

# STATES OF JERSEY



## PROPOSED BUDGET (GOVERNMENT PLAN) 2025-2028 (P.51/2024): FIFTEENTH AMENDMENT

### HIGHLANDS COLLEGE REPAIRS

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Lodged au Greffe on 11th November 2024  
by the Children, Education and Home Affairs Scrutiny Panel  
Earliest date for debate: 26th November 2024

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STATES GREFFE

PROPOSED BUDGET (GOVERNMENT PLAN) 2025-2028 (P.51/2024):  
FIFTEENTH AMENDMENT

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**1 PAGE 2, PARAGRAPH (g) –**

After the words “Summary Tables 5(i) and (ii) of the Report” insert the words–

“, except that, for the purpose of providing funding for refurbishment and repairs at Highlands College and to remove funding for the Broad Street public realm project, in Summary Table 5(ii),

- i) the line entitled ‘Infrastructure Rolling Vote and Public Realm’ should be decreased by £1.04 million; and
- ii) the line entitled ‘Major Refurbishments and Upgrades’ should be increased by £1.04 million.”

**CHILDREN, EDUCATION AND HOME AFFAIRS SCRUTINY PANEL**

**Note:** After this amendment, the proposition would read as follows –

**THE STATES are asked to decide whether they are of opinion –**

to receive the Government Plan 2025 – 2028 (entitled “Budget 2025-2028”) specified in Article 9(1) of the Public Finances (Jersey) Law 2019 (“the Law”) and specifically –

- (a) to approve the estimate of total States income to be paid into the Consolidated Fund in 2025 as set out in Appendix 2 – Summary Table 1 to the Report, which is inclusive of the proposed taxation and impôts duties changes outlined in the Government Plan, in line with Article 9(2)(a) of the Law.
- (b) to approve the proposed Changes to Approval for financing/borrowing for 2025, as shown in Appendix 2 – Summary Table 2 to the Report, which may be obtained by the Minister for Treasury and Resources, as and when required, in line with Article 9 (2)(c) of the Law, of up to those revised approval amounts.
- (c) to approve the transfers from one States fund to another for 2025 of up to and including the amounts set in Appendix 2 – Summary Table 3 in line with Article 9(2)(b) of the Law.
- (d) to approve a transfer from the Consolidated Fund to the Stabilisation Fund in 2025 of up to £25 million, subject to a decision of the Minister for Treasury and Resources based on the availability of funds in the Consolidated Fund as at 31st December 2024 in excess of the estimates provided in this plan, or from budgeted underspends identified before 31st December 2025.

- (e) to approve a transfer from the Consolidated Fund to the Agricultural Loans Fund in 2025 of up to £2 million, subject to a decision of the Minister for Treasury and Resources based on availability of funds in the Consolidated Fund as at 31st December 2024 in excess of estimates provided in this plan, or from budgeted underspends identified before 31st December 2025;
- (f) to approve each major project that is to be started or continued in 2025 and the total cost of each such project and any amendments to the proposed total cost of a major project under a previously approved Government Plan, in line with Article 9(2)(d), (e) and (f) of the Law and as set out in Appendix 2 – Summary Table 4 to the Report.
- (g) to approve the proposed amount to be appropriated from the Consolidated Fund for 2025, for each head of expenditure, being gross expenditure less estimated income (if any), in line with Articles 9(2)(g), 10(1) and 10(2) of the Law, and set out in Appendix 2 – Summary Tables 5(i) and (ii) of the Report **except that, for the purpose of providing funding for refurbishment and repairs at Highlands College and to remove funding for the Broad Street public realm project, in Summary Table 5(ii),**
- i) **the line entitled ‘Infrastructure Rolling Vote and Public Realm’ should be decreased by £1.04 million; and**
  - ii) **the line entitled ‘Major Refurbishments and Upgrades’ should be increased by £1.04 million.**
- (h) to approve the estimated income, being estimated gross income less expenditure, that each States trading operation will pay into its trading fund in 2025 in line with Article 9(2)(h) of the Law and set out in Appendix 2 – Summary Table 6 to the Report.
- (i) to approve the proposed amount to be appropriated from each States trading operation’s trading fund for 2025 for each head of expenditure in line with Article 9(2)(i) of the Law and set out in Appendix 2 – Summary Table 7 to the Report.
- (j) to approve the estimated income and expenditure proposals for the Climate Emergency Fund for 2025 as set out in Appendix 2 – Summary Table 8 to the Report.
- (k) to approve an updated and consolidated policy of the Strategic Reserve Fund as follows:
- “The Strategic Reserve Fund, established in accordance with the provisions of Article 4 of the Public Finances (Jersey) Law 2005, is a permanent reserve only to be used:
- i. in exceptional circumstances to insulate the Island’s economy from severe structural decline such as the sudden collapse of a major Island industry or from major natural disaster.
  - ii. if necessary, for the purposes of providing funding (up to £100 million) for the Bank Depositors Compensation Scheme established under the Banking Business (Depositors Compensation) (Jersey) Regulations

- 2009, including to meet the States contribution to the Scheme and/or to meet any temporary cash flow funding requirements of the Scheme.
- iii. to support the development of future healthcare facilities and the borrowing costs for such work, in line with a financing strategy agreed by the Assembly;
  - iv. as a holding fund for any or all monies raised through external financing until required, and for any monies related to the repayment of debt raised through external financing used to offset the repayment of debt, as and when required; and
  - v. in accordance with Article 24 of the Public Finances (Jersey) Law 2019, where the Minister for Treasury and Resources is satisfied that there exists an immediate threat to the health or safety of any of the inhabitants of Jersey, to the stability of the economy in Jersey or to the environment, for which no other suitable funding is available.”
- (l) to approve the transfer to the Strategic Reserve of the amounts due as a result of the move from prior-year basis taxation after 31st December 2025, as and when these payments are received (estimated at £280 million).
- (m) in relation to the new Government Headquarters (office), to approve;
- i. the exercising of the option to acquire the new Government Headquarters (estimated at £91 million), by the Public of the Island, in line with the pre-agreed terms; and
  - ii. the acquisition of the new Government Headquarters as an investment of the Social Security (Reserve) Fund (including authorising the meeting of expenses incurred in connection with the acquisition); and
  - iii. the subsequent leasing of the new Government Headquarters by the Public of the Island from the Social Security (Reserve) Fund, with commercial terms to be agreed between the Minister for Infrastructure (on behalf of the Public) and Minister for Social Security and the Minister for Treasury and Resources (both on behalf of the Fund); and
- (n) in relation to the new Government Headquarters, to authorise H.M. Attorney General, the Greffier of the States, the Ministers for Infrastructure, Social Security and Treasury and Resources, and the Public of the Island, to enter into such arrangements, including financing, and pass any contracts as are necessary to put into effect paragraph (m).
- (o) to approve, in accordance with Article 9(1) of the Law, the Government Plan 2025-2028, as set out in the Appendix to the accompanying Report.

## REPORT

The purpose of this amendment is to highlight the urgency of the repair requirements at Highlands College and to request that States Members provide direction to reprioritise the use of public funding to address this.

The Government's Proposed Budget 2025-2028, lodged as [P.51/2024](#) (hereafter the 'Budget') currently includes the following proposed funding for 2026, 2027 and 2028:

Major Refurbishments and Upgrades - Breakdown of Grouped Head of Expenditure						
£'000	Spon Dept	Supp Dept	2025 Estimate	2026 Estimate	2027 Estimate	2028 Estimate
Highlands College	I&E	I&E	-	1,040	180	205

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The Children, Education and Home Affairs Scrutiny Panel (hereafter the 'Panel') visited Highlands College on 25<sup>th</sup> September 2024 and was given a tour. The Panel is concerned that, as per the Budget document published as [P.51/2024](#), the funding within the 'Major Refurbishments and Upgrades' head of expenditure is not due to provide funding to address the building deficiencies at Highlands College until 2026.

### **What is the immediate problem?**

The images included in the Appendix to this document depict problem areas and the building condition at Highlands College and illustrate why the Panel believes that this matter should be addressed earlier than 2026. When the Panel visited Highlands College, it observed buckets and bins being used to collect water inside classrooms and that areas of the building have been closed off from use.

The Panel wrote to the Minister for Education and Lifelong Learning (hereafter the 'Minister') and queried whether any areas of Highlands College had been identified as high risk with regards to health and safety compliance or fire safety. The Panel received a response which advised that a condition survey had been undertaken:

*This condition survey highlighted the requirement to invest in essential and urgent works necessary to maintain a safe environment for students, staff, and visitors. The survey identified high risk concerns, including fire safety compliance, with works required across a number of areas of the campus. This included, for example, the replacement of boilers and pipework, structural repairs, upgrades to electrical infrastructure and heating systems, repairs to stop water ingress, improvements to windows and roof structures and the replacement of ventilation systems.<sup>2</sup>*

It was further advised that a 2023 Fire Risk Assessment had identified areas for improvement at Highlands College. The Panel learned that some of the issues were currently being addressed through changes to operational practice, however, that *"the Fire Mitigation Programme will continue to address a number of outstanding issues into 2025 and onwards and we will prioritise these works accordingly"*<sup>3</sup>.

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<sup>1</sup> Excerpt from 'Proposed Budget (Government Plan) 2025-2028' [[P.51/2024](#)], 'Government of Jersey', p.57

<sup>2</sup> [Letter](#) – Assistant Minister for Education and Lifelong Learning – 31<sup>st</sup> October 2024

<sup>3</sup> Ibid

Following the Panel’s visit, it was also concerned about the possible impact or damage to electrical equipment in rooms where there was water ingress. The Panel asked whether damage to equipment caused by property damage would be covered by insurance and was advised that this may not be straightforward<sup>4</sup>. In response to Panel queries, it was stated that the replacement cost for machinery and computer equipment is estimated at £1,000<sup>5</sup>. The Panel had expected the replacement value to be higher and questions the accuracy of this estimate.

**Refurbishments and upgrades required:**

The Panel wrote to the Minister to ask about how the 2026 funding of £1.04 million would be used at Highlands College. A specific breakdown of this sum was not provided, but the Panel was advised that there was additional funding from the general Jersey Property Holdings Major Refurbishments and Upgrades budget, which would increase the total planned spend for the 2025-2028 period to £2.2 million (an increase from the £1.425 million detailed in the ‘Major Refurbishments and Upgrades’ Head of Expenditure).

The Panel was sent the following breakdown of the £2.2 million and advised that the following work would be undertaken over the following 4-year Budget period, including funding allocation for 2025:

Category	2025	2026	2027	2028	Grand Total
<b>Building</b>	<b>£577,132</b>	<b>£517,708</b>	<b>£188,400</b>		<b>£1,283,240</b>
A - Building - Physical Structure	£67,510				£67,510
B1 - Building - External Fabric	£27,475				£27,475
B2 - Building - External Fabric	£10,990		£188,400		£199,390
C - Building - Internal Fabric	£329,857	£173,878			£503,735
D - Building - Roof - Flat	£141,300	£306,150			£447,450
D - Building - Roof - Pitched		£37,680			£37,680
<b>M&amp;E</b>	<b>£380,631</b>	<b>£374,367</b>	<b>£136,590</b>	<b>£17,584</b>	<b>£909,171</b>
I - Engineering - Heating Systems	£366,815	£323,656	£117,750	£17,584	£825,804
K - Engineering - Vent & Cooling	£2,355	£50,711			£53,066
M - Engineering - Hot/Cold Water			£18,840		£18,840
X - Engineering - Fuel Storage	£11,461				£11,461
<b>Grand Total</b>	<b>£957,763</b>	<b>£892,074</b>	<b>£324,990</b>	<b>£17,584</b>	<b>£2,192,411</b>

<sup>6</sup>

The figures provided in the above table do not align at all with the indicated figures aligned in the draft Budget document.

<sup>4</sup> Ibid

<sup>5</sup> [Letter](#) – Minister for Education and Lifelong Learning - 30<sup>th</sup> October

<sup>6</sup> Ibid

The Panel understands from previous reviews of Budget (previously Government Plan) that Heads of Expenditure are intended to be flexible to allow priorities to change. However, the Panel wants to seek Assembly support for this amendment to ensure that there is clear additional funding available in 2025 to specifically address the identified issues at Highlands College and that, if approved by the Assembly, there won't be reallocations of the Budget to address changing priorities.

### **Role of Jersey Property Holdings as Corporate Landlord**

In a public hearing on 11<sup>th</sup> October the Panel had asked the Minister why the Budget had not provided for refurbishments and upgrades to Highlands College until 2026 despite the acknowledged urgent need for repair. The Minister explained that:

*There is a role for Jersey Property Holdings in those repairs, which we have to look at more closely, and what they are delivering. I think that is an issue that we need to take on board. It is also the simple fact that the plans for a new campus, I think it will need some repairs that were never done because that never happened at the campus, which is a real shame, and Highlands is in the place. There are some contingency funds for the repairs when they are needed, but I think also Property Holdings need to take on their responsibilities as well, and we are talking very closely about [...] the S.L.A. (service level agreements) and whether or not they are appropriate for what we want. I think that is one of the things.<sup>7</sup>*

The Panel asked about the relationship between the Department of Children, Education, Young People and Skills (CYPES) and Infrastructure and Environment (I&E) with regards to collaboration and prioritising. The Minister explained about the challenges regarding the urgency of repairs required on the education estate, and talked further about the relationship with Jersey Property Holdings (Corporate Landlord for States of Jersey):

*So I think there has been a confusion over what we are doing. I think the conversations over the service level agreements will address that. I think that [...] the fine-tuning, is perhaps a good phrase, of the way in which the services that we get for Jersey Property Holdings could be more directed to the genuine needs within Education as an estate, as an entity in itself, because it is a specific entity. We are looking after children, and there are some things that just have to be done.<sup>8</sup>*

The Panel is pleased to hear that there are discussions underway to develop the “fine-tuning” of the service level agreements for the Education estate, however, is concerned that, to date, the judgement and prioritisation of needs for Education appears to rely on decision making within Jersey Property Holdings. This amendment intends to provide clear political direction of how to spend public money and prioritise the urgent maintenance requirements of the Highlands College estate.

### **The future for Highlands College**

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<sup>7</sup> [Transcript](#) – Public Hearing with the Minister for Education and Lifelong Learning – 11<sup>th</sup> October 2024, p.19

<sup>8</sup> Ibid, p.20

This amendment is not attempting to provide a long-term solution for the future of Highlands College, but it is about the principle of prioritising maintenance. With regards to the future of the site, in the public hearing with the Minister there was acknowledgement that a new facility would be required for learning and development needs in the future. When discussing the refurbishment required at Highlands College, the Chief Officer of CYPES advised that:

***Chief Officer, C.Y.P.E.S.:***

*All I would add is that it is a major, major programme because it is a huge facility and it is recognised that we need a new facility. In essence, we are quite limited around what we can and cannot do within the site, but there is maintenance allocation for capital.<sup>9</sup>*

The requirement for a new building was reiterated by the Minister during the hearing:

***Deputy B.B. de S.V.M. Porée:***

*So what is your assessment of the sustainability of Highlands College as a building for the future learning and development needs? We talked about maybe possibly it needs a new building, but ...*

***The Minister for Education and Lifelong Learning:***

*It does. Highlands College still delivers a remarkable number of courses. It has, I think it is 418 apprenticeships at the moment, including higher apprenticeships in the facilities that it has. It delivers level 3 courses across the piece. It delivers access to education. It delivers higher education. What they do at Highlands College is work miracles with what they have got in terms of intelligent timetabling and rooming, et cetera. Yes, of course, what we need to do is try to increase access to that and repair. We need to also look, I think, at other buildings around the Education estate and how we could ... one of the things I talked about recently is further education and higher education and the way in which we need some sort of hub for bringing all of that together so you have that life of a student. One of the things that could ease the burden - that is the wrong word - to the provision up at Highlands is to provide that hub and free up some spaces there. So we do need to be intelligent in the way we do that. One of the things that we can do is, as we move into the new building [...] Union Street I think it is called - that will free up the Education building. Skills Jersey can move into there, so they have got one door, and that frees up spaces perhaps that we can use as well. I think what we need to do is look intelligently at our estate and then when the pinch points really come we may be able to assist with that. I think that is something we need to look at in the future.<sup>10</sup>*

The Panel believes that until such time as major project funding is approved for a new or updated facility, the States of Jersey has a duty and requirement to properly fund and maintain the current site – primarily in its capacity as a fit for purpose education facility but also, importantly, as a public owned asset and historic part of Jersey built heritage.

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<sup>9</sup> Ibid, p.20

<sup>10</sup> Ibid, p.21



## **Duty to promote Education**

Per Article 6 of the Education (Jersey) Law 1999 (the ‘Law’), the States have a duty to promote education:

*The States shall promote the spiritual, moral, intellectual, cultural, social and physical development of the people of Jersey and, in particular, of the children of Jersey*<sup>11</sup>.

Highlands College supports education of Islanders of all ages, including those who are under-18. The Panel highlights that whilst compulsory education in Jersey is to age 16, the United Nations Convention on the Rights of the Child (‘UN CRC’) applies to all individuals under the age of 18 years of age. The UN CRC includes articles which, *inter alia*, promote a child’s right to education (Article 28) and development, or goals, of education (Article 29).

The Law also includes a duty and power for the Minister for Education and Lifelong Learning to promote the provision of continuing education for persons over compulsory school age<sup>12</sup>.

The scope of “promoting” education could be considered broadly, however, the Panel believes that this should include, as a minimum, the provision of adequate and safe facilities for the delivery of education.

## **Priorities**

Furthermore, in addition to legal duty, the proposed amendment supports the Government’s own Common Strategic Policy (‘CSP’), presented as [R.115/2024](#). The approved CSP includes the priority to “*Increase the provision of lifelong learning and skills development*”<sup>13</sup>. This aspect of the CSP was referenced by the Minister in the hearing with the Panel where there was discussion about the prioritisation of skills learning for Islanders and that the areas of Highlands College where the technical and vocational courses were delivered required more attention:

### ***The Minister for Education and Lifelong Learning:***

*... I think it is time we revisited some of that to see what we can do urgently. This is about this priority that I am talking about with Jersey Property Holdings maintaining ...*

### ***Deputy B.B. de S.V.M. Porée:***

*That will be a priority.*

### ***The Minister for Education and Lifelong Learning:***

*Particularly, I think, and again that is the advantage of having in the C.S.P. some stuff about ... the things about lifelong learning, about apprenticeships and about training on-Island. I think we are starting to ... it will inevitably take*

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<sup>11</sup> [Education \(Jersey\) Law 1999](#), Part 2, Article 6

<sup>12</sup> [Education \(Jersey\) Law 1999](#), Part 8, Article 49

<sup>13</sup> ‘Common Strategic Policy 2024-2026’ [[R.115/2024](#)], Government of Jersey, 28<sup>th</sup> June 2024

*time, but I think we are starting to recognise as an Island there are some really key areas there for the Island as a whole. Perhaps we are seeing more the importance of Highlands now and its value, which is good.*

The Panel acknowledges that the ambition of the CSP priority is much wider than the bricks and mortar of Highlands College, but suggests that a safe and watertight site for the Government's delivery of lifelong learning and skills development should be a baseline requirement supported by Government.

Because of the requirement under the [Public Finances \(Jersey\) Law 2019](#), the Council of Ministers must not lodge a Government Plan (now referenced as Budget) which shows a negative balance in the Consolidated Fund at the end of any of the financial years that the plan covers. Because of this, the Panel has identified the proposed public realm improvements at Broad Street as a possible suitable source for acquiring the additional funding for 2025. The Panel recognises that the CSP also includes a priority to "deliver a plan to revitalise Town", and therefore, the funding it wishes to redirect from the Broad Street project would impact the visible delivery of aspects of that priority. Nevertheless, the Panel recommends that prioritising education infrastructure over proposed enhancements to a public space - which remains functional in the meantime - is a suitable redirection of public funds for 2025.

### **Conclusion**

The Highlands College estate is in a poor state of repair and requires urgent investment to ensure it is maintained and that it remains safe and fit for purpose for delivery of education.

Whilst the Minister has advised that there will be spending on the property maintenance at Highlands College in 2025 (as per table above), the Heads of Expenditure presented in the Budget do not align with this. The Panel has brought this amendment with the intention of ensuring that specific funding is provided to address the refurbishment and upgrade requirements in 2025.

The Panel believes that there is an important principle to prioritise facilities for education over other improvements to the public realm and, also, for the States Assembly, the Government, and the Minister to fulfil their duty to promote education for the people of Jersey.

### **Financial and manpower implications**

The amendment requires that further funding is provided to the Highlands College project for 2025 within the Grouped Head of Expenditure for 'Major Refurbishments and Upgrades', however, as detailed officer allocation for changing prioritisation between projects is not reported on at this level, for the purposes of the Proposed Budget 2025-2028 the Panel does not believe that this will create any financial or manpower implications.

### **Children's Rights Impact Assessment**

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

**Appendix:**

**Highlands College Estate - October 2024**



**D'Hautree Car Park** – surface has significantly deteriorated leaving a number of potholes presenting a hazard for pedestrians and vehicles



**School of Art** – Ground floor – two gas fired boilers and external burners require replacement being beyond their economic life



**School of Art** – mineral flat roof covering over first floor is aged with signs of wear and ponding





**Sport and Media** – condition of ceiling panels is very poor due to their age and recent water ingress.



**Sport and Media** – Room 004 – mould and water staining from recent water ingress presents health and safety hazards



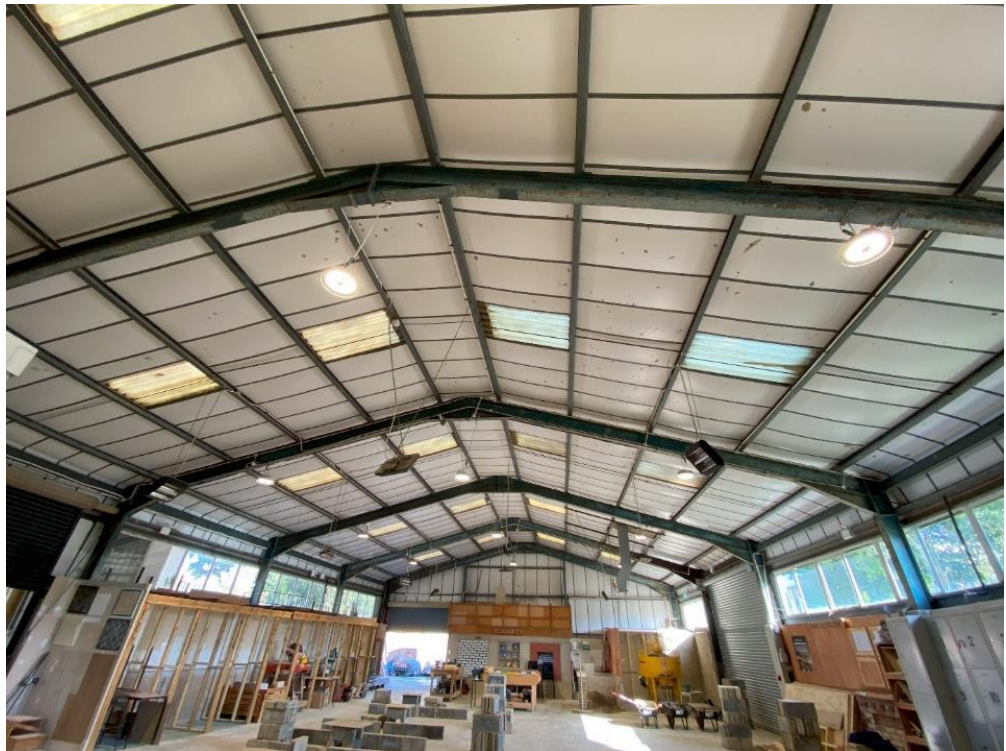
**Construction and Engineering** – Whole Block – internal timber doors subjected to ongoing wear and localised impact damage. Fire resistance does not meet current standards and require replacement.



**Construction and Engineering** – Ground floor – two floor standing boilers with external burners are aged and require replacement.



**Nash Building** – steel portal frame – significant corrosion to sections of the framework and supports. Worst affected areas seen to front elevation as a result of water ingress to window surround.



**Nash building** – insulated panels to the underside of the roof: staining and bowing noted and unlikely to meet modern insulation standards



**Turner Building** – timber framed single glazed windows to the link corridor (either side of the Main Hall): water damage noted to the frames and timber panelling below with the South elevation worse than the North.