the Parish for and that is when I think we can have that constructive discussion with the Council of Ministers. We know how much you want for this site; what can we do, as a Parish, to commit to it? Because let Members be in no doubt, I am utterly convinced, and I said this in the last debate, that the only way to make the Millennium Town Park fit for purpose is to achieve that vision that Deputy Hilton talked about, you stand at the Odeon - if it is still standing, I fear it may be for some time - you stand at the Odeon, you look down the Town Park and you can see the trees that start to climb up the escarpment towards Victoria College. That is what I want to achieve and I am committed to doing that. My personal view is that accepting the amendment is going to make that dialogue open much more quickly than possibly being defeated and not getting this amendment through at all. So that is my view. It is a pragmatic decision but I am interested in getting things done for St. Helier and I believe that there is essentially a good dialogue with the Council of Ministers on this.

#### **1.6.12 Deputy J.A.N. Le Fondré:**

It was interesting if you were looking back at the debate on the Town Park which was quite contentious. I cannot remember how many years ago it was now or at least the closing part of that

debate. My stance at the time was that I always felt it was a shame we did not get some form of semi-basement parking under that Town Park but there was such an outcry. There were 2 streams of objection, one was obviously about cost and the engineering difficulties and the other one was there were people even within the Town Park groups that did not support the car parking going underground there. That was my understanding of the day. Obviously we are looking at it now and you look at the other issues that are coming round it and I really think that was a very great shame that that decision was not taken to put parking underground there. I also approached affordable homes. I went for a walk along there at some point when it was being constructed and I happened to look down at a JCB that was digging out the contamination and stuff down there. It was the day after it rained and it was dry and therefore I always wonder how difficult the engineering solutions were to doing semi-basement parking there. I will just bring this along to where we are now but as an aside and a slight tongue firmly placed in my cheek I have always been slightly disappointed there is not a better monument to the single vote that achieved the funding of that Town Park of the day of the £10 million, but that is where we are. The reason I make that point generally, apart from the tongue in cheek remark, is obviously that the parking issues within that area are very legitimate and very obvious and I think all of us will support those. If you stand back and look at the principles of what is being said about improving amenity space within St. Helier, again no one in their right mind is going to disagree with those remarks. There is a but, unfortunately.

[11:00]

Basically I am supporting the remarks of the Connétable, I am supporting this amendment, because I think we need to know what we are signing up to. The “but” is the reality check on the Strategic Plan and the Resources Statement that we were all presented with last week. At the end of the day, next year - starting now but next year - we have £100 million deficit. Broadly speaking, nice and simple, there is no unallocated cash left in the current account, we are at zero. So how do you fund £100 million next year? The cost of this site I would guess, if it has planning permission for 300 units of accommodation on that site, has got to be £15 million to £20 million, it is going to be that kind of number. It is not going to be £3 million. It could be higher than what I have just said, we are not talking small numbers and that is before you get into the decontamination, which I am sure will need to take place on that site, and then building a park and then the maintenance of course on that park as well. So the point is I have no issue with doing an evaluation and knowing where we are going but I cannot sign up to the unamended amendment because I want to know what we are signing up to. On that basis, that is why I am supporting the amendment to the amendment. I would not support the original amendment as presently worded but I think the Constable is being very pragmatic from the perspective of trying to get something which at least gives us some clarity. But I think the general context - and I may say this again at the very end, I do not know - we must be aware this is an aspirational document, the reality check is how is it going to be paid for?

### **1.6.13 The Connétable of St. Peter:**

I am standing because I am very troubled at some of the comments I am hearing coming out about St. Helier being hard done by, particularly by one of the rural Parishes. I do not really see that at all. While I understand the Constable of St. Helier’s concerns about parking for the people that live in his Parish, we in the rural Parishes do have the same problem. We do not have States provided car parks but we do have people wanting to park their cars, usually in country lanes causing obstructions. So the parking problem is not a St. Helier problem, it is an Island problem. I worry about having to put yellow lines down country lanes to stop people parking because I can see that is where we are going to get to eventually with the amount of cars that are coming on to the roads nowadays, because there are no car parks, unless we - the Parishes - provide them for ourselves. We do not come cap in hand and ask the Government to provide them, we do it for ourselves. Somebody mentioned the very nice car park in St. Martin, that was not provided by the States that



was provided by the Parish. I have just taken on a long lease of a field in St. Peter to turn into an overflow car park for people that might wish to park and ride. That is what I do as a Parish Constable, I look after my Parish and I find ways of resolving my own problems wherever I possibly can. I do work with the Minister for Planning and Environment to resolve some of my other problems. I do not keep coming back and asking the States for more money. I am not saying that we are in any way better off but I think if one looks at, for example, a very simple mathematical issue, if I want to buy a house in town which is exactly the same as a house in St. Peter, the house in town without parking is going to be considerably less to buy than one in St. Peter and even that one may only have one or 2 car parking spaces and a family of 2 and 2 children is likely to have 4 cars, so 2 are going to be parked on a country lane somewhere causing obstruction. These are the real issues that we face everywhere across the Island with traffic. I also heard talking about all the parks that are available down at Millbrook Park and other places, and I think about People's Park, Parade Gardens. I think about Howard Davis Park. I am thinking about the Town Park. I do not have a park in St. Peter, we just do not have one. So if my children want to go and play on a swing they will go the same places that children from St. Helier do. I will put them in the car - my grandchildren as my children are too old for that now - and they will go down to Millbrook Park and play among the kids from St. Helier who go and play in Millbrook Park as well. I do remember ex-Deputy Paul Le Claire having a little bit of a go at me when we were sat alongside each other in the back row just behind me, saying: "Well, it is all right for you in St. Peter, you have open fields for your children to play in." I said: "No, I do not, farmers own those fields and they use them for growing things in, I cannot go and use those fields, I have to use the same facilities as you do." I am really disturbed when I hear these comments about St. Helier being done down. The Constable reminded me, he mentioned a few moments ago about there could be a possibility of a land swap. Can I remind him when I was Assistant Minister for Treasury and Resources and looking after Jersey Property Holdings, I did offer him a land swap and he wanted the Le Seilleur building to make a café for the Town Park, which he rejected at that time, so he has not got the Le Seilleur building, the States did not get a land swap. It is all very easy to make these comments to encourage us to go along with a vote, but it is coming to make some commitment to those comments, which comes out as real measures where the Constable - and I am talking about all Constables - can do much to resolve their own problems.

#### **1.6.14 Deputy R.G. Bryans of St. Helier:**

I stand as both the Minister for Education, Sport and Culture within the Government, I stand as a Deputy who lives and breathes in the area that is being talked about. I live in Stopford Road. I walk through the park nearly every day. I walked through last night as I went home to see it full of people, being used as it usually is. I think it is a fantastic place and in fact I had a dialogue with both Senator Green and Deputy Noel this morning saying I was disappointed to see that the original design for the park is being compromised in that they are having to put in - in a very pragmatic way - a small kiosk to accommodate teas and coffees and ice creams and the like for the children, just opposite where the children play. In fact what I was saying was I was disappointed because I thought we could have had a resolution on this to do with the Le Seilleur building. It sits there. It stands as a rotten tooth right in the heart of St. Helier. But I just want to say a couple of things, first of all myself and Senator Routier are in the Government and we are 2 St. Helier individuals, we fight for it every time it gets mentioned within the Government and within the Council. I agree with Deputy Hilton, particularly to do with the parking. This is where I do feel I have one element of conflict with my Minister for Planning and Environment in that I feel that every St. Helier resident has the right to one car. It just does not make sense this 0.7 per cent. Why do they need one car? As the Constable of St. Peter has just articulated, because they need to get out of town to go and visit other parks and to visit the coast. The whole of Jersey is one big park, one big opportunity to get children out and this is where, again, Deputy Doublet is right, we are consistent

on this, is that I want children to play. But where I disagree and where I am slightly in conflict with some of the other Deputies is I think that Gas Place is prime for a residential area and I think even the warehouse of Play.com, which I have just sent a letter into Planning to disagree with not necessarily the design but the scope of the property they are envisaging putting in there - it is just too dense, it is too high, there are too many people, there are too many problems associated with it. I have heard Deputy Martin say in the past that what we are doing is creating ghettos. I just heard the Constable saying before: "What is the best way of achieving what we want?" I think the Town Park is remarkable and it stands as a testament to those individuals who find themselves in a very passionate area and make their visions and dreams turn into a reality and I praise them for that. But I think we can build buildings that should be designed, inspirational architecture designed on a human scale for human scale living and that is what we need to do. We need to appreciate how difficult it is to live in St. Helier sometimes. I have heard the Minister for Planning and Environment talk about his vision for St. Helier and I want to support him for what he is trying to do, to put little spaces into this town where people can simply just sit down and breathe. Last night as I walked through the Town Park I sat down and I just sat there and just thought about and looked at what was around me. It is just that fantastic opportunity for people just to feel what it feels like to live in a town but to have space to breathe. I have not heard him speak and I think he is going to speak but I trust him I think is the point I want to make. I trust him to fulfil this vision for St. Helier and I hope he does it on such a human scale that we can appreciate what St. Helier suffers. With the parking it is just horrendous at the moment, the situation. I am very worried, not just on the basis of children wanting to play in the park, but the safety of those children. So I do believe that we can put residential areas into Gas Place, I do believe we can put residential areas into the Play.com site, but let us keep it low, let us keep it consistent with the area and give people some space to breath.

#### **1.6.15 Connétable M.P.S. Le Troquer of St. Martin:**

I was not going to speak today and I think we should congratulate Deputy Hilton who has got this debate going. I did not think there was going to be a debate on this one. I am sorry about the comments of Deputy Tadier, I am sure it was not an attack on the Parish of St. Martin and it was just recognising the beauty that we have got with the village green. The difference that we have with this debate at the moment, the village green of St. Martin's - and my colleague, the Constable of St. Peter spoke about it - was paid for totally by the ratepayer. The parishioners purchased the land, they created the village green, and up until this actual year we have been paying for it and we have just paid it off now. We are doing so much for the community in St. Martin, whether it is going to be the change of the old St. Martin school to help the community, whether it is through doctors or through community centres and lots of other things. We will probably have to cover the car park as well. Again, at the cost - not of the taxpayer - of the Parish ratepayers of St. Martin. The old school that we are going to get back in November of this year is going to be used for the community, not just the community of St. Martin but the community hopefully throughout the Island but certainly the east of the Island. We are working with the different communities, it is not just St. Helier. The car park that we have got now, like every car park in other country Parishes - and we recently saw it with the Parish of St. Ouen where the media criticised the Constable for trying to impose some conditions - our car park is being abused by people. They want to use it as a park and ride. We have still got to allow for all the children's parents to park taking them to school. If it is going to be used as a doctor's surgery we will be doing that, the public hall, the churches, the pubs and everything else in the area. So we are interested in other people. I hope that Deputy Tadier does not just think that the country Parishes are doing it for their own parishioners and nobody else; that is quite untrue. I do not mean it as it has come out, sorry, it is misrepresentation if you like. I am confused with the proposition now and I thank the Constable of St. Helier for what he has accepted. I will vote for the amendment on the amendment but I think

there are opportunities in St. Helier for smaller green spaces. You do not have to have huge areas of public parks, and you see them throughout London, small areas of green which are welcomed by the people who work in offices in the areas.

**1.6.16 Deputy S.G. Luce of St. Martin:**

There is no question that the Council of Ministers and Constable of St. Helier do not agree on the fundamental importance of the town of St. Helier. We want our capital to be a place where people want to do things, want to visit, want to work, want to do business, want to invest, and most importantly want to live. I am sure and I very much hope that we would all agree with that sentiment. This amendment of the Council of Ministers simply seeks to ensure that these shared objectives are achieved in an orderly, considered and timely fashion. Most notably, the Council asks that first we commit to a more improved open space, more green space, while remaining open-minded about where that might be delivered so that we can then undertake the proper work in a timely fashion and reflect on the not insignificant financial implications that have just been mentioned for making decisions on specific sites. The St. Helier section of the Strategic Plan sets a direction for the development of more detailed delivery plans and already contains a commitment to a new masterplan, one that seeks to dust off all that previous work that has been commissioned very expensively in the past. I am very confident that officers in my Planning Department are more than capable of delivering and leading and coming up with a workable coherent scheme that has vision, a vision that will have input from everyone involved in St. Helier. Secondly, as part of the future St. Helier project, we all want to commit to a public realm strategy with a specific remit to increase the quality of quantity of space: streets, squares, parks, other green areas, and very importantly the links between those sites. Thirdly, we want to commit to a clear and comprehensive plan for travel and transport in and around the town: ring road parking, more pedestrian areas, adequate parking for those in town, strategies for walking, cycling, buses and, yes, cars as well. Finally, I want commitment to a housing strategy to deliver increased housing supply for rent and purchase, a strategy that must increase standards and quality and support good quality neighbourhoods and communities; this not only for St. Helier but for elsewhere in Jersey as well.

[11:15]

The Constable's amendment is a fundamental challenge to the 2011 Island Plan assumptions for delivery of housing and the change to the 2011 North of Town Masterplan, and I am grateful that he has decided to - at this late stage - accept the Council of Ministers amendment. But I cannot not at this point just mention the strange sort of perverse reverse of fortunes in this debate on the Gas Place site, because when the decision was taken to build on Gas Place I was not even a politician and many here today arguing against building on it were. The voting, when it came, it was only one person who voted against building on Gas Place and that was a politician who is not in the House today. I find it interesting that it is pointed at me but I only implemented decisions taken by those people who seek to now criticise. But anyway, in approving the plans the Assembly has already set the policy framework for the area and the context against which investment decisions and planning decisions should be made. The Constable's proposed amendment presupposed that the extension to the Millennium Town Park should sit at the heart of the new St. Helier Masterplan. The likely cost implications mean - and I am grateful to Deputy Bryans - mean that the proposed St. Helier Masterplan would have been dominated - or will be dominated if the Council of Ministers amendment is not accepted - by a potential extension to the Millennium Park, even before it is written. This work should be considered as part of the public realm strategy which includes a clear and conscious commitment to increase the quality and quantity of public space, as I have mentioned previously. Ministers and others have already held discussions with the Constable of St. Helier about how we should engage with St. Helier residents and Islanders as part of delivering the objectives that we have for St. Helier. We have held the first meeting of the future St. Helier

Political Oversight Group, we have held our first walkabout which included not only the Constable and some of his officers but also the Assistant Minister and Minister for Transport and Technical Services, myself and other officers, and the town centre manager. We are working together on this project. We have also agreed that an event should take place over a weekend in May at the Town Hall, this work of all of which will inform the new masterplan and will provide a platform for an objective assessment of all the issues, challenges and opportunities for urban regeneration. It will provide a platform for the development of a robust set of proposals to improve the quality of town and a platform for a proper costed, sequenced, and prioritised implementation plan. Only as part of this work can we then make decisions that are fully informed. There may be options for the Gas Works site, there may be options for the Town Park, but I do not know yet. We do not know. We need to examine those options further but we do know that providing additional open green space and public parking is a vital constituent for any future plan. As such, the Council of Ministers' amendment reinforces the commitment to improve the quality and quantity of open space, as well as a commitment to undertake an evaluation specifically on the Gas Place site, while not predetermining the nature of the masterplan or where the increased levels of open space should be. I have already said that improving the quality and quantity of open space is important, however, I also believe that any decision on where that open space could be created should be subject to a full evaluation of the costs and benefits of the different options and alternative sites. These are complex decisions and need dialogue and engagement and I very much hope that the Assembly can see that we are already all working together to achieve a better St. Helier for everyone, and that the Constable's amendment - if left alone - is just too detailed at this early stage of the future St. Helier project. I would urge Members to approve the additional amendment of the Council of Ministers.

**Connétable J. Gallichan of St. Mary:**

Sir, really not to speak on the amendment, just to seek your guidance and I think you have already been approached. It is just a delicate position for the members of the Planning Applications Committee when discussing future planning strategies or whatever, whether we are conflicted or not. I do not think this amendment to the amendment is specific enough to give any worries but I was just wondering what you thought.

**The Deputy Bailiff:**

Thank you, Connétable. I have given it some brief thought since the matter was raised with me. It seems to me that both the amendment and the amendment to the amendment are sufficiently in general terms that it does not necessarily, by people indicating their view on a general strategy, indicate how they are likely to consider any specific planning application. I do not think in those circumstances there is any conflict.

**1.6.17 Deputy P.D. McLinton of St. Saviour:**

“Seeking to acquire the land currently in the ownership of the Jersey Gas Company in order to extend the Millennium Town Park to provide additional open space and public parking as appropriate.” Give or take the word “seeking” which is a sentence modifier, that strikes me as something of a commitment which may be the argument the Minister for Planning has against it. Also I thank the Minister for Planning and Environment for painting a wonderful utopian picture of St. Helier. I look forward to visiting that on a regular basis and enjoying it. The amendment to the amendment says: “Providing additional open space and public car parking as appropriate and examining the benefits and costs of extending the Millennium Town Park.” That is a maybe. Now, as a parent, if my children asked me: “Can we go to the cinema tonight, Daddy?” and I say: “Maybe.” That buys me wiggle room for a great big no. It is not a definite no, I may say yes, but it tends to be more on the side of no for me. I have a vision, my utopian St. Helier in my head, where the Town Park does indeed stretch the entire distance and is filled with happy children playing,

people walking, having picnics. Inasmuch as I understand the costs of this project, I would not one day, in 25 years' time maybe, be there with my grandchildren and stare at the buildings that have blocked this amazing park and regret the missed opportunity that we had to put this wonderful park and make it stretch through the middle. I understand that this will cost but I fear that when there is money in the coffers one day we look back and we say: "I really wish we had built the park all the way through there. We missed the beat on that one." So I feel in my heart that I do not want to regret this one day, I understand the financial position now that has been taken but purely from a social position I will I think be accepting the amendment and rejecting the amendment to the amendment.

#### **1.6.18 Senator P.F.C. Ozouf:**

I apologise for not having been physically here but I have been listening to a lot of the debate this morning. I had a dream as a St. Helier Deputy that St. Helier would be a place which one day would be a place where people would genuinely want and aspire to live in, where people would want and aspire to visit, either from the country Parishes or from outside of the Island. I had a dream also of a St. Helier would be a vibrant, bustling place of commercial activity which would be paying taxes and the incomes on people in order to be able to fund public services and public realm improvements. I am delighted that the Council of Ministers has prioritised St. Helier in the way that it has never done in the past and this is also an important amendment and, if I may say to the previous speaker, the time to strike in terms of getting certainty for funding is when the Assembly considers actual numbers and actual budget allocations. Because this Assembly has in so many times in the past promised to do things without knowing the costs and, therefore, when the costs are known and the challenging offsets of how to deliver it are then not possible to discuss because there is no vehicle to do it, the project languishes. It will not have escaped the previous speaker that it was the "Millennium" Town Park and it was finally delivered by a can-do Council of Ministers that said: "Yes, we might have lost the debate about the car parking underneath it." I regret that and I think most people would regret that today, but it was delivered. The time to strike to get certainty is when you know the numbers and the time to strike is when the Assembly considers budget allocations because then you can put your money where your mouth is in terms of political intent. Without money you have nothing, you have no certainty, you have an aspiration. I am truly grateful to the Constable of St. Helier who has accepted this amendment, he has been the champion - as other Members in this Assembly - on the Millennium Town Park. I do not know whether he is right, I live in a dreaming utopian world of Atlantis that may or may not exist of a future St. Helier which is that vision of the future. But the time to do the work is now. Another responsibility: there are serious issues with Jersey Gas which mean the site will be sold and with the benefit of the Planning consent - of which I will make one observation - there is going to clearly be an opportunity for a negotiation. But a negotiation must be on the basis of a valuation, and a valuation must then be backed up by resources and where those resources are going to come from, and then a discussion about the trade-offs, about the projects that we would not do or we would set aside in order to prioritise this against other issues. But that debate is the M.T.F.P. (Medium-Term Financial Plan) and that debate is going to happen in September. So I say let us get on with this issue which the Constable wants to resolve, let us find out what the costs and benefits are, and then let us have a debate. Then either the Council of Ministers, if it is persuaded by the arguments of extending the Millennium Town Park, put in its capital programme - if it is possible to do so - the application for a sum to do that. If it is not the view of the Council of Ministers that that has sufficient priority and it can be paid for somehow then it is up to a Member, the Constable of St. Helier, a St. Helier Deputy. But armed with the facts, armed with the knowledge and the certainty we can have that proper debate. Seeking to bind the Assembly today to do something with no information of the costs is, in my view, unwise. It is almost raising expectations in a way that we cannot deliver, and we have done that so many times in previous Assemblies, not the last one but so

many times before. I wish to make one final observation: in many of these issues of town and public realm and St. Helier improvement it requires a new approach. I apologise to the Minister for Planning and Environment - and this may err on the side of non-collective responsibility - because I have not cleared some remarks that I want to make about the planning system in this very regard. Because at the moment the Minister for Planning and Environment is unable to apply conditions called planning obligations, section 106 obligations, to developers in order to get the dream of the previous speaker, of the aspirations of the current St. Helier Deputies, and their neighbouring friends in St. Saviour and St. Clement. They are unable to get there. In all other developed economies which function well and that are not simply tax and spenders, they have planning obligations which, with the right to develop comes the obligation of putting something back. I lament a situation where today in 2015, despite valiant efforts to get planning obligations to deliver things like social housing, that on the scheme that we are talking about buying there is not a single unit of affordable accommodation. In London there would be a tariff of 50 per cent of those units which would be affordable for key workers, for first-time buyers, in a way that would not disrupt the market. The Minister for Housing and I have had many conversations in recent weeks and she came to London to see ways of those planning obligations working, not disrupting the market because of course there will be an eruption of the self-interested landowners who do not like planning obligation because it is effectively a tax and a charge on land, not on development, but they are obligations. With the right to develop comes the obligation of putting something back.

[11:30]

Unfortunately the Minister for Planning and Environment was not able to put planning obligations on this site. That is a matter of huge regret and that is going to mean that the costs of buying this site are going to be much higher than they ought to have been by a system which put those obligations in; those obligations for affordable housing, for open space, for bike storage, for proper bus facilities, for improved pedestrian highways. The Constable, as other Ministers, has been to ... and it is not only London but it is the place that is near that has got good examples, but there are towns and cities across the United Kingdom, in Canada, Australia and New Zealand, and almost around the world that is doing this and we are not doing it. I am shocked and appalled when I see planning applications for 300 units on an adjacent site with not a single bit of planning obligations. When I see a gateway building where RBC will go where I understand that there was not a single planning obligation apart from a bus shelter and the extension of a pavement which I understand was about £10,000 worth. That is shocking. So this issue is just simply not an issue of buying land, it is also an effective planning system that needs to work the planning obligations. The Council of Ministers' amendment is well intentioned, it is designed to achieve a result, a result based upon information and facts and, effectively, enabling future decisions either in this year's M.T.F.P. or likely next year's budget where we make those capital allocations because I suspect it will be 12 months before we will know. So it is either this September or next September, we can make a decision so that the Deputy of St. Saviour - my own District - can get the certainty, but based upon facts because he would not tell to his children that we can go to the cinema tonight without knowing the costs and know that there is sufficient resources in order to be able to do it. This Assembly is no different. We should not promise to do something that we do not know the cost of and that we do not know how we are going to find the money, and that is why the Council of Ministers' amendment is appropriate, it is well intentioned, it is being supported by the mover of the amendment and I express the hope that the Assembly enthusiastically supports it.

**The Deputy Bailiff:**

Does any other Member wish to speak on the amendment to the amendment? If no other Member wishes to speak I call on the Chief Minister to respond.

**1.6.19 Senator I.J. Gorst:**

I think, like the Constable of St. Helier, I was grateful to him accepting the well intentioned amendment to move the debate forward to provide information so that truly informed decisions can be made, and perhaps thought that that at the same time might have curtailed the amount of time that we needed to spend discussing it. But it has been an important discussion and it is an extremely important issue. We know that there is planning permission issued on this site, we know that there are 2 adjacent sites that will be or are in the process of seeking planning permission, some residential, some retail and parking. So it is important that we get this area right and that there is sufficient open space, as many Members have said. The reason that the Council of Ministers wanted to amend the Connétable's amendment was simply so that information can be provided so that informed decisions can be made and so that Members can be sure that what they are voting for is going to deliver what they want. If we do not accept the amendment to the amendment I am not sure that we can be. A number of Members wanted to know who would carry out this cost work and the benefit work and that will not surprise Members to say that it will be Jersey Property Holdings who will take the lead with the support of T.T.S. The Minister responsible will be the one sitting along the row from the Constable who is responsible for both of those areas, and I know that he will ... a Deputy across there is saying: "Well, that is all right then." It is all right because there is a Minister that gets on and does what he commits to and makes sure that his officers get on and does what he commits to, with the support - let us not forget - that at his right-hand side is his Assistant Minister who is one of the strongest supporters of St. Helier in this Assembly and also supports the Constable in his aims of delivering an improved, modernised, vibrant St. Helier. So those 2 individuals I believe, if this amendment is accepted, will get on and deliver that work in a way which is not simply, as some have suggested, looking at the money but looking at the wider and the broader community benefit that open space can bring in all its forms to families, to individuals, and to the wider community. I think knowing the cost benefit, knowing the benefit to the community is important. I am often nervous when Deputy McLinton rises to speak because he makes probably short, well informed and, to my mind, often he is spot on the money; merging together the financial considerations, but the broader community, personal and often long term considerations. He made a good point. I suppose I want to slightly change the question and then, therefore, I hope that he will consider it in that light. He is right that if my child asks if they can come to the cinema with me this evening - mine are too young to do that so we generally take them during the day - I can say 'yes' or 'no' and I do not want to put them off. I want to be straight with them because giving an answer that suggests I might do something when I am not going to is not a good basis for a relationship. Yet, if they - as they often do - ask me whether this year we can go to Disneyland I have to also be careful in my answer because I have to weigh up the cost of such investment in our relationship. Therefore, I think the aim is the same, we want to deliver open space in St. Helier, we recognise the importance, as I have said, for individuals and for families, but we want to do it in an informed way and that must include what are the costs of various sites and various options. But we all know that the development that is going to take place in this area means that it needs more open space, the challenge is how are we going to deliver it and being informed before we make that final decision of exactly how and, for example, if it is that site which bits or whether it is all of it is going to be delivered. As I say, therefore, as the Constable is accepting the amendment, I hope that other Members of this Assembly will do so as well so that we can work together to deliver on those aims.

**The Deputy Bailiff:**

Could I ask those Members who are ... the appel is called for. Greffier, if you would read the appel nominal.

<b>POUR: 37</b>		<b>CONTRE: 10</b>		<b>ABSTAIN: 0</b>
Senator P.F. Routier		Senator Z.A. Cameron		
Senator P.F.C. Ozouf		Deputy J.A. Martin (H)		

Senator A.J.H. Maclean		Deputy G.P. Southern (H)		
Senator I.J. Gorst		Deputy J.A. Hilton (H)		
Senator L.J. Farnham		Deputy M. Tadier (B)		
Senator P.M. Bailhache		Deputy M.R. Higgins (H)		
Senator A.K.F. Green		Deputy J.M. Maçon (S)		
Connétable of St. Helier		Deputy S.Y. Mézec (H)		
Connétable of St. Clement		Deputy L.M.C. Doublet (S)		
Connétable of St. Peter		Deputy P.D. McLinton (S)		
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy of Grouville				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Brée (C)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

**1.7 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (2)(b) - as amended**

**1.7.1 Deputy J.A. Hilton:**

Just very briefly, I am disappointed, I am not going to say otherwise. I will wait with great interest to see what is delivered. I also wanted to say that I feel as a St. Helier Deputy that I am being kept in the dark. I do not know who the St. Helier Political Oversight Group is but I would venture to say that if such a big piece of work was being carried in any other Parish on this Island you can be absolutely sure that all the political representatives of that Parish or District would be involved. But not in St. Helier, and that does rather annoy me because every single Deputy cares passionately about St. Helier, but I feel we are being excluded, I feel there is deals being done behind the scenes that we are not aware of. I do not know what they are because, as I said, I am excluded. The final thing I would like to say is if the Council of Ministers are so convinced that the Jersey Finance Centre is going to deliver £50 million to St. Helier then that is where you can get the money from to do a deal with the Jersey Gas. **[Approbation]**



### 1.7.2 Deputy M.R. Higgins:

Deputy Hilton has stolen a lot of my material. **[Laughter]**

#### The Deputy Bailiff:

You shall have to write some new material then.

#### Deputy M.R. Higgins:

Well, unfortunately I shared too much with her when I was talking to her while this debate was going on. **[Members: Oh!]** I must say, however ... no, no, I happen to support everything anyway because they were my views. I honestly do believe as this debate went on that the Constable and the Council of Ministers have been talking and that almost I feel that a deal has been done. I do not think that we are talking about the Town Park, I think we are talking about either other areas or other deals being done to do with other parts of town. I do not know what is going on but I do suspect that there are things going on behind the scenes which the Constable has been agreeing but he is not sharing with his Deputies. When the Political Oversight Group was mentioned I turned to Deputy Hilton and said: "Who is on that?" I thought I had missed out, she said she did not know anything about it either. None of us know what is going on. If I just move on, the Minister for Planning and Environment and the Minister for Education, Sport and Culture talk the talk but will they deliver? I would like to believe every word they say, that they want to see St. Helier, the visions they are putting forward. We all do, but there is this suspicion, as I say, that ... the way the debate went on the amendment, I am thinking: "What sort of deals have been done? What has not been shared with us?" I still say, going back to the amendment, no one was saying that the acquisition of Gas Place was a given. The wording: "Seeking to acquire". It was not: "Seeking a blank a cheque".

[11:45]

We do not know what the figures are, and I certainly would not be wanting a blank cheque for the thing as well. I want to know where the money is coming from and balance it off with everything else. So in fact, I even wonder why we had the debate on the amendment and the way it was all done. We are aspiring to have a better St. Helier and the park, and we want those provisions to be there, but I am just not convinced. Now, the Chief Minister said something which - unfortunately, I have always been a historian. I love history and yes, maybe I do go back on things - but he said it is not just about the money. I remember the Town Park debate. It was all about the money. **[Laughter]** If it was not for a ring-binder, we would not have that park now. **[Laughter]** So in fact, I agree with Deputy Le Fondré. I would like to see a small sculpture in the Town Park of a ring-binder, so it reminds people how decisions are made in this Island. So, anyway, what I am trying to say is here, we are going to have some major debates about funding. We know that, and that the Medium-Term Financial Plan is going to be a battlefield. I think so, anyway. That is my view and, yes, I look forward to the debates that are going to come forward on this because, as I say, unless more information is shared by the Constable with his Deputies, I think many of us may be opposing the Constable more often in the States. Thank you.

### 1.7.3 Deputy M. Tadier:

So, putting the disappointment of that previous vote behind us, I think there are still a few issues to address in the Council of Ministers amendment. First of all, I want to address the idea of car parking. It is probably an understandable position to take, that one has a right to a car, whether one lives in St. Helier elsewhere. I would like to challenge that. It is a very politically risky thing to do, of course, to say that you challenge the right to a car, but we cannot have it all ways and, perhaps with my environment scrutiny hat on, or certainly my personal views on the environment, that at some point something has to give. You cannot increase the population, put more people into

town, say that we want people to use their cars less and to use public transport more, and to build more houses which we desperately need, and to have more open green space; and to have more parking spaces, especially when we do not seem to be able to build car parking underground. I think there is a distinction to be made between residential parking for when you build a new development, definitely try and put the car parking underneath it with sufficient car parking so that people can have their cars there. But at some point, difficult choices will need to be made, and I would like to float the notion of what about a right not to have a car park? People in Jersey should have a right not to have a car, but not to be disadvantaged by the choice of not having a car, and that requires a decent Sustainable Transport Policy, which has failed to be delivered. To do that, we need to say it is acceptable to live in town or in other parts of the Island, and to get by without having a car because there will be decent bus services. We have heard about the park and ride scheme that unofficially seems to have started happening in St. Martin, and by no means could I be said to have been attacking St. Martin or other Parishes when I simply made an observation that other Parishes, other parts of the Island, have green spaces with car parks next to them. That is simply an observation, and I would have thought that the Constable would have liked to encourage that. The park and ride scheme that is unofficially operating in St. Martin seems to be something that should be encouraged because, while the cars are in the car park in St. Martin, people are using the buses, presumably. Those cars are not going into St. Helier, they are not polluting, and they are saving car parking spaces in the town area, which should be something that maybe other Parishes could consider doing where appropriate, if they are areas like that, so that that should be encouraged. But be careful what you wish for. It is unfortunate that it seems to have become sectarian and we said, you know, this is not about St. Helier, the urban versus the rest, but look at the vote that was just taken. It pretty much is the urban versus the rest, although we cannot seem to rely even on the Constable of St. Helier nowadays to break the block vote of the Constables. Even he has gone over, presumably in good faith on this occasion, to that block vote. So there is a division here. But when we say: "But our car park was paid by the ratepayers, not by the taxpayers." Well, if we get to a position where St. Helier is allowed to keep the rates from States-owned property, those coffers will swell and the Parish of St. Helier will be able to invest in more of its own parking. But do we want to get to a situation where there are big car parks in St. Helier which are exclusively for St. Helier ratepayers and St. Helier residents? Because that could happen. Do we want to become that kind of sectarian Island, where we say: "This is a Parish car park and unless you are from St. Helier, you cannot park here"? Because I think the unity of our Island is probably more important than those kind of sectarian issues which seem to be coming up. I think those are the points to be made. But let us focus again on the fact that the Town Park is relatively small, when it comes to it. There are other open spaces which are not simply parks. You have Val de la Mare reservoir as well. You have Queen's Valley, which are great social amenity spaces which are accessible for those out of town, perhaps a bit more difficult to get to for those who do live in town. I think it is about equity. It is a shame that this amendment has been, I think, softened. I very much doubt we will see anything meaningful coming of the Millennium Town Park. We have missed the opportunity, I think, as Deputy McLinton probably touched on before, and I will have to think very carefully about whether I can support this at all. But we will be able to look at this vote, back in 20 years' time, and say to our children or grandchildren: "You know, the reason we do not have this Town Park which does extend up to Victoria College with all the green space, and why we have developed space with a very small amount of private green in the middle that nobody is allowed to play on, that is because the Constable of St. Helier, his amendment got amended by the Council of Ministers who, we all know, are hard-nosed business people." We are supposed to trust the current Minister for Transport because he is a decent guy with integrity who delivers on his promises. He has already broken the promise, as far as I can tell, about providing disabled bus passes for the most vulnerable in our community. What kind of faith can we have in him to deliver green space for those who are in the most compact residential area of St. Helier? I

certainly have no faith in this Council of Ministers or in that Minister over there to deliver anything that will go in favour of the cultural, social and environmental good of St. Helier. It will all be focused on the bankrupt economics that his Council of Ministers are keen to pursue.

#### **1.7.4 Senator I.J. Gorst:**

There is just one issue that I wanted to pick up on, that I should have raised in my closing comments, and that is just to follow up on what Senator Ozouf was saying about planning obligation agreements. He is right. In the past, they have not been in place, and there are a number of permits and planning permissions issued that have not had appropriate planning obligation agreements attached to them. That is something which the current Minister for Planning and Environment ... I know he has got a number of priorities, but that is right up there for him to deliver on over the coming months, and he is working on that. We are going to see a change in that particular area, because he recognises the importance of that, that value is created by delivering a planning permission, and the value should not just be to those doing the development, but should be to the surrounding community where that development is taking place. That is part of the cultural and community benefit, not only with the provision of course of affordable homes, where that is what the development is, but also enhanced community facilities where those permissions take place. That is not quite at the heart of his vision for St. Helier, but it forms a good part of that vision about the obligations that can be delivered from the permissions which his department consider and grant or not, week in, week out. The other issue I wanted to just touch on was parking. Both the Council of Ministers and the Constable's amendments say: "Public parking as appropriate." So: "Parking as appropriate", and that no doubt will be an ongoing discussion and, contrary to what - I am not sure who the speaker was - the reason that the Town Park in its current form took so long to be approved was not about the money, it was about the parking. It is interesting to see that those who were strongly in favour of the flat park that we currently have, and now are concerned about the parking issues in that area, whereas some were concerned about it at the time. So if there is to be an extension, it is only right that we do consider the provision of parking in the area and not just simply the provision of open space. Perhaps I could say to Deputy Tadier, it is nice sometimes to be able to give an instant result, to remember when they stand up and speak, there is currently everyone has a right not to have a car in our community, so there we are. He has issued a wish and we have answered it straight away.

#### **1.7.5 The Deputy of St. Martin:**

Just briefly, I would like to apologise to the town Deputies and, in particular, I would like to apologise to Deputy Hilton, whose support and opinion I value greatly. Firstly, I wanted to apologise because I think I inadvertently used the phrase "Political steering group", and I should have used the phrase "Ministerial steering group". But I want to explain to everybody in the Assembly that the 5 people who have taken the lead to start off this Future St. Helier programme just as quickly as we can, and that is myself, the Minister for Transport and Technical Services, the Minister for Housing, the Minister for Education, Sport and Culture and the Constable of St. Helier. The reason I have done that is I asked them to attend a meeting. I wanted a small group, a small group that could take some action and get started just as quickly as possible. The walkabout the Constable and myself and the Minister for Transport and Technical Services had around St. Helier was mainly to identify some quick wins on road safety and pedestrian safety, and we did that with the specific intention of being able to find some small areas of town where we could do some good in a very short period of time. I am acutely aware of accusations of doing a lot of talking and not a lot of walking, in that metaphorical terms, and I want to deliver things as quickly as I possibly can. Some will be quicker to do and not particularly important, but I am committed to showing not only this Assembly but the people of St. Helier that this project can work. So I just wanted to make that statement. There is an overarching ministerial group there, but one of the other things we did was

to set this weekend, the last weekend in May, where we are opening the Town Hall to anybody and everybody who wants to come. I very, very much hope that the town Deputies will all take the opportunity to come along to that and put in their opinion because, as I said, I want to work with them. I especially want to work with Deputy Hilton, and I will be really interested to see what she has to say. But the reason for that one political group meeting was to get things going. I do not want to be a politician who sits around talking about things and no actions. So, I just wanted to make those points before more town Deputies criticise.

#### **1.7.6 Deputy E.J. Noel of St. Lawrence:**

I rise briefly just to make a comment on Deputy Tadier's accusation that I have broken a promise. He is referring to the provision of bus passes for those in our society who suffer from a disability. I have not broken a promise. What I set out that I said I would do, and I have done, is that I have said this was a cross-government issue, and I have instigated in short order from making that statement back in December, a working party that involves the Assistant Chief Minister, Minister for Social Security, myself, the Minister for Housing, to ensure that those that do have a disability are treated fairly. This is a cross-departmental piece of work and that work is ongoing. This is not a quick, short term solution to this and so I would just like to clarify to Deputy Tadier - it is a shame that he is not in the Assembly to hear the clarification - that no promises have been broken and that we are working on this, and we will deliver it.

#### **1.7.7 Deputy G.P. Southern:**

Just in response to the Chief Minister, who said that he had delivered something within whenever it was, a certain number of minutes or seconds of a request, can I just point out that in fact the right not to have a car did require that you would have alternative, convenient forms of transport, i.e., the bus, and bus fares are about to go up, which is not very helpful, and we still do not have a Hoppa bus, despite a promise, despite this Chamber voting for it 3 years ago and it failing to be delivered.

[12:00]

So in terms of town dwellers, the right not to have a car is not there yet, because convenient, cheap, good transport around town is not available yet.

#### **The Deputy Bailiff:**

Does any other Member wish to speak on the Connétable of St. Helier's amendment? No other Member wishes to speak. I call upon the Connétable to reply.

#### **1.7.8 The Connétable of St. Helier:**

I am not sorry we had this debate, even though at the start of it I said we did not need to have a long debate about extending the Town Park because I think, as happened when we debated the Jersey Gas petition proposition, we have had some very useful contributions from Members, which are now on Hansard and which I for one will be collecting and collating so that when we come back with, hopefully, I would say I am 100 per cent committed, that we are going to be asking the States to, in some shape or form, extend the Town Park across the Jersey Gas site. So let Members be in no doubt about that. I am grateful for their contributions, because we now have more assurances on the record for that debate, when it comes, so it has been a useful debate in that respect. Quite a lot of things have been said about a lot of subjects, and I do not pretend to respond to every speaker. I can assure Deputy Hilton and Deputy Higgins that no deals have been done with the Council of Ministers. As I said in my speech on their amendment, I am interested in finding the best way to extend the Town Park and, in my judgment, the best way was accepting the amendment and now I am going to be commending this amendment, as amended, because I think it is the best way to extend the Town Park and I remain, as I say, committed to that. No deals have been done in terms of what has to be brought up for this. Clearly Deputies will have to be involved, as will the Parish

Assembly, before any land that is in the ownership of the Parish can be parted with. But I think we are living in cloud cuckoo land if we think we can acquire a piece of land with a real estate value probably of around £15 million - I do not want to inflate it at all - but if we think we can get that land and put nothing on the table, I think we live in cloud cuckoo land. So the Deputies and I and the parishioners are going to have to have a discussion about what we need to bring to the table to achieve that result. But I know that Ministers are keen to extend the Town Park. After all, they want to focus development in St. Helier, and they know that we are going to fight against that if we cannot extend the Town Park. The Constable of St. Martin said he thought smaller green spaces can work. It happened in London. Well, Members who visit London need to try getting lost in Green Park or Hyde Park or St. James's Park. It is very easy to do. These are big parks. These are big parks. I am sure we have all seen, if we have been on Planning, we have seen the tendency developers have to say: "Well, the overall amount of open space is such and such", and when you examine it you discover that they have added in every single balcony, every single pavement, every single totally unusable piece of open space, to come up with this wonderful figure. To use a word by Deputy Tadier, let me tell you, I have not been hoodwinked by this. I know that is what developers do and I do not buy the argument that the Town Park can somehow become bigger by giving us a green route through past the Odeon and down to the town. The Town Park needs to be bigger. It is not big enough, and that is for me the bottom line. But I accept the amendment, as I said, because the Council of Ministers want to do the sums. They want to find a way of, I believe, extending this without totally skewing the capital programme. I was pleased that the Minister for Planning talked about the new masterplan. He is quite right. Members who were in the House in 2011 when the Island Plan went through - I do not know, I brought, I think, 17 amendments to the Island Plan - I missed this one. We should have designated this land "Important open space". We missed it, and I think that is a shame, but it does not mean we are going to give up on it. I hope the new masterplan, once this work has been done, will show quite convincingly that unless we extend the Town Park in the way that I have described, we are simply not going to provide sufficient open space. I am sorry that the Reform Party Members are so deeply cynical about the Council of Ministers and their relationship with the Parish. In case they have not noticed it, the Parish of St. Helier is, for the first time ever, one of the key strategic priorities of this Council of Ministers. **[Approbation]** If they think that always being in opposition and saying that the glass is half empty works, can I just suggest they look further forward in this debate to see the Council of Ministers are recommending the States pay rates. Now, how long have we waited for that? So to say that the Council of Ministers is somehow trying to hoodwink us I think is entirely unfair. I would urge Members to work with the new Government, because it is a new Government. It does not have the same colour of previous ones. Work with them, and let us see what we can deliver for St. Helier in the next 3 years. I maintain the amendment as amended.

**The Deputy Bailiff:**

Those Members who are in favour of the amendment, kindly show. Those against. The amendment is adopted.

**1.8 Draft Strategic Plan 2015 – 2018 (P.27/2015): twelfth amendment (P.27/2015 Amd.(12))  
- paragraph (3)**

**The Deputy Bailiff:**

The next amendment has been lodged by the Corporate Services Scrutiny Panel, the twelfth amendment, paragraph (3), and I ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

After the words "in the attached Appendix" insert the words – (3) "except that on page 14, in row 4.1, after the words "rationalise government office spaces." insert a new paragraph as follows –

“Evaluate whether such rationalisation might also be used to assist urban regeneration in areas of St. Helier requiring such assistance

**The Deputy Bailiff:**

Chief Minister, I understand this is an amendment that is accepted by the Council of Ministers?

**Senator I.J. Gorst:**

That is correct, thank you.

**1.8.1 Deputy J.A.N. Le Fondré (Chairman, Corporate Services Scrutiny Panel):**

Yes, a very short speech again, just to welcome the Council of Ministers’ acceptance of this amendment. Hopefully it speaks for itself, and I would just reiterate the comment from the Council of Ministers, which says: “This amendment is fully aligned with the Council’s thinking. The catalytic effect of Government sponsored change can be considerable and there is a need to ensure the regenerative value of the development of public assets is aligned with improving our town.” I will stop there, and I am proposing the amendment.

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on this amendment? No Member wishes to speak on the amendment. Then, all Members in favour of the amendment, kindly show. And against. The amendment is adopted.

**1.9 Draft Strategic Plan 2015 – 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (3)**

**The Deputy Bailiff:**

The next amendment has been lodged by the Connétable of St. Helier, namely, the seventh amendment, paragraph (3), and I ask the Greffier to read that amendment.

**The Deputy Greffier of the States:**

After the words “in the attached Appendix” insert the words – (3) “, except that in the chart on page 14 of the draft Plan after row 4.1 there shall be inserted an additional row as follows. Desired Outcomes. 4.1 St. Helier offers safe, clean and peaceful surroundings, with a quality of life comparable to that in other Parishes. Key Areas of Focus. Develop an efficient regime of street cleansing, litter collection and public toilet maintenance; implement co-ordinated strategies to tackle noise and air pollution and to reduce anti-social and dangerous behaviours”. And renumber the remaining rows accordingly.

**The Deputy Bailiff:**

Chief Minister, I understand this is also accepted by the Council of Ministers?

**Senator I.J. Gorst:**

That is correct.

**1.9.1 The Connétable of St. Helier:**

I am grateful to the Council of Ministers for accepting this. It is really something which I think is implicit in the plan anyway, but I thought it was worth being quite explicit about what kind of quality of life St. Helier residents expect. I would refer Members to my report on this amendment on pages 6 and 7 of the seventh amendment. One of the things I highlight in the report is the existing problem St. Helier residents have from building work and the disturbance of building work. I am sure Deputies are phoned up regularly, as I am, by residents who are fed up with finding their peace and quiet, such as it is, being disturbed in the evenings in the summer,

weekends, often starting as early as 7.00 a.m., not just with other people mowing their lawns and doing their D.I.Y. (do it yourself) which of course they have a right to, but major housing developments starting on the site far too early for the peace and quiet of the surroundings. I have also talked in that amendment about air quality and other things which I think are important. I do not want to suggest in the amendment that the regime of street cleansing that we currently have, and litter collection and so on, is inefficient, because of course we are constantly trying to make what we do more efficient, but I am aware that the current system does inevitably mean a concentration of resources on the town centre within the ring road, whereas there are parts of the Parish, particularly in the First Tower area, where residents quite rightly complain that they are not seeing street cleansing of a high enough frequency. So we are working already with T.T.S. to review how we carry out these important municipal functions. We have already made progress with them. That is not to say this is a closed shop. I would encourage any Deputies who are interested to join us, to join with me and the Minister for Transport and Technical Services as we try to make what we do more efficient. But I simply wanted to make sure this was a matter of priority in the Strategic Plan, and maintain the amendment.

**The Deputy Bailiff:**

Thank you, Connétable. Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment?

**1.9.2 Deputy J.M. Maçon of St. Saviour:**

Very briefly. While looking at the surface of this, yes, of course, it is supportable, but I just would like to know, for clarity, from the Connétable's point of view, about the impact of this amendment on things like the night-time economy. Being away just recently, away to London, where perhaps you can carry on all night until the next morning, and now I think one of the things we could be doing is opening up that area to attract more people to Jersey. I just want to know how this is seen to impact on things like operating hours. I know recently there was the issue around the kiosk, the food kiosk, closing and that being brought up. So I just want to know what the envisaged impact of this particular amendment is on that type of thing because absolutely, I think we would all agree, a cleaner town and a safer town is something which we would all want to support, but I would not want to see that just clamp down on other parts of the social enjoyment of the Island. I would just like that to be clarified, please.

**1.9.3 The Connétable of St. Mary:**

Just very briefly, there are a couple of things that the Constable said when he spoke. I, even as a rural Member, have received representation from people who live in St. Helier. He is right, there is a definite split between different areas and how clean they are, not just First Tower. I would say there are areas in Rouge Bouillon that definitely need further cleaning. But the thing is not necessarily the cleaning is amiss, but we need to look at enforcement. I have seen myself, piles of cigarettes in the gutter, where somebody has obviously just parked and emptied their ashtray as they have been there. We need to clamp down on that. People expect to see action taken on things like this. He also mentioned in his speech, people were getting up too early and mowing their lawns at whatever. We have talked about lots of different areas, aspects of Sunday being different and being special, in this Assembly. There are areas in the world, in Europe, where there are hours where you can make noises like that, in legislation, and people expect not to be out doing noisy things on a Sunday morning. In those towns where I visit, especially in Germany, it is extremely pleasant to be in a built-up area on a Sunday. There is a definite feeling of it being a different atmosphere from the rest of the week, and perhaps that is something that we need to look at in future planning as well.

**The Deputy Bailiff:**

Does any Member wish to speak on this amendment? No other Member wishes to speak. I call on the Connétable to reply.

#### **1.9.4 The Connétable of St. Helier:**

I am grateful to Deputy Maçon for his comments about the evening economy. Those are touched on in a later amendment, but I think it is quite right that we do not want to hamstring the growing evening economy. What we want to make sure is that it is not going to compromise the quality of life of the people who live around the town centre. The Parish and, indeed, the Home Affairs team, are in very useful dialogue with the City of London, who have tackled their problems, not just problems, but the opportunities with the evening economy, extremely successfully, and we are in the process of learning how they have done it. They have 3,000 licensed premises in the City of London; a million visitors a day coming into the City; 250,000 residents. They have found a way of making sure that that evening economy that is so successful does not compromise the quality of life. They have some very innovative approaches which I am hoping that, together with the Council of Ministers, and particularly with the Minister for Home Affairs, that we can bring to bear on the licensing of such premises in Jersey, to make sure that we get the best value out of the evening economy without the disbenefits. I agree with the Constable of St. Mary. I have just come back from a German town which reminded me to some extent of the Truman Show. It was simply so perfect in terms of people's sociableness and people's friendliness and consideration towards each other. I wondered if I was missing something. I would be nervous about seeing such things enshrined in law as: "Thou shalt not mow one's lawn at 7.00 in the morning", but clearly, we do need to do more to encourage people to be sociable, to think of their neighbours. The noise in some back gardens, on some balconies in St. Helier on a Sunday afternoon, can be really horrific and it is no wonder people are calling the Centeniers and calling the elected Members the way they do. I thank Members for their contributions. I maintain the amendments.

#### **The Deputy Bailiff:**

All those Members in favour of the amendment kindly show. Those against. The amendment is adopted.

[12:15]

#### **1.10 Draft Strategic Plan 2015 – 2018 (P.27/2015): ninth amendment (P.27/2015 Amd.(9)) - paragraph (5)**

#### **The Deputy Bailiff:**

The next amendment has been lodged by the Environment, Housing and Technical Services Scrutiny Panel, the ninth amendment, paragraph (5) and I ask the Greffier to read the amendment.

#### **The Deputy Greffier of the States:**

After the words "in the attached Appendix" insert the words – (5) " , except that in the chart on page 14 before row 4.2 insert an additional row as follows with the remaining rows renumbered accordingly. Desired Outcomes. 4.2 The use of resources in St. Helier is managed environmentally with demand management of energy a key policy driver. Key Areas of Focus 2015 - 2018. Identify and implement measures to address contributing factors towards climate change through demand management and the environmental management of resource use. Consider, monitor and report upon progress against targets in respect of carbon emissions and other contributing factors towards climate change.

#### **The Deputy Bailiff:**

Chief Minister, I think this is one that is accepted as well.



**Senator I.J. Gorst:**

That is correct, Sir.

**The Deputy Bailiff:**

Thank you very much. Chairman?

**1.10.1 The Connétable of St. Helier (Chairman, Environment, Housing and Technical Services Scrutiny Panel):**

This is the last of the Environment, Housing and Technical Services Scrutiny Panel's 5 amendments. We are grateful to the Council of Ministers for accepting it. We do feel it is extremely important that St. Helier in particular accepts that demand management or low impact living is essential if we are to see a growing population and growing commercial activity, otherwise life would become very difficult for residents and indeed the Island would suffer from a poor reputation in terms of its environmental sustainability. We think this is a very important strengthening of the fourth key priority in the Strategic Plan. I propose the amendment.

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment? No Member wishes to speak on the amendment. Those Members in favour, kindly show. Those against. The amendment is adopted.

**1.11 Draft Strategic Plan 2015 – 2018 (P.27/2015): thirteenth amendment (P.27/2015 Amd.(13))**

**The Deputy Bailiff:**

The next amendment is the Corporate Services Scrutiny Panel amendment, amendment 13(1), which I think can be read together with 13(2). I will ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

After the words "in the attached appendix" insert the words "except that (1) on page 14, in row 4.3, in the column Key Areas of Focus 2015 - 2018 after the word 'Develop', insert the words 'subject to viability,'; (2) on page 14 in row 4.3 in the column Key Areas of Focus 2015 - 2018 for the words 'International Business Centre', substitute the words 'Jersey International Finance Centre'."

**The Deputy Bailiff:**

Chief Minister?

**Senator I.J. Gorst:**

Both accepted, Sir.

**The Deputy Bailiff:**

Thank you. Chairman?

**Senator J.A.N. Le Fondré (Chairman, Corporate Services Scrutiny Panel):**

Deputy Brée is acting as rapporteur on this.

**1.11.1 Deputy S.M. Brée of St. Clement:**

I would like to thank the Council of Ministers for accepting these amendments. Amendment (1) is a very, very simple amendment, but a very important one. We are looking, obviously, at all areas of government spending: costs, expenditure and income. The panel felt it appropriate merely to add the words "subject to viability". I think that is very important when we are looking at any

development of any type. The key point is: is it a viable development? Once again, I would like to thank the Council of Ministers for agreeing for this amendment. The second amendment, which I may move on to as we are taking both at the same time, may at first glance seem a bit strange, but we, as a panel, felt it was quite important. In the Strategic Plan the description is “International Business Centre on the Esplanade”. One of the things that has been coming out of our panel’s review into the Jersey International Finance Centre was the importance to many organisations of the brand. The brand, like any product, service or whatever, can be key to marketing campaigns, building up awareness that this is what we do and this is where we do it. I would hate at this point to use the Ronseal advert, so I promise you I will not. Essentially that is what we are talking about. What is important is if we agree branding of the Jersey International Finance Centre is important and Jersey Finance Limited have stressed this to us, then why do we not call it what it should be called? To call it the International Business Centre is not intentionally misleading, but it does grey the area of branding. We feel it very important that this be changed to reflect what it was intended to be originally and perhaps one day will be. Once again, I would like to thank the Council of Ministers for accepting the amendments and as such I wish to propose both amendments. Thank you.

**The Deputy Bailiff:**

Are the amendments seconded? **[Seconded]** Does any Members wish to speak on the amendments? Senator Ozouf?

**1.11.2 Senator P.F.C. Ozouf:**

I see no reason why we should not call the Finance Centre the Jersey International Finance Centre, but I just would say to the Assembly and to the rapporteur that the growth that we are likely to see in terms of inward investment is going to be different in the future than in the past. I think there is no issue with continuing to call finance “finance” and ourselves as a finance centre. For example, the good work that has been done by the previous Minister for Economic Development and his team on mining. Is mining finance? I spoke at the largest mining conference in the world in Cape Town in February and I ask whether or not I was going there as effectively the Minister with responsibility for mining? Before I went I tried to understand what it was that the businesses we had there were. I hope that this is in no way going to effectively narrow what the requirements for space demands or future inward investment in the growing diversified - that word is not often used - but we have a diversified financial services industry, which is becoming more and more diversified and needs to become more and more diversified, in terms of its geographic, its product and its risk-based approach. We will see in future less big employers and lots more smaller ones. They will be diversified. They will be potentially finance companies that are focusing on dealing with the financial services requirements of mining companies. It may be MTech, which mean mobile phone finance. It may be FinTech businesses. I am not going to be suspicious, because I am not. Indeed it is much better not to be suspicious. I am going to be optimistic. But I just wish to place on record that finance is simply not the traditional view of banks, trust companies and funds and that the future demands for space and inward investment in Jersey is going to be much, much bigger and much, much more diversified. At its core is going to be our excellence in terms of financial services. What it may look like might be to some people not finance. If that fits in the finance that is fine. That is what the D.I.F.C. (Dubai International Finance Centre) in Dubai is doing. That is what other centres are also doing. It may be semantics, but it is important to say the finance firms of the future are not necessarily the finance that people would categorise or pigeon-hole as finance companies today.

**The Deputy Bailiff:**

Does any other Member wish to speak on these amendments? If no other Member wishes to speak on the amendments I call upon the Deputy to reply.

**1.11.3 Deputy S.M. Brée:**

I would like to commend Senator Ozouf on his very good speech. I was slightly concerned when he started referring to mining companies not being really finance. Are they going to start digging on the site? I would hope not. **[Laughter]** The point I am trying to make is that mining companies are obviously looking to set up operations in Jersey, which are related to their finance or their operational activities. I would, however, like to, if I may, just read a comment received from Jersey Finance Limited, which was made in a recent submission to the panel: "Having a clearly identifiable financial services centre will be a core marketing attribute to the Island." I then go on, "The J.I.F.C. (Jersey International Finance Centre) brand manifested in the clearly identifiable and discrete finance centre will act as a hub attracting high quality business and high value employers." What we are talking about here is branding. I think it is important that we accept the expert submission of Jersey Finance Limited about the branding. Irrespective of your views on whether or not the finance centre itself should be developed, we need to be sensible and say: "This is about branding and marketing for the future." I would commend the amendment.

**The Deputy Bailiff:**

Deputy, how do you wish to take the vote on this? Do you wish to take each paragraph separately or do you wish to take them *en bloc*?

**Deputy S.M. Brée:**

I would suggest *en bloc*, Sir.

**Senator P.F.C. Ozouf:**

Sir, just by point of clarification, does the rapporteur accept that the definition of financial services is going to be wide and therefore understanding the points about branding, does he accept that the entrance into the finance centre, as in the D.I.F.C., may be businesses which would not typically be purely regarded by some as finance? Does he accept, in other words, that a mining company is welcome in the Jersey International Finance Centre as it is in Dubai? Can I just make sure that there is no avoidance of doubt in the future?

**The Deputy Bailiff:**

Deputy, that is a point of clarification on your speech, so it is a permissible question.

**Deputy S.M. Brée:**

If I may take the opportunity, for the avoidance of doubt, I fully accept that financial services companies have a wide range of activities. Having worked in the financial services markets myself, I am not in any misconception, misunderstanding about what services companies operate in the financial services sector, not only locally, but globally.

**The Deputy Bailiff:**

We come now to vote upon this. Those Members who are in favour of these amendments taken *en bloc*, kindly show. Those against. The amendments are adopted.

**1.12 Draft Strategic Plan 2015 - 2018 (P.27/2015): tenth amendment (P.27/2015 Amd.(10)) - paragraph (1)**

**The Deputy Bailiff:**

The next amendment has been lodged by Deputy Labey, namely the tenth amendment. I ask the Greffier to read the amendment.

### **The Deputy Greffier of the States:**

After the words “in the attached Appendix” insert the words – “, except that – (1) in the chart on page 14 of the draft Plan in row 4.5 in the column headed ‘Key Areas of Focus 2015 – 2018’, after the words ‘standards and quality’ insert the words ‘with reviewed and appropriate criteria of density’.

### **The Deputy Bailiff:**

Chief Minister, this is accepted, I believe?

### **Senator I.J. Gorst:**

Yes, Sir.

### **1.12.1 Deputy R. Labey of St. Helier:**

When I left the Island 25 years ago this debate was raging and it rages still, because the people of this Island are regularly confronted by big, aggressive, overly-dense schemes that they do not want, but are told that they have to have because of actions of previous administrations or Ministers or what have you. I think we need to do something preventative, something in anticipation to stop it. I preface my remarks by saying 6 months on the Planning Appeals Panel and then Committee has taught me an awful lot about the Planning and Environment Department, in that it is full of very dedicated, passionate people, who only want to make this Island better. We should give them all the help they need in terms of legislation for this. Being on that Planning Applications Committee we regularly spend hours assessing individual properties, a home owner who might want a modest extension. We have to look at that and look at the impact of that on neighbours, sometimes even just a single neighbour. Very often, we had one just last week, an application is refused because of an impact on a single house. At the same time a development like Gas Place gets planning permission.

[12:30]

I am not having a go at the Minister, because he has explained and we have heard many times how this has happened. A development like that is an anathema to me, because I simply do not understand how the design is informed by the area in which it sits. To me, I see it just as an out of scale over dense architecturally impoverished computer generated rectangle. I may need educating on that. It may be subjective. I think what is unarguable is the impact such schemes have, with their scale, with their proportions, with their density, on not just a single neighbour, but on whole streets of neighbours and the impact of so many people crammed in as well. It is such a tragedy. We have talked about it already, but open spaces do not appear regularly in St. Helier. It would be such a tragedy if this one is missed. There are developers working in the Island who have produced some very fine work; in Castletown, Douglas, in St. Peter Port, because they were confronted and challenged by determined planning authority, the same determination should be shown here, so we get the best and most appropriate results. It is especially frustrating for me when government sponsored schemes appear to be guilty of what I am talking about too. All the principles employed by Taylor Leapingwell in the 1950s or 1960s to win the design competition to build the La Collette low rise development are being ignored by what is proposed as its replacement. Never mind the unseemly scramble for maximum density, listed buildings, the best of their kind that exist, the best of their Corbusian kind that exist on the Island are to be demolished. Never mind that the whole concept of living among greenery that is in the Strategic Plan. That whole concept goes out of the window as a protected strip of land and trees is built upon. What kind of protection is that? One’s perception of Havre des Pas nestles behind a spur of land that has the fort on top of it that goes to South Hill, the chimney, the reclamation site beyond. All that gives the reclamation site some kind of topographical coherence. That is a sort of southerly extension of Le Mont de la Ville. That

understanding will be lost behind steel and glass if what is proposed goes ahead. I appeal to the Minister for Housing, she is not here, to rein in this scheme and to look at it again. Unless Andium Homes is so arm's length that we can just about reach the sink to wash our hands. Overriding all my concerns are, of course, those of the residents in that particular scheme that I just mentioned. If those buildings are no longer habitable, so be it. I share their concerns and, as I say, they override everything. My worry is demolishing and replacing that development with something that is double or treble the density of the original is only replacing one problem with an even greater one. I move the amendment.

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment? No Member wishes to speak on the amendment. Those Members in favour of the amendment, kindly show. Those against. The amendment is adopted.

**1.13 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraphs (4), (5), (6)(a) and (6)(b)**

**The Deputy Bailiff:**

The next amendment is to be lodged by the Connétable of St. Helier, namely the seventh amendment, paragraphs (4), (5), (6)(a) and (6)(b). I ask the Greffier to read the amendments.

**The Deputy Greffier of the States:**

After the words "in the attached appendix" insert the words - "(4) except that in the chart on page 14 of the draft Plan in row 4.6 in the column 'Key Areas of Focus 2015 - 2018' after the words 'in and around the town' insert the words 'including safe and convenient cycling and pedestrian routes'; (5) except that in the chart on page 14 of the draft Plan in row 4.7 in the column 'Key Areas of Focus 2015 - 2018' (a) for the word 'core' substitute the word 'area'; (b) after the words 'cultural activities' insert the words 'and heritage assets'; (c) after the words 'regeneration of the town' insert the words 'Develop the evening economy to ensure the town is a welcoming place for all, with an effective and efficiently administered licensing regime'; (6) except that in the chart on page 14 of the Draft Plan in row 4.8 in the column 'Key Areas of Focus 2015 - 2018' (a) for the words 'to deliver services and best value for tax and ratepayers' substitute the words 'for efficiency and fairness in the delivery of services to the public which does not disadvantage St. Helier ratepayers when compared with the ratepayers of other Parishes'; (6) except that in the chart on page 14 of the Draft Plan in row 4.8 in the column 'Key Areas of Focus 2015 - 2018' (b) after the existing Key Areas of Focus insert an additional Key Area as follows "Provide in the next Medium-Term Financial Plan for the payment of rates on States' properties."; (6) except that in the chart on page 14 of the Draft Plan in row 4.8 in the column 'Key Areas of Focus 2015 - 2018' (c) after the existing Key Areas of Focus insert an additional Key Area as follows 'Delegate authority to the Parish of St. Helier for the licensing of small-scale events within the Parish, including in its public squares and precincts, after appropriate consultation with the relevant authorities and subject to all necessary safeguards, risk assessments being in place'."

**Senator I.J. Gorst:**

Sir, is it possible for us to take the amendments read out apart from 6(c), because I would like to say something about that separately? I think it might be easier to do it that way.

**The Deputy Bailiff:**

You have pre-empted me, 6(c) should not have been read out at this stage. You should have read as far as 6(b). It is those amendments that we will speak to at this point and then we will come on to

deal with 6(c) subsequently. The amendments that were read out, leaving aside 6(c), I understand, Chief Minister, are accepted by the Council of Ministers.

**Senator I.J. Gorst:**

That is correct, Sir. Thank you.

**1.13.1 The Connétable of St. Helier:**

There are only 7 minutes remaining before lunch. If we could get agreement that the States would pay rates on their properties in 7 minutes that would be a truly historic day. I believe that the first 2 amendments are self-explanatory and are not controversial: safe cycling and pedestrian routes are here because the Parish of St. Helier has been going on about these for a decade. They still have not happened. I have encouraged that already dialogue with the Ministers of Transport and Technical Services and Planning and Environment has shown a real will to make walking and cycling around town easier in short order. We are going to see early wins, certainly in the area of pedestrian routes. Members who have not noticed it when they come to town may not be aware that literally thousands of people who choose to go to work on foot and an increasing number by bicycle. It is absolutely essential that facilities are improved and priorities changed, so that if you decide to walk to work you can do it without on every street corner having to wait deferentially for the traffic to stop so that you can get across the road. I welcome the fact that this has been accepted by the Council of Ministers. The next amendment is a fairly minor point. The Council of Ministers were talking about a core retail area. I was alarmed by this, because I would resist any attempt to take the retail activity from a place like Colomberie, which is such an interesting place for retail and restaurants and which has, I believe, a great future. I would not want that to be closed down by a narrowing of the retail area in St. Helier. Equally important I think is that we really do move ahead with licencing and we get an effective and efficiently administered licencing regime. Anyone who has come to a Parish Assembly where licencing is being discussed or been to the bench or spoken to people trying to get licences will be aware of the red tape of the duplication of effort, of the expensive legal fees and so on. We really do need to tackle that as well as the basic matter already raised by Deputy Maçon, which was to do with when places close and what happens when licenced premises close. Moving on to the next amendment, again, it perhaps looks uncontroversial. I would just like to say something which may make it a little more controversial at least on the Constables benches. I have been arguing for as long as I have been Constable that it is completely unfair that in St. Helier alone ratepayers pay for parks and other public amenities enjoyed by all Islanders, including visitors. If you go to a park in St. Brelade, Winston Churchill Park, or if you go to Millbrook Park, Howard Davis Park, these parks are all paid for out of general taxation. The ratepayers of St. Saviour, St. Lawrence and St. Brelade do not have to pay those bills. Why then in St. Helier should ratepayers pay for their parks and gardens? There are 2 ways of solving this unfairness. Either the States hands the Parish of St. Helier money to offset those costs. That clearly in the current strait and circumstances is probably not going to happen. Or the other Parishes who have such public amenities that are currently funded by the States of Jersey say to their ratepayers: "Actually, lads, we are going to have to start paying for these ourselves." That clearly would not be very welcome in the Parish Assemblies of those Parishes which have parks, gardens and public amenities, but something has got to give. We cannot continue with this unfair arrangement. Finally, the last of the amendments we are considering now, simply provides for the payments of rates on States properties. I am very pleased and almost moved to note that the Council of Ministers accepts this amendment and I propose this amendment.

**The Deputy Bailiff:**

Are the amendments seconded? **[Seconded]** With 2 minutes to go before the time of adjournment, I hesitate to ask if any Member wishes to speak on the amendments? But, does any Members wish to speak?

**1.13.2 Deputy J.A. Hilton:**

Very, very briefly, Sir. Just to say that I do support all of the amendments that the Constable has just outlined, with the proviso on amendment 7.4, which reads: "Including safe and convenient cycling and pedestrian routes." My only concern is about disabled parking being removed for this to happen in St. Helier. We cannot afford to lose any disabled parking for people to be able to come in and shop conveniently. Also, the parking that is set aside for the fish market and the fruit and vegetable market, I think we need to assist these retailers. Any idea of removing that on-street parking, that 10 minute shopper parking, I feel should be resisted.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

The adjournment is proposed. The States will adjourn until 2.15 p.m.

[12:43]

**LUNCHEON ADJOURNMENT**

[14:15]

**The Deputy Bailiff:**

Before continuing with the business of the afternoon, could I just welcome His Excellency for joining us this afternoon? **[Approbation]** I think we now proceed with the debate on the amendments of the Connétable of St. Helier.

**Deputy J.M. Maçon:**

Sir, before we resume, can I just offer the apologies of Deputy Hilton who has a hospital appointment this afternoon and, therefore, will be out of the Assembly this afternoon until she returns, though we would very much appreciate the points that she made to be responded to by the Constable as and when.

**The Deputy Bailiff:**

Thank you, Deputy. That is noted. I perhaps also should say my understanding is that we are now back online for voting purposes. If that turns out not to be the case, then I will let Members know, although I imagine it will become fairly apparent. Does any Member wish to speak? Connétable of St. Clement.

**1.13.3 Connétable L. Norman of St. Clement:**

I just want to be absolutely clear, Sir, because of the way the amendment was read out, we are debating paragraphs 5 and 6(a) and (b) of the amendment.

**The Bailiff:**

Yes.

**The Connétable of St. Clement:**

We are? That is good. I do not want to fall out with my colleague the Constable of St. Helier but we did have from him this morning - and indeed it is repeated in his report - of how hard done by St. Helier is in his speech. It is the one we had from St. Helier this morning. I think it should be made clear that St. Helier is not the only Parish that provides parks and gardens for the benefit of

their parishioners and Islanders. Perhaps along the same scale as St. Helier - but then no other Parish is on the same scale as St. Helier - but certainly St. Clement maintains, owns and manages the only parkland that is available in that Parish. I am aware that St. Saviour has a small park area in the Patier area which was created when Connétable Norman was in post in that Parish. I know St. Ouen has some open areas for its parishioners and other Islanders to enjoy and I am sure there are others. As I say, not on the same scale as St. Helier but certainly it happens. Public toilets are also provided by some other Parishes. I have used them myself in St. Ouen and in St. Peter and indeed there may be others. Somebody said, earlier today I think it was: "Be careful of what you wish for" and I think the States paying rates on their properties in the Parishes, I think we need to be very careful of what we wish for. Now if the Council of Ministers wishes to reach a private arrangement with St. Helier, who feel they are hard done by, that is one thing but I do say, for the moment anyway, until we have had some detailed discussions, please keep the rest of us out of it. If you have a look at the figures, St. Helier are so hard done by that they can manage all these parks and public toilets with a rate considerably lower than that of St. Ouen and as near as it makes no difference, the same as Trinity, St. Martin, St. Mary and St. Peter. One wonders just how hard done by they are. The Council of Ministers in their report in their comments on the amendment say that: "Yes, fine, we agree that the States should pay rates but we are going to have to claw that money back somehow" but they do not tell us how they are going to claw it back. Now the last time this was discussed and debated, what it was going to be was an increase in the Island-wide rate so that means that St. Helier will benefit considerably from the States paying rates on their properties but the ratepayers of all Parishes will pick up the bill to pay for lowering the rate or increasing the services in St. Helier and that, quite simply, is not fair. Of course the Parishes themselves will not be immune from this because we will assume that, as a quid pro quo, the Parishes will be required to pay the Island-wide rate on their own properties such as their Parish Halls, churches and other facilities that they might have. So as I say, be careful of what we wish for. Until I know the details of how these rates are going to be funded, I really cannot support that part of the proposition.

#### **1.13.4 The Connétable of St. Mary:**

Well, my contribution is very much more low key. I would just like to say a couple of words about cycling just so that you can put it on record because, as a cyclist myself, I frequently cycle in St. Helier and I of course welcome the provision of safe and convenient cycle routes and I am always amazed when we have put new roads in. For example, the road that goes in front of Liberation Station, that was put in without a cycle provision but I would have a word of caution because as someone who spent quite a lot of time walking around St. Helier for a time with someone who had reduced mobility because of a serious neck injury, they were almost bowled over several times because, in St. Helier, there are some roads that you can cycle down the wrong way. I would caution the use of things like that because when pedestrians - especially the elderly and those who really find it difficult to look both ways who are expecting traffic from one direction - can be so easily endangered by cyclists who - and I am one and I can say this - often do travel very fast really and they come unexpectedly fast around corners, et cetera. Please when the routes are planned, make them in accordance with the Highway Code so that everybody knows what to expect. It is a simple thing to ask. We can do it but we can do it safely. Thank you.

#### **1.13.5 Senator A.J.H. Maclean:**

Just very briefly. I noted the wise words of caution from the Connétable of St. Clement and I take that very much on board and I am sure the Council of Ministers will as well. The purpose of including this and agreeing to its amendment is that this has been a matter that has been discussed for some considerable time. It is a matter of fairness in terms of open accounting and such like but the Parishes should indeed be recipients of rates paid by the States. The States should in fact include in their income and expenditure rates. Indeed, they should with rent as well so that there is



a clear understanding of what it costs to run government services. I put a caution though. Of course, although that is, without doubt, the right thing to do, timing is of the essence particularly in the current climate. We are very keen to work closely with the Parishes. In fact, it would be impossible to do anything other than that and to take on board all the concerns that they may have in this regard. Members will note that the estimated cost of the States paying rates in 2013 terms was £890,000. Inflating that out to a date in 2016, that is £950,000 so we are talking in round figures of a cost of around about £1 million which is not an insignificant sum that needs to be addressed in terms of payment. It is fully recognised that finding an appropriate funding mechanism is clearly going to be the more problematic issue I would suspect and it may well take time in order to do that. What we do not want to do is see another area, whether it be the business community or anywhere else, penalised in order to fund the paying of these rates so we are going to have to find a fair and equitable solution working with all parties to ensure that this matter is resolved but resolved in time it certainly must be. I do not think there has ever been any doubt. I know the Connétable of St. Helier has already mentioned he stands to be the greatest recipient of this. I make no particular comment on that. That just is as it is. In fact, it would allow opportunities I am sure for St. Helier with the extra revenue to invest in this important centre and, indeed, it is a priority of the Council of Ministers that St. Helier should be at the very heart of much of what we do so additional revenue in that respect is quite positive. But I just end by saying that we will work with the Constables to find a solution to this matter and I think it is the right thing to do but it is not necessarily going to be that easy.

#### **1.13.6 Deputy A.D. Lewis of St. Helier:**

I would just like to draw attention to one particular issue about the management of the estate that the States own. We have 52 offices and there are a further 17 occupied by others that we own so by having rates paid on them, of course it focuses the mind a bit and makes us realise do we keep them, do we lose them or do we rationalise them? So this is an important I think towards the estate rationalisation programme so I do not believe that should be overlooked. I mentioned this in the States yesterday in questions and I do firmly believe this is happening too slowly. I suggest that there might be another mechanism to speed things up a little bit and make us look very closely at our estate and use it more efficiently. If we are going to spend nearly £1 million in rates, then departments will have to look closely at their budgets and make sure that they have got those offices and they need those offices. We need to look very, very closely at that and I would urge Members to look at the M.T.F.P. at section 5, appendix 5 and see for yourselves what is being planned and what has not been done yet.

#### **The Deputy Bailiff:**

Does any other Member wish to speak upon the amendments of the Connétable? If no other Member wishes to speak, I call on the Connétable to respond.

#### **1.13.7 The Connétable of St. Helier:**

I am grateful to Members who spoke on those amendments. A couple of the queries were about cycle routes and I can assure Deputy Hilton that there is certainly no plan to threaten disabled parking by providing cycle routes or on-street parking in town where it is essential for business survival. Hopefully, the town centre will become a place once a cycling strategy is in place where it is easier to cycle than it is at the moment because as a law-abiding cyclist and one who has lived in the Parish for many years, I find it incredibly difficult to get from A to B on a bicycle. It is a very difficult town at the moment to cycle in so I have some sympathy for tourists who look rather bemused as they cycle around or as they get shouted at for cycling across areas which, in their countries, are perfectly cycleable. We do have a lot of work to do to make cycling safe and convenient, not only for cyclists but for other road users. Just at lunchtime, I watched a cyclist

come the wrong way down Bond Street, down the pavement, across the pedestrian crossing and into Broad Street. Clearly totally illegal but I would submit that person is probably as dangerous, or more dangerous, behind the wheel of a car than he was this afternoon on his bicycle. Equally, for the Constable of St. Mary, the routes she is referring to, or contraflows as they are called, are always difficult. They are always controversial but we do currently have some cycling contraflows in St. Helier which work very well in the vicinity of the town park. All I would say here is that any cycling strategy must be properly consulted with everybody involved and I think, as I say, the cycling strategy for Jersey is at least a decade overdue and we really need to get on with that work. The Constable of St. Clement began with what I thought was going to be a sustained attack on the notion that the States should pay rates. How pleased I was that his was the only contribution, at least in the real world, because there was a virtual attack on the email from another Constable who could not be here this afternoon so that was good timing. I will not say who it is other than there is a vacancy in front of me. **[Laughter]** I brought with me one of the long documents that I wear like war wounds from previous attempts to get the States to pay rates and I can still remember the furious attack I received from the then Chief Minister for presuming to say that St. Helier was hard done by. "Had we not just had the welfare burden removed from our shoulders? Were we not grateful for that?" Of course we were and we still are but St. Helier ratepayers still pay among the highest rates in the land and the fact that we do manage to maintain our parks, gardens and public toilets and not put the rates up so much I would suggest is more testament for the effectiveness of my team and my staff who manage to provide these services extremely efficiently indeed. That does not remove the unfairness. Interestingly, he talked about other parks and other Parishes. St. Clement does have a bit of parkland that they maintain and that is exactly my point, that every Parish, I believe, unless the burden on the taxpayer is to remain and unless the unfairness is to remain, every Parish with open spaces should accept that that is the job of local government, maintaining parks and gardens and public amenities. Let us ask our ratepayers to accept that burden and it will take quite a considerable cost off the Senator. I am grateful to Senator Maclean for his cautious support. He perhaps more than anyone knows that it will not be an easy job to come up with the money. This is the first half of the game.

[14:30]

We do not have - whatever they call it in rugby - an interval. No, halftime. We have halftime and then we come back for the second half with the M.T.F.P. and that of course is going to be the time when hopefully we find a way of meeting this bill. I know that Senator Ozouf has done a lot of work on this and that work has possibly been misunderstood. The idea is not to penalise ratepayers in other Parishes. This is a property tax after all, the rates, and it is to find a way of extracting more of a contribution from those large businesses who pay very low rates in Jersey compared to the other branches of their businesses in other parts of the world. I am hoping that the Council of Ministers can come up with a solution which does not penalise small businesses, which does not penalise the ratepayers of other Parishes but manages to extract more of a contribution towards this payment of rates from the larger businesses in our community who have a lot to thank Jersey for. Deputy Lewis of St. Helier quite rightly pointed to one of the reasons why the working group who looked at this matter 10 years ago came up with the advice that they did which was that rates should be paid on States properties. One of the reasons they gave was that it would make the States property departments much more efficient in their use of their spaces and I am pleased he referred to that. A good example of course is Morier House. Morier House is a States building. Before it was converted to that, it was a bank. It paid rates and that rates income was deprived to the ratepayers of St. Helier when it was turned into public offices. So there is clearly, not only in terms of better use of buildings, an obvious good argument there for making sure that States buildings do pay rates because, otherwise, they do deprive the Parishes in which they sit - and it is not just in St. Helier although I accept the majority of them are - of that important income which is needed for

running those particular areas. I think I have answered the various questions that were made, and I maintain the amendment.

**The Deputy Bailiff:**

Connétable, do you wish to vote on each of these amendments separately or would you like to take them *en bloc*?

**The Connétable of St. Helier:**

I think we should take them separately, Sir, now that the system is working.

**The Deputy Bailiff:**

Now the system is working, right. Well, then the first of the amendments is amendment 7(4). Those Members who are in favour of amendment 7(4), kindly show. Those against. That amendment is adopted. The next amendment is amendment 7(5). Those Members who are in favour of amendment 7(5), kindly show. Any against. That amendment is adopted. The next is amendment 7(6)(a). **[Aside]** The appel is called for. The Members are invited to return to their seats and I ask the Greffier to open the voting.

<b>POUR: 36</b>		<b>CONTRE: 4</b>		<b>ABSTAIN: 1</b>
Senator P.F. Routier		Connétable of St. Lawrence		Deputy of Trinity
Senator A.J.H. Maclean		Connétable of Grouville		
Senator I.J. Gorst		Connétable of Trinity		
Senator L.J. Farnham		Deputy M.J. Norton (B)		
Senator A.K.F. Green				
Senator Z.A. Cameron				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A.N. Le Fondré (L)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				

Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

**The Deputy Bailiff:**

The final amendment is amendment 7(6)(b). **[Aside]** The appel is called for. I ask the Greffier to open the voting.

<b>POUR: 36</b>		<b>CONTRE: 6</b>		<b>ABSTAIN:</b>
Senator P.F. Routier		Connétable of St. Clement		
Senator A.J.H. Maclean		Connétable of St. Mary		
Senator I.J. Gorst		Connétable of St. Ouen		
Senator L.J. Farnham		Connétable of St. Brelade		
Senator A.K.F. Green		Connétable of St. John		
Connétable of St. Helier		Connétable of Trinity		
Connétable of St. Lawrence				
Connétable of St. Martin				
Connétable of Grouville				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

**1.14 Draft Strategic Plan 2015 - 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (6)(c)**

**The Deputy Bailiff:**

The next amendment has been lodged also by the Connétable of St. Helier. It is the seventh amendment, paragraph (6)(c) and I ask the Greffier to read the amendment.

### **The Greffier of the States:**

After the words “in the attached appendix”, insert the words - “except that in the chart on page 14 of the Draft Plan in row 4.8 in the column ‘Key Areas of Focus 2015–18’.” After the existing Key Areas of Focus, insert an additional Key Area as follows - “Delegate authority to the Parish of St. Helier for the licensing of small-scale events within the Parish, including in its public squares and precincts, after appropriate consultation with the relevant authorities and subject to all necessary safeguards, risk assessments being in place”.

### **Senator I.J. Gorst:**

I wonder if I could just briefly make a comment on the amendment to the amendment. I no longer propose to move the amendment to the amendment. When the Council of Ministers was considering this particular amendment, we were trying, I think, to solve a larger problem which was not just small-scale events but larger scale events and thinking about an appropriate mechanism for all of those events. The Connétable has assured me that this is about small-scale events and hopefully will mention this in his comments. So there will be a need for us together to agree exactly what they encompass and we also wanted to make sure there was appropriate consultation but the Connétable assures me again that there will be and, therefore, it is in light of that that the Council of Ministers will work with the Connétable to agree the parameters of small-scale events, agree what the appropriate consultation process will be, that we are withdrawing our amendment to the Connétable’s amendment and it will stand alone. Thank you. **[Approbation]**

### **The Deputy Bailiff:**

Thank you, Chief Minister. Then that amendment is withdrawn so, Connétable.

#### **1.14.1 The Connétable of St. Helier:**

Thank you to the Chief Minister for his support. As I set out in my report on page 9 of my amendments under (c), I have explained the kind of things we want to do. Members will be aware that there already are a lot of events going on in town, a lot of small events, but I can assure Members there will be a lot more if it were easier to bring them about. I have lost count of the number of times that a retailer or a restaurateur has come to me and said: “I want to do such and such. I want to put [whatever it is] outside my premises one afternoon this week” to advertise something, whether it is a product or an event and they have been told they have to go through an elaborate system requiring all kinds of permissions, payments, risk assessment and quite honestly for most of them, it simply is not worth the trouble. I have given a couple of examples in the report about the sort of things we want to do; an evening market on a Thursday evening and what is called a “night market” in some countries - but do not worry, it will not go on late - and other events in places like West Centre, Colomberie, Charing Cross, the Cenotaph and so on. I have put in my report - and I repeat it now - that it is not intended to ride roughshod over anybody. It is not intended to ignore the wishes of surrounding businesses. It is intended to consult with the Highway Authority which is, in most cases, Transport and Technical Services, to work with the Bailiff’s office when it is an event in the Royal Square and to make sure that everyone is consulted and all the risk assessments of course are in place. We cannot do without them these days. But as far as risk assessment goes, I would like this to be something which people can do online. If a restaurant wants to do something outside its premises one afternoon, they simply go online to the Parish website, they fill in an online risk assessment and the matter is done with an exchange of emails subject to obvious consultation. I think that will be a better system, it will free up those responsible for the current administration and, in passing, I would note that it would satisfy the findings of the Carswell Report which I have also referred to in my report that felt that it was not something that should be carried on in the current system but it should be done in a more accountable way. Also, picking up the Chief Minister’s comments, I think it is important that we sit down together and I

would invite Members or the Deputies to sit down with us. There is no intention to keep any Deputies out of the loop. I would invite us to sit down together and to agree exactly how we can perhaps have a memorandum of understanding to make sure this process is carried out properly and that it is properly accountable and transparent. With those comments, I would propose the amendment.

**The Deputy Bailiff:**

Thank you, Connétable. Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment?

**Deputy P.D. McLinton:**

This is not to speak on the amendment so much. It is to raise the défaut on Deputy Norton. I did not realise that we could maybe ...

**The Deputy Bailiff:**

Deputy Norton was défaut excusé.

**Deputy P.D. McLinton:**

I beg your pardon. I was not paying any attention. Thank you.

**The Deputy Bailiff:**

All right, thank you. Does any Member wish to speak on the amendment? The Connétable of St. Brelade:

**1.14.2 Connétable S.W. Pallett of St. Brelade:**

Just very briefly, as much as I see the sentiments behind the Constable of St. Helier wishing to run his small-scale events, I think what he should have done is had a consultation with the committee because as much as I think St. Helier should be allowed to do this, I think there are other Parishes probably that should be able to do the same. If this was worded “delegate authority to Parishes” for a licence to small-scale events within each Parish, then I would have found this easier to swallow. But I do not see why St. Helier should just be singled out to be able to do their own small events when clearly there are other Parishes, such as St. Brelade and maybe St. Clement and other Parishes, that maybe wish to do this themselves. So all I ask is if there is consultation on this between Parish Deputies, which there should well be, that that consultation is widened out to other Parishes so that we can all maybe take part in deregulating something that I admit at times can be overbearing. Thank you.

**1.14.3 Senator L.J. Farnham:**

Perhaps the Connétable could just give some clarity as to the situation in other Parishes. Thank you.

**1.14.4 Deputy J.A. Martin:**

I just rise because I did put a lot of stuff down to oppose the amendment to the amendment and I am absolutely thrilled that the Council of Ministers has seen some sense but I do see where the Constable of St. Brelade is coming from. But it comes as quite a surprise to me when I have heard from at least 3 or 4 other Constables today that they are so proud in their Parishes, they can basically do what they want and St. Helier should stop moaning and get on with it. But I do understand this and if anyone wants to make a hash of an amendment to an amendment, read exactly what my Constable has had to do and the Council of Ministers. I totally agree with the Constable of St. Brelade that there should be delegations across the Parishes. I do not want to know all small-scale events but the review that they were proposing would never have happened

because there are thousands of events across all the different Parishes but we are not there. I am really glad but I do take on board what the Constable of St. Brelade says and probably the other Constables feel like this as well. Because if you have got things going on on the lovely village green in St. Martin, you do not want to have to consult over unnecessary bureaucracy and everything. So I totally agree and really I just think it is really good that the amendment to the amendment has gone away, it will give the Constable and the Deputies and anybody else I think who should be looking at ... unfortunately, if the amendment had been better worded it probably could have been accepted and it would have included ... but it would have been a proper delegation to all Parishes and there will be ... well, the Constable of St. Mary does not want any delegations. She is shaking her head. Well, that is maybe what the consultation should be looking at and if the other Constables had noted the mishmash of the amendment to the amendment, they could have amended it. But we have had lots of words; we are where we are and I just think it is a good day so that it is not just lip service. We will be able to get on. It is not just town, we want to do things in Havre des Pas. There is a small little shipyard there. I wanted a Christmas tree event with carols and things. I mean, the red tape that I could have gone through. I mean, so it is not ... these are little things that would have gone into this review. Madness. So I thank the Council for seeing the light and I am, you know, sorry that all the Constables are not in unison but hopefully the ones that do want delegated powers to their own Parishes for more things that they can do that we do not ... apparently cannot do in St. Helier, I wish them well. Thank you.

**1.14.5 Deputy D. Johnson of St. Mary:**

That seems to be making the obvious comment that we are now discussing the Strategic Role of St. Helier and, as such, passing a motion to enable St. Helier to do things is the right place for it. **[Approbation]** If other Parishes wish to do something similar - and I do not disagree with that - then I am sure there are other occasions when they can bring the right proposition.

[14:45]

**1.14.6 The Connétable of St. Mary:**

I am very pleased to follow the Deputy of St. Mary. He is absolutely right, of course. Also, just to say for Deputy Martin's benefit that in fact there has been consultation. The Constable of St. Helier asked me what I thought of that, whether I would like to do this in St. Mary and, to be honest, it is the sort of thing that will be interesting to see how it develops in St. Helier. St. Helier is incredibly well resourced from the personnel side in its services. It can easily do this, I believe, and I believe it will do it well. St. Mary probably does not have the staff or the expertise, or probably the amount of events. So from my own point of view, from the Parish of St. Mary, at this time, I am very happy to let St. Helier do what it needs to do and this is exactly the right place to do it. But I do not think the Deputy needs to think that we were not consulted because I certainly was.

**1.14.7 Deputy A.D. Lewis:**

I think this is an excellent amendment. How many times have you heard in this House about red tape? We have got too much of it and we will be coming on to an amendment shortly, I think, from Deputy Mézec about further red tape in the Parishes that can be eroded away. So this should have happened a long time ago and I really do hope that this will make St. Helier even more vibrant and a more happening place because we will get on and do things that small businesses are afraid of doing because of being tripped up by making a small mistake when they are presenting their case to the Bailiff's panel. Not that the Bailiff's panel is not sympathetic, it usually is but it just takes time. I am really delighted the Constable has brought this amendment forward because it will do exactly what it says on the tin and make it easier for people to get on and do stuff, do exciting stuff that people will all enjoy from all the Parishes in St. Helier. Thank you.

**The Deputy Bailiff:**

Does any other Member wish to speak on this amendment? If no other Member wishes to speak, I call upon the Connétable to respond.

**1.14.8 The Connétable of St. Helier:**

I am very grateful for Members who supported and, in fact, Members who spoke. Several Members who spoke later in the short debate answered questions that were raised, particularly with regard to consultation. The Committee of Constables clearly need to be kept abreast of this, not least because other Parishes may want to see if it is successful, whether they could do the same thing in their Parishes. But, as the Deputy of St. Mary quite wisely said, this part of the Strategic Plan is about St. Helier and that is why this amendment is in the right place. A review was suggested and of course the matter has already been reviewed and, as Deputy Martin said, the review that we were being offered would probably have led very much in the same direction. The last time it was reviewed by Scrutiny, it was abandoned. I am not sure why but the review simply was never completed. I am grateful to the Constable of St. Mary for wanting to see how it goes in St. Helier before deciding whether to do it as well, and I think I have just about covered the questions that were asked, so I maintain the amendment.

**The Deputy Bailiff:**

Those Members in favour ... the appel is called for. Members are invited to return to their seats and I ask the Greffier to open the voting.

<b>POUR: 39</b>		<b>CONTRE: 1</b>		<b>ABSTAIN:</b>
Senator P.F. Routier		Connétable of St. Brelade		
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator A.K.F. Green				
Senator Z.A. Cameron				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy of Trinity				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				



Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

**1.15 Draft Strategic Plan 2015 – 2018 (P.27/2015): seventh amendment (P.27/2015 Amd.(7)) - paragraph (7)**

**The Deputy Bailiff:**

The next amendment is also in a moment to the Connétable of St. Helier, Amendment 7(7). I ask the Greffier to read the amendment.

**The Greffier of the States:**

After the words “in the attached Appendix” insert the words – (7) “, except that in the chart on page 14 of the draft Plan after row 4.8 there shall be inserted an additional row as follows - Desired Outcome. 4.9 St. Helier voters have equity with voters in other Parishes. Key Areas of Focus. Agree reforms of the States to give St. Helier voters the same political influence via the ballot box as voters in other Parishes”.

**The Deputy Bailiff:**

I understand that this is not accepted?

**Senator I.J. Gorst:**

That is correct, Sir.

**1.15.1 The Connétable of St. Helier:**

The reason the Council of Ministers give for not accepting this, which Members will be pleased to learn is the last of the amendments that I have tabled for the plan, is because they say it is already covered by the work that has been done by P.P.C. (Privileges and Procedures Committee), who have a panel and in fact we heard only yesterday in Question Time that that panel will be coming back to the States in a year’s time with recommendations. Given the roasting I got from most of the Deputies when I accepted the Council of Ministers’ last amendment, I think I am going to slug this one out because I know that at least several Deputies will expect me to. The reason why I would say it is relevant and I go back to the Deputy of St. Mary’s wise words on the last amendment is that this Strategic Plan and this priority in it is about St. Helier. So this is the right place to talk about the fact that St. Helier is under-represented in the Assembly and how can we consider in the round the position of St. Helier if we do not address the democratic deficit that currently exists. That is not to say that other Parishes are not similarly in trouble when it comes to voter equity but this is, if you like, St. Helier’s particular part of the plan and that is why I felt that this was a very important part to add to it. We have recently had a referendum. Only St. Helier, and by the narrowest of margins, voted against the automatic right of the Constables to be in the States because that narrow majority accepted that that provision in the referendum means that it is going to be extremely difficult for P.P.C., unless the current Chairman can find a genie in the bottle that previous chairmen have been unable to find. It will be very difficult, with that arrangement of Constables staying in the States, to achieve voter equity. As I say in my report, and this is on the last page of my amendment, it is on page 11. It may not sound important and we know, and it is a

problem perhaps for the States, that people out there are not particularly interested in this subject. They are more interested in their jobs, their housing and their quality of life. But as I say in the penultimate paragraph, it does mean that people in some parts of Jersey have more political power than people in other parts of the Island and that cannot be right. It may work all right in the United States of America where there are 2 houses and so it does not matter if every state puts forward 2 senators because we know that the House of Representatives is fair in terms of how people are allocated to that House. But when we only have one Assembly, as is the case in Jersey, it is important that a person voting, for example in St. Mary, has more influence over government than a person voting in St. Helier. As I suggested whimsically in my last paragraph, perhaps estate agents should state alongside “quiet country location” that the owners of this property being offered for sale will enjoy more political power than if they buy a house in town. That goes with the extra parking spaces, of course, and the country views. **[Laughter]** It is an important matter. I understand that P.P.C. are working on it but because they are working on it, I do not see a problem in us accepting this amendment because without equity of votes in St. Helier, whatever other improvements we put in place, there will always be something unfair about living in St. Helier and that does not accord with the overall thrust of the Strategic Plan. So I propose the amendment.

### **The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment? The Connétable of St. Clement.

### **1.15.2 The Connétable of St. Clement:**

I was going to defer to the Chief Minister if he was going to speak. Very briefly, as Chairman of the P.P.C., I have got no problem with the Constable of St. Helier slogging this amendment out mainly because, whether this amendment is approved or not, it cannot make any difference whatsoever to the work that P.P.C. will be doing over the next 12 to 18 months. See, if we take the amendment literally, it asks us to compare St. Helier with other Parishes. Now, therefore we have a choice of which Parishes we choose to compare St. Helier with. If we choose to compare it with St. John, St. Mary and Trinity, then undoubtedly, St. Helier should have more representation. If we compare St. Helier with St. Clement, Grouville, perhaps, St. Saviour, then St. Helier should have fewer Members. So it is absolute nonsense. The reality is that the P.P.C. is committed to voter equity, to voter proportionality, not just in St. Helier, not just in St. Clement, not just in St. Mary but also throughout the Island. I shall vote against this amendment because it does not make any sense but the work that the Constable wishes us to do and the States wish us to do I am sure will be done and we will be bringing a proposition ... hopefully, if we can get the consensus from the States, within about 12 months. That does depend on the States wishing to have this equity and proportionality that P.P.C. are committed to. **[Approbation]**

### **1.15.3 Deputy J.A. Martin:**

The Constable of St. Clement, who is my President of P.P.C., always makes a very good ... let us look at how it is worded and then let us compare it with other Parishes that they might come out a bit better or a bit worse with. The principle is that the fourth priority of this Council of Ministers is St. Helier. We all know and, again, when it comes up, when it is your Parish, you think you are over, I would like a very ... you know, waiting for each Constable to come forward and tell me that they are over represented and get rid of one of us. That will be nice to hear one day but it is St. Helier today. The Constable is asking that we have fair representation and the Council of Ministers cannot support it because there is some other reform of government going on under a committee I sit on. Thankfully, I am not on this sub-committee. I was the one who stepped back very quickly when, you know, they were looking for volunteers ... not stood there. You know, again, the Council of Ministers keep saying the fourth priority is St. Helier and then you ask them to put ...

not the whole meat on the bone, just a little bit of extra, something around the bone and it cannot do. This is not saying look across the board at the whole reform what P.P.C. is already doing. The Constable is simply asking for fair representation for those in St. Helier because ... why is he asking that? Because the Council of Ministers have made it their fourth priority and we, in St. Helier, the representatives of St. Helier, the Constable of St. Helier will always be voted down by the rest of the other Parishes and their representation. Always. The Constable of St. Peter is not here this afternoon and I did keep what he said. He said: "The Constable is very proud of what he can do in his Parish and St. Helier should be able to do the same. St. Helier should stop moaning that it is dumbed down and all Constables can do as much as they can to solve their own problems." But how can we do this in St. Helier even ... sometimes not with my Constable's support, but he will say he is voting strategically or he is looking at the thing pragmatically, but we always get outvoted. It probably will not get supported, which is such a shame because the Council could have supported this. P.P.C. has been now constituted for nearly 6 months and I am not on this part of the sub-committee but I do not know how many times it has met, I do not hold my breath, but unless you give this committee some clear steers in making ... you say we already know from the referendum, we must keep the Constables. That is a given. So is this why ... this is my extra worry. Is this why the Council of Ministers is not supporting this? Because it cannot be done? It cannot be done keeping the Constables, keeping your Parishes and keeping the ... or an equalising representation. Is it too difficult to do? But for me as the St. Helier Deputy, I have got to support my Constable. I am glad that he has kept this amendment. We have got to have this discussion. We have had it too many times but I really wish that, you know, I am not cynical. I respect that the Council of Ministers made St. Helier their fourth priority and until I see some actual backup of that either with money or some proper support, or doing something, I just think it is: "Well, how do we keep St. Helier happy?" Or: "We will put it as a strategic aim." Even under the addendum where it is included in the funding, we have pages 12 to 15, which mention specifically the first 3 aims: health, education and the economy. Finished. It goes on about a deficit. It is not talking about St. Helier there but it goes on about where they find themselves. Again, unless I have missed it, no mention. All this is, is to ask to look at equal representation and they cannot come up and support it because ... listen to me. They are doing something across here that affects across there and it will all be okay. Fifteen years that I have been here too long. Do not believe it. Support St. Helier. Support the Constable and get us fair representation. Thank you.

[15:00]

#### **1.15.4 Deputy S.Y. Mézec:**

I am speaking as a Member of P.P.C., as a Member of the Reform Sub-committee, as a Deputy of St. Helier but, most importantly, as a voter in St. Helier because it is the status quo at the moment which infringes upon my own democratic rights and which I want to be fixed as soon as possible. I completely agree with what the Constable of St. Helier is trying to do here and I sadly disagree with what my Chairman of P.P.C. has said, and I think there are 2 main reasons that I want to explain why. The first is that the sub-committee that is looking at electoral reform right now is a joint sub-committee of P.P.C. and the Council of Ministers. It was decided that 2 Members of that sub-committee were going to be either Ministers or Assistant Ministers. So this is an issue for which the Council of Ministers will be expressing a view on, simply because once we have heard evidence or once we have engaged with various groups and this sub-committee has to come forward and put something to the States, in those discussions there will be representatives from the Council of Ministers there who, if they decided they did not want to accept the principle of voter equity for St. Helier, could use their voting power on that committee to come up with a solution against that. I know we will not do that because we have already made the commitment that we will put something forward that is equitable for all parts of the Island but to have the actual commitment there in writing as part of the Strategic Plan, how can that possibly harm what we are trying to do?

If anything it enforces it and extra so because of the second reason why I want to support this, which is that ... and the Chairman of P.P.C. has mentioned this a few times in various different fora, that the States has a terrible track record when it comes to States reform; a really, really bad track record. I am getting behind this sub-committee because I think that this could be the occasion where we finally get some progress but it is entirely possible that in a year's time, we could come forward with what we think is the solution, we have the debate, it is lost and then it is back to square one again. If that sub-committee is then disbanded, we have still got 2 years to have another go before the next election and we will need something in writing in the form of the Strategic Plan that says: "Okay, whatever the next attempt is, if unfortunately there has to be a next attempt, it should have in writing a commitment that there should be voter equity for St. Helier." No, that principle ... when we have had 2 referenda that have, in my opinion, been completely atrocious and futile exercises that should never have happened in the first place, but we have had them, we have had this argument about voter equity for St. Helier ever since the States of Jersey became the primary law making body of this Island and that is something that I am going to refer to when we come to my amendment next. This debate has gone on far too long and having it in writing that we are committed to St. Helier voters having an equal say does no harm whatsoever. It does not get in the way of the work of the sub-committee and it paves the way for any future attempts that may hopefully not need to be necessary but which may be necessary. So there is no harm that comes from this at all. Let us get it in writing as a clear commitment from the Council of Ministers.

**1.15.5 Senator P.F.C. Ozouf:**

I am pleased to be following my fellow committee Member on this working party. Deputy Mézec has been complimenting the Council of Ministers on differentiating itself as the Government versus the Assembly and they are estranged bedfellows in this Assembly but I am certainly in bed with Deputy Mézec on this issue. [Laughter]

**Deputy S.Y. Mézec:**

Metaphorically. [Laughter] [Approbation]

**Senator P.F.C. Ozouf:**

It is a euphemism, but it has made Members laugh so that is good [Laughter] because it is always important to have a bit of levity when we get so angry, apparently, and we get so exercised, which I do sometimes too. The fact is that we are amending the government plan. That is what the Strategic Plan is. It then becomes the government plan for what it is being ... effectively, the Assembly is telling the Government that they wish to carry out. At least, that is my understanding and you can correct me if I am wrong, or other Members can say. So, the first thing is that you cannot ask the Government to do something if the Government is not responsible and being able to be held to account for it. That is one of the problems. I agree, all governments need to be held to account for their performance and their delivery and that happens via the fourth estate in the media, that happens, when it works ... although, having read the headlines in the *Jersey Post* of the last few days, the media seems to be running its own agenda and not representing the facts. But we will come to that in the main part of the debate. I do not subscribe to Deputy Martin's observations about the despair and despondency of the fact that St. Helier is a part of the Strategic Plan. There is no disconnect between Ministers' absolute commitment to putting St. Helier in the right place at the centre of our economic development, as the centre of the place that is going to drive our resources and income to pay for this Assembly's requirements in terms of health care. It is right that attention is played for St. Helier. But this Strategic Plan is ... and Deputy Martin said that there was no meat on the bones. Well, no there is not any meat on the bones yet because the meat on the bones is the work of the next 3 years and the meat, to use another ... and I am dreadful at using analogies, but the meat of the plan is certainly going to be the M.T.F.P. It is going to be when we put some ... it

is not all about money, but when we put some resources behind it. So do not let there be any single Member that uses the justification that there is no detail or there is no solution to the identification of a problem. Now, I sit on this sub-committee. I am, again, one of the 2 Assistant Ministers. We are not named but I hope she does not mind, the Constable of St. Lawrence in her capacity as Assistant Minister and I, are the 2 Assistant Ministers that are on this panel. We are joined by the President of P.P.C., the Constable of St. Clement and Deputy Mézec. I am sure that Members can see what an interesting group that is and what an interesting group to try and solve the seemingly unsolvable issue of electoral reform. The Constable of St. Helier, who I commend for his absolute dogged persistence in terms of putting St. Helier in the right place and dealing with fairness and equality and all of the issues that we have been debating in his various different amendments and I agree. I do not think he was a supporter; I am not sure, of the ultimate decision of the referendum. Perhaps he can say whether or not he agrees with the issue of the Constable of St. Helier being for ever, after the referendum, as a Member of this Assembly. I hope he is a Member of this Assembly and I hope the Constables stay. But what the problem with the Constable's amendment is, and again a little knowledge is dangerous, but if any Member would have had the opportunity of being an election observer and looking at the way that elections and democracy work, then the issue of equity would also have alongside it the word "equality." Because equality means that every single voter has the same influence in terms of the number of votes that they cast, generally speaking, as to as far as that is able to achieve. In international election observing, when you look at the good functioning and the fair functioning of democracy, you look at issues such as equity. There are not hard and fast rules; there are some grey areas but you look at those issues and every Member of this Assembly would know that it is completely wrong. It must be completely wrong that as much as I like my Deputy, that as a Deputy of St. Saviour - Freudian slip, maybe I need to move to St. Helier - but as a resident of St. Saviour No. 3, I have one vote. Well, I did not use it. I happen to think the Deputy of St. Saviour No. 3 is a terribly good chap and no doubt he is serving his and my fellow residents of No. 3 well. But it is completely wrong that I, as a resident of St. Saviour No. 3, have one vote. No disrespect to the Deputy at all. It is a shame he was not challenged; I am sure he would have been very successful if he had been. But I had one vote. In fact, this time I have no votes. The electors of St. Helier all had choices between 3 and 4 votes for each of their Districts, so it goes both ways. You both need, of course, a solution to the fairness, which is completely unfair of the distribution of population and voters that we have today. It is wrong. The Electoral Commission and the electoral arrangements, while we talk about democracy and we are all discharging democratic responsibilities, any outside person would say that it is absolutely wrong, the system that you have. It is unfair and wrong. Now, where is this going? What I wish to say is that this cannot be an issue which the Government is asked to put in its plan because we cannot deliver the solution. We cannot be held accountable for the solution. The Assembly can hold P.P.C. accountable and P.P.C. sub-committee, which comprises of both 2 Assistant Ministers and 2 Members. As the President of P.P.C. has said, of course we have a long and difficult road in order to try and solve the seemingly unsolvable ... the seemingly unsolvable issue of how you get voter equity and voter equality. But we are starting this work. We have a work programme and we have a joint determination to succeed. So I cannot, I am afraid, agree to an amendment which is not an amendment which requires the Government and is within the Government's power to do so. To do so would strike at the heart of what Deputy Mézec says; that there is a difference between the Assembly and the Government. So while I agree with the sentiment of the Constable, the sentiment of the Constable is right and is what the sub-committee is trying to do, I would have agreed even more if it would have had equality, because it is the number of votes and the worth of those votes that matters and the thing should be absolutely fair. Now, I cannot accept this for those reasons but not accepting it should not be taken as a criticism that there is, as far as this Member of the sub-committee is concerned and I am sure I speak for all of the Members of the sub-committee, a steely determination, a realistic determination, to try and solve that which has proven to be unsolvable of

the past. With regret, I urge Members to reject the proposition but to wish the panel and the sub-committee that has been discharged with this, which is an Assembly panel, the best of good luck and the best of good fortune and the best possible wings of steroids or rocket boosters, or whatever it is that requires a solution to solve this problem. But it is not a government issue; it must be an Assembly issue and to compromise the 2 would be the wrong thing.

**1.15.6 Deputy M.R. Higgins:**

I will be brief. I do not always agree with Senator Ozouf, as he knows. I agree with some of what he said. I do think he is a democrat and would like to see equal votes and equal representation and so on. So that part, I am 100 per cent with him. However, to me, whether ... and I will say this, I would not hold the Council of Ministers to account for this one because I accept part of the argument that Senator Ozouf is saying, but I do think we should use this vote as an expression, as an opinion poll, in effect, so that we can see what Members of this House, whether they believe in equal voting rights. So I would suggest that, with a caveat, that none of us are going to hold the Council of Ministers to account on this one because I accept it is not within their remit, we should at least vote and indicate to P.P.C. that we all want to see equality in voting rights. So I would urge you to support the Constable of St. Helier on this particular vote.

**1.15.7 The Connétable of St. Brelade:**

Again, just very briefly. It is not often I part company with Senator Ozouf because generally I agree with a lot of what he says and I do agree with some of what he said there but ... he said various things during his speech. He talked about amending the Government plan and not being accountable for something it has no responsibility for. That may well be true and the Constable of St. Clement also said it is not sense. Well, whether it is sense or not, during the last election and during the referendum campaign I was quite clear about what I felt about the inequality of St. Helier, and without beating about the bush, there is inequality in St. Helier in voting rights. Whether P.P.C. are at the heart of finding the solution for this or not, the Council of Ministers has to work with P.P.C. to try to bring forward some resolution to an issue that has hung around this Chamber now for what seems to be like centuries but it is decades. What I would like to see is a solution for St. Helier that is fair and equitable.

[15:15]

If P.P.C. cannot bring forward an acceptable proposition I see no reason why, as any Member could, that the Council of Ministers could not bring forward a proposition that would make or provide a solution for what is currently an unfair system. I accept that there is a difference between Council of Ministers and the Assembly but, to me, bury your head in the sand and say: "Well, I am sorry, but we cannot deal with it in a certain way" just for me is not acceptable. I have laid my cards on the table. I would be an absolute hypocrite if I sat in here today and did not support this amendment, so I am going to support this amendment. I know it goes against what the Council of Ministers want but I am sorry, purely on an ideological way and something that I said I would commit to in the last election. In fact I was sitting next to Deputy Mézec when I said it. I would be a total hypocrite if I did not support it.

**1.15.8 Deputy A.D. Lewis:**

I would like to draw Members' attention back to the referendum that we had over the options, option A, B and C, and some claimed there was a D option as well, which is do nothing. Glad that lots of people voted though because in the end option B received 8,190 votes. That was what the people wanted at the time. It is interesting to know that 10 out of the 12 Parishes wanted option B as the option. I did not hear anybody ... I will give you another statistic as well, when it went to the second round 11 out of 12 Parishes went for option B. Now what that said to me was that is what the people were looking for. During the elections many of us had fought our election knocking on

doors as Deputies and the feedback we got generally speaking about issues was the States did not listen. The States did not listen to what we said in the referendum. They were horrified. That was the biggest bit of feedback I got back on the doors about anything. Nobody talked to me about G.S.T. Not nobody, it was less of an issue. Other things that I thought would come up on the doorstep, it was the referendum. This Assembly completely ignored what 8,000 people said. That is a very big Mori poll if you had one. It is a huge sample in market research terms. I did not hear anybody say to me, bearing in mind I stood in the biggest District in St. Helier, the biggest District in the Island actually: 4 seats. We had 8,000 people, biggest District, a superconstituency if you like. Some people do not like that idea but that is what it was. Nobody said to me: "There is far too many of you in this District." Nobody said to me that there needs to be less people in that District. They were not interested. They were not bothered the fact that there were 4 people. In fact some people did say: "Why are there 4 of you?" I had to try and explain that. It may be the same thing happened in other Districts of St. Helier where there are 3 Deputies. I do not think people are generally interested in that level of representation. We are interested in here because we live and breathe politics. We are enthusiasts. We are really interested. The public out there, they are not interested as to whether there is X percentage of people representing you in St. Helier. If you said to most people in St. Helier: "How many Deputies have you got?" they probably would not even know. I do not think it is as important to people as people in this Assembly think it is. What is important is good government and when we have the full review of how this Assembly operates and could operate in the future, and we get professional help to do that, and hopefully something more independent than last time, we will get what the public wants, which is an effective parliament. By in large we are an effective parliament. Unfortunately the press do not always report it like that. They do not do that to any parliament. They are the third estate. So the people believe some of what they read in the press and some of their own opinions and some of what they glean from their own Members who they know. We are immersed in our communities. People talk to us. We are not hidden away like it might be in Westminster. We are very exposed to our electorate and we talk to them on a regular basis. That includes Senators, Deputies and Constables. The public are not interested in this subject in the way that we are. So I do not think it is a huge issue. I think what people want is to trust us when they do say what they want, to listen to what they say and do something about it. I would like to see that debate happen again about the referendum and that being brought back to this House as it stands and redebated by the Members that are in this Assembly now, not those that rejected it last time. That is what I would like to see, and I just wish I had brought an amendment to that effect. You think of lots of amendments when you are going through this debate and I did not bring any. I am very pleased that many did and I admire Deputy Mézec for doing so. But I find it difficult to support this amendment because that is not what the people said to me when I was in the election rounds and it is not what the referendum said in 2013.

#### **1.15.9 Deputy G.P. Southern:**

This was indeed an amendment that I had considered bringing and was intending to bring in fact, and I was very relieved when I did not bring it to see that the Constable had stepped in and done the job for me. So congratulations to the Constable for thinking along the same lines as me. Senator Ozouf is a wily old political bird. He knows how to avoid an issue and he knows the old tactic, long-honed. Have you got a proposition which says clearly A, A, A, A, and you have an argument which says over here B, B, B and a bit of C, and you can therefore easily say: "I agree with this proposition but because of B, B, B, C, I cannot vote for it. It is an old trick and that is exactly what he has done. The issue there is to simply conflate equity with equality and all of a sudden you have got a confused argument. The fact is the statement says St. Helier voters have equity with voters in other Parishes. So it is clearly about equity. As soon as you focus back on equity you say, yes, there is a democratic deficit in St. Helier. It exists now and it is going to exist in the future. This,

because we are dealing with St. Helier and its future, specifically, it is the appropriate place to put it. One thing we can be sure of, as sure as eggs is eggs, that we are going to build in St. Helier. That is where the bulk of people are going to be living. That is where the bulk of building work is going to be done. We are going to have to put up with that permanent building work for the next 3, 4 years, and into the future probably. In order to do that we are looking for something that says: "We do think well of you, and we want to do something for you indeed." So we have got in 4.5: "Bring forward a housing strategy to deliver increased housing supply for rent and purchase in St. Helier." That is what we are doing. But also as part of that package, I think we have got 4.8: "Agree a new partnership between the States and the Parish of St. Helier to deliver services and best value for tax and ratepayers including this concept of voter equity. We are going to try and put that right." The fact is that with something like 17,000 units of accommodation in St. Helier, we are probably going to ... we have already heard today from the Constable, perhaps 2,000 additional units. So we are up to 19,000. Are we not going to do anything so the democratic deficit gets worse? Are we going to do nothing about that whatsoever? Just let it slide away and get worse and worse and worse as we build and build and build? I do not think we should be doing that. So this says, and the Constable's absolutely right to say, address this issue. It is about voter equity and make sure we square this up. Treat us properly.

#### **1.15.10 Deputy P.D. McLinton:**

I just wanted to point out that earlier on the Assembly was giving a bit of a hoo-ha as to its not fair, my Parish against St. Helier and, quite rightly, the Deputy of St. Mary pointed out this was in fact a debate about St. Helier and pulled it sort of back on track. Strangely enough I think that this amendment when it says: "St. Helier voters have equity with voters in other Parishes" it simply must therefore infer that all the other Parishes have equity with each other. So it is not just about St. Helier's equity. We are forgetting this about equity, full stop, across the entire Island. There can be no harm in that. So whereas of course the Connétable of St. Clement says that P.P.C. are dealing with it, and I find myself agreeing with Deputy Higgins that I want it on record that I support absolute equality across this Island, whether it has any effect whatsoever, and it is not necessarily about holding the Government to task with this. But I want it to be known that I firmly believe in the equity of all voters on this Island, no matter what Parish they live in, and as Deputy Southern was saying, more people are going to be moving into St. Helier. More people living in here. More voters. It would be even less equitable if we carry on the way we are going. We need equity. I have the fear that we will also need a bigger Chamber, we will have to stick an extension on there if we are going to get complete equity across, and I am not quite sure how we will achieve that, but one way or the other I want it known that I support equity in everything on this Island so I will definitely be voting for this amendment.

#### **1.15.11 Senator P.F. Routier:**

This Assembly has for many years tried to resolve this matter and various propositions have been brought forward in various forms, whether it be Council of Ministers who have tried to do things in the past, individual Members, and unfortunately I think this debate seems to be about whether we are comfortable or even trust the P.P.C. sub-committee to get on and do this job. The point that was made which was highlighted by Senator Ozouf, with regard to the Council of Ministers and Assistant Ministers, whether it should be put upon them in the Strategic Plan as a target for them to be doing is, I think, the wrong thing to be doing. It should be that the ... this Assembly have got the P.P.C. Committee who are there to ensure that everything is ... our processes for our Island Government and electoral reform is in their hands. I think it would be very difficult for us to put it within the Government's Strategic Plan to progress this, personally. But one of the other things that I did, which occurred to me as the previous speaker was speaking about wanting an extension for perhaps more Members to be brought into this, I would think the reverse of that because I



believe that the way we are having to address things currently with regard to the services we can provide for our community and having to reduce our expenditure, I think possibly the P.P.C. Committee should be looking at that option for the number of Members we have in this Assembly. We can still create equity by having less Members so I think it is something I would perhaps, if somebody suggested we gave a steer to the P.P.C. Committee that it is something they should be looking at, I would hope they would look at that as well, to see if we have the right amount of Members to provide equity for our Government. I will leave it there. I am unable to support this amendment because I do not think it would be right for it to be within the Strategic Plan of the Government, and we have P.P.C. who are there doing a job. I still have faith in them and I believe they should be left to get on with their work.

**The Deputy Bailiff:**

Does any other Member wish to speak? I call upon the Connétable to respond.

**1.15.12 The Connétable of St. Helier:**

I too have faith in the Privileges and Procedures Committee, after all I was the last Chairman. I know what fine work it does. But of course as I think the Constable of St. Brelade said, if P.P.C. for any reason cannot bring this forward, if it is in the Strategic Plan then the Council of Ministers will have to bring it forward themselves, which I thought was a good point. Someone else called it, I think, a backup plan. Deputy Mézec said it does no harm and it may do some good. It is worth stressing that, yes, of course St. Helier is not the only Parish which is under-represented but it is the most under-represented Parish in the Island. This debate is about the future of St. Helier. So to have left this out, as Deputy Southern said, and I am pleased he thought of it first. To have left it out would have meant an incomplete picture of St. Helier in the Strategic Plan, and I wanted that complete package to be contained in the Strategic Plan and I think now it is. Deputy Lewis of St. Helier had an interesting take on this. He said that when he was canvassing he did not think it was very important to the public whether they were under-represented or not. I must say I was just thinking back, I am not sure the extent to which most women a century ago were particularly bothered that the franchise had not been extended to women.

[15:30]

I know that suffragettes were but they were probably regarded by the majority of women as people who probably had better things to do and should not be making such fools of themselves. We look back on it now and nobody would consider taking away the franchise from women. So why should it be acceptable just because the average person on the doorstep has more important things to think about, and we understand that? Why should it be acceptable not to achieve voter equity, particularly for St. Helier, particularly when we are debating a Strategic Plan about St. Helier. So I think it may not appear important now to people out there but be in no doubt if everybody in Jersey had the same amount of political power as each other this Assembly would look very different. It would have to. That would mean when we came to key votes like whether to buy some land, to extend an open space in town, that vote might be different than it is at the moment. So I think this is important. I do, as I say, thank Members who have supported it and maintain the amendment.

**The Deputy Bailiff:**

The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 16</b>		<b>CONTRE: 28</b>		<b>ABSTAIN: 1</b>
Senator Z.A. Cameron		Senator P.F. Routier		Connétable of St. Lawrence
Connétable of St. Helier		Senator P.F.C. Ozouf		
Connétable of St. Brelade		Senator I.J. Gorst		

Deputy J.A. Martin (H)		Senator L.J. Farnham		
Deputy G.P. Southern (H)		Senator P.M. Bailhache		
Deputy J.A. Hilton (H)		Senator A.K.F. Green		
Deputy of St. John		Connétable of St. Clement		
Deputy M.R. Higgins (H)		Connétable of St. Mary		
Deputy J.M. Maçon (S)		Connétable of St. Ouen		
Deputy R.J. Rondel (H)		Connétable of St. Martin		
Deputy S.Y. Mézec (H)		Connétable of Grouville		
Deputy L.M.C. Doublet (S)		Connétable of St. John		
Deputy R. Labey (H)		Connétable of Trinity		
Deputy S.M. Wickenden (H)		Deputy of Grouville		
Deputy T.A. McDonald (S)		Deputy J.A.N. Le Fondré (L)		
Deputy P.D. McLinton (S)		Deputy of Trinity		
		Deputy K.C. Lewis (S)		
		Deputy E.J. Noel (L)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R.G. Bryans (H)		
		Deputy of St. Peter		
		Deputy A.D. Lewis (H)		
		Deputy of St. Ouen		
		Deputy S.M. Bree (C)		
		Deputy M.J. Norton (B)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		

**1.16 Draft Strategic Plan 2015 – 2018 (P.27/2015): amendment (P.27/2015 Amd.) - as amended**

**The Deputy Bailiff:**

The next amendment has been lodged by Deputy Mézec and that is the first amendment. Deputy, you have lodged an amendment to your own amendment, so do you wish to take the amendment to be taken as amended? In which case I ask the Greffier to read the amendment as amended.

**The Greffier of the States:**

After the words “in attached appendix” insert the words - “, except that in the chart on page 14 of the draft Plan after row 4.8 there shall be inserted an additional row as follows. Desired Outcome. 4.9 An improved municipal government structure and powers for the Parish of St. Helier. Key areas of focus 2015 - 2018. Agree to review whether it would be appropriate to reform the municipal government structure for St. Helier to increase democratic participation and accountability so that decisions made are more receptive to the wishes of residents and businesses.”

**The Deputy Bailiff:**

Senator Routier, can you tell us the view of the Council of Ministers?

**Senator P.F. Routier:**

Yes, the view is not to accept it.

**The Deputy Bailiff:**

It is not accepted.

### **1.16.1 Deputy S.Y. Mézec:**

I spent most of my lunchtime today more or less of the view that I was going to withdraw this before this came to debate, anticipating what the result of the vote we have just taken would be but I thought about it again and I particularly thought of the words we heard, I think in a previous debate from Senator Ozouf, about what matters is what proposals come forward in the Medium-Term Financial Plan and it just reminded me that this whole debate on the Strategic Plan is in fact a complete waste of time so what harm does it do to waste some more time. Yesterday, Deputy Brée referred to the Strategic Plan as being like a political party manifesto and I agreed with that analogy. I thought that was very accurate although, of course, the Strategic Plan on this occasion comes 6 months after a general election, not before it, to give the people the opportunity to give it a mandate or not. Deputy Southern has also pointed out all of the failed ambitions from previous Strategic Plans so I do not hold much high hope for this plan as well. Earlier today the Constable of St. Helier accused Reform Jersey of being cynical and I completely disagree with him on that. Cynicism is when you reject something automatically based on prejudice. I am not cynical. I am sceptical which is when you reject something based on its merits. What has prompted me to lodge this amendment is the very simple fact that since the States of Jersey became this Island's primary legislative body in 1771 the governments of the past have not cared at all about St. Helier and this, as far as I am concerned, is simply historical fact. When the States of Jersey became what now resembles a parliament the membership of the States was made up of each of the 12 Parish Constables, the Parish Rectors and 12 Jurats. So, at a time when St. Helier had 50 per cent of the population of the Island we had one-twelfth of the representation in the States of Jersey. Throughout the 1800s there were many moves to try and address this inequity in representation for St. Helier. I notice that on Channel Television last night the Constable of St. Helier referred to one of his political heroes who was Pierre Le Sueur, who was the Constable of St. Helier between 1839 and 1853, and I will point out that Le Sueur was elected as the leader of the Rose Party, which was a progressive leaning party in St. Helier in his 20s. So, as far as I am concerned, Pierre Le Sueur sounds all right to me. He was also head of something called the Jersey Reform Society which is inscribed on the back of the chair that the Constable will sit on during Parish Assemblies as well as having 2 Rose logos on the side and if you are a political nerd like me you find stuff like that really fun. So, this history of trying to fight for decent representation and administration for St. Helier is one that has been going on for hundreds of years. Eventually St. Helier, I think in the 1850s, was given 3 Deputies, I believe, into the States, the Greffier is nodding to let me know that that is right, whereas each other Parish was given one Deputy so inequity still existed. There were petitions from what was the Jersey Reform Committee, which was different to the Reform Society of Pierre Le Sueur. The Reform Society tended to campaign in Jersey whereas the Reform Committee was led by Abraham Le Cras which campaigned outside of the Island and put forward petitions to the Queen which were, of course, ignored, about fighting for fair representation for St. Helier. While this was all going on St. Helier, as a town, was being absolutely transformed especially in comparison with the rest of the Island and the fantastic book, *The Triumph of the Country* by John Kelleher is an excellent book which outlines how this had happened. As well as wanting decent representation in the States several groups appeared throughout history that also wanted a robust administrative municipal government for St. Helier. My amendment is about looking at these again because as St. Helier has been ignored so often in the past and as St. Helier has already been ignored today in 2 votes, these requests were also ignored and I think that now that the Council of Ministers has finally accepted that St. Helier should be a strategic priority, which is something I absolutely agree with and welcome, that this should be looked at again and that is the main ethos of this amendment. My amendment was the first one to be lodged so hopefully Members have had time to look at it and read it thoroughly with more attention to detail than they may have found

possible for the other amendments which came through in a whole barrage at the last minute. My amendment contains an appendix which looks into more depth of the history of this. That was compiled by Geraint Jennings who is a member of the Roads Committee, so I am grateful to be able to put his document, with his permission of course, on the public record like this and I also thank him for his help and inspiration in putting together this amendment. The basic purpose of this is to include the idea of looking at the structure of the municipal government in St. Helier, something which has not been seriously considered by any government for hundreds of years, to make sure it is capable of meeting the needs of residents and businesses to be the best place to deliver on what needs to be done to enhance town life here and to provide a framework for municipal government which will be fit for purpose for decades to come. Without a sensible administrative settlement to make the proposal set out in the Strategic Plan sustainable it simply runs the risk of leading to a brief burst of building and social dumping leaving a ramshackle structure unable to meet the people's needs when future Ministers' attentions have moved on. It is fundamental as part of the wider aims being considered for St. Helier that setting up a democratic and efficient structure be included within the initial proposers. St. Helier is, to all intents and purposes, Jersey's capital city. It houses a third of the Island's population, the vast majority of our businesses and States departments. It can and must be looked at in a unique way, separate to the other Parishes, and I believe it should have its own administrative structure that really does the business for what is a capital city. So, despite the fact that at the time I was living in St. Saviour and grew up in St. Saviour when I was campaigning for option A in the Electoral Reform Referendum, I became pretty disgusted at what I saw as the total disregard for the democratic rights of people in St. Helier by various senior politicians and political commentators and it helped solidify my intention that I would eventually stand for election in St. Helier. This was before we ever knew that there were even going to be by-elections because I wanted to play that part in helping the people of this Parish's voice be heard. In my experience on the doorstep in 2 elections I can assure Members that the feeling that St. Helier is ignored by the Government is absolutely widespread and rightly so. It has taken years to get an agreement from the Government to a timeframe for getting the States to pay Parish rates, something which is so obviously basically right yet it took ages to win this argument. Now we have on paper an outright commitment from this Council of Ministers that more needs to be done to focus on St. Helier from improving travel in and out of town to improving open space and the quality of housing and all of those aims are admirable and I support them. The Strategic Plan talks about a new partnership between the States and Parish, and that is all well and good but what I just cannot accept is the logic that in creating this partnership no consideration at all is given to ensuring the democratic framework is in place to ensure that the people who matter, which are the residents and business owners, are included in that and that there are appropriate communication streams from the bottom right to the top because, and I have to say this, a top down approach, where a Minister for Planning from St. Martin and a Chief Minister from St. Ouen tell us what is best for St. Helier will be treated with the disdain that quite frankly it would rightfully deserve. That means that while the States Government must be democratically accountable so too must the municipal government, and this amendment is about getting that on to the table to be discussed so that it can be achieved. Now, it is obvious that the Constable is the most important elected official in St. Helier and I think we are lucky in St. Helier because most people who pay attention to these sorts of things would probably agree that we have got a very good Constable who is clearly very capable and does a good job but the Constable is not the only person who matters when it comes to municipal government. We also elect 2 Procureurs and a Roads Committee. The statutory framework for the makeup of this municipal government goes back a long time but it is enshrined in the 1914 *Lois sur la Voirie*. Over the past 200 years there have been many campaigns for a Conseil Municipal de St. Helier which would administer Parish affairs. There have been various suggestions at what that might look like. The most basic of which was one that said: "As well as having a directly elected Constable who would still act as father and mother of the Parish

and chair up most of the Parish Committees that there should also be a number of honorary elected Conseillers who would act as municipal council who then form the relevant sub-committees needed to administer the services that the Parish provides.” So that would be a Finance Committee that would do what the Procureurs currently do. Maybe even a Parks Committee, if control of the parks is handed over to the Parish, which I know is something that some St. Helier representatives feel very strongly about. That Conseil would also have a bylaw making powers which would have the effect of streamlining so many of the things that are currently held back because of the red tape that other Members have mentioned in previous debates but that is just one option that has been suggested before. I think that option was suggested by the Jersey Chamber of Commerce in fact. Currently the Roads Committee in St. Helier already acts like a local council. It meets in public, the Procureurs attend and it considers a whole host of issues which are not provided within its statutory remit in the 1914 law.

[15:45]

So, perhaps at the very least that law should be updated to account for the fact that this has evolved over the past 100 years and it could do with being given the statutory backing to acknowledge that things have changed and to provide a framework for making sure that it works in decades to come. Perhaps what I am suggesting may end up being simply as little as that; just one statute forward to say what already is in practice in St. Helier or maybe it would be more substantive than that and the idea is to have this discussion. One thing I would say though on the issue of democratic accountability that in my view at least the election process for the Roads Committee in St. Helier is not adequate at all. I was there for the last election. There were only 69 people out of a resident population 33,000 who voted in it. Nobody knew anything about the candidates or even who were standing until they were nominated at the Parish Assembly and there was no public election or opportunity for voters to assess the candidates. The ballot was literally held moments after the candidates were nominated. In some Parishes it may well be the case that that is not too objectionable. It may well work fine there but I think for what essentially acts like a local council in our Island’s capital city I think we should have something a bit more than that and I would like to see the Roads Committee elections in St. Helier brought into the Public Elections Law, given that it is already like our local council and I think that there should be proper elections like this. The idea is to float these out and have the conversation. What I was really disappointed with was the comments by the Council of Ministers for this and that is on top of my usual scepticism for what they propose. I was particularly surprised by what I see as the complete lack of effort into what they have put into this. Yesterday the Council of Ministers were accused of being lazy for their attitude to Deputy Southern’s amendment by saying they agreed with some of it but could not be bothered to put an amendment forward to accept those elements of it and just suggested rejecting the whole thing. I think that same criticism can clearly apply here. It is correct that my amendment does not propose a particular model of reform but I think that is right because if I had done that then some would have stood up and complained that it was not the right model or that we could not implement a model because there had not been any real debate or consultation on it and that would have been used as a justification for not backing it. So I have literally proposed something that could not possibly be any more moderate. I do not know what more I could have done on that point. The comments say: “As to the town of St. Helier this priority is about improving the everyday lives of people who live and work or visit our town. The reform of the municipal government structure of St. Helier hardly seems high as a priority in this context.” I completely disagree and I do not think those 2 sentences can possibly go together. If you are trying to improve the lives of people who work and visit town and you want to improve how the municipal government provide services to the people that live there and the businesses that require services there then surely it is important to make sure that the municipal government structure is doing its job appropriately. I am not suggesting it is not, but I am simply saying that the law that governs it

is 100 years old, maybe it is time to look at something that is more appropriate in the 21st century. The Parish plays an important part in all of the things that the Council of Ministers says it wants to be enhanced in St. Helier, but it is not willing to tolerate even looking at the idea that the municipal government structure should be considered in this wider context. It also tries to criticise me for saying I do not indicate where the funding will come from. I have to refer to the financial and manpower statement at the end of the actual Strategic Plan, which says: "Any additional financial and manpower implications will be brought forward in specific policy proposals and the Medium-Term Financial Plan. That is where the funding comes from, so I cannot accept that criticism whatsoever, because the same criticism applies to the Strategic Plan itself. It just does not make sense to say we are going to look at St. Helier. We want a new partnership between the States and the Parish and we want to improve the quality of life for people here, without also considering how to ensure that the municipal government is best placed to perform its part in that when it has not been adjusted for hundreds of years. So, life, business and government are completely different today, in the 21st century, than they were centuries ago. I hope on that basis Members consider that my amendment is moderate. I am not asking for anything to be enforced on anyone, simply that we have the discussion because I think the discussion is well overdue. I propose the amendment.

### **The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** We are now opening the amendment for debate. Senator Bailhache?

#### **1.16.2 Senator P.M. Bailhache:**

That was an interesting speech from Deputy Mézec. Some of the words in his amendment are inherently attractive: Reform, accountability, democratic participation are all nice sort of motherhood and apple kind of things. But there seemed to me to be 2 reasons why this amendment ought not to be supported. The first is that we do not really know what it means. The desired outcome is an improved municipal government structure. What does that mean? Does it mean new committees for this and that? One or 2 such committees were hinted at by the Deputy, but we do not know exactly what it means. Even more worryingly, more powers for the Parish of St. Helier. If one gives more powers to the Parish of St. Helier they have to come from somewhere. Where are they going to come from? Are they going to come from the other Parishes? Are they going to come from the Central Government? If there is a transfer of power involved to the Parish of St. Helier we need to know what the Deputy has in mind. I have no idea what he has in mind. That is the first objection. The second objection is I am not clear why if one is talking about administrative structures in the Parishes, St. Helier is special and different from the other 11 Parishes. If we need better administrative structures in the Parishes, and maybe we do, I do not know, we surely need better administrative structures in all the 12 Parishes of the Island. Why just St. Helier and not the other 11? Related to that, if one is simply talking about internal administrative structures in the Parish, I am not at all clear why the Parish of St. Helier cannot do that on its own. There is nothing to stop the Parish setting up a committee to deal with anything that it wishes to deal with. If it wishes to set up a Parish ... a parochial committee for the general administration of the Parish it can do that. There is nothing which prevents it from doing that. It seems to me, therefore, that to invite the Council of Ministers to take on a responsibility for something first of all which is very unclear and second of all which in principle ought to be articulated and dealt with by the Parish itself is not a good idea. I shall vote against it.

#### **1.16.3 The Connétable of St. Helier:**

Can I personally say that I am grateful to Deputy Mézec, not only for his kind remarks about the current post-holder, but also for the fact that he has amended his own amendment and he has come away from the "agree to reform" to "review whether it would be appropriate to reform". I think

that is certainly an improvement and means that I can support the amendment. To some extent, and I know his story, this debate is possibly out of order, because as far as I was led to believe by the same adviser who has been advising Deputy Mézec, the States have already approved this. Back at the end of the 19th century apparently, or just at the turn of the century, the States agreed to do exactly this and nothing happened. I do not know why nothing happened. No one has been able to find out why a decision of the States amounted to so little. Mind you, having been in the States for some time I know of other decisions of the States which have amounted to nothing, so that possibly should not surprise us. But the matter was debate in the 18th century. It was as very lively debate in the 19th century. Certainly enthusiasm for it seems to have waned in the 20th and now the 21st. I have been looking at it, encouraged by the same Roads Committee member that has been lobbying Deputy Mézec. I have been looking at it myself and I have had a long hard look at how the borough of Douglas does things. They have had an elected borough council for over a century and it does a very fine job in the Isle of Man. I can see advantages for the Parish in it. I can also see disadvantages. I think one of the problems, if you like, that the Deputy has is that the current structure already meets some of the objectives that he has been talking about. He talks, for example, about a Finance Committee. We already have an Accounts Committee that meets regularly throughout the year, so that when we get to the Rates Assembly there are no surprises. People have been involved; people like Deputy Hilton are on that committee. All Deputies are invited to join it. So, there is that committee meeting all the time. We have the Conseil Municipal, which is a regular meeting of the Deputies with the Constable and the Procureurs. That is recent and it is still in its early days, but it has been open to the public, so that members of the public who are interested in how St. Helier operates can come and find out. I was also interested that Deputy Mézec focused most on the Roads Committee. I am quite pleased with the fact that since 2002 St. Helier's Roads Committee has not only been open to the public and the media, but it has also been acting as a kind of council. It is quite true that I go to the Roads Committee with all manner of decisions and problems that I want their advice on, because they are elected. Of course, we can improve the electoral process for the Roads Committee, but they are elected. They bring a great deal of added value to the running of the Parish. I am frankly surprised that the other Parishes have not followed suit in opening their Roads Committees to the public or indeed the parishioners in other parts of the Island do not seem that interested in going along. We do not always have a very big audience ourselves, it has to be said. One interesting point about the election of the Roads Committee that Deputy Mézec did not refer to, surprising given his interest in his particular role, is that the Roads Committee all have on them, voting on them the Parish Rector. It does seem to me very odd that we have a decision-making body, which includes an elected person on it. This is something that I have certainly raised with my fellow Constables. He brings a great deal of expertise and interest to our discussions, but how can it be right that our Dean of Jersey is in a voting position on the St. Helier Roads Committee? That is something which I think could usefully be tidied up. I do think that part of the problem the Deputy has is that the current structure appears to be working reasonably well. Having said that, I am slightly hoist by my own petard, because the last amendment which was unsuccessful about voter reform, you could say that people, as Deputy Lewis of St. Helier said, are not particularly bothered about that, so why should we change it? I certainly have not had a whole queue of people lining up and banging on my door saying: "When are you going to bring in a council system?" People are not asking for it. Indeed when I tried this out on the Roads Committee it was by the narrowest of majorities that I could persuade my fellow Roads Committee members to agree to set up a small group to look at the possibility of developing a council structure for St. Helier. That said, what the Deputy is asking for is a review of this. We are now, I suppose, 2 centuries away from when it was last agreed by the House, so possibly that decision has fallen away now. I see no harm in doing this. Really the argument that should be made here is the argument that I made unsuccessfully on the voter equity, which is that if we are looking at a complete package of improvements for St. Helier, which I believe is the point of the

fourth priority in the Strategic Plan, then you cannot miss out voter equity and you cannot miss out municipal reform. The whole thing is a package. That is why I am supporting the Deputy. Thank you.

#### **1.16.4 Deputy J.A. Martin:**

I never know that you there, Sir, in the Chair have seen me. It is quite refreshing that you do though. I need to lose weight and then perhaps I can hide behind the mace as well. Then I am going to get new clothes with the Constable of St. Helier. **[Laughter]** I hope it is a suit of new clothes, not the suit. I think I am going to rise one last time to just repeat this. Why has Deputy Mézec deemed or dared to put in an amendment to the Strategic Plan? He has covered a lot of the comments. It is because the Council of Ministers has made St. Helier their full priority.

[16:00]

Why have they made it their full priority? Because they want to put the majority of all new homes in it. They want to improve the roads in it. They want to improve open space in it. They want all this for all of the Island and they want us, as you say, the capital of St. Helier, to have a bit more say or a bit more control. Is that the wrong word? Senator Bailhache is worried about powers. I think once you have this review, and it is only a review, it could be like the small concession we got this morning, devolution of powers. I think it might have been this afternoon now. Sorry, I am totally confused. We have not won much, but we have won a few things. I think Deputy Mézec was very wise in bringing the amendment to the amendment saying “a review”. But, the Council of Ministers cannot accept that. I mean, it is really something out of *Yes, Minister*. I read it and it is difficult to reject an amendment that simply asks for a review to take place. Accepting this amendment would not predetermine anything. It would just initiate a piece of work to assess the relative merits of change. Nevertheless, the Council of Ministers believe this amendment should be rejected. *Yes, Minister*. I cannot speak as well as Sir Humphrey, but that is exactly what it says. When I read it I burst out laughing. This is the capital. My Constable is your Boris, if you want to look at it like that. **[Laughter]** If you want to go across. I love Boris, so the Constable can take out of that what he wants. But, what he has done for London, as the capital of the United Kingdom, the capital of England, is fantastic. He has powers. He does things. When Deputy Mézec talks about a Roads Committee, I do not want to knock what has been there for 100 years, but we are massive. The Roads Committee on a little planning application in Havre des Pas have determined it is okay. When I am questioning the officer, he has turned around and said to me: “They do not have many powers.” On the massive police station, and I will not mention that again, but it was T.T.S. brought in 2 or 3 consultants from the U.K. against my little Roads Committee. When the Roads Committee asked that I arrange to see States Members, it was hijacked by the Council of Ministers; they even rearranged the seating in the room. Absolutely over run the Roads Committee in St. Helier. It was hijacked. Now, this is what the review is about. I was, again, accused by Senator Ozouf to wait for the meat on the bone in the Medium-Term Financial Plan, because I am saying: “We have no meat.” I am coming to believe I have no bone. **[Laughter]** When this talks about: “Where is the resource coming from? Who is going to do it?” it is all worry, worry, worry. Do you really believe you are going to put all these homes and people and expect them to live, expect their children to thrive, in the capital? You want to call it the capital. It is not me who made St. Helier the fourth priority in this Council of Ministers plan. Do not give me platitudes. Do not give me jam tomorrow. Give me something. We do need to look at it. It is a review. Deputy Mézec cannot tell you the outcome. Do not be frightened about where the powers are going to come from. I am not taking any powers from the Constable of St. Peter, St. John and St. Mary. We do not want your powers. You can get on with your village greens. You can do what you want in your village greens. That is fine. I do not have a problem. But, in St. Helier, with the amount of people you want to put in, with the limited space we have, with the Roads Committee, with the way



things are structured, the powers against, the massive, mighty T.T.S., we do not have a chance. It is a review. I am sure there were discussions between Deputy Mézec and the Council of Ministers to ask for it to be a review. Even after he went back down and amended his own amendment it has been rejected. That is how I think. I am glad that we are the fourth priority. I just need to find out when I am going to see what this means. It is again in the comments: do not know where the resource is coming from and who is doing this review. The Council of Ministers made it their priority. Deputy Mézec is just trying to improve that over a 200-year law and have a look at it. There are good bits, very good bits. We will keep them. If we can improve it, that is what it says: "To improve". Who would want to vote against anything that could improve the lives of the thousands and thousands of people and the thousands and thousands of more people who choose to put into living and going to school in and work in St. Helier and also all of the Parishes who visit? Who would not want that review? Thank you.

**1.16.5 Senator P.F. Routier:**

I will just follow up on Deputy Martin who spoke about her concern about the Council of Ministers having St. Helier as a priority. I think we are all supportive of that. It is a priority. Is the priority for the things that the Government has responsibility for? The Government has responsibility for matters, for instance, like housing, schools, roads, all those sorts of things. That is what they are going to be putting all the Government's efforts into doing. With regard to the organisation of the Parish with administration, that is not something which the Government has responsibility for.

**Deputy S.Y. Mézec:**

Sir, would the Senator give way?

**Senator P.F. Routier:**

Yes, certainly.

**Deputy S.Y. Mézec:**

I am sorry to have to interrupt at this point. I have mentioned several times in my opening remarks that the structure of the Roads Committee is defined in law. The Parish does not vote on law. The States Assembly votes on law, which the Council of Ministers is free to bring a proposition to. So, it is a matter for this States Assembly. That is a simple matter of fact. The administration structure of the Parish ...

**The Deputy Bailiff:**

That is the clarification of what you said. There should not be a second speech.

**Senator P.F. Routier:**

I thank the Deputy for those comments. He is quite right. I do not deny that. That is the fact of the matter. The point that I am making is that if this amendment had come through the administration of the Parish and there had been an assembly of the Parish and they had discussed it and put forward suggestions of how the administration of their Parish was going to be and be requested for that to be done and asked the Council of Ministers to make law changes. Fair enough. But that is not what is being suggested here. It is asking for the Council of Ministers to lead on this review. I would suggest to Members that this needs to be led by St. Helier and the other Parishes. If that is something that they would like to happen, then fair enough, that is something that can be progressed. But for it to be a matter for the Government to lead on the review, I really do not think is appropriate. I was taken by the opening remarks of Deputy Mézec when he opened up his comments. He said he only thought over lunch that he would progress with this, because he did not think it would be worthwhile doing. That really struck a chord with me as being something that he was not really fully behind. But certainly the speech developed on to say that it was something he

wanted to progress. But, as I say, I would like to think that if things need to change within the Parishes it would be something that would come through the Parish authorities themselves and through the Comité des Connétables they would discuss it and see how it affects the whole of the Island and all the other Parishes before we just think about asking the Government to take on a review of just St. Helier. I am unable to support the amendment as it stands. But if there is something that needs to happen in the future, all well and good, if it comes with the backing of the Parishes themselves.

#### **1.16.6 The Deputy of St. Mary:**

I have to say I am slightly unsure why this amendment should be seen to be contentious. It has been lodged by the Deputy of St. Helier. It has been supported by the Constable of that Parish and also the Deputies. The Strategic Plan names or nominates St. Helier as one of its strategic aims. The Constable in particular has taken that on board and it will be almost negligent of him not to include in that a proper review of the governance of his own Parish by his own acceptance that he does support Deputy Mézec's amendment. I infer from that that he would be prepared to lead the review into that and as such I see no reason why the Assembly as a whole should not adopt the amendment. I shall therefore be supporting it.

#### **1.16.7 Deputy S.M. Brée:**

As has been said before, St. Helier has been identified by the Council of Ministers as a priority, rightly or wrongly. But let us face facts. The vast majority of Islanders travel to and from St. Helier for work or pleasure and that increases the pressures on the Parish infrastructure and the administration of the Parish. So St. Helier is different to other Parishes. It is our capital. We cannot say what happens in St. Helier is the same as what happens in St. Ouen or St. Peter. It is a different animal, to use that term, altogether. Now, this amendment is just calling for a review. It is not asking for a commitment to change. But it is identifying that perhaps St. Helier should be looked upon as a special case. It could improve the lives of all Islanders because, as I have said, the vast majority of Islanders travel to or from St. Helier at some time or another. So it is not just about the residents of St. Helier. It affects the residents of the whole Island. I am sorry, Government does have a responsibility to all Islanders and this includes the improvement of all services, facilities and amenities. By undertaking a review we can at least identify if there is a need for change. Will it improve the lives of all Islanders? I am sorry, in my book, that is the responsibility of Government.

#### **1.16.8 Deputy G.P. Southern :**

I thank or am grateful to the previous but one speaker who seems to have his mind on Occam's Razor, the slimming things down to the precise core of issues. As he said, again, and I will repeat again, when Senator Bailhache says: "Why does this not say 'improving the Parishes'?" Because it is the document improving St. Helier. That is why the focus is on St. Helier. When he equally says it is perhaps not appropriate to bring this to Government, once again, Deputy Mézec points out, quite clearly, that this is a matter of law and therefore at some stage or other, and since the Minister's attention is on St. Helier, he has decided it should be done now, he is bringing the attention of Government to this particular issue. How right he is to do it, I think, because when we look at 2 of the boxes, again, of the priorities of the Government, the Council of Ministers, what do we find? We find, for example, 4.6: "Produce a clear and comprehensive plan for travel and transport in and around the town, ring road, parking, more pedestrian areas, adequate parking for the town". What does that require if that is going to be achieved in any way whatsoever? It means talking to the relevant body in the Parish to make sure that between them that gets organised because they cannot do it alone. Then I come down to the bottom of the page again, on page 14, and here we have it: "Agree a new partnership between the States and the Parish of St. Helier to

deliver services and best value for tax and ratepayers". What better opportunity to do exactly that, one of the Council of Minister's own strategic priorities, than now? I rest the case.

#### **1.16.9 The Connétable of St. Peter:**

It may help for Members to realise what I call 2 types of committees within Parishes: one which I call Statute Committees and those are ones which are required in law and the members of those committees come into the Royal Court to swear their oaths of office. The others are what I call Constables Committees and those are committees which were set up by Constables to help them out with specific areas of Parish administration. For example, most Members will be aware that I am looking at a first-time buyer affordable home type development opportunity within the Parish of St. Peter. I have set up a Constables Committee of nominees to assist me in that task. It is not a formal committee. They are a group of advisers. They advise me and help me in the work behind that.

[16:15]

That is a Constables Committee. When we are looking at having a change to a statute committee like, for example, a roads committee, that is a matter for the Comité des Connétables. They are the authorised body to bring forward matters which affect the Parishes generally. St. Helier already is an anomaly in that it has one more member on its Roads Committees than every other Parish in the Island. Nothing wrong with that. That was a decision taken, whenever it was, to show the extra work required in the Parish of St. Helier. The right route, if this is where the Parish of St. Helier would like to go to, would be to come to the Comité des Connétables with a proposition to ask the Council to consider whether they want to make a different proposition to the States to include your council, if that is the way you want to call it. But the route is through the Comité des Connétables. They are the standing body authorised in law, not the Government. But this Chamber makes a final decision, based on a proposition of the Comité des Connétables. I hope that helps.

#### **The Deputy Bailiff:**

Does any other Member wish to speak upon the amendment? If no other Member wishes to speak, I call upon Deputy Mézec to respond.

#### **1.16.10 Deputy S.Y. Mézec:**

I want to thank Deputies Martin, Southern, St. Mary and Brée, as well as the Constable of St. Helier, for their contributions, which were very helpful. I thought the Deputy of St. Mary in particular made a very useful contribution. In terms of the points that have been made against, I have to say I found some of the points made by Senator Bailhache to be very, very strange indeed. His main criticism seems to be that we do not really know what this means. So I will help him out with that. It says: "To agree to have a review on looking at reforming the municipal government structure of St. Helier to increase democratic participation and accountability so that decisions made are more receptive to the wishes of residents and businesses." I do not really know how you could get any clearer than that. It is about saying: have a review. We know what will happen. There will be a review and the review will come up with conclusions, we can discuss those conclusions, we can accept them, we can reject them, we can put them to Parish Assembly, the Parish Assembly can reject them or accept them. That is what is going to happen if this is accepted. I cannot understand at all how that is not clear. I think that is crystal clear, frankly. He asked about what more powers would we be seeking to give to St. Helier and where would they come from? We have earlier today voted to giving more licencing for smaller events to St. Helier. So there is an example of where we have already done this today. It could well be to enshrine that in law or perhaps look at other things: more power over events, roads, in particular, is something that some of the members of the Roads Committee I have spoken to believe that it is far too much red tape and it would be much better if the Parish had that power as well. So, again, something just up for

discussion. He said he was not sure what made St. Helier special in this regard and why not look at the structure for all the other Parishes? I specifically refer to the comments made by the Deputy of St. Mary who said, basically: "Hello, we are talking about St. Helier today. It is a part of the Strategic Plan." It is "St. Helier" not "the Parishes", so it is absolutely right that we should be talking about St. Helier. But if he thinks there is a problem with the structure of St. Helier differing from the other Parishes ... and I think the last speaker, the Constable of St. Peter made some points that may have had relevance to that in terms of whether I should come to the Comité des Connétables about it. I will refer to Douglas, the capital of the Isle of Man in this regard. The Isle of Man has what is their equivalent of Parishes but they also have something called borough status, which is what Douglas is. They have a statute that defines what the administration structure for their equivalent of Parishes would be and they have a separate statute which defines what the administration structure for a borough would be. It just so happens that Douglas is the only part of the Isle of Man that has signed up to borough status. If another part of the Isle of Man wanted to sign up to it, Peel or Castletown or whatever wanted to become a borough, then they would go through the necessary process to do that. So you could theoretically end up with a conclusion where you come up with an administration structure and say: "Okay, St. Helier would be most appropriate for this and would want this. But perhaps some of the other Parishes would like it too". St. Saviour is the second most populated Parish, so perhaps St. Saviour would want to consider that structure as well. St. Brelade as well has got lots of urban areas. So they may consider it would be appropriate there. It is not excluding the possibility of other Parishes signing up to it if they want to. But we are talking about St. Helier uniquely. That is what this whole debate is meant to be about. It is what the strategic priority of the Council of Ministers is. So we cannot really say, in my view, that it cannot be considered because we have not considered the impact on other Parishes. There necessarily will not be an impact on the other Parishes unless they want it to, and in which case it would be up those Parishes. So I do not accept that it should be a proposition that is brought to the Comité des Connétables. If they wanted to issue comments on it about the relevance, other Parishes may wish to accept on it, then that would be fine. But I think it primarily should be led by St. Helier. Senator Routier made that point. He said: "Perhaps it should have come through Parish Assembly". I have got to be honest; I am kicking myself that I did not hold a Parish Assembly in the first place because I thought about doing it and I did not because I thought I would be pressing on an open door with this because of how uncontroversial this is. But what I will say is that I am a twice elected Deputy of St. Helier and both times I stood for election my slogan was: "Bringing politics into the 21st century". So I do think I have got a mandate to slightly look at this. We have had other St. Helier Deputies back me up on this. We have had a senior member of the Roads Committee who has compiled this big document on reform. We have also had the Constable of St. Helier backing it up. So I do not really know what the problem is there.

**Senator P.F. Routier:**

Would the speaker just give me a second? From the way he is speaking, do I understand it that he would be prepared to lead this review?

**Deputy S. Mézec:**

I would. If such a title were to be bestowed upon me I would certainly have to consider it. I think that, as well as perhaps involvement from Deputies in this review, it would be entirely sensible, I think, for there to be ministerial representation on that committee. Perhaps the Minister for Transport and Technical Services may be appropriate for that, given there is a lot of interaction between the Parish and T.T.S. If he is offering it to me, I am happy to accept it. He can be my Vice-Chair if he would like it. The Constable, of course, should be involved with that and perhaps members of the Roads Committee or maybe a Procureur. More discussion would need to be had on it. If the Senator is suggesting that I come back with separate proposition that he is willing to sit

down with me and word it in such a way that it will have the backing of the Council of Ministers, then maybe that can be one consolation I can go home with today. I will catch him as we are leaving, once the adjournment has been called, as that is something to be discussed, or alternatively we could just vote for my amendment, which is what I would rather Members did. I really like this idea. I think the idea of looking at how St. Helier interacts with the people who live there and the businesses can only be a good thing. I think it is important to point out that the initial proposals for a Conseil Municipal de St. Helier were brought forward by the Chamber of Commerce because they knew that it is in the interests of businesses in St. Helier to have a robust municipal government structure, one that is receptive to their needs, does not have to worry about going through States of Jersey red tape and can deliver services at a Parish level because that makes sense. The Council, at an earlier debate, spoke about online applications for small events. You know, there is ... I do not see any reason personally why more could not be done through that forum and so businesses and also individuals and charities who wanted to do something could do that. That seems to me to be entirely sensible, but when doing that you want to make sure that the administration structure is really built for it and is capable of doing it, and if I am not mistaken in 1914 they did not have the internet. They did not really know that this sort of thing would be something that could come about. On that basis I think it would be the right thing to do. I mean, I thought this was going to be really uncontroversial and I still think it is uncontroversial and I am grateful for some of the Deputies who have stood up to make that point. I am disappointed that the Council of Ministers are not backing it because I am not imposing some sort of mad left wing dogmatic position on them here; I am proposing something that I think anybody, many sides of the political spectrum, could suggest would be a good idea and which can only possibly be to the benefit of people and businesses in St. Helier and may, at the end of the day, account to very little. It could just be a minor adjustment to the current law. But it is this Assembly that will have the say on that law. Parish Assembly can come up with a proposition, can support it, but it is the alterations to the law that will matter and the Parish cannot do that. It is only the States of Jersey that can change the law. It is the States that matters. The Council of Ministers have said they want a new partnership between the States and the Parish. It just seems right to me that we look at the democratic makeup of the Parish and find out what the best way to form a direct communication stream from the people and businesses up through Ministry and Government, up through to the States so that decisions made are in line with the values and desires of what these people want. I cannot understand what is so uncontroversial about that. Since I am running out of things to say, if the vote is against this and it is decided that it would be a good idea to put forward a proposition more comprehensively on this particular issue that we can have that debate on, then I will certainly consider doing that because I think it is the right thing to do. But I prefer if Members simply voted for this amendment this time around. So I call for the appel.

### **The Deputy Bailiff:**

The appel has been called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 20</b>		<b>CONTRE: 25</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier		Senator P.F. Routier		
Connétable of St. Brelade		Senator P.F.C. Ozouf		
Connétable of Trinity		Senator A.J.H. Maclean		
Deputy J.A. Martin (H)		Senator I.J. Gorst		
Deputy G.P. Southern (H)		Senator L.J. Farnham		
Deputy of Grouville		Senator P.M. Bailhache		
Deputy J.A. Hilton (H)		Senator A.K.F. Green		
Deputy J.A.N. Le Fondré (L)		Connétable of St. Clement		

Deputy M.R. Higgins (H)		Connétable of St. Peter		
Deputy J.M. Maçon (S)		Connétable of St. Lawrence		
Deputy S.Y. Mézec (H)		Connétable of St. Mary		
Deputy A.D. Lewis (H)		Connétable of St. Ouen		
Deputy of St. Ouen		Connétable of St. Martin		
Deputy L.M.C. Doublet (S)		Connétable of Grouville		
Deputy R. Labey (H)		Connétable of St. John		
Deputy S.M. Wickenden (H)		Deputy of Trinity		
Deputy S.M. Bree (C)		Deputy K.C. Lewis (S)		
Deputy T.A. McDonald (S)		Deputy E.J. Noel (L)		
Deputy of St. Mary		Deputy of St. John		
Deputy P.D. McLinton (S)		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R.G. Bryans (H)		
		Deputy of St. Peter		
		Deputy M.J. Norton (B)		
		Deputy G.J. Truscott (B)		

**1.17 Draft Strategic Plan 2015 – 2018 (P.27/2015): tenth amendment (P.27/2105 Amd.(10)) - paragraphs (2) and (3)**

**The Deputy Bailiff:**

The next amendment has been lodged by Deputy Labey, namely the tenth amendment. Deputy, I think we can take both of the parts of your amendment together - (2) and (3). Would that be acceptable?

**Deputy R. Labey:**

Yes, Sir, but we could vote on them separately.

**The Deputy Bailiff:**

Indeed. We can vote on them separately. It is just that they will be read by the Greffier. I will ask the Greffier to read the amendments.

**The Greffier of the States:**

After the words “in the attached Appendix” insert the words – “, except that – (2) in the chart on page 14 of the draft Plan after row 4.8 insert additional row as follows. Desired Outcome. 4.9 To create a walkable Havre des Pas neighbourhood that is harmonious to the needs of its residents, enhances its heritage, and reinvigorates its visitor appeal. Key Areas of Focus 2015 – 2018. The commissioning of a masterplan for transport and public realm improvements with suggestions for wider regeneration of the neighbourhood and in consultation with the community. The allocation to the Transport and Technical Services Department, at the next M.T.F.P., of adequate funding to carry out and complete the masterplan survey within 12 months. (3) in the chart on page 14 of the draft Plan after the new row 4.9 above, insert additional row as follows. Desired Outcome. 4.10 To create a contiguous waterfront promenade for St. Helier, providing a continuous off-road walking and cycling facility connecting Havre des Pas to Corbière. Key Areas of Focus 2015 - 2018. To examine the potential for harbour head links for cyclists and pedestrians included within the Havre des Pas masterplan study and facilitated by an additional allocation to the Transport and Technical Services Department.

**Senator I.J. Gorst:**

Unfortunately it is not an amendment we are accepting.

**1.17.1 Deputy R. Labey:**

The Island as a whole is indebted to Havre des Pas because in recent years it has learnt that it is to be sandwiched between 2 bad neighbours: an incinerator and a police station. So it is high time it is payback time. It needs attention; it needs T.L.C. (Tender Loving Care); it needs investment as a sort of compensation. The residents of Havre des Pas are doing exactly what this Government wants them to do: they are living in St. Helier and they are walking or cycling to work. So what does this Government do in return? Gives them 2 bad neighbours and tells them it is going make St. Helier vibrant. What does vibrant even mean here? The slums of Calcutta are vibrant, but I would not want to live in one. Vibrant is a meaningless platitude. I do not mean to be churlish or ungrateful for the new deal for St. Helier, that new initiative. But it is not particularly tangible, as Deputy Martin was saying earlier. You know, looking for the meat on the bones is one thing, but we are looking for the meat and the bones. I just remembered that I had some what I am sure Members will find extremely helpful visual references. Could we just distribute them? Is that okay?

**The Deputy Bailiff:**

Yes, I will ask the Usher to distribute them, thank you.

**Deputy R. Labey:**

Sorry, I should have remembered that earlier. Another bullet point from the Strategic Plan says that urban design “has a strong influence on people's quality of life.” Absolutely right. If you stand on the seafront at Havre des Pas and just ask yourself why would you not want to live there, look around and think: “What is wrong with this place?”

[16:30]

The first problem is literally staring you in the face, and it is the Energy from Waste plant which has the potential to kill any interest in the area east of Fort d’Auvergne and up to it. It is sad because that is mostly visual. I do not think it makes a great noise, does it? I know people talk about emissions but that is a moot point. It is a mostly visual thing and it is potentially very easily curable. So the documents that I have belatedly given you, on the first page there you can see that is how the Energy from Waste plant was sold to the residents of Havre des Pas. That was the artist’s impression of the view from the east. If you turn the page I have just done an enlargement of that and there is the Energy from Waste plant just poking out from beneath these trees and banks and landscaping, and underneath it of course is the reality. There is nowhere near approaching the artist’s impression, nowhere near what the thing was sold at. On the very last page it is me, I am afraid - and there I am standing among the landscaping - the pinus trees that have been planted there. It is not a very good picture but that pinus tree just comes up to my waist. There are lots of them; they have been there for ages. They are incredibly slow growing and this is a case where the size of the pinus really does matter because we are all ...

**The Deputy Bailiff:**

I am sorry but I do not think that is a proper parliamentary term. Perhaps you could ...

**Deputy R. Labey:**

I apologise if that was taken as a *double entendre*.

**The Deputy Bailiff:**

Yes, we try to avoid *double entendres* of that nature in the Assembly.

**Deputy R. Labey:**

Okay. I apologise of course, unreservedly. The thing is we will all be dead and gone before these trees are going to be anywhere near doing the job that they were put there for. But if you look at the posh end of the reclamation site, if you go to by where the new financial district is going to be, that planting of umbrella pines is one of the best things - best pieces of landscaping - on the whole waterfront. The spectacular avenue of umbrella pines which, unfortunately, some are under threat, because the Zephyrus development is going to have to move a roundabout which could mean some of those trees have to go. You talk about me being piecemeal with this proposition. You know, in the report into the proposition the Council of Ministers accuse me of being piecemeal. I am not being piecemeal - I am being local and I will not take lessons from the Government of Jersey on piecemeal because they rewrote the textbook on that and it is called the Waterfront and it is still happening now. Maybe not this Government. So the landscape and planting originally proposed to soften its impact on the bay view from the east, it has been a complete flop and needs to be revisited. Anything would be better than the weed strewn slagheaps in whose gritty embrace the monster currently glowers. It is clear that we need some of those mature trees from the other end to be helicoptered in, fast growing trees, et cetera. While we are waiting for those things to grow let us make a virtue of that thing. There are 5 bays there; it could contain 5 10-metre high banners: "I heart H.V.P. (Havre des Pas)." It could contain projections. It could contain digital displays of the time, the date, the state of the tides; it is the Chief Minister's birthday; what is going on at the opera house. I do not know, but let us make a virtue of the thing rather than it just being an ugly, grey blot while we wait for it to be covered by trees, et cetera. While we are in this area, public access to La Collette is just closed off as you reach that slagheap. So you have blocked residents or visitors from the most southerly point of the British Isles. The Constable of Grouville may take issue with me on whether now, La Collette, the point of it, is the most southerly point on the British Isles or whether it is in competition with the pier at La Rocque. But as he is my cousin he is going to let me get away with this one.

**Connétable J.E. Le Maistre of Grouville:**

No, I think the Minkies have it.

**Deputy R. Labey:**

The Minkies; okay. But my point is that the whole space is blocked off. You cannot even walk around it. The residents cannot go fishing off it, take their dogs for a walk, et cetera, around it. It should be celebrated. It is not T.T.S., I am afraid to say. It is not this Government's; it is the people's land. They paid for it and it is for the residents to use - or it should be - and it should be made a virtue of. It could be part of a walk. You go from Havre des Pas; you go to visit the most southerly point of the Channel Islands or the British Isles. You know, you go and have your selfie taken with the ridiculous poster that says: "New York a zillion miles away" or what have you. Round you go, do the circuit on your bike or walking and you come back to Havre des Pas and you have your cup of tea or drink or a meal in one of the restaurants there. The thing is if you kill an area, which they effectively have done by not letting anyone go on it, you kill the amenities that surround it. It needs to be confronted head on, that. It is completely wrong. It is not T.T.S.'s space or the Government's space. It is not space to be blocked off. They have made a frightful hash of it. It is our space, it is the people's space, and the public are going to reclaim that because one day we aim to make that an integral part of St. Helier, La Collette, do we not? We should at least be able to walk along that rubble wall and make a virtue of that area. If anyone has been to Cape Town, I worked in Cape Town for a little while and I inevitably gave in and went to the most southerly point of the Cape as everybody does. There is absolutely nothing there again, apart from one of those ridiculous sign posts saying, you know: "Australia X miles away", et cetera. But it is a thing that people do; something of interest. That sort of thing is vital for Havre des Pas. It needs more footfall. It needs a real wash and brush up too. So my feeling is that I am not asking for Havre des



Pas to be made a special case of. I am asking for every local area of St. Helier to be made a special case of. The point of the Council of Minister's report into my amendment is that this is piecemeal which I reject; and this is more costly which I also reject, and we will talk about later; and that it is duplicitous; it is possibly a duplication which I also reject. They say what really needs to happen is for a high level masterplan. I say the last thing we need is yet another masterplan in St. Helier, to gather dust once again on the top shelf. We are awash with masterplans. They cost a fortune. They reek of administration, and what happens is they do not get implemented. I think I am right in saying that the North of Town Masterplan contains an illustration of the Gas Works site which is an elegant row of town houses very much like what is there already. What has happened to that? There is the 1990s Masterplan for Environmental Improvement Areas, EEP/IASs in town. Where is that now? Where is that masterplan? Gathering dust again. There is only one area that was completed in response to that masterplan which is Columbus Street, I am told highly successful. Residential property owners responded and invested and improved their homes, encouraged by public sector infrastructure investment which removed rat runs from their neighbourhood; traffic management - a model to follow - already there. There is the Fort Regent masterplan. Get on and build the access to it. Nothing will happen to Fort Regent unless that access which is excellent, it has got to be done anyway. It is a fantastic design; it is exciting. I take issue with some of the zones and what is going to go in Fort Regent, and that can be talked about later. Get on and build the thing from Snow Hill up there - it looks great - and see how that starts to increase the footfall up in Fort Regent, even before you have started zoning it. Put a few concessions up there. See how that increases its use at lunchtimes; people going to the gym or something to eat, et cetera. There is Willie Miller's 2005 St. Helier Urban Character Appraisal masterplan which is excellent and has done a lot of the work for you. Senator Ozouf is nodding; I think he must have commissioned it. The whole approach of Willie Miller's analysis of St. Helier - and I do highly recommend it to Members if they have not read it - is that different parts of the town have different feelings, different characteristics, different atmospheres; I think he calls them *quartiers*. They are different character areas. Havre des Pas is character area number 3 which he calls one of St. Helier's most distinctive places and one of the most pleasant areas in which to spend time. I am directly quoting from Willie Miller's report. On the negative side, this is in 2005: "Environmental quality beginning to decline, fragmented traffic dominated spaces." There is the masterplan; there is the stuff you want to spend another 2 years looking at. It has been done for you. We want some action on it. Different areas, different problems that should be accommodated and encouraged, which means it is entirely sensible for Havre des Pas to want to crack on with improvements specific and pertinent to that area, but as part of the wider regeneration and not alone and not duplicating, and not costing more and not being piecemeal. We have to consult, but the drive and the energy need to come, and the knowledge needs to come from locally, from on the ground. There is scope of course for cross-pollination and an overview from high level, as Council of Ministers calls itself in the report in my memory. I just quote the purpose of the Strategic Plan, however, is to set a high level direction which informs the development of detailed delivery plans. Wrong. What should inform the delivery is ground level reality, local knowledge. Deputy Andrew Lewis has been banging on about First Tower on the radio recently. I see what he is saying is the problem there is the problem across all *quartiers*. It is the state of the pavements. We do not need a high level masterplan to tell us that horizontal surfaces in Jersey are notoriously bad as compared with elsewhere; and what they do with their horizontal surfaces, their pavements, their proms elsewhere, we just need to walk along any street to see it for ourselves. The pavements along Havre des Pas are a shocking mishmash. You could roll out a consistent improvement plan across the whole of St. Helier down to Georgetown, wherever, St. Clement, focused on rolling out an improvement of the horizontal surfaces. The same thing with pedestrian crossings. The most successful pedestrian crossing on this Island is the one outside "Bean around the World", which has raised hazardous lights in it. You do not need ugly traffic lights. It is respected by all users and works perfectly

well. You could replace the dreadful zebra crossings, terrible traffic lights, lighten the front of Havre des Pas quite easily with one of those and all around St. Helier, St. Clement, St. Saviour. I hope I am trying to demonstrate that I am not talking about piecemeal things. There are things that are so obvious that they could just be getting on with now if there was the investment to back up the priority - if there was the investment to back up the priority that St. Helier is supposed to be now - the fourth priority. Back to the Council of Ministers' report on the process which says: "The plan already commits to development of the masterplan of St. Helier, including the associated urban areas of St. Saviour and St. Clement. This entails the development of a public realm strategy to increase the quality and quantity of public space, streets, squares, parks, other green space, and the links between them. The last bit of public protected green space in Havre des Pas on Green Street is what Andium want to put 200 flats on and the Council of Ministers have the gall to accuse me of being piecemeal. What we do have as public realm in Havre des Pas is the promenade. Let us look at that briefly. Standing on the slip at the bottom of Green Street and just looking up at the lamps, you have an array of different kinds of lamps. You have globe ones. You have little column ones. You have ones I cannot begin to describe. They are a complete mishmash and every second one has wires hanging down from it. It would not be expensive to sort that out. Just looking at it, it just looks as though the Government of Jersey has no money or has given up on the infrastructure of that area. Looking down at the paving of the promenade, it is the dreariest concrete you could dream up and it could be so easily improved. It does not have to mimic the very beautiful roundabout of the Constable of St. Mary and it does not have to be that expensive. The crime with the roundabout in St. Mary is not that it was Chinese granite or wherever it came from. It is not that it had to be put in by foreign labour or what have you. It is not the price of it.

[16:45]

The crime of the roundabout is having done all this they have gone and painted 2 whopping great yellow lines across it. It absolutely beggars belief to me that you could make that beautiful thing and then stick 2 whopping great yellow lines on it. There needs to be some flair, some imagination here, a bit of artistry.

**Senator P.F.C. Ozouf:**

Would the Deputy give way?

**Deputy R. Labey:**

Yes, of course.

**Senator P.F.C. Ozouf:**

He is enthusiastically saying it, but I just wondered whether or not it really is a crime.

**Deputy R. Labey:**

Forgive me, no.

**Senator P.F.C. Ozouf:**

I thought a crime was something that came before you, Sir, not the Assembly.

**Deputy R. Labey:**

Thank you for that valuable correction, Senator Ozouf. **[Laughter]** I am sure we are all better for it. **[Laughter]** I apologise for any wrong inference. So, back to my promenade. It could be resurfaced with concrete quite easily, but concrete that is imprinted with something, maybe quotes, maybe quotes from Leo Harris, who was in the Marina Hotel on Havre des Pas watching the day the Heinkels arrived to bomb the harbour, and he wrote 2 fantastic books about the Occupation. Why not put some quotes from him imprinted? That would be a good start from the leader, from

Havre des Pas, an interesting walk, then across over to La Collette, a bit of imagination, a bit of flair. You can have all these ideas for free. **[Laughter]** They are not all mine. Where I do think the Council of Ministers is correct and there needs to be a high-level overview is on the traffic policy and T.T.S. should be required to carry out a root and branch traffic review, a review of traffic management and vehicle flows throughout the whole of town, St. Clement, St. Saviour, because the network loading is now barely subcritical. Any road works or incident brings town to a gridlock as we have all seen. People are delayed getting to work and shoppers put off from travel. The population growth policy will inevitably mean that traffic gridlock is going to happen if something is not done. It needs to be accepted as fact and we need to take action now. Traffic was the catalyst for this whole thing. Because Green Street is blighted by very well-meaning but redundant chicanes, which look awful and do not work because people either speed up to get through them or, once they have got through them, take that as the cue to put their foot down. It is awful. The poor residents of Green Street have lived with this for far too long. It is all they ever talked to me about during the election. The Minister has just told me he had a nightmare getting down Green Street just hours ago. When I started to talk to T.T.S. about this - who have been fantastic, the officers, the Minister and the Deputy Minister, who always comes to the Havre des Pas improvement group meetings - we started to look at it and I said: "Can there be a quick fix for this appalling situation? These residents have put up with it for too long." Their advice was no, we need to start looking at the bigger picture. There might still be a possibility that we could have a quick fix and the Minister is coming to the Havre des Pas improvement group meeting next week. Let us make sure he comes with some good news for those residents. So their advice is no, you cannot take a look at the road in isolation; you have to look at it in relation to La Route du Fort or Havre des Pas or St. Clement's Road or what have you, then you have to talk about the buses, so there are lots of difficulties. It is difficult to reach a consensus, too, but we very nearly did it at the last Havre des Pas meeting with a show of hands; apart from Deputy Martin and one other, everybody. It was packed because we were going to talk about Green Street. Everybody wanted rid of those chicanes and I am hopeful that at least we could start with that. But I do agree that the whole traffic flow needs to be looked at and so this £120,000 I am asking for, if that review is going to be taken out, is going to happen, we obviously pay back Havre des Pas' share or percentage for the whole review. I do not want it to cost more. I am an artist, not an accountant, but even I can work out that the math is not very difficult for that. We will pay back anything that is going to be done on an Island-wide or town scale. The same is true on the harbour links. I have not gone massively into detail on those in this speech - and I am not going to go on for too much longer - because it seems to me that the harbour links are obvious. They are something which is going to be done, which is going to have to be done. We have to relieve the traffic down Green Street commercial buildings and Havre des Pas that is going to La Collette and that could easily be done with a road with a vehicle access over the Albert Pier and through down to La Collette. In the meantime, we could have a fantastic opportunity for a very scenic cycle route over the historic harbours, over the pier head, so not carving up the historic slipways as was proposed and everyone was horrified by a few years ago. No, especially if they rise and fall, bridges are beautiful things that are fascinating to the human race. We do not have any. They are fascinating. People will sit and watch a bridge rise or fall for hours on end. **[Laughter]**

**Senator L.J. Farnham:**

I think the Member might be speaking for himself.

**Deputy R. Labey:**

I do not mind admitting it, they are great things. But I do not need to go into detail on that or explain the benefits. It is obvious. Senator Ozouf was absolutely right earlier today when he was talking about planning obligations and planning gain because this money I am asking for could

have been done by planning gain, planning obligations, if that was in place. There is the Fort d'Auvergne development, 7 storeys. We cannot even get a bus shelter out of them for that. Admittedly, that was passed in Senator Cohen's time when he was the Minister for Planning and Environment. There are big developments going on in Havre des Pas. There is the Andium one I have talked about, something like 260 or 280 flats. There should be some planning gain for that. There is the Metropole Hotel. I do not know anything about that development at all but I know that that site is going to be developed. There should be planning obligations, planning gain, for that. There is another one on Havre des Pas at the car rental place. It is quite a big development, 27 or something units for holiday lets. There should be planning gain for that. I think the rules should change. Our experience of the Percentage for Art has been that it delivers intriguing but not exactly fundamentally life-enhancing little details to different schemes. I think that needs to be shifted from a percentage to art to a percentage for adjacent environmental approval. We could think of a better title, but you know what I mean: money for tree planting, repaving, better standard of lamp standards, bus stops, railings, all the kinds of things that we do so badly in such a Brit-Grot sort of way. Percentage for Art could be adapted to making improvements in the infrastructure in the vicinity. Of course, that is good for the building because it is improving the setting in which the building finds itself. So all of this, and I have not touched on parking. Do not worry, I am not going to, but it is an acute problem which desperately needs looking at. I do not know why we do not put a car park under that mound, the slag heap. This is within very easy reach of Havre des Pas but maybe that is impossible. It is certainly something that needs to be looked at. The Havre des Pas improvement group is really active and you will find them very good fun, especially if you come with some money from this plan. **[Laughter]** They are really active. They get involved, they are involved. They are a wonderful community down there, they really are, and they have not made a big fuss about getting landed with the incinerator and the police station. I really do think that you could give me this one, and Deputy Martin and Deputy Wickenden. You could give us this because it has to be done. I am absolutely determined. If I have not made things clear in either this speech or in my short report that we can do this as part of the high-level plan that you want and without duplication and without it costing more, for me it is a no brainer. I do not know who is speaking for the Council of Ministers against me. I do not know if it is my Minister - it is - or whether it was Senator Ozouf. Well, bring it on. **[Laughter]** I move the amendment.

**The Deputy Bailiff:**

Is the amendment seconded?

**The Connétable of Grouville:**

Could I ask for a point of clarification, Sir?

**The Deputy Bailiff:**

Well, let us see if the amendment is seconded first, I think. **[Seconded]** So, you have a request for clarification from the speaker?

**The Connétable of Grouville:**

I just wondered if I understood the Deputy right. Is he suggesting we build a bridge across from the Albert Quay to the Elizabeth Quay?

**Deputy R. Labey:**

Yes. It has been suggested already, Albert to Victoria for vehicles, yes. It is not my brainwave. It has been suggested already and it is something I think that should be looked at at a higher level, but if it is not going to be looked at at a higher level, we should use 30 grand to have a feasibility study of it right away.

## **The Deputy Bailiff:**

Does any Member wish to speak on the proposition? The Deputy of St. Martin.

### **1.17.2 The Deputy of St. Martin:**

I thank the Deputy for his amendment, and I make no apology by starting with the words “masterplan.” The Deputy has been extremely critical of masterplans in his speech, particularly the North of Town Masterplan. But I would say to the Deputy that the North of Town Masterplan promised that the Gas Works site would be a significant new development for residential or other purposes. It would be 24,000 square metres, between 250 and 300 dwellings, and it would be predominantly 5 storeys. What I say to the Deputy is here is an example of a masterplan that has worked and when we try to deliver it we can see what happens. The second thing I would say to the Deputy is while I did not make an apology for the masterplan, I do apologise to him for something else. That is that 10 days ago I made a speech to the Chamber of Commerce. It was quite a long speech and I outlined a large number of things which I have done since I was elected Minister and the things I intend to do. Unfortunately, the media picked up in the speech my desire for the potential tall building in St. Helier and forgot to report - and I apologise to the Deputy for not telling him personally and other Members - that I had agreed, along with T.T.S., to open up a section of the east side of the La Collette reclamation site quite recently. There is a section there and if you look at the Deputy’s pictures you will see certainly that the first, I would say ... well, all the piece in the ... on the back of his opening sheet there are 2 photos with the Energy from Waste plant and the Tower. Certainly, all the area you can see there and a bit more T.T.S. have agreed with me that they will open that up to the public. That is going to be a great addition to the very wonderful seafront that we have at Havre des Pas and I hope the Deputy would agree with that. The Council of Ministers shares the broad ambitions of Deputy Labey for the future development of Havre des Pas. I am sure that we all do. The purpose of the Strategic Plan, however, is to set a high-level direction, which then informs the development of detailed delivery plans, plans such as those being proposed here in this amendment. The Strategic Plan already commits to the development of a masterplan for the town of St. Helier and the future St. Helier project will include associated urban areas of St. Saviour and St. Clement. As I have said previously, this is about St. Helier the town and not St. Helier the Parish. This work will entail the development of, first, a public realm strategy to increase the quality and quantity of all public space in St. Helier, and Havre des Pas will be part of that. Secondly, there is going to be a clear and comprehensive plan for travel and transport in and around town, ring road parking, more pedestrian areas, but adequate parking for the town, and the Havre des Pas area will also be a part of that section. Members may be interested to know that I have already attended meetings of the Havre des Pas users’ group and I know at first hand their passion for their particular area and also their concerns for parking and cars, which dominated the questions that I took from them. All their opinions will be fed into the wider project for mutual benefit. The St. Helier masterplan needs to be developed in a comprehensive manner in relation to the whole of the town. It will, as a matter of course, need to consider the concerns and aspirations of everyone who lives, works and trades in St. Helier as well as the specific interests of individual communities within the town and, of course, those residents of Havre des Pas and their user groups are part of that.

[17:00]

I would just like to say at this stage I could not agree more with the Deputy when he mentions Percentage for Art and it is already on my list of priorities that I would like to **[Approbation]** reprioritise where that percentage of money from every application that we pass goes. Certainly, a percentage for the community or words that we can work on in the future is where I am coming from. The Council of Ministers is, therefore, concerned that the amendment proposed by the Deputy and commissioning of a separate parallel masterplan for transport public realm

improvements in Havre des Pas and a dedicated allocation of ring-fenced funding for this purpose just cannot be fair or right on the rest of town. The Council believes that the comprehensive review set out in its own proposals will provide the opportunity for residents and users of Havre des Pas to voice their aspirations for the future and result in a properly costed, sequenced and prioritised plan for the area. Unfortunately, the Council cannot support a piecemeal, more costly approach to achieve the same ends. Therefore, the Council unfortunately rejects the amendment and I would urge Members to do the same.

**1.17.3 Deputy M.R. Higgins:**

Notwithstanding what the last speaker said, I shall be supporting the proposition. We all welcome a look at St. Helier and revitalising St. Helier and dealing with many of the issues we have in St. Helier with that masterplan or whatever. One of the problems is that whenever you have a big project little projects get squeezed out or are not given the appropriate attention. I commend Deputy Labey for bringing his amendment to the States. I also commend his performance; I thought it was excellent. Your presentation, I should say.

**The Deputy Bailiff:**

Through the Chair, please.

**Deputy M.R. Higgins:**

Through the Chair. However, I would say do not always think that a big masterplan is going to look at all these individual areas. I think we need to support Deputy Labey and make sure that Havre des Pas and First Tower gets the attention it needs. I wish I had been smart enough to have got the amendment in to give First Tower a look over and to develop that area, but at the same time I do think we should be supporting Deputy Labey with this one. Havre des Pas has been dejected for many years. Well, it has been overlooked, like other parts of St. Helier, and it does need a major makeover, so I support this amendment.

**1.17.4 Senator P.F. Routier:**

Well, I am enthused that the Havre des Pas working group is really revitalised since the recent elections. I was a chairman of the Havre des Pas working group a few years ago and during that time we managed to get funding for the Havre des Pas pool to be refurbished and also the Alex's Shipyard, which is owned by La Vingtaine de la Ville. There were lots and lots of improvements made at that stage. But I agree with the Deputy. The residents of the area feel totally let down by what has happened with regard to the screening of the Energy from Waste plant. It was, as identified, sold on the basis that it would be screened and it just has not happened. I do hope that we can make every effort to ensure that does happen in the future. I am pleased to hear from the Minister for Transport and Technical Services that the walkway is going to be opened. I know in the initial plans there was a thought of it being a total loop around that people could walk around, but I am not sure that that is going to be the case as yet. Certainly, if step by step we can work our way round to get there, that would be a fantastic thing. These things always come down to money. The desired outcome which Deputy Labey is proposing, I certainly sign up to that, full marks, I really am supportive of that. But when it comes to allocating money ahead of the M.T.F.P., I am afraid I cannot do that. That is the stumbling block for me because it is unfair on perhaps other areas of town who may also need funding. So it is with great regret that I am unable to support this particular amendment, but I give my full support to the Deputy and the other Deputies of the area to encourage them to keep banging the drum to ensure that their views get throughput into the plans for St. Helier as a whole.

**1.17.5 Deputy E.J. Noel:**

I would just like to pick up a point of Senator Routier's about the screening of the Energy from Waste plant. He knows that we have since my term of office looked at that in some detail. Unfortunately, there is no easy answer and I am coming down on to the side that we should be celebrating that structure and doing exactly what Deputy Labey of St. Helier is suggesting and utilising it for some type of visual performance space. But to come back to Deputy Labey, again I am very appreciative of his support for rediscovering Fort Regent and the plans that we have to do there. I just need him to support in the summer the M.T.F.P. hopefully where we will have funding either in this M.T.F.P. or the following M.T.F.P. for Fort Regent. One thing that amused me ... well, there were many things in Deputy Labey's speech that amused me, but one thing in particular: he talked about his dislikes of masterplans and yet he is asking for one, which I found a bit confusing but I will not hold it against him. I am very aware that the people of Havre des Pas want to see improvements and T.T.S. have regular contact with the residents, and particularly in the recent months by my Assistant Minister who has attended the meetings. They have kindly rearranged the next meeting to a Wednesday, which I can make, because they meet on a Thursday, which I cannot do for my Parish commitments. So I am meeting with the residents of Havre des Pas this coming Wednesday and, strangely enough, I am looking forward to it, although I am sure I probably might have changed my opinion on that afterwards. In his amendment, Deputy Labey is seeking funds to carry out a masterplan to achieve these improvements. Although as Minister for Transport and Technical Services I would love to have additional funds to carry this out, I think it would be unfair to other parts of the town of St. Helier. We need to do this holistically, and to single out one particular area in my opinion is unfair. I do think that we should be treating all parts of the town of St. Helier fairly and hopefully the appropriate funding will be put in place for us to progress our improvements plans for St. Helier. I am going to talk now about the second element of his second amendment, amendment 10(3). I would like to thank Deputy Labey for bringing this amendment forward. Some of you may be aware that like Deputy Labey I am keen to provide a connective cycle route throughout the Island and particularly to finally link up the east cycle path to Victoria Avenue leading to the western and finally to Corbière. Currently, we have 2 gaps on that route within this area, within the district, and they are the ends of the English and the French harbours. That, I believe, is what Deputy Labey originally is referring to in his amendment and not a bridge for cars to go between the Albert and Victoria pier heads. That is something that appears to be outside of his amendment. I am sure in his summing up he will provide some clarification there. If it is the former and it is to improve, as he says, the cycle and pedestrian routes between the English and the French harbours, then I am all for that, but we do not need to do a masterplan or a piece of work on that because it has already been done. T.T.S. did this a number of years ago and brought forward an option at that time for a planning application. Yes, that application was withdrawn because there were some fundamental flaws in it, but the underlying work has been done and officers of T.T.S. are re-examining that because it is something that I want to progress and to bring forward. I do not think that that needs to be particularly put into a strategic plan. To me it is business as normal. It is operational, not strategic. That is pretty much all I have to say on Deputy Labey's second amendment. I am grateful for him to put it back into the public light and to effectively help us kick start that project again, but it is something that I hope to be able to put in train in the life of the next M.T.F.P. So, unfortunately, because this is a strategic plan and not an operational plan, then I am not in a position to accept the amendments that Deputy Labey is proposing, but I appreciate his support.

#### **1.17.6 Deputy A.D. Lewis:**

It is quite interesting if you Google Havre des Pas. Under Jersey.com it comes up: "The closest beach to the centre of St. Helier, Havre des Pas is a sunny and sheltered, south-facing, elegant Victorian promenade." You then go down slightly lower, TripAdvisor: "Poor location, Havre des Pas. Best to avoid." It is because it is tired, very tired, as are certain other areas of St. Helier which

I will come on to in a moment. Masterplans, they do have their place and I have read the same masterplans that Deputy Labey referred to. Well, he has dipped into them because there are quite a number of them. They do say some great things and there is some vision there. He talked a lot about vision and creativity and so on. There is vision in those plans, but they are plans and they do need to be followed. But if you have another masterplan and it follows the other masterplan, which bit of the masterplan are you following? So, there is some confusion here as to what the final masterplan is for St. Helier, and I understand that the Minister for Planning and Environment is going to resolve that. But what it comes down to at the moment is routine maintenance and service. Now, many of you will have heard it being referred to today, my mini campaign about putting First Tower on the map a little bit in terms of attention. I have to compliment the Minister for Transport and Technical Services here. When I finally ended up talking to the media about it, T.T.S. reacted very quickly and we had a full report from the Assistant Minister as to what could be done and what had been done and what the routine should be. We are now corroborating that against what happens and there are some flaws there. Yesterday, I showed the Minister - I have it on my iPad here - some quite graphic pictures of blocked drains that had not been cleaned in probably several years. If we had some flash floods we would definitely have some floods in that area in First Tower. Today he said: "My officers will be out there and they will be cleaned this week." That is service and we must not forget that we have some excellent officers in T.T.S. that will jump when they need to, recognising the fact there is a health and safety issue there, there is a flooding issue, and they will react. Well, let us have a bit of reaction to Havre des Pas because that is called in Jersey.com an elegant Victorian promenade that is falling to bits and we are advertising that on our own website. That is routine maintenance, so whoever is responsible for that, if it is T.T.S. or it is the Parish, can we get down there pretty quick because the season is kicking off and it is still an area that the public that visit us from further afield do walk along. So I think we are mixing up here routine maintenance and masterplans to a certain extent and maybe this is an opportunity to shout about the condition, which I think Deputy Labey did extremely articulately and with great humour and it reminds me a little bit of Senator de Faye of the past. So I am delighted you are in the Assembly to give it a bit of colour. But you articulated your case very well. But we do need to differentiate between what is and should be just routine maintenance kept up on and done properly and done well and pavements repaired and a masterplan. If we can - I do not know how we can do this; Senator Ozouf could perhaps tell us - but the opportunity with planning again is significant. I do hope that Council Ministers can do something about that much more quickly because your £120,000 is nothing; is peanuts when you talk about planning gain in that immediate area where a significant amount of development could be taking place in the near future. So with £120,000 or perhaps quarter of a million pounds you could do an awful lot of routine maintenance that should be kept up on a regular basis. But we have had budget cuts; we have had reasons why we have not done it. It has not just been ignored for the sake of it. It is because funds are not readily available like they used to be. As a consequence, you do not maintain things; it gets worse and worse and worse. When it comes to fixing it, it costs even more. So now is the time to act. You can get some tangible quick wins with simply repairing plant stands, repairing pavements and putting that into the routine maintenance of the area. Whether that be Parish or T.T.S., I am not sure quite where the demarcation starts and finishes. But that, I think it is important that we do quickly. The masterplan is another matter. I am delighted to hear from the Minister here that that will be taken care of in the not too distant future. But to send the signal out to the Council Ministers and to the public that want this to happen, I think voting for this proposition is a good idea.

[17:15]

Where the money comes from, hopefully it will present the Council Minister with a challenge, that may be planning gain. Getting that sorted will be the challenge and will be the outcome, and that can only be a good one. So I would urge Members to vote for this. That is one small area of St.



Helier. There are other areas. It is all part of the overall plan, which is the 4 pillars that the Council of Ministers keep talking about, of which St. Helier is one. This shows the public we are serious about that and there is one element here we can take care of quite quickly by following what Deputy Labey is suggesting.

#### **1.17.7 Deputy J.A. Martin:**

Over the last few days I have stood and said that the Council of Minister has just been paying lip service to St. Helier in making it his full priority. On this occasion I have to say that I am wrong because there is money, they have a plan to have a plan, and there is money for it in the Strategic Plan to have this St. Helier Masterplan. I think Deputy Higgins made the point of how big is this masterplan and where do places like First Tower or Havre des Pas fit into them? Why I raise this about there is supposedly money for this whole massive plan - and I do not know if it overrides the North of Town Masterplan, EDAW, the plan Deputy Labey speaks about when he is presenting his amendment; I do not know where it fits in. But it is a whole plan for St. Helier and there must be money for this plan because they are pinning everything on it. I think if anybody had really listened to Deputy Labey, what he was saying was: "Bring forward a bit of that money and let the work begin here" because if you think there are little pockets all over St. Helier that are going to wait for this masterplan, it will not come to life through this Council of Ministers. It is too big. If you bite off something too big you will not achieve it. Why I tell you you will not achieve it, it says: "The St. Helier masterplan needs to be developed in a comprehensive manner in relation to the whole of town. It will, as a matter of course, need to consider the concerns and aspirations of everyone who lives there." Never. "Concerns and aspirations of everyone who lives there." What, are we talking 33,000 people going upwards? It is too aspirational. "Who lives there or works there and trades in town as well as the specific interests of individual communities within the town", but this can include the residents of Havre des Pas, among others. It was a walk down memory lane when Senator Routier said it was only a few years ago he was on the working group for Havre des Pas. It was in the early 2000s when he and I were St. Helier No. 1 Deputies and he still was, and we worked with the group, and their biggest fear for the new waterfront was they would be forgotten. Their nice little promenade would go. The money - they did not get much of it but they were promised a bit more for Havre des Pas swimming pool. We all know where that is today. In ruins. Nobody wants to rent it. We are trying desperately but it was a bad design; it never had enough money and nobody listened to the people of the area. We have this fantastic working group who can give you, not every resident, the interest of individual or aspirations of everyone who lives and works and trades in town, but I can assure you, across this is a really well-attended group and it represents trades, it represents the community, it represents people in all industries and it also represents people who are from all walks of life, like the people who are concerned about the low-rise at La Collette being pulled down. I really have great concerns when I hear the Minister for Planning and Environment say: "We had the North of Tower Masterplan" and we had Gas Place in it and it said there was X amount 5-storey flats. It also turned Bath Street into a one-way system; where is that? It also promised me and other residents over 550 parking spaces on about 3 different sites. None of that. But I want to focus on one bit. So why am I concerned that this new plan with new money is just going to be a repetition and it will end up on somebody's shelf? It is a massive piece. It is not even just St. Helier. It is part, and rightly so, urban ... because how do our roads get crammed up? From the traffic coming in from St. Saviour or going out to the schools in St. Saviour, St. Clement. All these have been taken into consideration and the Council of Ministers think that they can just say: "We are going to have a St. Helier masterplan to include the regeneration of the public realm of St. Clement and St. Saviour, and it will all be okay, trust me. We have a plan." I am sorry. It is not going to wash, it is not going work and this is literally what the Deputy is saying: bring forward some of that money. Let this filter into the bigger picture. But it has been left for too long. It is the poor relation. La Collette is going to take all the

green waste to the Island now. It is also going to take all recycling down there. This is also keeping in with the Buncefield recommendation. Do the 2 marry up? I am told they do. But why is the whole loop not happening? Because I am told that does not work under the Buncefield regulation. So these residents want action now. They have been sitting back on the sidelines seeing money, their rates, their taxpayers' money going on the waterfront for years and years and years. Compare the lights, compare the roads, compare the pavements, compare the security down at the waterfront and Havre des Pas. Only this morning I returned a call from someone who lives along Havre des Pas near the hotel, an elderly resident. They are so concerned about the traffic speeding, the 6.00 a.m. that wakes them up; their houses are shaking. They do not want to wait for another masterplan. They do not want to wait. They do not have to because, as I said, all this last 2 days of this debate I have been worried the money was not there and the commitment to St. Helier was not there. I am told the money is there for this St. Helier masterplan. What we are asking in District No. 1, and I am sure if they do not have the foresight to do it, the other Deputies in other Districts would have done was say: "Think about this, think about that. Look at this there and feed it in. Bring the money forward, feed it back into the plan." When is this plan going to start? We did not hear that. It is after the M.T.F.P., after we pass it. It is going to be early next year before we even start this masterplan because we have got all these steps to go through. It is a little piece to give back to these residents. You have put the incinerator there and you have not covered it. You have put in recycling there; you have put in the whole of green waste. I can assure you there are not many people mowing their lawns on the 5th floor of the flats that are proposed at La Collette and Gas Place on a Sunday morning in St. Helier. So it is not our green waste that we are even taking. It is the whole Island's green waste from the people who live there. Very sorry, but I just think this can be accepted. Bring a bit of money forward from the plan, feed it back into the masterplan because I really do not pin my hopes on seeing this come to fruition in the lifetime of the Council Ministers and taking into account everyone who lives in the town and its border, in St. Saviour. We are talking half the Island. It just does not make sense. So, please bring this money forward and support the Deputy's amendment.

#### **1.17.8 Senator P.F.C. Ozouf:**

It is easy to rewrite history and this Assembly makes decisions but, as you no doubt will find in your judge role, decisions sometimes are not always the right ones. I am sure you will get them right most of the time, Sir. But this Assembly also does not always get them right. One such decision was a proposition of the Environment and Public Services Committee, which sought to bring to this Assembly approval and evaluation of where to put a future incinerator. A St. Helier Deputy of No. 3 District erased the paragraph of the proposition which said that Bellozanne would not be effectively considered. There we have it. A decision of this Assembly which was binding and it then led to the incinerator being built at La Collette. The evaluation, the options which we wanted to do, were never permitted. I congratulate the Deputy on a really stellar performance. His thespian abilities are clearly at work in his work in this Assembly. But he is also doing the right thing when he does, as the code of conduct says that a constituency representative should do, and it says: "Has a special duty for the people that they been elected for and that they have served and to look after those interests conscientiously." So I say to the Deputy: well done for bringing this amendment. Well done for highlighting the fact that you can do so much in small incremental ways to improve the area that you represent. You can do things like, for example, lobby for the widening of pavements. You can lobby a committee or the committee might do it themselves. A Minister can do things like the Broad Street taxi rank. You can do things like widen the pavement outside the Town Hall. You can do things like the Charing Cross improvements. All of these things: wonderful urban regeneration, improvements which improve the walkability at the very heart of the Deputy's amendment. It was not a masterplan requirement to widen the pavements in Charing Cross. It was not a masterplan that was required to do the right thing for Broad Street.

There was not a masterplan for even, dare I say it, the St. Aubin's work which has been carried it. I observe recently in the understandable public hysteria whipped up again by a media that focuses and gives the impression there is a half million pound scheme in St. Mary's, with or without a yellow line, is effectively the end of the urban regeneration and the exciting Parish improvements that have been undertaken in St. Mary. There has never been an urban or Parish regeneration, whether it is in St. Aubin or Broad St. or the widening of Charing Cross, or, dare I say it, to the no doubt short-term despair but the long-term aspiration of the Constable of St. Mary of her, I am quite sure, very good plans. I hope that other plans ... I hope St. Lawrence and all the other Parishes that have got urban regeneration. The problem with this amendment is it is absolutely bang on target in terms of aspiration and what needs to be done. Deputy Labey is quite right to say that there is a lot of new work which the Minister for Planning and Environment has confirmed is going to be done in terms of getting the money. Deputy Martin has stood up in this debate so many times and said: "I want to know where the flesh on the bone is. I want to know where the money is." This debate is not about the money. It is about the principles. It is about agreeing. The detail is to come later. I would despair if having a masterplan, if I may say, for Havre des Pas. Yes, I was responsible for some of those masterplans and the Willie Miller thing, and the others. I despair of the North of Town Masterplan. It took so long to be done, which had the aspiration of improving David Place, putting those wider streets in, and seeing it revitalised, the investment that has returned. I congratulate the Constable of St. Brelade for holding his nerve in the regeneration of St. Aubin's. It did not need a masterplan, it needed effectively an action plan, and it needed people that were prepared to put time and effort and commitment, so we do not want a masterplan please of Havre des Pas; we need an action plan, and you need to have the co-operative relationship between Planning and the Minister for Transport and Technical Services, and the Parish, in order to deliver the Deputy's absolutely appropriate and correct aspirations. What we do need is a masterplan for La Collette. We need a solution, which, on the one half side has built all this lovely new land to the south of where the Deputy talks about, and where the south of this incinerator is, but, of course, it is completely incapable of being used, because of the requirements of Buncefield. We need to find the solution for the gasworks. People talk about the gasworks in town. The gasworks in the La Collette area are far more problematic, and they are far more difficult because they effectively paralyse any future redevelopment; effectively opportunities for that area of town.

[17:30]

That is where a masterplan is required to find a long-term use for this opportunity to improve St. Helier, to put brownfield development where it needs to, to put commercial and noisy development where it needs to be, outside of the earshot of people of Havre des Pas. That is where we need a masterplan. I am afraid we do not want a masterplan. What the Deputy needs, and if he would have put "action plan", I would have agreed, but he will accept either an extension or ... because he has criticised masterplans. It is all very well for him to stand in this Assembly with one set of arguments and then, effectively, cleverly with the use of passion and thespian acts, and good words, and funny words, and humorous words, effectively, say that it is something else. It is an action plan. It is a list of things that need to be done in Havre des Pas to improve it.

**Deputy R. Labey:**

Will the Senator give way?

**The Deputy Bailiff:**

You will have the opportunity of course to come back with that.

**Senator P.F.C. Ozouf:**

I will give way, sir.

**The Deputy Bailiff:**

In which case, the Senator has given way.

**Deputy R. Labey:**

I am very happy to call it an action plan if it will get your support. It was called a masterplan because I was advised by some of the guys at T.T.S., and I did not know that the Council of Ministers were planning a masterplan, but, yes, you have me on that, but, for goodness sake, a rose by any other name smells as sweet. Let us call it an action plan.

**The Deputy Bailiff:**

You will have the opportunity, of course, to sum up at the end.

**Senator P.F.C. Ozouf:**

Of course, we have to approve the words that are before us, and it says a “masterplan”, and, if it quacks and it waddles, it is a duck, and, if it is a levy charge, it is a tax, and a masterplan is a masterplan, and a masterplan means the commissioning of a whole set of advisers and other people. What is needed is some sensible work on the ground by the Deputy and the constituency Deputies working with T.T.S., working with Planning, and working with the parochial authorities to get some of the granite that they have in store to improve the pavements around Havre des Pas. To get working with the Minister for Planning to get where we can claw back some of the planning consensus that has been given to get section 106 obligations, and he is absolutely right about all of that. That is what he needs. He needs an action plan, and so I will probably abstain with this one because I do not want to vote against it, but I cannot vote for it, and I cannot vote for a masterplan because it is simply absolutely wrong. But I am going to vote against the second part of it because I do not know it wants to say ... it says to create ... and he has been fairly loose on his implications of this, and I do like Deputy Labey a lot, but it says: “To create a continuous water promenade providing all this ...”, there is an implication of that. There is an implication that we are going to do it. I am not going to sign up for something which I do not know the costs of. Yes, I think it should be looked at, but I am not signing up again for something that is going to be a promise that the States is going to make today, and how many promises have the States made in the past on the basis of a great speech by a proposal: “Oh, we will give to him; that is fine, because we are not really sure about the implications of it.” I am not suggesting any dishonesty. Let us be clear and honest about the issue of the second part of this proposition. This second part of this proposition has implications, and we need to know what the financial, the implications of a serious issue is. I have been a St. Helier Deputy, and I have been a President of Environment and Public Services, and I walk around, and when I have a bad day - some Members may have had a bad day - and I will be quiet in a second, but we should be proud of some of the things that we have achieved, and I get enormous pleasure when I walk through Broad Street; when I walk through the streets of our pavements with literary words on. When I stop and reflect and look at the words of Liberation occupants that were here, that was put in place in the pavement stones outside the Town Hall, so everything can be achieved with a bit of effort and a bit of oomph and a bit of co-operation. No masterplan, please. Not necessary, and no commitment for something I simply do not know what the implications are. I move the adjournment.

**The Deputy Bailiff:**

The adjournment has been moved. It is a matter for Members now if they wish to continue or whether they wish to adjourn. I do not know if any other Members wish to speak on this. **[Seconded]** The adjournment has been seconded. Are Members content to adjourn until 9.30 tomorrow morning? The States stand. Adjournment until 9.30 tomorrow morning.

**ADJOURNMENT**

[17:35]