

2.5 Connétable A.S. Crowcroft of St. Helier of the Minister for Treasury and Resources regarding Health and Safety compliance in the States property portfolio:

Would the Minister advise how much is spent by the Property Holdings Department in order to achieve health and safety compliance in the States property portfolio, whether he considers this amount to be justified, and if he has full confidence in the operation of this department?

Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

Deputy Le Fondré has full delegation for property matters and will answer the question.

Deputy J.A.N. Le Fondré of St. Lawrence (Assistant Minister for Treasury and Resources - rapporteur):

In 2010 Jersey Property Holdings has budgeted to spend just under £1.2 million on health and safety compliance inspections and testing of potentially hazardous equipment and systems. That is about 30 pence per square foot, just to put it into context. As Members, I am sure will appreciate, as the owners of property on behalf of the public, we are required to comply with the Health and Safety at Work (Jersey) Law to ensure we maintain a safe environment for the staff and visitors. That work can include things like risk assessment, statutory inspections and equipment testing. Those are all prescribed in the current legislation or approved codes of practice. Those requirements are mandatory, and they form the basis of certain contracts which we have been in the process of, or have been, re-tendering. Any related health and safety works that then come out of those inspections are then prioritised within the funds that we hold for reactive maintenance. Just to give Members a guide, in the last 18 months we have improved the States' compliance with statutory regulations from 60 per cent in the middle of last year, which we considered to be unacceptable, up to about 80 per cent at the moment and are aiming to reach 90 per cent. So essentially, J.P.H.'s (Jersey Property Holdings) current approach is fully supported by the Health and Safety Directorate, and I do consider the current expenditure by Jersey Property Holdings to be fully justified.

2.5.1 The Deputy of St. John:

Given that one point something million is spent on this regulatory authority, would the Assistant Minister confirm that this also covers the condition of our roads, given we have so many potholes and the like, and therefore health and safety issues, which I presume must come under his department indirectly, and also paths within parks and the like, are also covered where uneven surfaces may be, and therefore will he confirm that they cover all these areas, please?

Deputy J.A.N. Le Fondré:

No, it does not. It is the property portfolio, it is not roads, it is not footpaths, and it is not drains.

2.5.2 Deputy D.J. De Sousa:

Following on from that, does this figure cover vacant properties that are owned by the States, or just those that are used?

Deputy J.A.N. Le Fondré:

The short answer is, I think, it depends. Vacant properties are vacant for certain reasons. They could be in transition. So it could be a property that is earmarked for disposal, for example, Jersey College for Girls, we are not doing very much on it. If it is a property that has been vacated by one department that needs some work done on it before it goes into the hands of another department for operational use, then yes, potentially, it does. It depends on the circumstances.

2.5.3 Deputy P.V.F. Le Claire:

It was an interesting answer that the Assistant Minister gave us in relation to the first question, especially as he dwelled upon the fact that the obligation to keep these properties safe was mandatory. I would like to ask, pressing him on that area, what is he doing with St. James', as that scaffolding has been erected to stop masonry falling on people for several years now?

Deputy J.A.N. Le Fondré:

That is quite a good example, because the scaffolding is erected to mitigate the risk of masonry falling on to the public. We do not have the funds to do a full and permanent solution, so the risk assessment is that the work that has been done is sufficient to meet our statutory obligations as they presently stand. That is the option that is fundable and is acceptable in the current circumstances.

2.5.4 Deputy P.V.F. Le Claire:

May I press him further? As that is £18,000 a year or more for the scaffolding, is it satisfactory that the States of Jersey would penalise people in the private sector to undertake those kinds of "fix and tape" jobs when we get away with it for year after year? Should that not be tackled by his department, as it is a mandatory obligation? Is it satisfactory?

Deputy J.A.N. Le Fondré:

As I said, in fact, I think I answered the point last time this was raised. The risk assessment is to make sure that it is safe for public use; the measures put in place are acceptable. If we had between £750,000 and £1 million sloshing around, I am sure we would all be delighted to put the building into a fit state. That does not mean it is dangerous to use at present. Bearing in mind, as I think I referred to last time around, the various levels of condition that we consider are the statutory health and safety requirements, and then obviously, after that, the next priority is making sure that buildings are fit for operational use. The choice we had at that time was between fixing a leaking school roof, which means that your children are dry, or for example, making sure a boiler is working, again perhaps in a school, so that in winter they are warm, versus spending £750,000 on something which we do not have the money to do at the moment. Those are the priorities, unfortunately, we are faced with.

2.5.5 The Deputy of St. John:

Given the answer I received about roads and the like and footpaths, given a property, and its curtilage is still all property, therefore, does the Minister not think he is a bit flippant in his reply in not wanting to hold the departments concerned, whether it is public service or whoever is running those particular properties, to account, as we heard from Deputy Le Claire, over the St. James' church? I think it is remiss on the part of his department, and will he agree that he is being remiss in not making sure that if you are carrying out reports and inspections, that the work in the report is carried out?

The Deputy Bailiff:

I am going to disallow that question. The Assistant Minister is only able to answer matters for which he has responsibility and he does not have responsibility for that.

Deputy M. Tadier:

Yes, my question is slightly too decadent so I will leave it go, and maybe ask it in private.

The Deputy Bailiff:

Connétable, I apologise that I did not get back to you for supplementary answer. As a result, you can have at least 2, if not 3, supplementaries.

2.5.6 The Connétable of St. Helier:

I will have 2, thank you. **[Laughter]** The Assistant Minister did not answer the last part of my question, which was, of course, originally directed at the Minister about his Assistant Minister. So it is clearly difficult for the Assistant Minister to say whether he has full confidence in the operation of the department. Can I quote, 20th April, the Minister for Treasury and Resources said: “There are clearly issues that the Assistant Minister who is responsible for property identified this morning, which we need to work with Ministerial colleagues to deliver on property matters. Clearly everything is not working at the speed at which we would want.” Hardly a ringing endorsement of the Assistant Minister, is it?

Deputy J.A.N. Le Fondré:

I will leave the Minister to deliver that one. All I can answer is about the question as it was writ, and I believe the question is, does he have full confidence in the operation of this department? On the basis that the right of reply is important, I will try and answer for the department. The senior team at Jersey Property Holdings has well over 60 years property experience. I am only going to focus on 2 individuals, but I thought this might come up, so I did some digging. In his previous role, the Director of Jersey Property Holdings delivered, at the time, the largest outsourcing facilities management in Europe. It was £1.3 billion, it delivered savings of over £150 million. In the 5 years in the post he delivered hundreds of millions of pounds of disposals and many millions of pounds of annual savings. He was also a member of the C.B.I. (Confederation of British Industry) Property Policy Board, membership of which is by invitation only, and that is for the entire U.K. So from my view, that was a group with some very experienced individuals. The Assistant Director for Strategic Planning and Estate Management has a wealth of private sector experience, with his previous role being one of the largest private sector development and property companies in the U.K. and his experience covered all parts of the spectrum, including strategy, management, acquisitions, disposals, and including a number of significant projects. In summary, in my view, they are not stupid individuals, they have not had a temperament transplant when they crossed the water to come here. They are exceptionally motivated to achieve change in how we do things and to bring the States into the 21st century. In my view, the States are exceptionally well served by the team it has in place, especially given the difficulties we encounter. I hope that answers the question. If there is any doubt, yes, I do have full confidence in the management team.

2.5.7 The Connétable of St. Helier:

Just a final supplementary relating to St. James'. There is a planning application notice fluttering in the breeze outside the vicarage. Could the Assistant Minister explain why, given the uncertainty with regard to that property, Property Holdings Department is currently investing in a refurbishment of the vicarage?

Deputy J.A.N. Le Fondré:

I will have to get some more details on that one. I was aware there were some health and safety issues that were done at St. James'. Whether it was in the church or at the vicarage, I will have to come back to you on that one.