

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 24th MARCH 2022

PUBLIC BUSINESS - resumption	4
1. Island Plan 2022-25: Approval (P.36/2021) – forty-seventh amendment: Warwick Farm (P.36/2021 Amd.(47))	4
1.1 Deputy K.F. Morel:.....	5
1.1.1 The Connétable of St. Helier:	8
1.1.2 Deputy J.H. Young of St. Brelade:	10
1.1.3 Deputy J.A. Martin of St. Helier:.....	12
1.1.4 Deputy M. Tadier of St. Brelade:	12
1.1.5 Connétable M.K. Jackson of St. Brelade:.....	13
1.1.6 Senator J.A.N. Le Fondré:	14
1.1.7 Senator S.Y. Mézec:	14
1.1.8 Deputy S.M. Wickenden of St. Helier:	15
1.1.9 Deputy L.B.E. Ash of St. Clement:	16
1.1.10 Connétable A. Jehan of St. John:	16
1.1.11 Connétable D.W. Mezbourian of St. Lawrence:	16
1.1.12 Deputy G.J. Truscott of St. Brelade:	18
1.1.13 Deputy S.G. Luce of St. Martin:	18
1.1.14 Senator K.L. Moore:.....	18
1.1.15 Deputy K.C. Lewis of St. Saviour:.....	19
1.1.16 Deputy K.F. Morel:	19
2. Island Plan 2022-25: Approval (P.36/2021): thirty-first amendment: St. Helier Country Park (P.36/2021 Amd.(31))	23
2.1 The Connétable of St. Helier:	24
2.1.1 Deputy J.H. Young:	24
2.1.2 The Connétable of St. Brelade:.....	24
2.1.3 Deputy R.J. Ward of St. Helier:.....	25
2.1.4 Deputy G.C. Guida of St. Lawrence:.....	25
2.1.5 Deputy K.C. Lewis:	26
2.1.6 Deputy S.M. Wickenden:.....	26
2.1.7 The Connétable of St. Helier:	26
3. Island Plan 2022-25: Approval (P.36/2021): thirty-third amendment: Field J371, St. John (P.36/2021 Amd.(33))	28
3.1 The Connétable of St. John:.....	29
3.1.1 Connétable R.A. Buchanan of St. Ouen:	30
3.1.2 Deputy J.H. Young:	31
3.1.3 The Deputy of St. Martin:.....	31
3.1.4 Deputy T. Pointon of St. John:	32
3.1.5 Deputy R.J. Ward:	32

3.1.6 Deputy M.R. Le Hegarat of St. Helier:	33
3.1.7 Deputy I. Gardiner of St. Helier:	33
3.1.8 Connétable K. Shenton-Stone of St. Martin:	33
3.1.9 Connétable P.B. Le Sueur of Trinity:	33
3.1.10 Connétable J. Le Bailly of St. Mary:	34
3.1.11 Deputy M. Tadier:	34
3.1.12 Deputy S.M. Wickenden:	34
3.1.13 Deputy M.R. Higgins of St. Helier:	35
3.1.14 The Connétable of St. John:	35
4. Island Plan 2022-25: Approval (P.36/2021) – eleventh amendment: Field 630 (P.36/2021 Amd.(11))	37
4.1 The Connétable of St. Ouen:	38
4.1.1 Deputy J.H. Young:	39
4.1.2 Deputy R.J. Renouf of St. Ouen:	40
4.1.3 The Deputy of St. Martin:	41
4.1.4 The Connétable of St. Brellade:	41
4.1.5 The Connétable of St. Ouen:	41
LUNCHEON ADJOURNMENT PROPOSED	43
LUNCHEON ADJOURNMENT	43
Connétable S.A. Le Sueur-Rennard of St. Saviour:	43
5. Island Plan 2022-25: Approval (P.36/2021) – third amendment: Play Area Proximity (P.36/2021 Amd.(3))	43
5.1 Deputy I. Gardiner:	44
5.1.1 Deputy J.H. Young:	45
5.1.2 The Deputy of St. Martin:	47
5.1.3 Deputy R.J. Ward:	47
5.1.4 Deputy K.F. Morel:	48
5.1.5 Deputy M. Tadier:	49
5.1.6 Deputy G.C. Guida:	50
5.1.7 Deputy I. Gardiner:	50
6. Island Plan 2022-25: Approval (P.36/2021) - ninety-sixth amendment: Travel and Transport Policies (P.36/2021 Amd.(96))	53
6.1 Deputy J.H. Young (The Minister for the Environment):	54
6.1.1 The Connétable of St. Brellade:	55
6.1.2 Deputy J.H. Young:	55
7. Island Plan 2022-25: Approval (P.36/2021) – forty-second amendment: Transport and Parking (P.36/2021 Amd.(42))	57
7.1 The Connétable of St. Helier:	57
7.1.1 Deputy J.H. Young:	59
8. Island Plan 2022-25: Approval (P.36/2021) – ninety-seventh amendment: Safeguarded minerals site: Simon Sand and Gravel (P.36/2021 Amd.(97))	60
8.1 Deputy J.H. Young:	60
8.1.1 The Deputy of St. Martin:	62
8.1.2 The Connétable of St. Brellade:	63
8.1.3 Connétable R. Vibert of St. Peter:	63
8.1.4 Deputy R.E. Huelin of St. Peter:	64

8.1.5 Deputy J.H. Young:	64
9. Island Plan 2022-25: Approval (P.36/2021) – twentieth amendment: La Gigoulande Quarry (P.36/2021 Amd.(20))	66
9.1 Senator K.L. Moore:	66
9.1.1 The Deputy of St. Martin:	67
9.1.2 Deputy D. Johnson of St. Mary:	67
9.1.3 Senator I.J. Gorst:	69
9.1.4 The Connétable of St. Peter:	70
9.1.5 The Connétable of St. Mary:.....	71
9.1.6 The Connétable of St. John:.....	71
9.1.7 The Connétable of St. Ouen:.....	72
9.1.8 Senator L.J. Farnham:	72
9.1.9 The Deputy of St. Peter:	73
9.1.10 Deputy K.F. Morel:	73
9.1.11 Deputy M.R. Le Hegarat:	75
9.1.12 Deputy J.H. Young:.....	75
9.1.13 The Connétable of St. Brelade:	77
Mr. M.H. Temple Q.C., H.M. Attorney General:	78
9.1.14 The Connétable of St. Lawrence:.....	78
9.1.15 Deputy M.R. Higgins:	79
9.1.16 Senator K.L. Moore:.....	80
ADJOURNMENT.....	82
10. Island Plan 2022-25: Approval (P.36/2021) - eighty third amendment: Quarrying and Air Quality Amendment to Policy MW1 (P.36/2021 Amd.(83))	83
10.1 Deputy K.F. Morel:.....	83
10.1.1 The Connétable of St. John:	85
10.1.2 Senator J.A.N. Le Fondré:.....	86
10.1.3 The Deputy of St. Martin:	86
10.1.4 Deputy J.H. Young:.....	86
10.1.5 Deputy R.J. Ward:.....	87
10.1.6 Senator K.L. Moore:.....	88
10.1.7 Deputy K.F. Morel:	88
11. Island Plan 2022-25: Approval (P.36/2021) – sixtieth amendment: Performance Measures (P.36/2021 Amd.(60)) - as amended (P.36/2021 Amd.(60)Amd.)	91
11.1 The Connétable of St. Brelade:.....	92
11.1.1 Deputy J.H. Young:.....	93
11.1.2 Deputy K.F. Morel:	93
11.1.3 The Connétable of St. Brelade:	93
ADJOURNMENT.....	95

[9:31]

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

Deputy K.F. Morel of St. Lawrence:

May I ask why some Members are excuse and some défaut?

The Deputy Bailiff:

Yes, it is a good question to ask. We have been proceeding on the footing that those who are listed as joining via link may have some technical difficulty in joining the meeting and on that footing they have been marked as excuse, and that is the practice we have been adopting in relation to those who have indicated that they are joining by link. It is something we can revisit as a practice, but that is what we have been doing.

Male Speaker:

I am a bit disturbed at having received an email from Deputy Labey not indicating technical difficulties, it just seems to be he does not wish to come in and I do not think that really is in order.

The Deputy Bailiff:

Doubtless we will hear from these Members.

Male Speaker:

He is in the chat now and says he is present.

Deputy R. Labey of St. Helier:

I was having technical difficulties, Sir.

The Deputy Bailiff:

There we are, thank you for that.

PUBLIC BUSINESS - resumption

1. Island Plan 2022-25: Approval (P.36/2021) – forty-seventh amendment: Warwick Farm (P.36/2021 Amd.(47))

The Deputy Bailiff:

We now resume the debate with the 47th amendment, lodged by Deputy Morel, and I invite the Greffier to read the amendment.

Connétable A.S. Crowcroft of St. Helier:

I do not when is the right time to raise a point of order about this item. Could I do it now please?

The Deputy Bailiff:

Yes.

The Connétable of St. Helier:

Sorry about another point of order, but it is not clear in the list of propositions, but I just wanted to check whether, if this amendment succeeds, the 31st amendment, in my name, would fall away?

The Deputy Bailiff:

Do you mind if I consider that in the course of the debate and give you a ruling then?

The Connétable of St. Helier:

Thank you, Sir.

The Deputy Bailiff:

I invite the Greffier to read the amendment.

The Deputy Bailiff:

After the words “the draft Island Plan 2022-25” insert the words “except that – (a) Proposal 25 - St. Helier Country Park should be deleted in its entirety; (b) the following be removed from the areas identified and safeguarded for provision of open space in Policy CI6 – Provision and enhancement of open space – 2. Warwick Farm, La Grande Roue de Saint-Jean, St. Helier” with the remaining item renumbered accordingly; (c) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a) and (b); and (d) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones be amended to reflect the adoption of (a) and (b).”

1.1 Deputy K.F. Morel:

I bring this amendment with an element of sadness, I do not want to bring an amendment which says please do not go forward with the proposals to work up proposals for a country park in St. Helier. But I felt I had no choice. There are a number of reasons for that. Some of them are more general than others. One reason is a very general reason, that the Island Plan does not cater adequately to the economic needs of the Island. In doing so I think it also reflects another aspect of the Island Plan and the Government in general, and that is that Government too often, time and time again - and when I say “Government” I mean its fuller sense, I mean the States Assembly as well - clearly does not understand the world of business. The inclusion of the proposal to develop proposals for a country park have thrown one business in Jersey into a state of insecurity and a state of uncertainty. In fact, if this were to go ahead as well, this would mean a decline in the amount of employment land in Jersey and the decline in the amount of agricultural land in Jersey, as a result of this proposition. The Minister, I am sure, will say that his proposal to draw up a proposal for a country park does not create a park, that it does not close down Warwick Farm. In fact I am sure he will say that future proposals for a park can be timed to reflect the needs of the business that currently operate there. That business, and can I just check, am I allowed to name that business, just to ensure I do not breach any standards?

The Deputy Bailiff:

If it is necessary for the purpose of the debate then yes.

Deputy K.F. Morel:

I believe so. That business is Jersey Hemp. Sadly, it is not correct that proposals for a country park can be timed around the business. That in itself reflects a lack of understanding of the needs of businesses in this Island. The inclusion of the park in the draft Island Plan, which was done without consultation with Jersey Hemp - the tenants of Warwick Farm - has already affected that business. It is already proving challenging to investors in that business. When they look at the proposals for the country park, they then have to question their investment. Before I go on to tell you about Jersey Hemp, let me also point out that Warwick Farm was let to Jersey Hemp, I believe, in 2017 and it was obviously the Government of Jersey that chose to enter into that lease. Now, in that time, since then, Jersey Hemp has obviously had to deal with the fact that Warwick Farm could have been taken at any moment to become a hospital site. It seems to have overcome that hurdle only then to be thrown another hurdle related to the hospital, which was the inclusion of trying to find a new home for the Jersey Bowls Club, and the hospital team chose Warwick Farm to place the Jersey Bowls Club. That proved challenging to Jersey Hemp but Jersey Hemp have worked around that and they have come to an accommodation to enable the bowls club to be sited in the front field, the one along the road that we can all see as we drive up and down the road. As a result of that, the lease with Jersey Hemp has been broken by Jersey Property Holdings with a view to reframing the lease in a way that

accommodates the bowls club. But of course, and in fact if you look at the 31st amendment, which theoretically may well be debated afterwards, there it talks about “upon the expiry of the present lease in January 2023”. The lease did not expire in January 2023. The lease expired in 2026. A break clause enabled the lease to expire in January 2023 and that break clause was enacted in order to deal with the bowls club. It also now seems that that break clause has been enacted in order to see what happens with this country park. But let me tell you about Jersey Hemp.

[9:45]

I have a funny feeling many Members do not know about it. Jersey Hemp is an incredible business. It is a homegrown business, it is organic, it employs 12 Islanders full-time. Jersey Hemp leads the British Isles in the development of new hemp strains and C.B.D. (Cannabidiol) products for cosmetics and foods. Jersey Hemp is not part of the medicinal cannabis sector. Jersey Hemp does not develop plants that include T.H.C. (tetrahydrocannabinol), which is used for medicinal cannabis. But operating below that level with plants that create C.B.D. and just hemp fibre for clothing, hemp fibre for food, hemp fibre for building. Jersey Hemp has attracted inward investment and would have had more had it not been for the inclusion of this part in the Island Plan. Jersey Hemp, in so many ways, is the ideal Jersey business. It is bringing in ancient Jersey industry, hemp growing, back to life and into the 21st century. In doing so, it is diversifying our economy, it is innovating through research and the creation of new products and is bringing money to the Island. It is championing the environment by operating as an organic farm and it even has the potential to aid innovation in our own construction industry as the founders were inspired to create Jersey Hemp originally in order to research and develop building materials with hemp; so-called hempcrete. That vision is still a guiding start but their journey towards it is a long-term vision that means working through various stages to create a sustainable business to support research into materials, such as hempcrete. Those materials will enable the Island to reduce its reliance on materials such as the aggregate that comes from La Gigoulande, obviously that in itself is another bone of contention in this Island Plan. Who created this business? Was it a group of wealthy newcomers to the Island? No. This amazing business has become reality through the provision of 3 former Jersey firefighters. Three people who embody the enterprising spirit that Jersey desperately needs to maintain. Warwick Farm is an agricultural site. It is being used as an organic farm in a business that helps support our existing agricultural sector because the hemp being grown is done so as a complement to our potato crops outside of the growing season. In so doing, it not only supports our potato growers but also creates the possibility of measurable carbon sequestration to aid our carbon reduction journey. Jersey Hemp is based in this community. We have seen that by the way they have bent over backwards to accommodate the bowls club in order to enable the hospital project to continue. I think what is often misunderstood is that businesses need security. The Government of Jersey made a decision in 2017 to lease Warwick Farm so those 3 former firefighters could set out on their journey in building a vision of a new business; a new thriving business in this Island. That has taken sweat and tears. But they have done it against all the odds. But that business is still growing. It is still developing. It still has a long way to go. But the uncertainty created here means it is incredibly difficult to take that business forward. This business is selling products to Selfridges in the U.K. (United Kingdom). This business is developing new streams, new cultivars of hemp that, I believe, are going to be first 2 new cultivars of hemp certified in the U.K. It is developing further strains. It is in a joint venture with the U.S. (United States) company to develop new seeds for the development of new products. It is at the cutting edge and what do we do? We, without consultation, without talking to that business, just go and throw in the Island Plan: “By the way we are going to use this area of land as a country park.” It may well be that that is a lovely area of land to be a country park. But we cannot just do these things without talking to the people it affects. I do question myself the need for a country park next to Vallée des Vaux, which is a beautiful country area naturally there already. But that is, in many ways, just an extra question I have. The real concern is the message this sends to Jersey businesses. We say diversify our economy. We say we want to support Jersey in developing its economy in different

areas. We want to support agriculture and becoming organic. We want to support agriculture in diversifying its crops and supporting the potato industry. We say all these things and then in the Island Plan we throw, without consultation, a plan for a country park that has just come and blindsided them. We say we want people to build businesses to employ Islanders. That is what this business does. It started with 3 former firefighters, it is now 12 full-time employees and its journey is only one of growth. That is why I bring this amendment. It is not because I do not want a country park, it is because I do want an economy that succeeds in employing Islanders, in paying taxes through ... I know we have a zero tax. In paying taxes through that employment to the Island and paying social security contributions, in putting Jersey at the forefront of research in an area that is growing worldwide. Those C.B.D. oils are used in cosmetic products. Those C.B.D. oils are used in foods. The hemp fibres are used in building materials and clothing. They have export markets. What do we want to do? Because we know that if we remove Warwick Farm from their use we know, as an Assembly very well, that there are not lots of other places they can go. But even if there were, they need more than a few months' notice. The Connétable's next amendment gives them only a few months' notice. It says they have to be out by this time next year. In fact earlier than this time next year they will be gone. Jobs will be lost. Investment will be lost. A really important growing area of the agriculture industry will also be lost. If we do want a country park in Vallée des Vaux, that is fine but let us do so in conjunction with the business that is there. Let us work with that business to say: "Hey, you can have your new 9 or 10-year lease and during the course of that lease we can work with you to develop it" but the truth is, I do not know if that is even possible. For this business could be going for 30, 40, 50, 60 years. This business is very likely to outlive all of us. We need to provide space for businesses like that to operate because businesses like that are the heart and soul of this Island. The heart and soul of the economy of this Island. It astounds me time and again how we show such a lack of understanding of the way businesses operate. In fact, I know there are people in this Assembly who have been openly hostile towards the idea of businesses at times. It hurts me because it is those businesses, which create the money, which creates the services, which we, as a States Assembly, want to see deployed. I ask Members to please think about what this is. This is not about saying no, never have a country park there. It is about saying remove the uncertainty so this business can develop and then behind the scenes conversations can carry on but not in a public way, which can affect investment into that business in this way. At the very least, talk to this business because I know the Minister for the Environment has not talked to this business about this proposition, about this inclusion in the Island Plan. That is just wrong. I will listen obviously to the arguments, and I think I know most of the arguments against my amendment, but I really want States Members to think about what they are doing here. It is so seductive to say yes, a country park; yes, I know St. Helier needs open space. But St. Helier also needs employment and the Island also needs employment. The Island needs innovative businesses, the heart of Jersey's enterprise. That is what Jersey has been built on for centuries. Enterprise, spotting opportunities in the global markets and taking them. This business is exactly what the Minister for Economic Development, Tourism, Sport and Culture should be supporting because this is a business that is helping the Island. It is not controversial. It is working with the U.K. Government to make sure that everything it does is highly regulated. It is turning heads around the world. It is in itself a leader and we are in danger of squashing it, despite the fact that it was Government that gave it the opportunity to exist in the first place. We cannot do that. We have to be straight with businesses. We have to be straight if we want a successful economy. So, I make the amendment.

The Deputy Bailiff:

Is the amendment seconded? [**Seconded**] Connétable, I agree that if this amendment is adopted then your 31st amendment would fall away.

1.1.1 The Connétable of St. Helier:

Could I just say, so that Members can consider the effect, that I do not propose to move paragraph (a) of my amendment should this one be defeated so the phrase “upon the expiry of the present lease in January 2023” would not be part of my amendment? Deputy Morel has the luxury in a way of proposing and summing up this debate. He also has the luxury, which he started to enjoy, I think in that speech, of speaking for as long as he wants. I have just 15 minutes to make a case for not deleting the prospect of a country park from the Island Plan and I do not have a chance to comment at the end, although certainly in the old days, rescindment motions, because that is what this effectively is, would allow the person whose matter is being rescinded to have something to say at the end and certainly a vote of no confidence would. The Deputy says that he knows what the arguments are going to be. Well, he does not. He does not know because he has never been to talk to me and, although he started off by saying he was sad to bring the amendment, I do not believe he is because if he had really been concerned, he would have sought out the Member of the States Assembly who had first brought the idea to the States and said: “Tell me about it.” He would have said: “I am troubled by the idea of using the break clause in the lease” and I would have said: “Well, I am relaxed about that” as I have just indicated to Members a few moments ago. Let them have the full duration of their lease to look for alternative premises on the Island. He did not come and talk to me and I think it is a shame and, certainly, it is my policy if I am going to take on a Minister or anybody in this Assembly, that I will have given the courtesy of having a conversation with them because it might have spared us having what could be a lengthy debate if, as I have said, I would have said: “Well, let them have the full duration of their lease. I do not have a problem.” The Deputy is also completely wrong when he says - and he said it several times - that Jersey Hemp have not been consulted. Yes, they have. They have been consulted. I have been up there. I have been around their premises. I have marvelled at what they are doing and I have told them that I really admire their work. I think what they are doing is fantastic but when I went around to them, I said to them: “You do know, do you not, that this site is in a previous Island Plan where the States agreed that feasibility work would be done on the possibility of the site being used, one day, for a country park.” So I said, “You know that, do you not? You are, in a sense here, it is a pilot project to keep your business going but you do need to be looking for somewhere else because I will be coming in the next Island Plan to make sure that this site is developed for a park.” So it is completely erroneous and misleading for the Deputy to tell the Assembly that this business has not been consulted. They know exactly how the land lies. The only thing they may not have known was that I was prepared to say: “Have the full duration of your lease but please start looking for alternative premises.” So I hope I have cleared up those 2 matters. The Deputy should have spoken to the mover of the original proposition in the last Island Plan, and I will keep stressing that because this is not new, and he should have been straight. Perhaps they did not tell him about my visit but they certainly knew about the Island Plan because of course it is a public document and of course they knew what was going on.

[10:00]

Let there be no doubt that I completely endorse what the Deputy is saying about the value of local businesses, the value of agribusinesses and organic businesses. I think it is great. As I said, I went around those premises with my mouth hanging open because it is just so amazing what they are doing. I want them to continue to do it but I do not want them to do it there and I will explain to Members why. This is a States-owned site and it should be used to maximum public benefit. How can a private business, however successful, have a greater public benefit than a park catering for perhaps 50,000 people in Jersey? This country park will be there to serve the entire urban population. It may provide a bowling club. That all rather depends on what happens in the great hospital decision, which is coming up next month, but if we assume for a moment - and I apologise to Members who do not want to even think about it - that the hospital gets planning permission, then Jersey Bowling Club premises and Westmount Road - I think we all know why and I do not agree with it - are going to be bulldozed. I do not think it is necessary but, anyway, we will leave that for now. We have had

that debate. Jersey Bowling Club has been promised a site up at Warwick Farm and I think that is great. I should declare I am the president of the Jersey Bowling Club. I apologise I did not say that at the beginning. So that will be there and I have not been party to the negotiations but I believe that Jersey Hemp is prepared to work around the bowling club. We need to make sure they are not on the receiving end of those woods that come flying down the green when it is built but I am sure that can be accommodated. For me, the bowling club will be the lynchpin of the country park because, in time, when the feasibility work has been done following the Government Plan this year, the bowling club will be joined by other things. It will be joined by mountain bike trails for our youngsters to use. It will be joined by possibly horse-riding routes around the farm and the adjoining valleys and possibly a zip wire. There might be a kind of centre for forest studies that we have in the Francis Le Sueur Centre out west. So Members who have read my amendment and the background which goes back 10 years, let us face it as it is not new, will know that the park that I based my idea on in Eastleigh, the country park called Itchen Valley Country Park to give it its proper name, was, for me - and I was taken around it by members of Eastleigh Council - a complete revelation because so many members of the public were there. They were mountain biking, they were riding, they were picnicking, they were going to find out about woodlands in the centre that had been built for them and many of them just wanted somewhere where they could go for a run or go for a wander. That is really important for the city of Eastleigh and it is really important for the urban area when we have had the arguments already, as we take on thousands of new homes. It is simply not a good use of public land and the Deputy talked about 30 or 40 years and he said: "We will all be dead and they will still be running that business." Well, I hope not. I hope that, in 30 or 40-years' time, the country park will be serving the needs of the urban community. I hope that it will have grown and that landowners will have seen what is going on and shared the vision and said: "Add my field to the country park" and then it will be like a horseshoe around the urban area of St. Helier and St. Saviour providing that relief and that release for young people and people of all ages who want to get out and get some fresh air. I think Members need to just remember what really happened. The previous Minister for Infrastructure, who was also a Deputy of St. Lawrence by some strange coincidence, knew the Island Plan had already designated this site for a feasibility study into a country park and when Warwick Farm became empty, he declined my request to consider even a 6-month period when we could see what was possible. He went straight out to tender and he awarded the lease to Jersey Hemp. He knew what he was doing. I do not, for a minute, suggest that he was more concerned about St. Lawrence and its lovely rural walks than the inhabitants of the urban area but I think it is kind of ironic that we have another Deputy from St. Lawrence or from the rural area who is saying up to 50,000 people in St. Helier and St. Saviour: "You do not need a country park. You have Vallée des Vaux. Is that not big enough?" No, it is not. I am disappointed. I am probably at least as sad as the Deputy is in bringing this and he has brought his amendment without talking to me. I am prepared, insofar as I have anything to do with it, for that business to see the full length of its lease working around the bowling club but, quite honestly, why should St. Helier not have a Les Creux? A Les Creux for St. Helier is what I have a vision of and I do urge Members not to deny the urban area of that possibility.

Deputy K.F. Morel:

Sir, a point of clarification please.

The Deputy Bailiff:

Will you accept a point of clarification, Connétable, from the Deputy?

The Connétable of St. Helier:

No, Sir, I have made my speech. He can sum up.

The Deputy Bailiff:

Yes, thank you. Does any Member wish to speak?

Senator S.Y. Mézec:

Sir, could I ask the *défaut* to be raised on Senator Farnham and Deputy Tadier please?

The Deputy Bailiff:

Yes, are Members content with the *défaut* being raised? The *défaut* is raised on both Members. Yes, does any Member wish to speak on this amendment?

1.1.2 Deputy J.H. Young of St. Brelade:

It is such a shame that, effectively, we are in the situation now where what is a really important proposal to try to do something to provide recreational and open space opportunities for town residents is at risk because, somehow or another, our kind of wires have got crossed about a use that has gone on a States-owned site. A use on, from what I hear, is a lease until 2026. An interim use making use of that site. It is such a shame that we are in that situation because we really ought to be able to accommodate both. When I was first elected, I wanted to find out about this business because one has heard all about it and so I visited. I have to say I have not visited recently but I was impressed with the innovation of the work done there although I have to say the majority of the site that faced St. John's main road, the glasshouses, when I went there, were in an extreme state of dereliction. I thought: "This is something, frankly, that really is not good use of States-owned land." The sheds that I saw where Jersey Hemp is operating is down south of La Fredee Lane, which runs through the site. A lovely, beautiful little Parish lane where there are some modern-day agricultural buildings and it is impressive. What goes on there is Jersey Hemp harvest the flowers and strips, I do not know if they call it the bark or the outer skin of the hemp plants that they have harvested, and then they put it through processing to extract hemp oil, which then gets mixed in with other things and marketed. Of course, I know that that product is a successful one. It is what we call a novel food which simply, as I have pointed out before, is unregulated and will fall within the new food legislation, so that is something that the business will have to address. At the moment, my view of it when I visited there in 2018, and I do not mean this pejoratively, was it is was very much a pilot business or what some might call a cottage business to see how this works, and obviously they have proven it. They have some issues still to solve because one of the sheds, when I went there, contains a very large amount of waste. I know the Deputy spoke about the vision about making it into hempcrete as an alternative building material. Of course, that would require a large open site where mixing could go on with cement and so on and, at the moment, that material, when I went there was stored there, and I do not know whether they have been able to ship it off or what. Ultimately, of course they could put it back in the Energy from Waste plant and of course the fixed carbon would go back in. Anyway, never mind, there are some issues there to solve. So, I formed the impression it is a good business, they have done extremely well and my expectation would be that they want, in the longer term because they have an interim lease, to relocate. Of course, I asked myself: "Well, what do the planning policies provide?" There is a whole suite of policies in the Island Plan which help such businesses. Policy EI1, new industrial sites and premises, which supports renewal or intensification encourages that. The ERE2, diversification of the rural economy and ERE3, even new and extended agricultural buildings, so if you do have a case and you have proven it you could well manage to jump that planning hurdle and gain consent. So, it is a real shame that this has come to us as a negative situation. It is visionary to have a park on the edge of St. Helier. I asked the question: "If we do not have it there, where would we provide that facility?" I am fortunate as I live in St. Brelade. We have Les Creux and I am sure Members have been to Les Creux. It is great. There is a bowls club. The children are doing BMX riding. People do country walks. There are allotments there. There is a parking area there. Thankfully, it is not tarmac as we do not want that. My vision is that if the project that is proposed in the Island Plan, which we now know we are going to lose if Deputy Morel's proposition goes ahead, during the time of the bridging plan then a plan for how that would be, what

is in it and where it all goes and so on would all be shaped up. That is going to take 3 years. It is not going to happen tomorrow. I am very hopeful that the Connétable is making it plain that he is not wishing to displace that successful business before the expiry of its use. I think that really helps.

Deputy K.F. Morel:

Sir, a point of clarification please.

The Deputy Bailiff:

Will you accept this, Deputy?

Deputy J.H. Young:

Yes.

Deputy K.F. Morel:

Would the Minister please clarify the length of the lease as it stands?

Deputy J.H. Young:

Well, I am relying on what has been said. I am not the Minister for Infrastructure so the honest truth is I do not know. I have not seen the lease.

Deputy K.F. Morel:

Sir, a point of clarification on that please. I can clarify that the lease expires at the end of this year because it has been broken by Jersey Property Holdings formally.

Deputy J.H. Young:

The only comment I would make on that is I think we are having a planning debate. Planning debates do not deal with the day-to-day management of the leases. The issue I think here is that, under the Island Plan, this *projet* which the Deputy is seeking to take out is not a zoning. It is a proposal. Like the other day when we discussed about Five Oaks and things, it is going to take time. It is going to take 3 years. Now I am not the person who has any responsibility for that lease but it is entirely open to the States. If it has been broken, let us hope we can give them a new lease but I cannot see any way that we are going to be in a position to pull this project together and shape all the elements of it and fund it, because it is going to need some investment, within the timescale of the bridging Island Plan. I know one thing, taking it out now, which I think this debate could do, will I think destroy the possibility that that can be in, and I do remember speaking to previous Members who held my position as the Minister for the Environment who had the same aspirations. We really do need to provide this amenity. If one can imagine a children's play space at the weekends on the edge of town, so the Constable has made that case. It is such a shame we get ourselves in this pickle. Once upon a time, we used to use land at La Collette for industrial businesses. We used to encourage businesses to relocate. It must be possible for the new Minister for Infrastructure or whatever Minister has the job of managing property in the future to be able to construct some lease arrangements or some opportunity which does not destroy this successful business. It must be possible to do that but that cannot be done in the way it connects to the Island Plan. I do not want to confuse it anymore but, really, we must not lose the country park proposal.

The Deputy Bailiff:

Minister, there is a point of clarification from Senator Le Fondré in the chat. Will you accept that point of clarification?

Deputy J.H. Young:

Yes, of course I would, Sir.

[10:15]

The Deputy Bailiff:

Senator Le Fondré, what is your point of clarification?

Senator J.A.N. Le Fondré:

Sir, I think it has probably been covered. It was really to do with the last question being asked which is really to confirm that a lease is not a planning matter and, therefore, it is not a matter for the bridging Island Plan but I think the Deputy covered that, Sir.

The Deputy Bailiff:

Yes, thank you.

1.1.3 Deputy J.A. Martin of St. Helier:

I always try to support my Constable and I was wavering a bit there when Deputy Morel was speaking because he was explaining we all need money and we need money to get these things done. I was here when we debated this being the St. Helier Country Park I think probably in 2011 in the last Island Plan and the feasibility study and then, when I was listening to the Deputy speak, he painted so brilliant a picture of this new enterprise, Jersey Hemp, which I do absolutely fully support. We need to diversify in the country. Jersey Hemp are doing it. It is a natural product but if you follow the Deputy's line of thinking through, they are there. He wants them to stay there. They have already gone from 3 employees, the start-up people, brilliant entrepreneurs, et cetera, starting a business. They have now 12 full-time employees. Surely, they want to grow so they are going to grow into the vision of what was St. Helier Country Park. There are other places. Is it easier just to say: "It is there. Leave it. Let us have a little bit more"? I thought we had a solution when I heard the Constable say: "I am going to take that bit out about the lease" because I absolutely agree with a few months or even half a year to say to this company who have put so much in: "You now have to move." I then heard the Minister for the Environment say 2026. That is all right. It is 4 years. We now know the lease has been broken so it has not been given. I am sure that can be sorted out but I do see, if it is not today and we do not say: "You cannot stay there", it will creep further and further in. As the Constable of St. Helier says - whether it has been in feasibility or not or if it has not been looked at or not been taken seriously enough in the last 11 years or probably 12 now - we know that we need this. So, I think it is sort of going to be having to bang heads together. I fully support what the Deputy is trying to do but it cannot stay here and ruin what we want and what we have already said will be a country park for St. Helier. Well, much more than St. Helier. Half of the Island can go to it and be able to get to it quite easily. So, it is a dilemma but I cannot support the Deputy. I hope somebody like the Minister for Infrastructure or the Minister for Economic Development, Tourism, Sport and Culture can stand up and say: "There can be some guarantees that this will carry on. We will try to do our best and it will carry on." As the Constable says, the people who took the land on knew when they started that it was temporary. It is less temporary but it needs to be a little bit longer. If we support Deputy Morel today, we will never, never, I think, get a St. Helier Country Park in that area.

1.1.4 Deputy M. Tadier of St. Brelade:

As we come up to the election period, I found it necessary to remind myself of the series of logical fallacies that one can encounter during any particular argument, and I needed to remind myself what the definition of a strawman argument was. It says that it is a type of logical fallacy that occurs when someone deliberately distorts or misrepresents their opponent's position to make it easier to defeat. Now I am not saying that this is what Deputy Morel is doing but, interestingly enough, I am reminded of I think proverbs in the Bible but there is a passage where it says: "When you listen to an argument in court, you are really convinced when you hear the first person speaking until you then hear the second person speak and then you realise I am now more inclined to go with the second person." That is because I think that what happened is that Deputy Morel, quite rightly, is very strongly in

favour of business and he wants to set himself up in this debate as saying: “I am the true defender of businesses in the Island and everybody else is slightly less or very much less pro-business than I am.” I start with this difficult choice again between having a country park on the very doorstep of St. Helier or supporting your local business, which genuinely sounds great. It is diversifying and it is doing what they need to do in what was, I think, always set up to be a temporary home for them. I think it is important when the Minister, a fellow colleague from St. Brelade, stands up and says: “It is okay for some of us. We have parks on our doorstep” but I would add to Les Creux Country Park and say we also have some of the most amazing coastline in St. Brelade. So whether you live near the park or not, you can just nip down the road to Noirmouth, Portelet, St. Brelade’s Bay, Ouaisné or La Corbière. You can walk that whole area or, as I do often, the sand dunes. I make no secret of the fact that I do not currently live in St. Brelade but I do spend a lot of time there at the sand dunes. In particular, Les Blanchés Banques is one of my favourite walking spots. Where I live, it only takes me a few minutes to go up the road and I am on the north coast. I can walk as long as I want to until I or the dog gets tired until I want to come back. I will not tell you who gets tired first. Other people can go to their parks. So, it should not be a choice here of saying: “Would it not be amazing if you live in that part of St. Helier or even inner St. Helier just to be able to walk out and then you have a vast expanse of countryside and not just simply a little park?” which we squabbled about yesterday on how big the size of a ring binder park should be. We have an expansive park in the middle of town which we do not need to go on to the coast for, especially if you do not have a car of course. We are trying to encourage sustainable living. So, I cannot accept what I see as a false dichotomy, and I suspect that Deputy Morel is right in that there probably has not been proper consultation. I know how Government works. We need to make sure that we, or whoever the Ministers are at the time, speak properly to Jersey Hemp and give them any assistance that we can to relocate to a suitable location but I also know that, walking through the countryside, there are no shortages of fields. While I might not want to concrete over fields to build lots of housing when I think there are other options yet to be explored, I do not have a problem with fields being used for growing things whether that is growing things directly in the ground or by putting structures on there, greenhouses, et cetera, to grow, as Deputy Morel says quite rightly, is an ancient tradition, including in Jersey, of growing hemp. That brings me full circle back to Les Quennevais which we know is the corruption, if you like, of the word “chenevière” which meant the old place or the fields for growing hemp so it is certainly a tradition. I do not think there is any room in Les Quennevais anymore to grow hemp, unfortunately, but there certainly are lots of locations throughout the Island, if we wanted to, where we could grow hemp, not just C.B.D. extraction for that purpose but also to make sure that we can provide T.H.C. and proper medicinal products not just for export but for those in our Island who currently, incidentally, have to pay a very large amount of money to get the medicine they need, which is another form of equality but that is an argument for another day.

1.1.5 Connétable M.K. Jackson of St. Brelade:

I too have visited Warwick Farm in conjunction with my Scrutiny Panel to look at the efforts going on there and I also am aware of the site when it was used by Transport and Technical Services as a headquarters for their Parks and Gardens Department. Now what, it seems to me, has happened is that Jersey Hemp have morphed into that previous site. It may be it is a hotchpotch of buildings. There is no question about that and this is not laid out as the specific purpose of a hemp growing experimental farm but they have used the buildings to the best of their ability. Listening to the discussion this morning, one wonders whether this is something that should have been at Howard Davis experimental farm and perhaps we should have put more efforts into putting them up there. I do not know what the status of the greenhouses there is now but I do not think they are used for the original purpose. Sadly, Warwick Farm exists or became available to Jersey Hemp because Government failed with the provision of its in-house parks and garden maintenance, which is now predominantly contracted out, although some is still done from within the Howard Davis Park, I gather. The Minister for Infrastructure may correct me on that. The reference to Les Creux Country

Park is interesting in that the concept is good and it is very popular. I use it myself but I must say, as Constable of the Parish in which it lies, the maintenance of it is not good and is that because it is managed by different parties within Government? Maybe it is the Minister for the Environment, maybe it is the Minister for Infrastructure but the result is not great. Now, on the contrary, the Parish of St. Helier has its parks and gardens headquarters further down in Mont à l'Abbé. They are good at parks and gardens and they are exemplary in what is produced within the town. I am confident the public park at Warwick Farm would end up being extremely popular and well-maintained. So, to conclude, I would support the Constable of St. Helier in this, not support this proposition, but I would urge further examination of the Howard Davis Farm site to take place to encourage the entrepreneurial business that is taking place at Warwick Farm at the moment.

1.1.6 Senator J.A.N. Le Fondré:

Just to be as short as I can, I too will not be supporting this amendment. I listened quite carefully to both speeches of Deputy Morel and the Connétable of St. Helier. In essence, in the nicest possible way, Deputy Morel's speech was all about giving a good business, but a business, priority on a piece of land over and above any other use. By that I mean it is effectively saying, if one likes, the nature of his speech was very much focused about one business and, therefore, and I agree with other speakers, that if one removes this proposal - and I think the Minister particularly outlined how that proposal works and what its status is in the Island Plan - it would severely curtail the idea of the country park which, as the Connétable has rightly pointed out, has been around for I think he said at the very least since the 2011 Island Plan and certainly, in my political time, has been around for a very long time and of which I have always been supportive. I do take the view, though, as the Minister alluded to as well, that the site particularly over time will evolve and those early years of evolution will require sharing. That means, I would hope, that one could give the certainty to that company going forward, but that one can then establish the framework and structure as to how Warwick Farm will evolve into a country park. I know that is a separate issue; that is frankly operational. I also endorse all the comments that were made by the Connétable of St. Brelade. I think the crucial bit there is about sharing the site. I was unable to support the Connétable in terms of the battle on the 8th amendment, I think it was, but I have always supported the concept of the country park. I did listen to the vision of the Connétable. He is passionate in these type of areas and you can really see the benefit that would come to the residents of St. Helier to have this access right on their doorstep.

[10:30]

I also have always thought as well, and it is referenced in the bridging Island Plan, that there is scope to link Fern Valley, Bellozanne, all the residents from there, and Waterworks Valley but through Fern Valley, up and through the fields in that area to link into Warwick Farm and to build that crescent up, build that semicircle or whatever you like to call it, that the Connétable referred to in terms of securing that area and basically bringing nature as close to the residents of St. Helier as one can in a really good way. I did briefly Google his reference to I think it was Itchen Park, and that looked fabulous. So, I think from the point of view of securing a facility for St. Helier in the longer term I really do think that this amendment should be rejected, which is obviously the comments from the Minister, and I do endorse absolutely the longer-term establishment of the country park in a controlled manner. I absolutely agree the business needs certainty, but I think as an evolution process in my view I would have thought the site could be shared. I would expect that to be part of the planning guidance and the development plans that would come through. On that basis, I will be voting against this amendment.

1.1.7 Senator S.Y. Mézec:

When I read the front-page article of the *Jersey Evening Post* today it, of course, indicated to me what a strange relationship I have with my Constable when it comes to parks in St. Helier, although

I am pleased that hopefully I may be able to repair some of that relationship today by saying that he has my wholehearted support in what he is seeking to do with delivering a St. Helier Country Park. This has been something that has been on the agenda for a very long time and I think the basic fact of the matter with this amendment is that this would jeopardise that vision very significantly. If we as an Assembly are to ditch that ambition for a St. Helier Country Park, then we ought to be clear about that being our intention. The Constable I thought made an excellent case against this amendment in his speech, followed up by Deputy Tadier referring to this argument about the business which is operating from there. You are not going to find anybody who is going to be negative about that particular business and what it is doing, but we do have to accept that there was a basis upon which they were able to operate from that site and understanding the foundation of their operations there, and it is not unfair to stick to that basis and to stick to that understanding and say to them: "You have known this is going to be the case for a long time. You should be accounting for that and, not only that, but we are happy to help you as well to make sure that you can find alternative premises, that you get leeway perhaps, if it is necessary, but not carte blanche, not to simply say things have changed since we agreed that we would look to put a country park in that area so we will just give up on that ambition because you have been successful." You would hope that the more successful they are the easier it would be to find somewhere else because of their mobility and their ability to set up elsewhere. I would point out to Members that we did reject an amendment earlier in this Island Plan debate about derelict greenhouse sites, so perhaps there is work that the Government could do to find spaces like that which are being underused and falling apart and use the weights that the Government has to get some of those sites back into use. If that can be done by working with this kind of business you would be killing 2 birds with one stone. We would deliver that country park that the Constable of St. Helier has so brilliantly described and provide that fantastic place for people in the urban area without jeopardising the success of an important business, which we all wish to see thrive. That would be the best of both worlds and that cannot be done or would certainly be jeopardised very seriously if this amendment is accepted. So, I would urge Members to reject this amendment.

1.1.8 Deputy S.M. Wickenden of St. Helier:

I am finding this one quite difficult because I am fighting on 2 sides here. I, very much like the proposer, fully support entrepreneurial businesses in the Island and this is one that is a real success story. I think Deputy Morel highlighted and laid out the achievements and the successes and how proud we should be of Jersey Hemp. On the other hand, I will make a bold statement. I probably know this area of Jersey better than anyone in the Assembly. I could see Warwick Farm from my window when we moved into the house in 1977, and my mother still lives there. I grew up in this area. I grew up with my brother and my older sister and you could go for walks down the lanes and the like, but when I have been around there recently traffic, obviously with the increase in our population and cars and the likes, makes it not the same, if not you are always stopping to let a car pass every 5 minutes when you are walking around the area. Funnily enough, if we wanted to go to the park, mum would get us all into the car and we would go to St. Lawrence. We would go down Millbrook way and that is where we used to go as a family to go and run around and jump in the swimming pool and the likes. Because the area up there is not serviced nearby by a park or any areas. You mainly have the roads and the country lanes to walk around and, as I said earlier, that is not the same as it used to be when I was growing up. Even when I was growing up there were too many cars probably going up and down the roads, probably going to the pub I lived next door to. This is the dichotomy I find myself in, which is I agree that this amazing business we need to do the best we can to help and we should not be putting any uncertainties on the business because they are one of our true success stories, one of many but one of our true success stories. On the other hand, the wording in the amendment is to remove the country park in its entirety and for that I cannot turn round and say to my mum's neighbours and knowing the area where it is: "No, you have to travel to somewhere else to go and have a park area." I think it is a wonderful idea and a place that is really needed and

will service all the way up through to the beginnings of St. John and the likes. I think the Economic Development Department need to work quite strongly with Jersey Hemp, and maybe the Environment Department, to go and see what is the world of the possible and if we can find somewhere better - because there could be somewhere better - to be able to help Jersey Hemp. Now, I do not know if I will be supporting my Constable in the next amendment. I think we need to give this success story in Jersey the time working with Government to help them and with other landowners to find a suitable place and not directly tell them: "You have until this time and you are out and if you have not found anywhere, tough." I do not want to see that happening, so I want to see some level of working with this company to help them out so we can help them deliver what they want and help the Island deliver the country park in this area that it has been waiting for. So, as much as I was moved by Deputy Morel's speech, and I think he laid it out very well, I cannot support removing a country park from an area I know so well that is in desperate need of something just like this in this area, but I do not know if I can be supporting my Constable afterwards either.

1.1.9 Deputy L.B.E. Ash of St. Clement:

I do feel that I have to come in on Deputy Morel's side here. I realise he is more than capable of fighting his own battles but I think he has been slightly wronged here. He is certainly right in the fact that the Assembly has very often adopted an anti-business agenda, which I think a bizarre situation for an Island built on trade and entrepreneurial spirit and free market economics, yet many in the Assembly often appear to despise it, which is slightly odd. It is not often I disagree with the Chief Minister but I do here. He said this was putting a business before a park. I do not think it is. I think it is putting agriculture in an agricultural field before a park. I am not going to speak for long. I would ask the Assembly to ask themselves this question: if this was a field with Jersey Royals in it or nice Jersey dairy cows and a Jersey herd, what would the answer be? Would the answer be that we should get rid of them all and turn it into a park? What was the answer when we debated St. Ouen and putting some affordable housing in and getting rid of the little dairy herd of 10 cows? What was the answer then? I do not think it is that different.

1.1.10 Connétable A. Jehan of St. John:

I am also a frequent user of Les Creux, believe it or not, with my dog. We often go there and I would concur with my colleague from St. Brelade in terms of the maintenance. It is a great facility but it could be even better. It is great to see the youngsters on their bikes and so on. I would ask the Minister for Infrastructure if he could address the Assembly and confirm the length of the lease. I was very heartened by the Constable of St. Helier's withdrawal of section (a) of his proposal, which gave me confidence that the current inhabitants would have plenty of time to relocate to hopefully bigger and better premises. In the last week, we have agreed to put 50 or more homes at Sion, so I am sure that not only residents of St. Helier and St. Saviour would benefit from a park at the top of Mont à l'Abbé but also residents of St. John and Trinity would also get to utilise that facility.

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

I am grateful to the Constable of St. Helier for including in appendix 3 the extract from the Hansard transcript of the original debate on 21st June 2011 because it has reminded me of 2 things. One is that I did not participate in that debate but that I did support the Constable and was one of the 44 Members who voted in favour of his proposition at the time. It was accepted by 44 to 3. The other thing that I was reminded of were the prophetic words of the Constable in his opening comments when he said: "It is the beginning of a long road if it is accepted." How true, how prophetic, because that was 10, almost 11 years ago that his original proposition was accepted. That was the will of the Assembly at that time. Deputy de Sousa, when she spoke, reminded us that the Constable had, in fact, at that time consulted with his parishioners. He had called a meeting or an Assembly and he had been supported in his efforts to create this country park. I have found this debate to be extremely uncomfortable; very uncomfortable. As a staunch supporter of our emergency services, my

heartstrings were tugged when I heard Deputy Morel mention that this business, this new business, was formed by 3 former firefighters, who clearly have served their Island and who, if this amendment is rejected, may well feel that their service has been disregarded or overlooked. So I have found it very uncomfortable. I am not clear in what capacity Deputy Morel has brought this amendment. Is it as a private Member or is it in his role as Assistant Minister? Maybe when he sums up he will be able to clear that matter up for us. The Constable of St. Helier has mentioned a former Deputy of St. Lawrence. Am I able to name that Deputy, Sir?

The Deputy Bailiff:

If it is necessary to do so.

[10:45]

The Connétable of St. Lawrence:

I would like to mention his name if I may. I believe it was Deputy Eddie Noel who at the time was the Minister for Infrastructure and, of course, he is the Deputy who ... I am not sure if we heard that this was put out to tender or not, but the lease was awarded to Jersey Hemp. But the Deputy at that time worked very closely with me to deliver an amenity benefit in the heart of the historic built Parish of St. Lawrence. What we did was we created a garden next to our Parish church to mark the 70th anniversary of the liberation of Jersey. That garden, known colloquially as M.L.G., is the Moignard Liberation Garden. Some 5 or 6 years after it was created, it is absolutely tiny. I do hope Members have had the opportunity to see it over the past 5 or 6 years. It is very tiny but it is a very valuable and important amenity space, not only, of course, for the parishioners of St. Lawrence but for Islanders as a whole. Even now people stop me to say what a lovely little oasis it is in the middle of what we know is in parts a very rural Parish. St. Lawrence is a Parish of 2 parts. It is urban in the south, it is rural in the north. We have heard from Deputy Wickenden that as a youngster he used to go to Millbrook Park. That is another gem in St. Lawrence, of course. We know the facilities are going to be improved this year with the children's pool and play area. The other really marvellous amenity that we have in my Parish is the Millennium Footpath, which runs through Waterworks Valley, and thanks to Deputy Morel that is a protected area under this bridging Island Plan. Of course, we are grateful to our current Chief Minister, who led on the delivery of that Millennium Footpath. To me, I know I live in a lovely Parish. I am lucky to have these amenity areas, but if this amendment by Deputy Morel is carried, of course, then we have heard that I think it is amendment 91 of the Constable of St. Helier cannot be debated. It will fall away. So, I have to say that I am sorry that in this instance I am unable to support my Deputy in his endeavours to protect this new business. His endeavours are to protect it on the site as it is now and I would suggest that what we as an Assembly ... it seems to me the comments are that we support this new industry, this diversity within our economy, but what we should be doing is ensuring that if and when this amendment is lost and the Constable's is approved, if and when this business needs to leave Warwick Farm, we must use best endeavours to find another site that is suitable for it but also suitable for it to grow. Because as we have heard, it has grown. There are 12 employees there already and potentially there is the prospect of more people being employed within this new and enterprising business. Yes, I live in St. Lawrence, which has the benefit of a lot of rural area as well as, of course, the urban part to it, but if this park was created clearly it is something that I would wish to use as an amenity facility within the Island. As the Constable said earlier when he spoke, I think he mentioned potentially 50,000 people could use this if it was developed. Of course, far more than that could use it. We are an Island of 100,000-plus so we have to weigh up, and again we use that word "weigh". We balance our decisions. My decision has weighed, I am afraid, against Deputy Morel's amendment, laudable as I believe it to be.

1.1.12 Deputy G.J. Truscott of St. Brelade:

I will try not to prolong this too long. I totally concur with the previous speaker. I must state first of all that I am a ratepayer in St. Helier and I own property there. I have to say when I did work - it was up at West Hill - very often at lunchtime I would go for a walk around Fern Valley a few times and then back to work again. That is so good for the mental state and the soul. I will sadly not be supporting Deputy Morel with his amendment but will be supporting the Constable with his. Deputy Morel and I both sit on the Planning Committee and very often we are up against employment properties and land and one is the policy that is so under pressure. I totally concur with Deputy Morel that we need businesses to bolster the economy. Let us face it, going forward we are going to need every penny of taxpayers' money that we can possibly get our hands on to finance some very ambitious projects. I do really admire the way this business has conducted themselves up at Warwick Farm and to make such inroads in this really early kind of industry but pioneering in many ways, making great inroads and producing jobs and much valuable taxes, hopefully. For me it just sounds like there needs to be a bit of communication. I am sad to hear that Deputy Morel did not communicate with the Constable and I think that really would have helped matters here. Perhaps an agreement could have been arrived at where another few years could have been provided to the company to stay on site. That can still happen and perhaps that conversation needs to happen after this meeting. But as I say, for me it is the park here that is of prime importance, particularly for St. Helier. As I say, I have been on the Planning Committee for 8 years. I have seen so much construction happen there. This green oasis at the top of Queen's Road is going to be invaluable going forward. Let us face it, the Japanese love forest bathing and I think the St. Helier people need a similar type facility.

1.1.13 Deputy S.G. Luce of St. Martin:

Members will remember not very many hours ago now we finished yesterday afternoon's debate by discussing how much we have left to do and how we are going to have to sit late tonight and tomorrow. I have to say I am really disappointed an hour and a half into the morning that we have not moved on. That is because almost immediately after Deputy Morel started talking I wrote down one word at the top of my page, and that is compromise. The compromise came within seconds of the Constable standing up and speaking. He compromised by saying: "I will not use the break clause and I will take out part (a) of the next amendment, which refers to January 2023, and we will have more time on site." There is a way forward here and that extra time is going to allow us to do that. The Constable is also right that the town park was in great discussion a long time before Jersey Hemp came along, and I remember them coming along. I was the Minister for the Environment at the time. I took a huge amount of interest in what they were doing and encouraged them as much as I possibly could. I remember sowing the first fields and going to see them, the crop growing, and it was fantastic. I am not going to go on, otherwise I will be accusing myself of being a hypocrite and talking for a great distance when we do not need to. There is a solution here. I support this industry wholeheartedly but I do not need to support Deputy Morel today with this amendment because I know there is a solution in front of us, a compromise solution, which we must seek to find. So, I will vote accordingly.

1.1.14 Senator K.L. Moore:

I absolutely concur with the Deputy of St. Martin that we need to be brief, but I do struggle somewhat with the compromise suggestion there. Because many speakers have spoken already about how much they admire this particular business and how much they have achieved, which of course I agree, but in order to support businesses we have to help them find premises and find space with which to conduct their business in the Island. We have focused a lot about housing, obviously, in this debate so far but one of the key reasons people contact us, or certainly they have me in recent weeks, has been a desire to find light industrial space. That is severely lacking in the Island. So, what will be the alternative space that will be found for this business? What really puzzles me about the Constable

of St. Helier's scheme here is, firstly, the timing of it. It has been around for about 10 years but we have made no progress. We have no funding. All of a sudden it re-emerged as an idea and a thing when it became politically expedient to do so. We do have to be honest here. It suddenly re-emerged when the hospital deliberations were becoming a bit difficult. So I do have to say that there is a sense of some dubiousness about this project and the timing of it. The other factor that puzzles me, and I think Deputy Wickenden touched upon it briefly, is how people will get to this country park. It is a considerable way out of the centre of town where the majority of people live. In fact, it is almost in Trinity. I have walked the lanes both along Fern Valley and particularly through the valley to the east and it is not particularly conducive for pedestrians, although Vallée des Vaux might be a green lane that it is quite busy and heavy with traffic. So, I assume that because the Constable of St. Helier is such a passionate believer that every resident of St. Helier should own their own car, he expects them all to drive there. If they are going to drive up the road to almost Trinity, why not drive to Les Creux, why not drive to the coast, why not drive to the north coast, they might as well. I am really struggling to understand the practicalities of what we are trying to achieve, what exactly we are protecting and who we are going to help. We do have vast amounts of open space in the Island that we all enjoy and, yes, of course we want to protect but we also need to protect a thriving business industry and a particularly young one at that. We have to balance as an Assembly our priorities and I will be supporting Deputy Morel in doing exactly what he should be doing as the Assistant Minister for Economic Development, Tourism, Sport and Culture in ensuring that a relatively new industry can continue and thrive.

1.1.15 Deputy K.C. Lewis of St. Saviour:

First to clear up a few bits of confusion. People refer to States-owned land, not an awful lot of this comes under my jurisdiction of Property Holdings. What is States-owned land? Are we talking S.o.J.D.C. (States of Jersey Development Company), are we talking Andium? There are lots of obviously arm's-length departments that we do have but regarding Warwick Farm, that does come under Property Holdings. The Chief Minister is absolutely correct when he said that the States Assembly is no place to discuss commercial contracts. I have no intention of doing so, suffice to say that senior officers at Property Holdings have kept the leaseholders fully informed every step of the way. I agree that the area should be shared in the near future and in the long-term future I think it would be an ideal place for a park. Having said that, I am obliged by statute, it is on the books that all public land obviously under my jurisdiction belongs to the people of Jersey and I am mandated to get value for money for that land. The last large track of land I had was The Limes which I have signed over to Andium to build much-needed housing, so everything we have is being used. People think I have got lots of property on the portfolio, got lots of seawalls and tarmac, but that is not much good to anyone else. I fully appreciate what Deputy Morel is saying here but I must come down slightly on the side of the Constable of St. Helier; I hope he is listening in the coffee room.

[11:00]

But, as I say, it is a very, very difficult one for me because my department will be losing money on this but this is the will of the States Assembly which I must carry out.

The Deputy Bailiff:

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

1.1.16 Deputy K.F. Morel:

It is always hard to be sat there while being kicked so relentlessly - and I will get to a closing speech - but beforehand I will correct a few of the misleading statements that were made. I will talk about the lease because Jersey Hemp told me about it and they know that I am going to talk about it here. I find it fascinating everyone has fallen - if you want to talk about strawman arguments - for the Connétable of St. Helier's very large strawman argument: "I will remove paragraph (a) of my

amendment.” I do not know, I have no record of this. I have just been looking through my emails, I do not know where he has said this but other people are telling me that he has. So, paragraph (a) which is “upon the expiry of the present lease in January 2023”, he is going to remove that. That is fantastic. As I have said, the lease has already been broken, it expires in 2023 full stop. The Connétable can have as much goodwill as he likes with his paragraph (a), it will not change a thing by withdrawing that. Nothing. Then if you want to look at the paragraphs (b) and (c) which everyone is so in favour of in this Assembly because they want to protect the economy and they want to protect this business, and paragraphs (b) and (c) show how this can be done. Well paragraph (b): “The Council of Ministers will establish a project board to develop proposals to be included in the next Government Plan in order that the country park can be delivered during the period covered by the bridging Island Plan.” Well then, that means at the very best they have got until 2025 - at the very best - in an Island where there is no employment land. I will go further, I believe that the Minister for the Environment has been negligent in not including proper provision for employment land in this Island Plan. This Island cannot function if people do not work and if people do not earn money. Everything falls apart: the social security system falls apart, the tax system falls apart. In my view, the economic ignorance that is often shown in this Assembly is astounding and this speaks to that: “Well do not worry, we can sort that out. They can move. We will give them basically less than 3 years, 2½ years”, a business that they have developed over 5 years that is turning heads worldwide. “That is okay, we will give them at best 2½ years.” But what will the lease be, the lease that no longer exists because it has been broken? So I also turn to other strawman arguments. I found it incredibly disappointing that the Connétable of St. Helier drew on some sort of vague parochial distinction to say that: “Oh, it was the former Minister for Infrastructure who happened to be also from St. Lawrence.” I can promise the Assembly, I have not spoken to the former Minister for Infrastructure in an extremely long time, certainly more than a year, and I have certainly never discussed this with him ever. There is nothing parochial about this. The Connétable of St. Helier also then went on to say that I have not spoken to him about this. Well, there we go, not only did I engage in conversation with him about it 2 days ago in the tearoom downstairs, maybe 3 days ago, but I also met him in town one day when he is accompanied with one of his parochial officers and I said: “Oh, I really need to speak to you about this.” The Connétable said: “That is okay, this officer will arrange that meeting” and I said: “Brilliant.” I heard nothing. I then chased that officer, I heard nothing again afterwards. It can be difficult to get hold of the Connétable of St. Helier, so I think it is incredibly saddening. Then we had Deputy Tadier jump up and talk about strawman arguments. Those are your strawman arguments, parochial differences and talk about consultation that never happened but attempts were made. Then there was also talk of consultation: “Oh, both the Minister for the Environment and the Connétable of St. Helier have been to Warwick Farm. They have talked about this in depth” we have heard. Well, apparently the Connétable of St. Helier has visited Warwick Farm once at the beginning of their lease and insisted on speaking about the carbon farm only, refused to talk about Jersey Hemp. I know the Minister for the Environment only went there at the beginning of Jersey Hemp’s lease at the beginning of his time as a Minister, he has not been since and he has never spoken to them about this proposition in the Island Plan. So, if you want strawman arguments, those are your strawman arguments, but I sit here and I take it. Other strawman arguments are: I have got the opportunity to respond. Apparently, this is wrong. Apparently because I have more than 15 minutes to make my points and I can respond to my proposition, which is exactly the same right as every other Member in this Assembly, apparently that is wrong in this case because it does not suit the Connétable of St. Helier. It is the rules of this Assembly. I have to put up with this, I have to listen and hear the responses. I only have my 15 minutes for every other proposition which I do not bring, so why bring that? That is a strawman argument. So, I find it interesting when Deputy Tadier talks about strawman arguments because he failed to acknowledge all of those strawman arguments that were clearly made against my amendment and against me. I found it interesting that Deputy Martin talked about there are other places. Where Deputy Martin? May I visit “Martin’s Estate Agents” and find out where all these other places for employment land are?

Because they do not exist. We are strangling our economy, we have not diversified our economy. I put a very clear chart on social media a couple of months ago. It showed finance has stagnated for 20 years, there has been almost no diversification of the economy in 20 years. The only growth story in our economy is rental; private landlords rental is the only growth story in our economy in 20 years. If people do not work, if businesses do not thrive, we will not have anything to talk about in this Assembly other than emergency supplies of food and the such like because we need an economy that works. If you want people to enjoy a country park, they need jobs to go to so they can enjoy that country park without the stress of wondering where their dinners are coming from. I do worry about this Assembly, I do worry that it completely misunderstands the needs of the economy and of businesses. I see that in the Government of Jersey's procurement processes, I see that in the way the Government of Jersey treats businesses when it comes to reclaiming or demanding refunds from the co-funded payroll scheme. I see it when businesses in Jersey are given 7 days to respond to a request for proposals for tenders or invitations to tenders, 7 days, and then the Government sits on those tenders for months and months and months and months and months before responding. I know, and I am fed up of just seeing how Government does not get it, people in Government from officers through to politicians of this Assembly do not get how we are making it harder and harder and harder to earn a crust on this Island. Deputy Tadier had the nerve to also say that this was some sort of electioneering. This is not electioneering, this is a private citizen of the Island who is really, really worried about the future of this Island. From the Connétable of St. Lawrence I bring this as a private Member, just to clarify that. Importantly when I know Deputy Tadier also talked about: "Oh, there are other fields they can use" this is not about fields so much. The fields at Warwick Farm are used but also 2,000 vergées of fields around the Island are also used by Jersey Hemp. Fields outside of Warwick Farm are very much in use for this business. It is the ability to have a laboratory, have a processing centre, have staff facilities, these are also there and these are also really, really important. These are the things which really matter and are incredibly difficult to get hold of. I know the Connétable of St. Brelade talked about a hodgepodge of buildings. Those buildings provide processing and research facilities, laboratories and obviously polytunnels provide growing facilities, so it is a hodgepodge of buildings but it is a very, very useful hodgepodge of buildings. Senator Le Fondré, I thank you for your comments. Senator Mézec said: "We are happy to help you. Neither the Connétable nor the Minister want to harm your business." They already are. This already is harming the business and I do not understand, there is no link. So, the lease has been broken, that has happened, there currently therefore is no lease from 31st December, I believe, or maybe 1st January. So, at the moment it is really difficult for Jersey Property Holdings to offer a lease knowing that they could not get planning permission for any work on buildings, that the bowls club needs planning permission, that the site, according to part (b) of the next amendment must be developed in 3 years into a country park. You try getting a lease among all of that, you try running a business among all of that. I thank Deputy Wickenden for his comments. Deputy Ash, thank you, you made some excellent points and I am pleased he gets it. Thank you to the Connétable of St. John. Thank you also to the Connétable of St. Lawrence. These are former firefighters, they have served the Island and again they are serving the Island now but what I hear is a States Assembly that does not want to help people who served the Island in many, many different ways. Thank you to the Deputy of St. Martin and Senator Moore, thank you as well; somebody else who seems to understand this and get this. Thank you to the Minister for Infrastructure for clearing absolutely nothing up whatsoever. So, it was suggested to me in the middle of this debate that I should withdraw my proposition. Not a chance. I want to see exactly where States Members lie in terms of wanting a future economy for this Island. The country park will be a country park at some point but in the meantime we are causing immense confusion and difficulty for exactly what we are meant to be supporting and that saddens me. The lack of consultation by the Minister for the Environment, the lack of talking to the business I think says everything. A lot about this bridging Island Plan has been rushed. The Connétable of St. Brelade talked about a hodgepodge of buildings, it is a hodgepodge of an Island Plan. But if I may leave you just with a few thoughts because obviously I appreciate how frustrated I am, a few

facts, in fact. So, Jersey Hemp employs 2 full-time staff, including 2 consultants. Just think about that, think about your decision. They have 60 shareholders, most of them on-Island. They are generating millions to go into the economy already, they have Soil Association organic status for Warwick Farm. People talk about the need for organic farming in this Island: they are doing it, they have got it. We protected fields; Deputy Le Hegarat brought an amendment last week to protect fields in this area precisely because they are organic.

[11:15]

These are organic fields but apparently they are not needed. Jersey Hemp is in discussions with world-leading Agronomy Institute in the U.K. (United Kingdom) to assist with plant and ethics and the advanced growing and extraction of C.B.D. They are expecting to take PhD students to research these topics. This institute in the U.K. is very keen to work for Jersey Hemp because Jersey Hemp have been given the first licence in the British Isles to develop such cultivars. They are punching above their weight. They have capital plans for the site in order to continue to improve their offerings for both the seed and the product. They also support the Island in many different ways in the community: Project Trident, the States of Jersey Police dog training. They let some of their land to the Jersey Tea Company and they voluntarily host schools; just last month, Victoria College and St. Michael's. They have also hosted Women's Institute groups and similar groups for farm tours and given them an understanding of the growing and harvesting process they undertake. They have completed the Jersey Soil Carbon Code. This is a world first but do not let that worry you, it is only a world first from Jersey. Do not worry about that, that is okay. They expect to have the first fully blocktane-verified trade with regard to that carbon farm happening next month to prove the platform. This is an incredible business and we expect the Minister for Infrastructure and the Minister for the Environment to ensure that their future is secure, that they will get a lease together properly despite the fact that no consultation was done with regard to this Island Plan. I would love to say I believe that was going to happen but I do not think it will. So, I make my amendment and I hope States Members appreciate the importance of their vote.

Deputy M. Tadier:

May I raise a point of order? I would be happy to ask for the speaker to give way but otherwise I think it is a valid point of order. Would he give way for ...

Deputy K.F. Morel:

Is it a clarification or a point of order?

Deputy M. Tadier:

Yes, it is a clarification. I just wanted to say that I did not accuse the Deputy of electioneering and I would like him to know that and to withdraw that because I would not do that. I think it is anyone's right to bring propositions and it is not a question of whether I took offence, it is just not correct, and I would ask if he would withdraw that.

The Deputy Bailiff:

Deputy, there is a point of clarification.

Deputy K.F. Morel:

I accept Deputy Tadier's statement just then but what I heard was an accusation of electioneering so it is really hard to withdraw what I understood. So maybe he did not say it the way he expected or I heard it wrongly.

The Deputy Bailiff:

Is the *appel* called for?

Deputy K.F. Morel:

Yes, please.

The Deputy Bailiff:

The *appel* has been called for. I invite Members to return to their seats. Those joining the meeting via the Teams link are asked to cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce the amendment has been rejected.

POUR: 14		CONTRE: 30		ABSTAIN: 0
Senator L.J. Farnham		Senator I.J. Gorst		
Senator S.C. Ferguson		Senator J.A.N. Le Fondré		
Senator K.L. Moore		Senator T.A. Vallois		
Connétable of St. Brelade		Senator S.W. Pallett		
Connétable of Trinity		Senator S.Y. Mézec		
Connétable of St. Mary		Connétable of St. Helier		
Deputy of St. Mary		Connétable of St. Saviour		
Deputy L.B. Ash (C)		Connétable of Grouville		
Deputy K.F. Morel (L)		Connétable of St. Peter		
Deputy of St. Peter		Connétable of St. Ouen		
Deputy of St. John		Connétable of St. Martin		
Deputy M.R. Le Hegarat (H)		Connétable of St. John		
Deputy S.M. Ahier (H)		Connétable of St. Clement		
Deputy K.G. Pamplin (S)		Deputy J.A. Martin (H)		
		Deputy K.C. Lewis (S)		
		Deputy M. Tadier (B)		
		Deputy M.R. Higgins (H)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy G.C.U. Guida (L)		
		Deputy of Trinity		
		Deputy J.H. Perchard (S)		
		Deputy R.J. Ward (H)		
		Deputy C.S. Alves (H)		
		Deputy I. Gardiner (H)		

2. Island Plan 2022-25: Approval (P.36/2021): thirty-first amendment: St. Helier Country Park (P.36/2021 Amd.(31))

The Deputy Bailiff:

We now move to the 31st amendment lodged by the Connétable of St. Helier and I ask the Greffier to read the amendment without subparagraph (a).

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that, within Proposal 25 - St. Helier Country Park after the first paragraph, there should be inserted the following new paragraph - ‘The Council of Ministers will establish a project board to develop proposals to be included in the next Government Plan in order that the St. Helier Country Park can be delivered during the period covered by the Bridging Island Plan.’ After the second paragraph there should be inserted the following new paragraph - ‘The development of the country park will reflect an investigation and report by the Council of Ministers on opportunities to incorporate adjacent areas of countryside into the park in the future, in line with the map attached to, and supporting, paragraph 7 of Amendment 38 (as adopted by the States Assembly on 21st June 2011) to the previous Island Plan’.”

2.1 The Connétable of St. Helier:

I am grateful to Members for not supporting the previous amendment which allows this to be debated although I do not intend to avail myself of that luxury of being able to speak as long as I like at the beginning of the debate and as long as I like at the end because, as Members will be aware, we have an enormous amount still to get through in the remaining 2 days allocated for this Island Plan. Equally, I am not going to go back over the Deputy’s concluding remarks, some of which I could take issue with, because we need to move on. All I will say about the lease is that I think while paragraph (b) could be construed to say that all this must happen in the period covered by the next bridging Island Plan, I think Members have given right across the Chamber assurances that the new lease no doubt being prepared by Property Holdings will have sufficient flexibility for the business currently there to manage to grow their business and to start looking for alternative premises. “Flexibility” I think, and “assistance” are the key words that we will be hoping that Property Holdings will show as they work with the new business. The current lease of course was broken by Property Holdings because of the need to relocate the Jersey Bowling Club, it had nothing to do with the fact that a country park was waiting in the wings. I do not know that there is much else I need to say. The paragraphs are self-explanatory. I look forward, if re-elected, to being hopefully involved in the development of these proposals. Several Members spoke really helpfully and it was great to hear the Minister for the Environment in particular talk about this vision and what it could deliver for thousands of urban dwellers. I accept the Constable of St. John’s point that of course people will come down from Sion - which sounds terribly religious - but they will come down from Sion to enjoy the park. So that is all I am going to say, I commend the amendment to the Assembly, and ask for support.

The Deputy Bailiff:

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

2.1.1 Deputy J.H. Young:

In my comments that I published, I indicated that I would not be supporting paragraph (b) because I thought there was this issue about whether the timescale could be achieved but I absolutely agree with the Connétable now. I said that within the comments of the Minister for Infrastructure I think we are willing, solutions can be found to work with the business to help them find relocation. Flexibility, I think I am persuaded by that, so on balance I am just going to vote for this now entirely.

2.1.2 The Connétable of St. Brelade:

I referred earlier to the standards achieved by the Parish of St. Helier’s parks and garden staff and perhaps less so by the government employees. I am keen to understand how this will end up in terms

of ownership and management. Is it the Constable's vision that the land be transferred to the Parish of St. Helier for ongoing maintenance and development of the park or are we going to end up with a second-grade government-operated park that we see in other parts of the Island? I would appreciate the Constable's comments.

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

I would support country parks, it is a great idea, but there are some details that we need to know about. Alarm bells always ring for me when I read: "The Council of Ministers will establish a project board to develop proposals to be included ...". So, if I was being cynical, which of course I would not be, but if I was to be I would say Jersey Hemp do not have to worry too much because by the time anything happens they could farm for another 5 years and that is one of the things that I am really concerned about. Because I have stood here myself and talked about a project that has not happened in 3½ years and I really have concerns about project boards. Project boards to do what? Well, let me just say something about the project boards. What they have to do is work out who is on that project board and what the drivers behind them being on that board are. Because we have so many committees and groups and regeneration groups with the same people on them that have achieved very little in terms of getting something done in St. Helier and it needs to change and it needs some brave decisions. So, for example, how are people going to travel to this park? Well somebody needs to control and direct LibertyBus to provide the services and not just say: "Oh, well, we cannot really provide that service because of a myriad of reasons." Otherwise what you are going to have is this bizarre situation of people having to drive from St. Helier to a park constantly and having logjam to go and walk into a green area. What this cannot be, and I raise this as a formal concern - it does not mean anything but I will raise it in this Assembly - is that this cannot be another excuse just to develop more and more of town because there is a green space, you just have to drive to it. So that counts as a developer saying: "Well, I will tell you what, let us develop this area without any green space but we will give you a bit of a donation towards the country park because then that is our contribution towards development done." I do not like that idea because what it does it urbanises St. Helier and puts the green space away from the centre of St. Helier only. I will say again we need to create small areas of green space all over St. Helier and that needs to be developed. Having said that, I do support this and I support it because we do need spaces and there are spaces around St. Helier, around Vallée des Vaux, for example. There are some lovely green spaces which we need to promote more. In terms of a country park, we need to think very carefully about what we are going to do. I would like to see some of the areas rewilded so that we get proper biodiversity in that area. We do have monoculture there in so many areas of our Island and we consider that to be in some way the greenest approach. It is not, we need biodiversity. Because I have said before, biodiversity and climate change go hand in hand; if you have one and destruction of the other, you end up with a problem. So I support this, I am worried about the establishment of a board, and we need to have clear outcomes. Could I ask the Council of Ministers to publish from day one the drivers and the intentions of this board and, most importantly - and this is something that Deputy Southern will be very proud of me for saying - we want a timescale.

[11:30]

We want dates and times from day one where things will be achieved: "By this date we will achieve this. By this date we will achieve that" otherwise it is just another board that people can put on their C.V.s (curriculum vitae) and never get anything done. So that is what I would say. I support this but please let us have some times and dates to see the outcomes.

2.1.4 Deputy G.C. Guida of St. Lawrence:

At first the Minister for the Environment was not minded to accept part (b) and he has changed his mind but I have not changed mine. If we want to help Jersey Hemp we need to give them time to move. We might also have to change the Island Plan. Now not this one because it is pretty much

done, and certainly there is no time to bring anything to it, but the next one. The next Island Plan is only 3 years away and as much as we have looked at housing in this bridging Island Plan maybe we should look at businesses in the next one and start working on that. So, to set in paragraph (b) that the project should be delivered before we start talking about the next Island Plan does not give us the time to do any of this. It certainly does not give Jersey Hemp the time to relocate and does not give us the time to rezone, for example, greenhouses so that this could happen. So, I agree entirely about the project of a park in the north of St. Helier, I think it is a great idea. I think it is a long-term idea. I do not think it is something that we need tomorrow, that we need absolutely urgently, but something indeed that needs to be designed carefully and managed carefully. It is difficult to see now but that could be brought closer to town by swapping land. So, I would urge Members to not vote for paragraph (b), not give this urgent deadline but to the contrary, give us the time to do this properly, to give Jersey Hemp the chance to find other accommodations and probably help them by putting the right things in the next Island Plan which is only 3 years away.

2.1.5 Deputy K.C. Lewis:

Regarding the proposed new park, I was hoping that people would both walk and cycle up Vallée des Vaux, which will be a wonderful way of getting into the new park. I was quite worried that I had upset Deputy Ward because he had not mentioned buses for a while so I am glad he has thrown that into the mix. Rewilding, we do a lot of rewilding in the department; in fact, the Railway Walk is being rewilded. It is not so much manicured as it was and things are allowed to thrive there, squirrel population is increasing. I take issue with the Constable of St. Brelade, whom I hope I have misheard, when there was something about the second-rate States-run parks which is not true at all, and I would invite the Constable to come and see Davis Park, Coronation Park, Winston Churchill Park which is in his Parish. We have a very, very dedicated team who keep it in excellent condition. Of course, in Coronation Park we have just had the extremely generous gift of most of a field which is going to be kept for the people of Jersey. Also, in Coronation Park a new toddlers' pool is being constructed, so I refute the allegation that it is second rate. We do have financial pressures, as everybody does but, as I say, we have a very, very dedicated team of professional gardeners who do look after that and it is predominantly in-house with that department. Thank you, I will leave it there.

2.1.6 Deputy S.M. Wickenden:

I just want to reiterate what I said in the previous debate which is I think we need to very much, as Deputy Guida said, make sure that we have appropriate time and we work well with this company that was laid out so well by Deputy Morel about their success and future successes that we can see. So, I cannot support my Constable in this, as I said in the last debate, because I think that setting too strict a timeline is setting either Jersey Hemp to fail or the Government to fail. One or the other would just be tragic in a way. So, we need to do this carefully, we need to put the right resources on it but I cannot support the kind of timescales that says "during the period of the bridging Island Plan" as much as I totally support the country park.

The Deputy Bailiff:

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

2.1.7 The Connétable of St. Helier:

I am grateful to Members who spoke and for keeping their speeches short and to the point. Yes, the Constable of St. Brelade kicked off by handing a brickbat to a group of government staff and I agree with the Minister, I think it is unfair. I think all of our staff who work in inclement weather to keep our parks and gardens and our streets well-maintained and repaired do a great job. Of course, at the same time I was delighted by the particular bouquet that the Constable of St. Brelade handed to the Parish of St. Helier parks and gardens' staff. I am not going to send that back. But he is quite right,

issues like maintenance, ownership, all that sort of thing has to be sorted out but that is the whole point of the project board, to tackle issues like that. I certainly am not able to enlighten Members about the detail. Let us face it, this has only been an idea for the last 11 years. It has not had a chance to move anywhere because - and here I present a bouquet to the Minister for the Environment - previous Ministers for the Environment have simply had no interest in progressing the idea, so that is why there is not the detail. Deputy Ward, he should not perhaps be as, I will not say impatient, but he certainly sometimes sounds very frustrated by the slow progress of Government and of this Assembly in fulfilling its wishes. I know he has had certain projects that appear to be left in the long grass but I would say this to him, that he has achieved an enormous amount. It is hard to believe that he is still in his first term as Deputy, certainly in terms of climate change, an enormous project to have brought to this Assembly and how quickly Government has responded to his proposition and has moved us into almost a new world of thinking about climate change. So, I would encourage him to be positive, in a few months' time we are going to have a new Government. We already have a new chief executive for that Government. Be positive, we are going to have a project board that is going to really get this project moving and I am really confident about that. We had a few speeches which were, it seems to me, somewhat complacent. Deputy Guida believes that we probably cannot do anything in the next 3 years so let us put it in the next Island Plan. That means that I have to write my proposition and put it in 3 Island Plans before anything happens. I say to the Deputy, I have talked about flexibility, and there has to be goodwill on both sides in negotiating the lease for the current tenants, but I think 3 Island Plans is just a bit slow and I will probably start to sound like Deputy Ward. I believe that urban residents need access to the countryside just as St. Brelade and western Parishes residents have access to Les Creux. I do not think it is right to say we are going to do nothing to encourage the current tenants to look for somewhere until the next Island Plan. So I do not accept that logic and I am sorry that Deputy Wickenden is of a similar view. I thank Deputy Lewis for his intervention. He does indeed manage and run and fund some wonderful parks in the Island, unlike in St. Helier which are funded by the Parish of St. Helier but we will not go there today. But I do agree with him that both his staff and mine do a cracking job in keeping this Island attractive for residents and visitors alike. I do not propose to separate the amendments, I believe they go together, and I ask Members to support the amendment.

The Deputy Bailiff:

Do you call for the appel, Connétable?

The Connétable of St. Helier:

Yes, please.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce that the amendment has been adopted.

POUR: 33		CONTRE: 9		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator T.A. Vallois		
Senator J.A.N. Le Fondré		Senator K.L. Moore		
Senator S.Y. Mézec		Deputy S.M. Wickenden (H)		
Connétable of St. Helier		Deputy L.B. Ash (C)		
Connétable of St. Saviour		Deputy G.C.U. Guida (L)		
Connétable of St. Brelade		Deputy of St. Peter		

Connétable of Grouville		Deputy of Trinity		
Connétable of Trinity		Deputy of St. John		
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

3. Island Plan 2022-25: Approval (P.36/2021): thirty-third amendment: Field J371, St. John (P.36/2021 Amd.(33))

The Deputy Bailiff:

The next is the 33rd amendment lodged by the Connétable of St. John and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that, in Policy CI6 - Provision and enhancement of open space, the following amendments should be made, with the plan further amended in such respects as may be necessary consequent upon their adoption (a) in the fourth paragraph, after the words ‘provision of new’ there should be inserted the words ‘or enhanced’; and (b) in the fifth paragraph, after the words ‘3. Grands Vaux Reservoir and valley, as defined by Policy CI9 Countryside access and awareness’ there should be inserted the words - ‘4. Field J371, La Rue Gombrette, St. John (0.70 hectares/3.89 vergées).’ (c) the draft Island Plan 2022-25 be further amended in such respects as may be necessary consequent upon the adoption of (a) and (b).”

3.1 The Connétable of St. John:

In starting I would just like to take Members on a quick whistle-stop tour of the Island. We will not be in the planning bus or even a party bus but if they could bear with me. If we could start in St. Ouen, here they have a great community facility right next to the Parish Hall, a green area, a place where young and old alike can meet and relax. Nearby St. Peter has its green just behind the church adjacent to the community centre and we heard earlier in the debate about the importance of providing a new green or village green on the proposed Ville du Manoir development. St. Lawrence, as we heard earlier this morning, has their excellent memorial garden that fits seamlessly into the heart of their village and is so well-used, described earlier as an “oasis”. I could go on to talk about green facilities next to Trinity Parish Hall and St. Martin’s Public Hall and the park area in Patier Road but I am sure Members are getting the picture. The Parish of St. John is asking for something similar inasmuch as its aspiration to have a recreational area in the heart of the Parish. For those Members who were able to attend the Parish Hall ahead of this debate, they may have seen a sketch of the meadow dated 1997. Yes, 25 years the Parish has been looking to get something done on this area of land outside the Parish Hall and the Parish school. In May of last year a plan for a memorial garden and some 57 car-parking spaces was recommended for approval by the Planning Department.

[11:45]

However, it was rejected by the Planning Committee after a tied vote. At that time I was very disappointed; however, we have had time to reflect and will be coming back with revised plans that will have far more emphasis on the park and less on the car, albeit there will still be a requirement for some parking in the south-east corner. The Jersey Farmers’ Union say the field is category 3, less important to agriculture, number 11 on their table. The reality is that the field is only used for occasional grazing. We are looking at a third of the land, the eastern area closest to the school, with the rest of the field remaining as it is. In answer to Written Question 40/2022, the Minister for Children and Education confirmed that only 3 schools have no parking provision and one school has 3 spaces. Of these 3, St. Mary’s offer staff parking in the new car park behind the church, Trinity teachers park opposite the school in the meadow at the football pitch. In St. John, we still have staff cars parking in the active playground. The remaining cars are parked in the Parish short-term spaces, parking for over 8 hours in a 5-hour space, removing the ability of parents to use these spaces to pick up and drop off or for anyone attending the Parish Hall, shops or church to access these public spaces. I do not know what or even if there is a risk assessment for staff cars to be parked in a school playground. It is certainly not ideal for the children who play in the playground and it is not ideal for the staff whose cars are in danger of getting damaged. Members will be surprised to know that currently the school only has 38 per cent of the recommended outdoor space for a primary school and some of this space is being used for parking of staff cars. Thanks to the hard work of my predecessor and our former Deputy, Senator Vallois, we are now in the process of providing a new playing field. However, even with this there will be a deficit of some 24 per cent of outdoor space and that includes the area currently being used for staff parking. We are working with both C.Y.P.E.S. (Children, Young People, Education and Skills) and I.H.E. (Infrastructure, Housing and Environment) to find solutions that would see us only requiring about 16 spaces on our land in the south-east corner of the field. This will leave far more space for recreation than the previous plan. The school would like a natural area for a forest school and we would also like to create a memorial garden for people to walk around and relax in. St. John has a new road safety panel that is looking at ways to make it easier to walk and cycle to and from the village. Working with the team at I.H.E. we are hoping to introduce crossings from Maison Le Vesconte to the precinct and from the precinct to the Parish Hall and school. We have seen a significant increase in the amount of walkers using the north roads since the pavement was reinstated to its full width. We believe if we provide the facilities in and around the village, we will see more walkers and cyclists in this area. One of the key recommendations from the Comité Rurales’ work back in 2011 was to encourage safe routes to school. Here we are 11 years later and we have not made much progress. I look forward to seeing

residents of our sheltered housing and other parishioners walking safely around the village and taking in a lap of the memorial garden as part of their walk, perhaps stopping for a while to admire the gardens and the church in the background, parents sitting in the garden waiting for their children to finish school and children playing with their friends at the end of the school day. At the Planning Committee, much was said about the loss of the view of the church. The reality is the hedge could be planted on the southern boundary and in fact there is a hedge in parts along La Rue Gombrette already. This proposal would be to provide green open space for the Parish and the Island with all staff cars moved from both the playground and parking on the road. This would provide for a much safer drop-off and pick-up arrangement for parents and children. The proposed road improvements were supported by the Highway Authority and the scheme had been supported by 116 votes for and 3 against at a previous Parish Assembly. Our plans for a forest school area have also been popular. We are proposing to plant a small wooden area that could be used by the school. This would be linked to the memorial garden and the school would also be able to use the larger area during the school day with parents and families encouraged to use it at the end of the school day and clearly throughout the week. Our Parish climate group are keen for us to have wildflowers and a sustainable planting scheme rather than an over-manicured area and this will encourage local wildlife, particularly insects and birds. Page 16 of the bridging Island Plan talks about the Common Strategic Policy to put children first. If I can quote from the third bullet point: "Maintaining and creating play open and green space that serves the needs of children present and future and will contribute to helping children be safe, active, social and imaginative." It goes on to say: "Access to high quality and safe places for children and young people to play is critical to the development of physical, emotional, social and cognitive skills that they need to thrive." The Connétable of St. Saviour earlier this week explained the benefits of outdoor learning from her experience opposite the Parish Hall at St. Saviour. As the Connétable of St. Lawrence said when talking about the 92nd amendment about her time on the Planning Committee, the committee are obliged to determine based on policies. The site is designated for a protected open space. I am asking Members to support the Parish by agreeing the amendment to make it accessible, open-spaced for all the community and particularly the children and families who attend our local school. This site is supported by parents, our Comité Rurale, the Parish climate group, former Constables, members of the municipality and the Parish Assembly. I ask Members to listen to those local voices and vote for the rezoning of this land today ahead of any future planning application.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]**

3.1.1 Connétable R.A. Buchanan of St. Ouen:

It is a pleasure to follow my neighbouring Constable. Well, we are nearly neighbouring anyway, my geography is a bit wonky this morning. I can only endorse his comments. I am glad that produced a bit of amusement on what has been a rather turgid morning so far and I apologise once again for my geography problems but living in St. Ouen, it is a long way from anywhere else and we get lost easily. I am delighted to follow my fellow Constable and I can only endorse his comments because, as he referred himself, we have exactly what he is after. We have a lovely park area right in the middle of the Parish opposite the shops and which the residents for our sheltered homes use on a regular basis to do exactly what he is proposing his residents do: to get some exercise in a safe place and in a pleasant spot. There are lots of park benches for them to sit down when they rest and feel tired. Having a central green spot like that in the middle of the Parish is an ideal thing to have, and I commend him for the work that he has done to bring it this far. I know that this is an agricultural field but I would just remind Members that the Jersey Farmers' Union have said that it is less important to agriculture, so they are not as concerned as perhaps we have been about other green fields going. If we agree this today, in my view it is an excellent use of a greenfield because it will be used by the community for the community and it will provide - I do not know if anyone has ever

tried to park at St. John on a busy weekday when the schools are in operation - frankly, you are better off trying to walk or take a bike because it is nearly impossible. So it will provide them with parking, it will provide an excellent park facility and it certainly has my full and wholehearted support and I shall be supporting his proposition.

3.1.2 Deputy J.H. Young:

The Constable makes a very good argument, there is no question about it, and the principle as the village is developed and so on and we have approved zonings of having accessible open spaces is absolutely a really important one and there are opportunities there. I think though my job as Minister for the Environment in a plan is that I draw your attention to what some people might regard as a number of planning technicalities but I do think it is important in these matters that we are consistent in our approach as we go through the various propositions. As the Constable explained, this site is in the built area and of course that is why it has to have protected open space designation. It is a site adjacent to where the Parish Hall is and so that is the kind of starting point. Now, what we have here, it may seem a technicality, is to bring it into the category of what is called an “enhanced open space” which means that we do things in there which are new, provide an open-access area and the sort of things that are going to go on there, it is a change of use, so the procedure would normally be it is a planning application. Now, a planning application, this to me is absolutely bang-on a Planning Committee job. They would need to weigh the loss of agriculture against the benefits that are obviously very, very clear here in providing and it depends how it is done. There is history of course in the past of getting a rejection, although it was in fact supported by the officers. I think 24th June that took place. But having looked at it, I have looked at the detail of that scheme, I think it includes all sorts of other things, moving the cenotaph and all sorts of stuff, so there are a lot of differences between that one and what we are talking about here. So, I do not want to argue against the principles of doing this but I think my view is that the Island Plan as it is and the policies we have got can deal with this through the Planning Committee. We have been quite harsh on a number of other Members who came forward, been very critical of them saying this is kind of a planning application, and the honest truth, this is kind of the same category. I am not going to argue against this, it sounds a very well-intentioned proposal, but is it right to be changing the Island Plan at this point without it going through that proper process because the new area, I would be very surprised if it does not include an element of car parking. The previous application that failed included 57 spaces I think, from what I can see; if I get that wrong I apologise. So obviously that will be new. The Connétable has said that they are having a rethink, they are going to change the way they are going to lay it out and of course he did make reference about the school and the playing fields and so on. Just to clear that up for Members, that is not part of the proposition we are discussing now, the change to the plan, but I did sign off on a planning application from an inspector’s report allowing development of land south of the village on the basis ... with a planning obligation agreement to provide a school playing field next door for St. John’s School so the children could have what they have been deprived of for many, many years. I did that, I have to say, in anticipation that you would zone that site today and I am very pleased with how far we have got. I took a risk but there we are. I think it was the right thing to do because there are real changes ahead. So, I think procedurally I am not keen to vote against it but I think I am going to probably abstain. I do think Members should think consistency here. We have been very hard on other Members who are saying this is really a planning application, it does not need to go into the plan, the intentions are fine but personally I do not like the idea of being hard on other Members and then soft on the Connétable, not because I like him but I think his proposal is sound. I would be very surprised if there are any arguments, if he gets the design of it right, that do not persuade the Planning Committee.

3.1.3 The Deputy of St. Martin:

I was a member of the Planning Committee that voted against the scheme that has been discussed and the one we have in front of us here. My very good friend, the Constable of St. John, has me now

in a very painful position because I find myself well and truly on the horns of a dilemma. Do I maintain my previous view or do I change my mind and go with the Constable? I have said publicly on a number of occasions over many years there are some interior views in Jersey that I regard as iconic. There is a view of the whole of fields going up to the hinterland alongside the whole hill and there is a view at St. John where you get to the church and you look south-west across a grass field, usually full of brown cows, and that is one of my iconic views as I drive around the Island. One that I have always been keen to protect. I am encouraged by the Constable's use of the words "green open space" and I hope very much that he will take on board the views of the panel that rejected the last scheme. Certainly in my Parish we have the most fantastic village green which I believe is the envy of others and one I am hugely proud of and I do not want to do anything that stops other Parishes from creating similar facilities, although these might be slightly different. I agree with the Minister for the Environment, this is really another planning application but bring it on, let us hope it is better than the last one and let us hope the Planning Committee can wholeheartedly back it and move forward. The Constable gets my support today.

[12:00]

3.1.4 Deputy T. Pointon of St. John:

I believe that the Connétable of St. John has outlined most of the detail of this and so I am going to keep my contribution short. St. John is woefully short of community space at the heart of the village. There is only one outdoor play space for children and that is within the churchyard. In 2019 a proposal to create a landscaped enhanced parking area within field 371 was rejected by the Planning Committee. This is not the same proposition. This proposition seeks to confine additional parking to a restricted area in the south-east corner of the field. The main thrust of this amendment is to increase the available green amenity space in the heart of our village, to give children and families the opportunity to benefit from an enhanced natural environment including the creation of a wooded area that would be available to the whole village but more especially to the village school that is on the eastern side of this field. In addition, it is proposed to create a memorial garden in the north-east corner of the field that would not obscure views of the church across field 371 which had been the basis for objections to the previous proposal. The amendment affects less than half the field which is ... I stand corrected having listened to the Connétable, a third of the field which is in the ownership of the Greenwood Trust, a Parish housing association. Currently there is nothing on the site that would make it attractive for children, families and the wider population of the Parish. The intention is to create a focused green area that will be of interest as an educational, recreational and social amenity. I urge Members to vote for this amendment, an amendment that will enable the creation of natural amenity space the like of which other Parishes have enjoyed for many, many years.

3.1.5 Deputy R.J. Ward:

It strikes me, and perhaps the Connétable can correct me if I am wrong, that what we are doing here is taking a greenfield and turning it into a different greenfield. That is fine, that is great and the wooded area. The only thing I would say is there is a point at which there is an element of parking in there ... so are we 8 days in, 9 days in, I have lost track but I cannot believe it has not been said before but I have to say it now. As long as we are not going to pave paradise and put up a parking lot then I can support this because ... I cannot believe it has not been said before but it has taken this long, let us say it, let us get in there, put it on the Hansard. It is a good idea and it makes space for children to play. I am absolutely for that and that is what we need. We need that everywhere. Think carefully about the wooded area and what you plant. Please consult with some groups in terms of biodiversity and what you can do there because there is so much you could do there. I can see no reason not to support this but I would like the Constable just to reassure me with regards to the parking because if you are losing a bit of a field just for cars then perhaps there is a better way to do it.

3.1.6 Deputy M.R. Le Hegarat of St. Helier:

I would like to say guilty as charged because I am the second member of the Planning Committee that refused the Constable of St. John's application for this to be turned into a space. I, like the Deputy of St. Martin, was concerned about the vista. You have a category 1 or grade 1 listed building, as in the church, but for me, like Deputy Ward, I was exceptionally concerned about the level of parking because I too do not want to be turning what was a paradise space, as he calls it, into a parking lot. I will support the Constable of St. John because it is green space for green space, however if it comes to me in the future, if I am still here and if I was on the Planning Committee, I would be very interested to see what comes before me.

3.1.7 Deputy I. Gardiner of St. Helier:

I am wholeheartedly supporting the Constable. I have an amendment around play areas, community use and this is the right thing to secure a site within the bridging Island Plan. What prompted me to speak, there were comments from the Minister for the Environment that we need to treat everybody equally and from my understanding when we had a request to rezone the field for other than homes for needs across the Island, we did not have full consultation and understanding of how it would work across the Island, I did not feel comfortable to support it. It is not because it needs to go to the planning application but because we need to understand what the needs are across the Island. In saying this, yesterday I did support it because it was a very specific field for a very specific reason, for sport, financed privately and it will be helping on a specific remit for a specific field. Yes, everything needs to go through a planning application and this will need to go through a planning application. I trust the planning application process and the most important vote today is to secure this field for the community use of a playing area.

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

In the words of Joni Mitchell, I do not think that the Constable of St. John wants to pave over paradise and turn it into a parking lot. On the contrary, the Constable wishes to take a field that is quite low grade and turn it into paradise for his parishioners. I am delighted to support my fellow Constable. We in St. Martin have the most wonderful village green which I am extremely proud of and it is enjoyed by young and old alike. It is lovely to see small children learning to ride their bikes on the paths surrounding the green, happy dogs and owners going for walks at all times of day and night, families enjoying picnics on the green, large Parish events such as the bonfire night has been enjoyed on the green by Islanders in general. I have lost my notes. During lockdown we had socially-distanced exercise classes that could still take place because they used a space outside. We have school children carrying out projects on the green. I think I have made my point, I am a great fan of green spaces in the heart of a community and I am 100 per cent in support of the Constable. Why should we deny the parishioners of St. John a wonderful facility which is enjoyed in so many other Parishes?

3.1.9 Connétable P.B. Le Sueur of Trinity:

I will be brief and say I wish to endorse the aims and objectives of the Constable on this one, and I speak as one of the members of the Planning Committee who supported the previous application and I was encouraged to do so particularly by the impassioned plea from the headmistress of St. John's Primary School who outlined that the staff at the moment have to park in the children's playground, which to me is both ridiculous and must be a health and safety issue. This is a wonderful scheme and improves on the one that I would previously have approved so I am more than happy to give it my support.

3.1.10 Connétable J. Le Bailly of St. Mary:

I will be quick. I am very envious of my neighbour the Constable of St. John; they have land, money and people who want to have very important amenities in their Parish. Surely it is the people who live there who know best. We should not deny them that opportunity. He has my support.

3.1.11 Deputy M. Tadier:

I was also concerned about putting parking spaces on this greenfield initially and I thought myself I want a reassurance from the Constable that it will not end up being filled with white vans. But I think more importantly what I certainly would not want to see is those spaces being filled up with big yellow taxis. We often quote from the greats in this Assembly, I know that Deputy Ash likes to quote Churchill, but we often do not hear the wise words of the more modern philosopher Alan Partridge, who quite capably deconstructs the comments of Joni Mitchell when she talks about paving paradise. He says that she complains that they pave paradise to put up a parking lot but he says it is a measure that actually would have alleviated traffic congestion on the outskirts of Paradise, something which Joni's failed to point out perhaps because it does not quite fit with her blinkered view of the world. Nonetheless nice song. I think this encapsulates the issue we have here that this is very much a moderate proposal, it is not putting up a parking lot next to the school but it is trying to find a greenfield and keeping it as a greenfield with the inclusion of some parking spaces. It will allow people from the area who need to drive in for whatever reason and who are visiting the school to maybe park up and then go for a walk around there. I do have a serious question or 2 about the nature of the parking. We have been told it is going to be roughly a one third, two-third split with the one third of parking. Maybe the Constable can clarify exactly what is going on there. Can he clarify whether it is going to be tarmac or a hoggin-type material? While hoggin seems quite appealing of course the maintenance of it is then critical. I think in particular of the stretch of road that goes up to La Cimetière at St. Brelade or Les Quennevais, which is often ... we have had complaints before about the holes that get made very easily and then of course it gets filled up with water. I hope that will not be the case there but clearly you have a choice there to make, do you make it look natural, which is then going to have to be maintained and can you give an assurance that it would be maintained if that is the preference? Just in terms of joining up the Parish, in terms of the walking, it is fine to say that there will be some kind of amenity park, if he does not mind me saying, the whole of St. John can be viewed as a park if you want to and I think one of the challenges that we need to get to grips with perhaps as a whole Island, especially along the whole north, is about rights of way because we cannot simply just take fields over all the time and then convert them into community use. I think there is a way for agriculture to co-exist, especially along the northern coastal park, if that is what it is going to be, where we have people having the right of way to access fields to get to the north coast to get off the roads and to join up not just the Parish but the whole of the northern route.

3.1.12 Deputy S.M. Wickenden:

I again want to commend the Constable and former Constables and the staff that have all worked with the community to talk about a vision for St. John that they can all agree on. This is just another extension of the other good work that has been going on. I just want to say as Minister for Children and Education, yes, there will be some parking but if we can clear out that area where teachers park within the school we are just giving children a safe space to run around without any cars in the way, which has to be a good thing. I agree with Deputy Tadier that what is on the ground for parking, if there is parking there, is important but I am sure that will be dealt with at the Planning Committee. I was lucky enough, as I have been trying to go around the schools, as many as I can while I am the Minister for Children and Education, to go to Grouville Primary School not so long ago and they have a beautiful outdoor forest classroom and marsh area and it was a delight to see what was possible when I was there; some of the happiest and muddiest children I have ever seen in my life running along with big grins on their face after going out in the classroom and running around in the mud.

Although I do not know if the parents, who did not read the letter realised that it was a grubby day for their children, appreciated the muddy school uniforms. But it was a delight to see. You could see the children really appreciate it, the teachers appreciate it and it is going to be a good upbringing and good education for the children of the school and I wholeheartedly support what we are doing here.

3.1.13 Deputy M.R. Higgins of St. Helier:

I am going to be exceptionally brief. I fully support what the Constable is putting forward and I just want to refer to what Deputy Young mentioned. He mentioned about consistency. I think there is an important difference between this proposal which we are talking about, it is an Island Plan rather than a planning application, is that it is the public realm. It is for the benefit of the Parish, whereas the earlier propositions were all being brought forward, although they may have some benefit to the community, by private individuals. That is all I have to say.

The Deputy Bailiff:

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

[12:15]

3.1.14 The Connétable of St. John:

I thank Members who contributed to the debate. Starting with the Minister for the Environment, he asked for consistency and that is what I am here to do, ask for consistency. I am hoping that my tour at the start of my speech will demonstrate that we are asking for a level playing field and we thank him for passing our playing field, work on that is due to start shortly. The Parish has spent thousands and thousands of pounds on architect's fees to date and rezoning of this land today should make any subsequent application easier for the Planning Committee to come to a decision if the land is zoned in the way that we are requesting. I would remind him also of his support at the start of the debate about community planning and that this scheme has got the community's support. Moving the cenotaph, I do not think that will be necessary with the scheme. We really want to do the best we can and even with that playing field that has been approved, the school will still be some 24 per cent short on recommended outdoor space. To the Constable of St. Ouen, I thank him for his comments and I really would like to be able to emulate what has been achieved in St. Ouen. If we can help him with his geography, we are always available. This is the only opportunity we, as Members, have of amending the bridging Island Plan so this is why I am asking Members to support this. This is not a planning application, the planning application will come later. I thank the Deputy of St. Martin, I hoped that he could change his mind. In terms of the view, hopefully it will be enhanced, cows will still be able to graze on two-thirds of the field and I hope that what we create there if we do not move the cenotaph will enhance the view rather than detracting from the view. I thank the Deputy of St. John for his support and comments because he is also a member of the Comité Rurale which I spoke about last week. He also spoke about the views of the church. We hope to enhance the views of the church. Members may remember when you approach St. John from the west not that long ago you could see a beautiful view of St. John's Church but unfortunately those views have been obscured by the overgrowth and we are trying to deal with I.H.E. to take on the land near the church so we could manage that and improve the view, not detract. Deputy Ward spoke about the parking being a third of the original plan. I am sure that Deputy Ward more than probably anyone in this Assembly would appreciate how wrong it is that cars are parked in an active playground. It is totally wrong in 2022 that that happens today, tomorrow and next week. In terms of the trees, yes, we are taking advice on that. We have ecologists on our group, we have got 5 ecologists working with us and we want to do the very, very best. I thank Deputy Le Hégarat. We are going to benefit from the decision to reject the original plan because hindsight being a wonderful thing has allowed us to go back, reflect and I think we will come back with a much better scheme in the future. I thank Deputy Gardiner for her

support and, yes, we will trust the planning application process but the planning application process will be made easier if States Members will support the rezoning. I am delighted that my colleague, the Constable of St. Martin, realises that St. John is paradise, that is terrific. I have also enjoyed the green at St. Martin and we hope to take lessons from all of the other Parishes where this has been done. The Constable of Trinity, I thank him for his support, not only today but at the original planning meeting and I would endorse the comments he made about the head teacher of St. John's School who is passionate about not only her children at the school but the facilities that she is able to provide. She is fully supportive of what we are trying to achieve here. To my colleague to my left, the Constable of St. Mary, I should tell him that we always have nice properties available in St. John; he would be very welcome to come across the border. Deputy Tadier spoke about white vans and taxis. The parking that we are looking to create will be managed with a gate and we are looking to restrict the parking there to be available at weekends and when we have events on out of hours. I will have to relent to his knowledge on Alan Partridge quotes though. He spoke about the one third, two-third split. There are only going to be around 20 parking spaces in the south-east corner on our land. That is far less than a third, the one third, two-third split is of the actual whole field. We own the bottom third. The detailed design will be in the planning application, it is not going to be discussed today but I take the point about the gravel, it may be cheaper but in the long term I think it is a fool's economy. We want to do what is very best. The Parish Road Safety Panel are looking at a safe route, not just in and around the village, that is where we are starting our work but we are looking at the whole Parish so we want to make life easier. I thank Deputy Wickenden for his comments and I would also add my support ... he commented on the work that has been done in the Parish, I mentioned them last week but the Comité Rurale have been working for the last 2½ years on this and I would like to reiterate my thanks to them for their hard work. I know Deputy Wickenden has been to Grouville but I spent 2 years working at a local school which had an amazing outdoor space. We will not be able to replicate that but I saw the benefits of outdoor learning first hand, and I hope to see that carry on. Deputy Higgins is right, this is a Parish development for parishioners but also for Islanders because everybody would be very welcome to come and use the space in the future. With that, I ask for the appel.

Deputy J.H. Young:

Clarification, please, if I may? The Connétable spoke of rezoning of the area. Would the Connétable accept that the proposition, if adopted, has the effect of adding to the list of the 3 sites, to those safeguarded for the provisions of new open space and their development for other purposes will not be supported? So would the Connétable accept that is the actual fact of this, not rezoning? Would he accept that?

The Connétable of St. John:

Yes, I do, thank you.

The Deputy Bailiff:

The appel has been called for and I invite Members to return to their seats. Those joining the meeting via the Teams link may cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the amendment has been adopted.

POUR: 42	CONTRE: 0	ABSTAIN: 2
Senator I.J. Gorst		Deputy R. Labey (H)
Senator L.J. Farnham		Deputy J.H. Young (B)
Senator S.C. Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		

Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Connétable of St. John:

May I thank Members for their support.

4. Island Plan 2022-25: Approval (P.36/2021) – eleventh amendment: Field 630 (P.36/2021 Amd.(11))

The Deputy Bailiff:

We now move on to the 11th amendment lodged by the Connétable of St. Ouen and ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) the designation of field 630 (St. Ouen) as protected open space (as referenced on page 241 of the Plan) be removed, with the designation as built-up area retained; (b) the draft Island Plan 2022-25 be further amended in such respects as may be necessary consequent upon the adoption of (a); (c) the Draft Bridging Island Plan Proposals Map Part A - Planning Zones be amended to reflect the adoption of (a)”.

4.1 The Connétable of St. Ouen:

This is a slightly unusual proposition and hopefully one that will not detain us for too long. The issue we are being asked to consider today is to rezone a brownfield in my Parish as a greenfield zone. Essentially the argument is to create a green lung at the centre of St. Ouen village. This overlooks a number of factors unique to St. Ouen. If you look at the back of the Parish you will see that the village is an island of housing in a sea of green fields. We are indeed blessed in this respect and one has only to walk for 5 minutes down one of our lanes from the village to find oneself in the middle of the countryside. Furthermore, the delights of St. Ouen Bay, Greve de Lecq and the north coast clifftop walks are in reach on foot, a short cycle or car ride. Slightly further away are the wide, open spaces of Les Landes with wonderful views and walks. In the Minister’s response it is argued that St. Ouen compares badly with other Parishes for open space but in real terms, given my earlier comments, I think we do well in terms of space which is actually usable by our parishioners. As the Constable of St. John referred to in the previous proposition, our village green is an excellent facility, it has a bandstand, petanque pitch, children’s play area, plentiful seating and a green space. As I mentioned earlier, it is heavily used on most days, weather permitting. The village also benefits from a large play area to the north, which is extensively used as a football playing field by younger parishioners and a small area in the village itself. A short walk down Rue de la Mare, one we discussed earlier in this debate, and I bring to mind cows and sights of special interest, it is better known as Hydrangea Avenue for you will find a beautiful shady area with seating beneath the bows of the Governor’s home and if Members refer to my comments paper they will see a picture of that area, which is indeed lovely even though it is taken on a rather bad weather day. On the other hand, field 630 has a busy main road down one side and a very busy entrance to the village shopping area at the top end of the field thus making it a relatively noisy location and certainly not safe for children to practice or play unsupervised. Also given the proximity of the village green and its facilities the use of this field by the Parish is realistically only confined as an overflow car park, which we have to maintain. I think also the views and status of the owner of the land need to be considered. The land is rectorat land and originally gifted to the church to fund running expenses of the rectory. Sadly nowadays land rentals have declined to next to nothing, that land is not really large enough for any agricultural use in any case and indeed the Jersey Farmers’ Union have made no comment about this field. However, the site is located close to the heart of the village and is perfectly suited to build units of sheltered accommodation and, indeed, before the Island Plan debate plans were drawn up in this respect and have been put on hold pending the outcome of this debate. In summary, the rezoning of the land as protected open space in fact is not going to add to the village amenities as the location of this plot is next door to a busy car park and the main road does not lend itself to be called a restful green lung. On the other hand, keeping the space zoned as part of the built-up area is accurate designation and following the loss of field 622 and 623 earlier this week this remains the Parish’s only sure and viable option to develop much needed sheltered housing in the next 5 years. As I mentioned in the earlier debate, we can demonstrate demand for this as we have 167 Islanders on our waiting list and the Parish has the funds for this development, including a bequest if not used could

possibly disappear. So, I urge Members to support this amendment and to retain the option with the Parish to do what it likes with this particular bit of land. Thank you, I make the amendment.

The Deputy Bailiff:

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

4.1.1 Deputy J.H. Young:

I will be quite blunt on this, this is not a question of mere abstaining, I am absolutely opposed to this. All the evidence is - and I have carefully read the Connétable's proposal - more or less seeks to, I will be honest, discredit the process that led to this site being put forward as a protected open space. There are 40-odd pages of evidence there which is completely contrary to what is contained in the report. This was all done through the 2011 Island Plan, et cetera. We have updated that evidence base and what the findings are is that St. Ouen compared with its neighbours St. Mary, St. John, St. Martin, Trinity, St. Peter, Lawrence has the lowest level of protected open space within the village area.

[12:30]

I may have misheard but I thought the Connétable a few moments ago argued in favour of open space within other Parishes. It is really odd. Why do we have protected open spaces? The space that we discussed at St. John was protected open space, now you have added a new aspiration to be able to increase and change its use but it is there to protect it. In this case it is needed because I know, I believe, there is an aspiration in the Parish to build on this land, 8 homes. Now, those of you who know this piece of land there is an aspiration to build on it and it does strike me as being the very tight centre of St. Ouen village and it does need that room to breathe. It acts as a useful little breathing space and I know that when we all go - maybe I should not bring this in but will - to the book sales at St. Ouen Parish Hall or we go to any events that St. Ouen Parish, being an active Parish, has where do they put their overflow parking? Okay, it is not an ideal use but it is a temporary use; most of the time it acts as this protected open space that adds to the character. I am really surprised at this because the evidence base that I spoke of earlier, and I am looking here at page 44 to 46, it reports the fact of the very high level of support for maintaining this within the community. So, I am struggling with this. Of course, that is the evidence that came out of the planning inquiry too that there is a high level of support from the community. Maybe we might hear from the Deputy to tell us whether this is something that the community really want to do, to give up this open space. Now, I think that the Connétable picked up a phrase there, he said it stops it ever from being developed. Well, no, it does not; the planning system allows exceptions. People have to make their case. The planning system would allow it if you made a decent enough case to be able to develop a protected open space but you need to have to go past those bars that that policy sets and not on the basis that you think it is something: "Well, there is an opportunity we will do it." I would ask Members to take away an area of open public space ... I cannot recall this coming up before. We have had this in St. John, I do not think we are taking it away, what we are trying to do is to enable its use more effectively. I think that is what has happened in other Parishes. Here if you took it away entirely I think you would be left ... of course what would be the effect on neighbouring properties if we took this away, neighbouring properties to the north and the east? The planning inspector said representations received - I am sorry I do not know the number of them - during the consultation show that the type proposed, open space designation has a widespread support. The inspectors say: "The Ministry of the Environment has made a sound case for their retention." I am sorry, I am absolutely not going to support this.

4.1.2 Deputy R.J. Renouf of St. Ouen:

This is an issue on which the Deputy of St. Ouen is not in agreement with the Connétable of St. Ouen, which puts a Deputy in a difficult position perhaps but we are, I regret to say, at very opposite ends of the spectrum. I have grown up in St. Ouen and lived there for most of my life and I remember as a child the village of St. Ouen was a small cluster of houses strung along the main road. Since then the Parish and others have developed village development schemes, homes for the elderly and of course there has been general development all around so that we now have that centre. It is a very pleasant village, I am very proud it, I am proud of the fact that we have housed parishioners and others in pleasant homes, we have a good community but it has become an urbanised community, a small urban community. We have developed a village green which is very pleasant, it is a formally laid out area, it contains a play area, a bandstand, a petanque pitch, ornamental features and we have this one other open area, this field right in the heart of the village which has no specific use at the moment. Its last use was by a lovely old gentleman who rented it from the Parish, one of those country characters who used it as a market garden and sold produce from the gate. He became elderly and ceased to cultivate it and it is of no interest to agriculture because it is too small. So the Parish mows it, keeps it in good condition but there is a chain across the entrance on most occasions, except when it is used as that overflow car park. But it can have such a wonderful use as a Parish asset but we have not asked the parishioners, so it is the Connétable's idea to put housing on this site, it may be the Connétable and the Rectorat's Committee that wish to develop its land but we as a Parish have not been consulted on it, we have not had meetings to discuss what it might possibly be used for or whether indeed we might just wish to keep it as it is because it acts as a wonderful green lung. I do not think that we should say it is useless as anything else except for building land. The fact that it is next to a main road, what does that mean? Does that mean you cannot do anything with it? We built a village green right next to a main road and that was not a problem so we can create something that we might wish to with this field next to the main road. But parishioners need to be asked and they have not yet been. If we were to put this back into the built-up area then I know the plans are to come forward with an application to build on it. That means we become a conurbation which might be a bit like the Les Quennevais red houses area, so you enter it, you travel along the roads but there are buildings on all sides of you, there is a long stretch before you exit that centre. How much better to maintain that sense of openness as exists in the other Parish centres, St. Mary, St. Lawrence, St. John and Trinity, where you can enjoy a breathing space between buildings, where you can stand at the centre of the village and look down towards Hydrangea Avenue and there is not just concrete and tarmac because that is what this green space contributes to our village. It is that sense of space, that green area that sense of openness. If our village green is heavily used, which it is as the Connétable has said, then I hope we could find a community use for this piece of land which would also be heavily used and beneficial to the whole community, not just the 5 occupiers of the homes that might be built on the piece of land if it was restored to a built-up area. This could absolutely add to village amenities and I began by talking about how I have seen the village centre grow over the last 50 or 60 years, and we have to understand that in the next 50 years there will be growth around our village centres because we do not want development pepper-potted all over the Parishes and the policy is to maintain development in the village centres. There does need to be development because we need to keep our communities vibrant. So if that development is to take place, and I think it is likely, it is important that we preserve within the village centre - and notwithstanding the fact that we have St. Ouen Bay, Greve de Lecq woods and Les Landes, which are great but you need to travel to those, you need to take a car or bike or a long walk but for many people who cannot walk too long, too far, how important it is to just have some nice green restful open space that they can easily access. Even if you are not in the space its value as a green lung is so important in a built-up area. Designating this piece of land as protected open space I believe maintains the sense that St. Ouen is still a rural community. It adds to the character of our Parish and indeed instead of building on it, keep it open because that will support the homes that currently exist in the Parish by its amenity value and it will support the future homes that I think will inevitably grow around the Parish centre. Therefore, I

support the Minister in this and I hope other Members will see the importance of doing so and with regret I have to oppose by own Connétable.

4.1.3 The Deputy of St. Martin:

I will be very brief. I scribbled down a few words during this debate: too small for agriculture, quirky and unique. I enjoy looking at this piece of land when I go to St. Ouen because it is just interesting. It is a small area of grass in the middle of the built-up area and I do not want to lose it. I am disappointed that the Constable wants to rezone it. It is too small for agriculture is not a good enough reason to get rid of it. I am looking at the overhead thinking to myself: “You know what, in the future years to come maybe we do not have a shop and a car park at the crossroads there and all of a sudden we could connect this site that we are discussing today, that car park and the village green across the road and have a proper real green lung in the heart of St. Ouen.” I feel parishioners in 30 or 40-years’ time will thank us hugely for protecting this small area, which could be the opposite of the formal green, it could be informal, stick a couple of benches in the corners and sow wildflowers. Let people enjoy the open air and the south facing prospect of it. It is a very good place for me and I cannot support the Constable, I am afraid.

4.1.4 The Connétable of St. Brelade:

I am conscious of the time. I am more inclined towards the Deputy in this situation. I am aware that the development as a result of garden grabbing or split houses is very, very tight. I do not know if the neighbours have been consulted on the proposals from the Rectorat but it seems to me inappropriate to develop this particular small area of land. I just wondered, in addition, the Connétable mentioned it had been used for market gardening in the past, perhaps allotments may be considered for the future and I am sure there will be people crying out to cultivate it for that.

The Deputy Bailiff:

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

4.1.5 The Connétable of St. Ouen:

I think one has the sense that the tide is not running in my favour on this but nevertheless taking the Minister’s comments first, I understand what he says but it is a very small area of land and in his speech he made quite a bit about the fact it has been used for overflow parking, which essentially means it does not have much use as a recreational space, and I think that is slightly contradictory to his comments. Turning to my Deputy’s comments, I understand what he is saying but I have to say that in terms of a green lung, he talks about urbanising the whole Parish but you only have to walk 2 minutes down the road and literally you are surrounded by green fields. Frankly, I see many, many parishioners doing just that. What I do not see is them using this space.

[12:45]

Again, I would have to say, as I said in my original speech, for people to use this space they would have to accept that they are next door to a main road and they have to cross the entrance of what is a relatively busy shopper’s car park. I really cannot see them doing that. Also they would have to sit in a space that is completely overlooked on all sides; indeed is a relatively small space as well. We have principally used this for parking cars and that is about the only use there is available for it. Yes, if this does not go through we could consider putting it out for allotments. Picking up on the Deputy of St. Martin’s points, it is a small area, I cannot see the 6 or so shops that are in the centre of the village going, and indeed if they did it would be a serious disadvantage to the village itself because we have a very large supermarket, which is well used, there was a doctor’s surgery but unfortunately they are not able to open again, there is a hairdresser’s and also there is an off-licence. I cannot see that those shops at any time are going to disappear so I cannot see us ever being able to grass over the car park and turn it into a green connection to our main village green. The Constable of St. Brelade talked about allotments; well, that is a possibility if we do not succeed in this proposal. What

the Parish is asking is that ... we have not consulted with parishioners because we do not have any specific plans to consult with parishioners. All we are asking is to retain the status as it is, we are not asking to rezone it. It is the Minister that wants to rezone it as protected open space. The Parish is saying we want to retain it as it is so that we have the option of developing it. As and when we have plans to develop it we will then approach parishioners and obtain their views. If they want to retain it as it is we will do just that. This just takes away one of our options and this is our principal argument, we want to keep our options open and possibly use it to satisfy our demand for over-55 housing or, indeed, if parishioners want to keep it as open space we will do that. I make the amendment and ask for the *appel*.

Deputy J.H. Young:

Clarification, please? The Connétable said in his summing up that it takes away the options. Would he accept that irrespective of whether it is designated as public open space, protected open space or not, the planning system can still provide, if he makes a case or the community makes a case, for its development? It does not take it away, would he accept that is the case?

The Connétable of St. Ouen:

No, I will not because the whole point is that taking it up a grade just simply makes the process more difficult and makes the hoops to jump through much larger. The main purpose of doing this is to keep our options open rather than make it more difficult for us.

The Deputy Bailiff:

The *appel* has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link may cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the amendment has been rejected.

POUR: 11		CONTRE: 28		ABSTAIN: 0
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Connétable of St. Peter		Senator S.Y. Mézec		
Connétable of St. Mary		Connétable of St. Saviour		
Connétable of St. Ouen		Connétable of St. Brelade		
Connétable of St. Clement		Connétable of Grouville		
Deputy K.C. Lewis (S)		Connétable of Trinity		
Deputy L.B. Ash (C)		Connétable of St. Martin		
Deputy of St. Peter		Connétable of St. John		
Deputy of St. John		Deputy J.A. Martin (H)		
Deputy K.G. Pamplin (S)		Deputy M. Tadier (B)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy K.F. Morel (L)		

		Deputy G.C.U. Guida (L)		
		Deputy of Trinity		
		Deputy M.R. Le Hegarat (H)		
		Deputy S.M. Ahier (H)		
		Deputy J.H. Perchard (S)		
		Deputy R.J. Ward (H)		
		Deputy C.S. Alves (H)		
		Deputy I. Gardiner (H)		

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

The adjournment was proposed. Is that seconded? **[Seconded]** Does anyone wish to speak on the adjournment? No. The States stand adjourned until 2.15 p.m.

[12:51]

LUNCHEON ADJOURNMENT

[14:15]

The Deputy Greffier of the States (in the Chair):

Before we start this afternoon the Constable of St. Saviour, I understand, wishes to make a statement to the Assembly.

Connétable S.A. Le Sueur-Rennard of St. Saviour:

I would like to take this opportunity to speak in order to explain that I may have inadvertently misled the Assembly; that was for P.36 and the amendment for the removal of St. Saviour's fields. When I was questioned, and then I was accused of grossly misleading the Assembly in my statement given on Friday, 18th March, when field 530 was being debated, I asked my works manager to revisit the field on Monday, 21st, after receiving an email from the Minister, Deputy Young. When my works manager returned he advised me that there were cows grazing but they were in the adjoining field and there was only a wire dividing them. When we originally viewed the field we had mistakenly thought that the cows were grazing in field 530. I hope that clears that up. However, there is a brook on the east side of the meadow which is kept and the watercourse is still there and runs into Swiss Valley. In fact this is mentioned in the draft Island Plan, page 362. I would like to apologise to the Assembly for unintentionally misleading them, but I understand that my objection for the fields being filled in and being built on still stands and my only error were cows grazing in the field, for which I am truly sorry. Thank you very much to the Greffier for allowing me to say that.

The Deputy Greffier of the States (in the Chair):

Thank you for that clarification, Connétable.

5. Island Plan 2022-25: Approval (P.36/2021) – third amendment: Play Area Proximity (P.36/2021 Amd.(3))

The Deputy Greffier of the States (in the Chair):

The next item on the agenda is the 3rd amendment, which has been lodged by Deputy Gardiner and I ask the Greffier to read this amendment.

The Assistant Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) within Policy CI8 the words “within 10 minutes walking distance or 1,000m from the site”, should be replaced with “within 5 minutes walking distance or 500m from the site” each time that they appear; (b) within Policy CI8, after paragraph 3, insert the words “If any such agreed, off-site contribution cannot be met within the specified distance, new play space must be provided elsewhere and evidence of options considered must be provided, together with a justification for the proposed location and an explanation as to how this will benefit the occupants of the development.”; (c) before Policy CI8, insert the following new Proposal; “The Minister for the Environment will work with the Minister for Economic Development, Tourism, Sport and Culture and the Minister for Children and Education to develop a play strategy for the Island, with a specific focus on play area provision in St. Helier”; and (d) before Policy CI8 insert the following new Proposal: “The Minister for the Environment will develop and publish supplementary planning guidance for developers in relation to the provision of play space.”

5.1 Deputy I. Gardiner:

As you could hear, the amendment in front of you is discussing play areas and specifically in St. Helier. Adequate play space is not just something it would be good to have, not something that can be done as an afterthought. It is a right of children and it is something they need in order to grow into healthy, rounded adults. Just to remind Members, development benefits of playgrounds include the following: co-ordination and motor skills, cognitive skills, social acumen, language and more. Doctors, scientists and educators have all conducted research that proves this critical fact. Without being able to play children may develop the skills mentioned above at a severely stunted rate. Just like eating and sleeping each day, play is vital for a child to develop the necessary skills at a healthy pace. I would like to let Members know that I am very pleased that the Minister accepted parts (c) and (d) of my amendment, and I will read them out so it will be clear where my views and the Minister’s views are aligned. I will indicate in advance that I would be taking the parts separately. What the Minister accepted is part (c), that: “The Minister for the Environment will work with the Minister for Economic Development, Tourism, Sport and Culture and the Minister for Children and Education to develop a play strategy for the Island, with a specific focus on play area provision in St. Helier.” As you can see, it is my theme to bring Ministers together, they will develop a joined-up strategy and I am pleased that has been accepted: “(d) The Minister for the Environment will develop and publish supplementary planning guidance for developers in relation to the provision of play areas.” The Minister and myself, we disagree on part (a) when it asked to replace 10 minutes and 1 kilometre to 5 minutes and 500 metres and part (b) is giving a flexibility. If they are thrown out part (a) applies, part (b) does not really matter. But I would like to bring Members’ attention, and if Members’ have the bridging Island Plan in front of you or you can open, so you can understand why I am proposing what I am proposing. Page 238, and I urge Members to open page 238 to see, please. If you can see on page 238 at the top you have: “Adopted benchmark standards for open space in town.” It is our own adopted benchmarks in 2018 for open space in town. The second row: “Play areas, access standard 500 metres.” This is our own adopted benchmark. Our benchmark is already higher than in European cities, in European cities it is 300 metres. We have already adopted a benchmark which is higher. If you will go to the second table on the same page 238: “Summary of performance against St. Helier benchmark standards”, which has been done before development on the bridging Island Plan. Can you see the percentage of the play areas in 500 metres; 39 per cent? What we are proposing now, we are proposing to say, you know what, let us ditch 500 metres, that would be good, as a benchmark, let us ditch that we have 39 per cent, let us increase it for 1,000 metres and we will have an amazing number, we have 80 per cent accessibility instead of 39 per cent that we adopted. Do not forget the 1,000 metres, it is almost 3 times less than that in European cities. No reason for this disparity is included in the plan. I would like Members to reflect, what does it mean in practical terms? I just decided to do the exercise; walking route on Google Maps from Howard Davis Park to FB Fields is a 1-kilometre walk, according to Google Maps. I am sure if you

use direct measurements probably it would be closer and less than 1 kilometre. I would not describe this as a pleasant walk suitable for a woman with a pram and toddler, and this has to be seen as a target user group. In effect, we need to design our play areas infrastructure for the most vulnerable and with the play area users in mind. For example, if you think about a single mum who has no car, a pram and a toddler, juggling between work, home, childcare, 10 or 20-minutes' walk is a huge difference in everyday life. Just remember yourself as parents with young children. By settling a distance of 1 kilometre from any location, what we would do we have now got an area to be 2 kilometres apart, essentially it creates no new target, even a worse target to that we would think. Where is the small community agenda? St. Ouen have a 4,600 population; if I think about the population from Rouge Bouillon roundabout up to St. John we probably see more than 4,600 population and we have only one play area that was built by the Parish next to Le Clos Vaze, which is available for the public. I do support St. Helier's skatepark and I look forward for this to be completed. I can see how all the children will be happy to go to Millennium Park and Millbrook Park and use these places but the play areas, they can be small. What has the child, a one year-old to 2 year-old, 3 year-old? It is a slide, a swing and a couple of places to run. This is about everyday play. If you think about St. Helier schools, they do not have much outside places, and children in St. Helier who live in the flats, most of them, I think to go outside of our own benchmark is wrong. St. Helier builds homes without gardens, lots of homes without outdoor space; special play areas and community gardens is really important. Paragraph (b), I will just explain for the Members why I inserted it because I do realise it is not in every development. I cannot say just this and no flexibility. Paragraph (b) is saying the applicant who is applying for development needs to prove there is nowhere to put some type of playground in the proximity and it needs to be built in a different place, and if they can prove it they can have it. It is not restricting. I am asking Members to consider, would we like to stay with our benchmarks or we would like to double it?

The Deputy Greffier of the States (in the Chair):

Is the proposition seconded? [**Seconded**]

5.1.1 Deputy J.H. Young:

A very important amendment but one which is quite technical in nature, and I think the Deputy has explained it very well. This affects policy CI8, which is on page 243, the policy and how we deal with new development applications for family homes and the requirements for play space that we are proposing to apply. The policy if you read it, it has got 2 bits in it; it has got one that is related to smaller developments between 5 and 10 family homes and the other one with the same intention for when we get larger developments, 10 homes. At the moment what that requires is that it is necessary, that is as part of an application, they are intended to include play space and the requirement has been stated in the draft policy within 10 minutes of walking distance of the homes or 1,000 metres from the site; that is the standard which we applied in both. The reason why we have got it in 2 different policies, one for the small and one for larger, is that in the smaller one where that is not possible they can make a payment which will be like what you might call a planning contribution through a planning agreement to providing that space somewhere else. Indeed, there is a stronger provision where there will need to be a much greater off-site provision under the 10 family homes. The key thing of this amendment, although it is quite technical, is what is the standard that has been adopted and why have we gone in the plan for 10 minutes or 1,000 metres? The Deputy is absolutely right, that for many, many years we have been really poor at this; no question. Many developments have been allowed, particularly in town, that there has not been play-space provision at all, let alone within a close distance. Of course, those adopted standards, these were adopted a number of years ago when the open space studies were done and I think all of the open space studies done have shown - and I cannot remember how many there are but lots of them - that we are well short, we are lamentably short of this. Of course, the rate of achievement is as the table below; it is low. What do we do? The

reason why we have set in here the 1,000 metres and 10 minutes is the question of achievability. It is simple practicalities, given the constrained availability of land in our 46 square miles.

[14:30]

I think we all know in Jersey that everybody is on top of one another. People have small back gardens, we are used to living very close together. Other places do not have that, they have got more land; land is not as acutely short as it is in, in particular, St. Helier. This is not mine. The planning officers have put this forward and of course the planning inspectors reported that they thought that was the right approach. It is about being practical. But of course Members can - I am not going to argue against the principle - adopt it but we have to then ask ourselves, okay, if we had that standard, what if a developer cannot achieve that within a development, the new standard? That is where we get the part (b) come in and what part (b) currently seeks is to introduce a new clause that says new play space must be provided somewhere else and the justification and all that kind of thing. But of course where might that somewhere else be? I thought again the advice I have had from the planning officers is they think that if we have that clause it is likely that that will become the de facto result on every one. In other words, they will not apply the standard, they will just bung in somewhere else. It is a judgment for Members. I am not standing here saying this is wrong. In my view, the bridging Island Plan needs to be achievable and that was one of the criteria that we asked the planning inspector to report on. That is why I have not been able to recommend what is a very well-intentioned and well-drafted amendment. It will be for Members to say whether they go with that or not, whether they stick with the original wording of the policy, which is the 10 minutes, 1,000 metres. I have not got any figures to back it up, I am sorry I cannot tell you. My belief is that many developments that have been allowed do not have play space provision at all. My expectation is that the policy before you, the policy in the draft plan, is an improvement. But does it achieve the better result? Does it achieve that which exists elsewhere? I was not aware that the European standard is 300 metres. It would be wonderful if we could achieve that. It sounds as if it is the sort of thing we perhaps should have thought of and tried to adopt the standards a good number of years ago but we are not starting in the best place. I am in Members' hands on this. My recommendation is to stick with the plan as drafted, and of course the other parts I agree, parts (c) and (d) are automatic, no question. It is an issue for Members' choice. I wish I could provide you with a lot more factual analysis to be able to help you make that choice; I cannot. It is going to have to be a subjective judgment. Bear in mind we are dealing with very dense open areas. We are not really talking, I do not think, about developments out in the villages and all that. This is about probably places, developments in town, conversions of offices, hotels and the like where we are trying to get large numbers of residential units in a higher-density situation. There we are.

Deputy R.J. Ward:

Clarification, please, Ma'am.

The Deputy Greffier of the States (in the Chair):

Are you willing to give way, Minister, for a point of clarification?

Deputy J.H. Young:

Of course, yes.

Deputy R.J. Ward:

I was just going to ask, I am a bit confused because the policy says 1,000 metres or 10-minute walk and I just checked, a 10-minute walk, as defined by estate agents, is 800 metres. The general thing is 800 metres for a 10-minute walk, the average walking speed. Are we saying that this has got to be between 800 metres to 1,000 metres because there seems to be an inconsistency between a 10-minute walk and 1,000 metres? I just want a clarification on what that means so that we can get some picture of how far away this will be, please, if that makes sense.

Deputy J.H. Young:

I am going to have to advise, I am sorry to tell you. I was not aware that estate agents walked faster than other people. [Laughter]

Deputy R.J. Ward:

I am sorry, I did not catch that last bit because people were ...

Deputy J.H. Young:

Ma'am, am I able to come back with that, I promise that information, if I circulate it to all States Members before we close the debate?

The Deputy Greffier of the States (in the Chair):

I think that is acceptable, Minister.

Deputy J.H. Young:

Thank you.

Deputy R.J. Ward:

Of course, the other clarification is whether they walk as fast as Deputy Ahier because if you ever walked with him that 10 minutes is about 8 miles.

5.1.2 The Deputy of St. Martin:

I rise just to respond to Deputy Ward again and this is about play with children. Depending on what sort of a child you have got you go a great distance in 10 minutes or you do not go very far in 10 minutes. I get really, really concerned about subjectivity that the Minister is referring to and distances. You put a circle around a site in town; that does not mean you get to a site so far away from it. The buildings make it difficult, roads make it difficult, pavements make it difficult. I am quite concerned about setting limits of either distances walked or time taken to walk; it is really concerning. I think we need to be really careful. We are trying to achieve something here and what we are trying to achieve is really good but we could be making a rod for our own back if we are not careful.

5.1.3 Deputy R.J. Ward:

I thank Deputy Gardiner for this because, yes, it is technical and she is absolutely spot on from what she is saying. I think what she presented was a logical and progressive argument for why what is in the Island Plan is wrong. It is just simply inadequate. Aside from the 10 minutes or a kilometre and how far you walk, I was just about to do a basic search on distance from the centre of Millennium Park, where there is play space, and what a kilometre circumference is from there and it is just about all of the built-up areas. What really concerns me and this debate, I thank you for this because it has clarified in my head a huge issue that I have with this Island Plan, which is this notion of a planning contribution. This is what I was trying to vocalise a few times already, that what planners can do is say we cannot do that because we do not want to but we will make a contribution to play space elsewhere. But when you look at the map of the centre of St. Helier - and I am talking about that because that is what I represent and that is what I am here for, and I am sure other Deputies from their areas can say the same thing - if you go within a kilometre of those built-up areas you could build developments with absolutely no play space, no space at all for children and make a planning contribution. The planning contribution is simple, we will fund some play equipment in Millennium Park. If I was somebody who wants to develop and make maximum profit from my development, I am sure I could get away with it so I would do it. This is an inadequacy in the Island Plan. I would like to say I cannot see any reason why we cannot say if you are going to have a development you will have a space for children to play in it, full stop. There will be space for children to play. As

Deputy Gardiner says, if you had small children and I can remember a swing, a roundabout in a small space and a see-saw or something is adequate, they want somewhere to play just for an hour of the day to get them out of the house and have a little bit of a break and to wear them out of it before bed, let us be honest about it, that is what you want to do and you need to make that space. It happens to all parents in this Assembly and now they are stamping their feet because it is absolutely right. It does not have to be so insurmountable. What really troubles me is we are going to agree an Island Plan where something so simple and so basic is so insurmountable. It does not make any sense for me. I honestly will say this planning contribution part to the plan I think is a fundamental error in the plan and this is what will lead to a developers' charter, particularly when we have a small island, some very built-up areas of concentrated populations; that is the issue. Again, thank you to Deputy Gardiner for putting some clarity in my mind to be able to vocalise my massive concerns with this, and I am sure we will come back to it when we speak on the final Island Plan. I urge Members to accept this amendment as the very basic thing that we can do; 500 metres is still a huge area around with developments where you do not have to put play space. I noted down a word, it was the point that the Minister made about it becoming the standard. If we put 500 metres away it becomes the standard and what we have seen from previous buildings is the standard is do not build anything at all. If we allow 1,000 metres or a 10-minute walk, whether it is my 10-minute walk, it is probably not 1,000 metres and Deputy Ahier's, which is more than 1,000 metres, then we will not build at all. We talked a lot about strawman arguments before, I think we have got another one here but it is a really important one because it will mean we will not have proper play space for our children. I am sorry, I am going to say it, let us forget about putting children first if we cannot even build somewhere for them to play when we are building places for them to live. It is absolutely ludicrous. I urge Members to support this as the best of a bad bunch.

5.1.4 Deputy K.F. Morel:

It is a very, very interesting proposition and speaking through the Chair directly I would like to thank Deputy Gardiner for bringing her proposition. But I do not think the proposition gets to the heart of what is needed and I believe, Deputy Ward, that she said was needed. If you are doing a development, if a developer was building 50 homes, 100 homes, they should be including play space in there. There should not be a question of 500 metres or 1,000 metres, it is irrelevant. This brings me to the next point, when a developer does incorporate open space and outdoor play areas into those developments, the quality of those areas is fundamentally important, as is the maintenance of those areas. Because, again, there is always a danger, regardless of any standard that is adopted, that a play space is put there on day one but 10 years later it is falling down and has not been maintained properly. While this is a perfectly reasonable proposition, I do not have any problems with it, I do not think it will even begin to deal with the issue. I think now to a planning application we had on Kensington Place when I was on the Planning Committee for the redevelopment of The Revere Hotel. One of the concerns I had there on the Planning Committee was they created open space, very tall buildings, at least 6 if not more storeys from memory, and they were very pleased because they were putting some open grass areas at the back, they said, for children to play in. Those open grass areas at the back were at the back for a start and the back was facing east and, because of the nature of the streets behind there as well, I worked out that those spaces would receive sunlight in high summer probably between the hours of kind of 5.00 a.m. and 7.00 a.m. in the morning, outside of that time there would be no sunlight in those areas. Why would you create play spaces for children that receive no sunlight? As a result of that, I voted against that particular proposition but the other members of the committee felt otherwise, which is fine. But it really brought home this idea of it is quality that counts. The distance from a development to the play space is irrelevant if that play space is run down and not very good. On the distance front though I would say, and I think Deputy Ward tried to say this, and this is where I think I was won over to Deputy Gardiner's proposition because I listened to the Deputy of St. Martin and I listened to Deputy Young and I thought what they said was reasonable but if you adopt the Island Plan's suggested distances, 1 kilometre from the Ann Street site, which is not far

from the centre of Millennium Park - so looking at a similar thing - which is currently being developed, that basically takes you to West Park; it is a really long way away. Somebody developing at Ann Street can quite happily say: "There is some play space over there at West Park, that fits, do not worry about it." 500 metres is still really a long way away, therefore, I would expect that rather than it being 500 metres the planning officers should be insisting: "No, you need to put play space in the developments you are building", not you need to put play space within 500 metres.

[14:45]

I am perfectly content with Deputy Gardiner's amendment, I do have a criticism of it and that it does not go far enough. I do apologise, you spotted this, I did not and you were right to spot it.

The Deputy Greffier of the States (in the Chair):

Through the Chair.

Deputy K.F. Morel:

Sorry, Ma'am. Deputy Gardiner was right to spot it, I had not spotted this. She is right to try and address it but I cannot go with the Minister on this because I do not think Deputy Gardiner's proposition goes far enough but it is better than the Minister's, so therefore I will support it.

The Deputy Greffier of the States (in the Chair):

Thank you, Deputy. There was a slight noise to my left. That is a good contribution to the charities' appeal. Thank you, Connétable. Does any other Member wish to speak on this amendment?

5.1.5 Deputy M. Tadier:

It is just very quickly to say that if the new Alliance Party get their way and everybody is living in high-rise flats, certainly if the poor are all crammed into Nelson Mandela House, Peckham-style high rise, and certainly I am not sure if that is Deputy Ash's wish but certainly he will get the reference. I think we need to make it a 5-minute walk or 500 metres because if you are at the top of one of those iconic tower blocks and the lift is not working, it may well take you 5 minutes to get down to the ground anyway. **[Approbation]** You might find that you are living half a kilometre up in the sky and I would not want the only green space to be the stairwell, which has ingeniously been painted green so that they can at least have some green open space on the way down from the top, although I am sure of course the top floors will be reserved for super-rich people to help make these developments viable, even though they do not live there and maybe do not even come to the Island. You should not compare children and dogs, it is a dangerous step to make. I only have a fur baby at the moment but I can appreciate even from that perspective. I remember being in Sand Street once and I have got a very well-trained dog and he likes to find patches of grass. I remember thinking to myself: "Where is the nearest patch of grass from Sand Street?" I had to walk up to Snow Hill so that he could find relief. Even at Snow Hill that can by no means be said to be an open ... it is not a park, there is a very tatty patch of grass behind the bus stop next to some seagull-infested wheelie bins, which seem to always be full. He does not mind though because it was better than the men's toilets at Snow Hill. The point I make is that if we are just talking about finding a scrap of grass for a canine to relieve himself, how much more important is it that in the town centre or wherever it is that we have suitable and adequate spaces for our children to play as they should need to in an increasingly busy town? I am concerned about these planning obligations because it should not be simple enough just to say I will give some money to this fund so that somewhere along the line you can help put whatever, and it could just be something like a bench in a park, it could be a swing somewhere which has no direct relevance to the development in question. Yes, I suspect this is not going to solve everything but certainly it is damage limitation and I welcome the proposition also.

5.1.6 Deputy G.C. Guida:

I think we need to read policy CI8. The second thing that it says is that: “Development proposals providing more than 10 family homes are required to provide appropriate familial space for play on site.” That is new, that is something that we did not do before and that will be a new requirement of the development of all those new homes that we are absolutely so desperate to have; that is one more hurdle to jump for the people who want to do those developments. I agree with the Deputy that this is an important development, and it is quite right that it should be in the Island Plan, but it is a new one, it is yet one more hurdle. If you build more than 10 family homes your site is probably big enough to have a play area, so you just have to sacrifice a little bit of space. But the same paragraph says: “Development proposals providing between 5 to 10 family homes are required to provide appropriate familial space to play, onsite where possible or otherwise make a contribution within 10 minutes or 1,000 metres.” Again, if I remember the earlier days of these debates, building new homes is our number one goal. A very, very large part of this Island Plan is about taking care of the housing crisis, about building new homes. We do have to be a little bit careful about how many hurdles we have got in the past of those homes being realised. If I am building 5 homes on a site and I need to sacrifice one for a play space, it is not unreasonable in terms of, yes, you need to provide a play space but it is 20 per cent of the development, it is one-fifth of the development. It is very, very difficult. Now if you need to find the same space within 500 metres, I am sorry I cannot show you that, but Members will have their phones and their computers and they could just have a little look at Google Earth and images of St. Helier. If I found a space for 5 homes or a small apartment building with 5 apartments in it in St. Helier, it is extremely unlikely that I will find 500 square metres elsewhere to do a play space, certainly not within 500 metres. In fact, even if I had money and I was ready to do it I am pretty sure it would be quite impossible. This is the art of impossible. We can dream, we can think of what would be best but it is the art of impossible. Can we build those homes? Can we put developers in a situation where they will be happy bringing bricks and laying bricks and building those homes that we so need? We do have to be careful when we ask them for the extra stuff. Yes, it is important but it must remain within the realm of possible. If I am building 5 homes and I am being asked to find another 500 square metres within 500 metres of my site, I am sorry but in St. Helier that does not exist and is not possible, that is just impossible. Again, I think that the Island Plan is going quite far in bringing in those new requirements, those new hurdles, important ones to building homes. But if we completely close down, if we make it impossible, we will not get those new homes.

The Deputy Greffier of the States (in the Chair):

Does any other Member wish to speak on this amendment? If no other Member wishes to speak, then I call upon Deputy Gardiner to reply.

5.1.7 Deputy I. Gardiner:

Thank you everyone who contributed. I will start with the last speaker, Deputy Guida, I am welcoming these adjustments to the bridging Island Plan and one thing I would say, for me, personally, it is not about that we can dream, for me we must have a dream and make it possible in a slow but practical way. This is why my amendment is not going far enough because I tried to be practical and I tried to stick with the benchmark that we adopted. As Deputy Ward and Deputy Morel said together about it, I would suggest that we will just meet our previous target that we never met; 39 per cent from our previous target, it is really far away. Again, it is a safeguard to not find ourselves in a worse situation. The Deputy of St. Martin is correct, it is so unclear and Deputy Ward made a point and Deputy Tadier, 5 metres, 10 metres, 1 kilometre, at the end of the day we need playgrounds in proximity. I am thinking about myself when I was working full time, running 2 businesses with a little child and maybe I had half an hour to go with her and play outside and for me to walk 20 minutes and play 10 minutes or to walk 10 minutes and play 20 minutes is a huge, huge difference. It was raised how we will find a space in St. Helier, how it will be done. I want to bring Members’ attention

to something else, and I am sure everyone will have this example in their head, we are all talking about building communities, how you build communities. When you live in the estate and just people living in the estate because children in the estate have their own place, have their own games, they have their own space. In my district, in District 3 and 4 St. Helier, we have 2 Andium developments and, by the way, I have to say Andium, they do a great job. Hardly you can find an Andium development without a play area; they are different. If somebody visited Jardin des Carreaux the play area there, it is on the corner where you cannot put a house, it was adapted and it is a small play area, which is really well used by everyone on this estate. Parents do not need to drive and they just come back home, who can see their children at the area. You have Pomme D'Or Farm, which is a bigger estate and they have a bigger play area and everyone uses it and it is great. It is not about to have a first-class play area, it is to have a play area to play and as quick as possible. If somebody can tell me here that we do not need more play areas in St. Helier I will be really surprised. This amendment is just trying to ... we are talking about parts (a) and (b) from other parts through the debate and from the Minister, people are more content with parts (c) and (d). But this amendment is basically saying if you cannot provide but you need to try harder. Another argument that I would like to bring and this is interesting, this came to me when I was drafting my amendment about accessibility to historic buildings. I tried to put an amendment which would go far enough and I am sure that would not be accepted but it was accepted. The conversation that I had with the Minister and with the officers, they say: "We need to make architects work harder to find the solution for accessibility to the historic buildings." We do not want this to be too relaxed that it is easy to get through and destroy like historic steps to put a lift because there are options and if they worked really, really hard they can find a solution or they can present to us why it is impossible and we need to make a decision. By the way, I agreed with the rule and I brought my amendment with this understanding that architects and designers need to work harder to provide a playground within 500 metres, this or that way, swings, see-saws or whatever; what I am trying to say, they will need to work harder. Why are we asking them to work harder on historic buildings but we are happy to sign off playgrounds? This amendment reinforced the terms of Article 2 of the United Nations Convention on the Rights of the Child; that children's rights should be applied to all children without discrimination and the children of St. Helier should have no less right to access to play spaces as children in any other places. There are 2 children's rights, a right to play and a right to access to the play areas. I think if we would be meeting targets in the previous years we would not need to discuss 1,000 metres but because we did not manage to meet our 500 metres let us just create a big enough target. I am asking Members to support my amendment. I do believe we just need to give extra framework safeguard and if it can be proved that it is impossible, they will work a bit harder, designers, architects and planners, they can show and they have an option; it is not restricted. It is allowing them to work harder and to adjust. I ask for the *appel*, (a) and (b) together and (c) and (d) together, please.

The Deputy Greffier of the States (in the Chair):

Very well. The *appel* is called for. Members are invited to return to their seats. Those joining the meeting ...

Deputy J.H. Young:

Sorry, Ma'am, can I ...

The Deputy Greffier of the States (in the Chair):

Are you able to provide the clarification? Sorry, Deputy, I should have come to you earlier.

Deputy J.H. Young:

Yes, I was puzzled, I thought the Deputy was content that I had accepted (c) and (d). Do I get it right that the Deputy is forcing a debate on the whole?

[15:00]

Deputy I. Gardiner:

Sorry, (a) and (b) one vote, (c) and (d) a separate vote.

Deputy J.H. Young:

Thank you, Ma'am.

The Deputy Greffier of the States (in the Chair):

Those joining the meeting via the Teams like are invited to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber for parts (a) and (b). If all Members have had an opportunity to cast their votes, I ask the Greffier to close the voting. I can announce that parts (a) and (b) have been adopted.

POUR: 25		CONTRE: 13		ABSTAIN: 0
Senator I.J. Gorst		Senator J.A.N. Le Fondré		
Senator L.J. Farnham		Senator S.W. Pallett		
Senator T.A. Vallois		Connétable of St. Brelade		
Senator K.L. Moore		Connétable of St. Ouen		
Senator S.Y. Mézec		Deputy of St. Martin		
Connétable of St. Helier		Deputy of St. Ouen		
Connétable of St. Saviour		Deputy J.H. Young (B)		
Connétable of Grouville		Deputy L.B. Ash (C)		
Connétable of Trinity		Deputy G.C.U. Guida (L)		
Connétable of St. Mary		Deputy of St. Peter		
Connétable of St. Martin		Deputy of Trinity		
Connétable of St. John		Deputy S.M. Ahier (H)		
Deputy J.A. Martin (H)		Deputy J.H. Perchard (S)		
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy K.F. Morel (L)				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States (in the Chair):

Then we move to parts (c) and (d). Those joining us in the meeting via Teams link are invited to cast their votes in the chat channel and I ask the Greffier to open the voting. If all Members have had an opportunity to cast their votes, I ask the Greffier to close the voting. I can announce that the amendment has been carried.

POUR: 37		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

6. Island Plan 2022-25: Approval (P.36/2021) - ninety-sixth amendment: Travel and Transport Policies (P.36/2021 Amd.(96))

The Deputy Greffier of the States (in the Chair):

We move on to the 96th amendment, Travel and Transport Policies Consolidated lodged by the Minister for the Environment and I ask the Greffier to read the amendment.

The Assistant Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) in the preamble to Policy TT1 - Integrated safe and inclusive travel - (i) in the first paragraph under the heading Jersey mobility hierarchy (on page 251), after the words “different modes of travel” there should be inserted the words “Access to travel and transport is also affected by other forms of disability and not just those related to mobility and sensory impairment.”; and (ii) in the second paragraph after the words “all users of the development” there should be inserted the words “- including those of people with all forms of disability -”; (b) in Policy TT1 - Integrated safe and inclusive travel, section 2.1., after the words “sensory or mobility impairments” there should be inserted the words “and other forms of disability”; (c) in the first paragraph of the preamble to Proposal 27 - Active travel network (page 253), after the words “Islanders of all abilities” there should be inserted the words “including people with disabilities.”; (d) in Proposal 27 - Active travel network, after the words “the relevant Parish(es); stakeholders,” there should be inserted the words “including the Disability Inclusion Group;”; (e) in Policy TT4 - Provision of off-street parking, in the first paragraph, after the words “convenient off-street” the words “motor vehicle” should be substituted for the word “car” and a new paragraph at the end of Policy TT4 should be inserted as follows - (i) “Development involving the loss of front gardens and their boundary features to provide parking with direct access to/from the highway will not be supported where this would harm and character and appearance of the street scene or compromise highway safety.”; (f) in Policy H2 - Housing density, after the third bullet point there should be inserted an additional bullet point - “the quantity and quality of amenity space and parking, including visitor parking.”; and (g) in Proposal 29 - Sustainable transport zones, after the words “including residential” there should be inserted the words “to meet all users’ needs, including those of visitors”.

6.1 Deputy J.H. Young (The Minister for the Environment):

We are now on to section 10 of the plan, travel and transport, and this is the first of 3 debates. I am hoping this one is very short, non-controversial and in parallel with all of the other approaches I have taken, brought forward a consolidating amendment to start the debate of each section, which picks up upon all of the specific comments which were received during consultation, which are worthy of adoption and then responses to Members’ amendments which have arisen, in this case Deputy Gardiner, the Connétable of St. Helier and Deputy Maçon, and also what the planning inspectors have had to say. We have got a multi-part amendment, (a) through (g). Just basically summing up, parts (a) and (b) talk about what is called the preamble to the policy, which is the words that really kind of explain what the policies are trying to do, that is TT1. TT1 is about safe and inclusive travel. Then we get to proposal 27, which is to do with what is a section called active travel network, and so amendments (c) and (d) deal with that. That deals with the points being raised by Deputy Gardiner in her amendment 21, which makes sure that the plan makes explicit enough reference to disability inclusion. Then we come to item (e) in the amendment, which is about off-street parking and a minor revision to the policy in the draft plan to replace the word “car” with “motor vehicle”, which seems to be self-explanatory. Then adding a provision which is brought in that seeks to prevent the loss of front gardens, people’s front gardens of houses from parking development. Then under (f) we have a policy relating to housing density and a need to explicitly consider parking provision. This amendment to the policy accepts part (a) of amendment 42 from the Connétable of St. Helier and adds in some additional clarification to that. The last part item (g), which is sustainable transport zones in relation to visitor parking. The draft plan is the proposal, the draft plan already sets out a proposal for comprehensive parking standards to be reviewed, an issue that will set standards for all users in the future. That will give emphasis to the specific needs of visitor parking to be addressed

in those parking standards. This is an explicit reference to visitor parking on the face of proposals and that sets out where the parking standards have been reviewed, so proposal 29. This also relates directly to Deputy Maçon's amendment 76, part (b), visitor parking, to ensure that visitor parking is given greater emphasis. It is best for him, we believe, to focus our efforts to secure appropriate visitor parking through engagement with the supplementary planning guidance on visitor parking. Of course that is a key thing and I should say Members will of course know this area of transport policy is not my area of great expertise, and I know there are a number of Members in the Assembly much more clued up than I. I find myself being the messenger bringing together these elements. It is a complex amendment. But obviously I will do my best to facilitate if Members want to raise questions. But I think we have got a number of issues still to debate, to follow, which I think will probably pick up any areas of Members' concern. But obviously that is what one seeks to do, is to deal with all the things which I consider are straightforward at the moment.

Deputy K.C. Lewis:

Ma'am, just a point of clarification, I believe the Deputy is *malade*, has somebody been nominated to take amendment 76 or does that fall away?

The Deputy Greffier of the States (in the Chair):

We will get to that when we do, Deputy, but at the moment we have had no forewarning that Deputy Maçon wished for somebody else to take the proposition and he should have done so by 9.30 this morning so it would fall away.

Deputy J.H. Young:

Would it be in order for me to say, Ma'am, that my references to that were simply to refer to the parts of Deputy Maçon's amendment that I brought forward into this amendment and therefore accepted?

The Deputy Greffier of the States (in the Chair):

Thank you, Deputy. Is the amendment seconded? **[Seconded]** Does anybody wish to speak on the amendment?

6.1.1 The Connétable of St. Brelade:

I just stand briefly just to give support to this amendment and particularly TT4 (e) and (f) I suppose because, from a Parish point of view, we have no end of trouble with visitor parking and what I might call "car spillage" into the public realm. There is a perception from some that they have a God given right to a parking space in the public realm and this causes enormous difficulties. In planning applications, my Roads Committee will very often look at these issues and comment on the effects of the surrounding neighbourhood with developments where inadequate parking is provided for not only the residents but for the visitors as well so I am happy that the Minister has brought this and will be supporting it.

The Deputy Greffier of the States (in the Chair):

Does any other Member wish to speak? If no other Member wishes to speak, then I call upon the Minister to reply.

6.1.2 Deputy J.H. Young:

I did say it was not my area. I was just checking what is in progress in this Sustainable Transport Policy that we are working on. Now this is a standalone and so, if Members have issues about parking standards, which I am absolutely sure they do, the advice I am going to give is that please, our recommendation is that the way to do that is not through the policies but through the workings of a supplementary planning guidance, which is the task that would follow after the policy is adopted to try to work out all the fine detail about those policies. I have to say that past attempts at trying to produce the supplementary planning guidance on parking have been horrendously difficult and

complex. Nonetheless, we have to do it. We have to get a clearer set of guidance in place but ... sorry, Ma'am, I may have missed a question, if there was one, from the Connétable or other speakers.

The Deputy Greffier of the States (in the Chair):

No.

Deputy J.H. Young:

If there was no question, Madam, I put the proposition and ask for the appel.

[15:15]

The Deputy Greffier of the States (in the Chair):

The appel is called for. I invite Members to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have now had an opportunity to cast their votes, then I ask the Greffier to close the voting. I can announce that the amendment has been adopted unanimously.

POUR: 40		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B. Ash (C)				

Deputy K.F. Morel (L)			
Deputy G.C.U. Guida (L)			
Deputy of St. Peter			
Deputy of Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy J.H. Perchard (S)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

7. Island Plan 2022-25: Approval (P.36/2021) – forty-second amendment: Transport and Parking (P.36/2021 Amd.(42))

The Deputy Greffier of the States (in the Chair):

Next is the 42nd amendment which has been lodged by the Connétable of St. Helier. Before we start, Connétable, part (a) of this amendment falls because of the adoption by the Assembly of part (f) of the previous proposition. Are you content that it is read without part (a)?

The Connétable of St. Helier:

In order to be helpful, could I suggest it is read without part (b) as well and just part (c)? Thank you.

The Deputy Greffier of the States (in the Chair):

Very well, then I ask the Greffier to read the proposition without part (a) or (b).

The Assistant Greffier of the States:

After the words “the Draft Island Plan 2022-25”, insert the words “except that in policy TT4 provision of off-street parking”. In the third paragraph after the word “supported”, there should be substituted the words “unless the new spaces will be provided for the use of residents, shoppers and visitors”.

7.1 The Connétable of St. Helier:

The reason I am not going to suggest we have a lengthy debate on whether policy should be published or brought to the Assembly for approval is that I think we could spend an hour on that. I would probably lose it and I am really conscious that time is of an essence. In the past certainly - and I have amended numerous States plans with respect to parking and other transport matters and without wanting to sound too much like Deputy Ward earlier today - it really does not make any difference. These things are accepted or not. They are normally accepted. Nothing changes. Planning decisions are still made which fly in the face of commitment to preserve parking facilities and I have lost count of the number of times people have contacted me to say: “I have just had an application turned down by planning for some off-street parking and can we see the parking guidelines?” I say: “Well, there are parking guidelines but they have never really been debated.” Coincidentally, I had an email this morning which I think was copied to the Minister but it may not have been, about wondering if there has been any progress with the parking review and this is my reply. “Thank you for your email. Alas, we have not had anything from the Minister for Infrastructure on parking, walking, cycling or anything much besides. Depressingly, the previous Minister, 4 years ago, promised to deliver these strategies before the end of his term of office and he did not achieve it either. What a deplorable state of affairs.” I went on a bit longer to try to provide some optimism that, hopefully, the new

Government will deal with these matters in a slightly timelier manner than past ones. I know the Minister for Infrastructure has had a lot on his plate and I do not mean to criticise him. COVID of course has taken its toll on the ability of Ministers to apply officer time on to these matters. The only thing I really want a debate about today and, hopefully, a favourable decision on it, is paragraph (c) and that really addresses the fact that we are being told by the planners that we are not allowed to have any more off-street car parks. I think that is simply wrong because however many people switch from hydrocarbon powered cars to electric and other forms of power - and it is happening really fast in Jersey - people are still going to be using cars in Jersey in the years to come. As the population increases, even if quite a few of those people see the merits of doing without a car or doing without some of their cars and switching to healthier modes of transport, there is still going to be an awful lot of people hunting for parking spaces. We had a situation in town now where someone complained to me the other day that they had come into town for a meal in one of our fabulous restaurants and they drove around and around and could not find any on-street parking. In the end, they had to go to Pier Road. Well, Members might think that is not particularly inconvenient but the fact of the matter is that our car parks, even in the evenings, are getting full. Minden Place is impossible to use most of the time and I know the Arts Centre suffers from people being unable to get to performances because they cannot park in the car park right next to the facility. We recently had an application for Havre des Pas, which is one of the areas in St. Helier most short of parking, and someone wanted to have a small off-street car park created, probably not for ever but certainly for the time being, and it was turned down by Planning. I think that is wrong. I think we should be able to put these spaces to good use because people, as I say, are going to need places to park, particularly our visitors and shoppers and one of the big battles we have, as Members will know, in terms of promoting St. Helier as a retail destination, is that people say: "Well, I can never park." I do not want to rule out the possibility that, at some point in the future, it may be necessary for us to create some off-street car parking possibly in combination with some accommodation as well. It need not be a standalone car park. It could be a car park with other things going on. That is the reason why I want to maintain this amendment. I think it is important that we keep that door open. I look forward to Members' comments.

Deputy R.J. Ward:

Madam, may I have a point of clarification?

The Deputy Greffier of the States (in the Chair):

Are you willing to give way to a point of clarification?

The Connétable of St. Helier:

Yes, of course.

Deputy R.J. Ward:

Just clarification on the consequences of the Constable's proposition because he is replacing, and please stop me if I am wrong, "will not be accepted except where it is provisioned as meanwhile use against timeframes as a short stay shopper park" with a phrase that effectively says "unless the new spaces are provided for the use of residents, shoppers and visitors", i.e. everybody. So, effectively, he is replacing the bit that limits the parking to just parking for anybody. Would I be right in interpreting it that way because I think it is quite important that we know what we are talking about here?

The Connétable of St. Helier:

If I can clarify, certainly the thrust of this amendment is about not creating private off-street commuter car parks. That is certainly what I believe the planners are most keen to discourage. It used to happen but I do not think there is much of a case for it. This is to make sure that people who are not commuters can still park if they are coming to town to do their business. The removal of the

word “meanwhile” I think is a relatively new term that has come into the Island Plan. I was not quite sure what its import was but, no doubt, the Minister will explain that when he speaks.

The Deputy Greffier of the States (in the Chair):

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

7.1.1 Deputy J.H. Young:

Rather than hold back and have a long debate, I think I will try to clarify why the advice on this particular point of (c) is to resist the Constable’s amendment. I think the advice that I am given is that the interpretation the planning officers have put on that is that it seeks to allow the provision of private off-street car parks as a development in their own right. That is what it seeks to do. That is their view on the wording of it. Of course, what we are seeking to amend here is policy TT4, a policy which deals with off-street car parking and is subject to this amendment to ensure that that happens only where it is for a temporary period. I think the word “meanwhile” is another word for “interim use”, or what have you. It is a posh word and I do not know where it came from but it means “interim use” because, obviously, where there are long-term planning proposals for land which are going to take a while to be able to decide, implement and what have you, then an interim or a temporary interim use would be acceptable. Also, there is criteria in the policy that it would deal with short-term shopper car parking, which I think is really pretty crucial to the whole town centre. The planners take the view that we do not want to encourage people necessarily to be able to drive around town because, unnecessarily, we get noise, we get air pollution, we get conflict with pedestrians and erosion of the quality of experience in the town. Of course, the other thing is using land on a permanent ongoing basis for parking of cars is not really an efficient land use and of course that is particularly noticeable where you get surface car parks. Obviously, the policy seeks for us to use land to provide homes and open spaces for people to enjoy where it is possible, which we have discussed, and community infrastructure that we have already discussed. Of course cars, unfortunately, really do have a big impact on the way land is used and where we have such a shortage of land in Jersey, it is very, very difficult to get family homes in town, as we have discussed. I am asked to point this out and I will. It is not a complaint about the Connétable but I am struggling to believe how this amendment, which is a very short one, and whether the intentions behind it could have the effect of the very thing which earlier on we were talking about when I think the Constable mentioned the Royal Crescent being used as a private car park. Now what I would like to hear from the Constable is he advocating that we go to that or is he maintaining that that is not a good thing? So, I think I am puzzled, to be honest, and I think the officers are puzzled because it does look to be contradictory and, of course, we have also made decisions now that we are not going to develop land on the edge of St. Helier with one exception so we do have to make the best use of what we have. For example, in that case, developing that for housing would be, in principle, I think a good thing. So, the draft plan seeks to ensure, in a nutshell, the development of new on-street car parking - and this is the key thing - where it is not related to a development. Standalone parking is limited to interim or short-term uses for land which is temporarily available or for short-stay shopper parking. I accept the fact that maybe I have not understood the full import of the Connétable’s short 4-line amendment but it does seem to be “unless the new spaces will be provided for the use of residents, shoppers and visitors” but I suppose it is the “residents” bit so is this what the Constable is seeking to do? The planning inspectors of course considered this, and I cannot remember if the Connétable went to the planning inquiry and spoke about it. Presumably, he explained it in great length and made his case but of course the planning inspectors concluded saying: “The amendment to policy TT4 that seeks to allow additional off-street parking in town for residents and shoppers is a matter that should be dealt with in a comprehensive way in the parking plan work stream.” I am pleased to say to the Assembly that I am thankful that that job is not mine. It is like trying to find the wisdom of Solomon, if I am allowed to say that, to find a way through that but I think this is definitely a piece

of work that needs to be done in great detail with a lot of input, with a lot of consultation and with stakeholders.

[15:30]

At the moment, I think it is not the way and I recommend against just making a change of words now which would dramatically affect the way planning decisions would go virtually from next week if this plan is approved. I would advocate against that. Do it in a structured way through supplementary planning guidance when the work is in progress and that would be my advice.

The Connétable of St. Helier:

Madam, perhaps I might seek permission to withdraw the amendment to save time as I see we could go around in circles for some time. I know Deputy Lewis may want to come back after what I said but I am quite happy to withdraw the amendment with the Assembly's permission. Thank you.

The Deputy Greffier of the States (in the Chair):

Well, you will need to seek the leave of the Assembly. Are Members content to do that by a standing vote? I believe they are. Then the amendment has been duly withdrawn. The next item on the agenda is amendment 76 which has been lodged by Deputy Maçon. As Deputy Maçon was *malade* this morning, and we have not been given the requisite notice by 9.30 this morning that he wished to have somebody else act as rapporteur, accordingly, 76 falls.

8. Island Plan 2022-25: Approval (P.36/2021) – ninety-seventh amendment: Safeguarded minerals site: Simon Sand and Gravel (P.36/2021 Amd.(97))

The Deputy Greffier of the States (in the Chair):

So, the next item on the agenda will be the 97th amendment, Safeguarded Minerals Site: Simon Sand and Gravel, which has been lodged by the Minister for the Environment and I ask the Greffier to read the amendment.

The Assistant Greffier of the States:

After the words “the draft Island Plan 2022-25”, insert the words “except that - (a) on page 303, after the words “the facility would continue to operate as a result of exhausting the mineral reserve” the whole of the paragraph that begins “In terms of securing a supply of sand for the island” should be replaced with the following paragraphs - “Having regard to the need and desirability to reduce dependency on more expensive and less sustainable import options, it is considered appropriate to safeguard the remaining existing local reserves of sand, where they remain within the existing boundaries of the Simon Sand and Gravel Quarry site, to enable their potential extraction. Any proposal for further extraction here will, however, be subject to a full environmental impact assessment as an integral part of a planning application, which would need to address all relevant issues, including the potential existence of land contamination and any hydrogeological implications of further extraction, along with the restoration of the site. Continued extraction will be conditional upon the provision of appropriate environmental mitigation measures and the agreement and commencement of a phased restoration plan for the whole quarry site to be secured through a planning obligation agreement. Restoration, where it involves the importation of material on to the site, should be undertaken using clean, inert material from natural sources as far as possible and practicable.” (b) in Policy MW1, after the words “Proposals for the extension of extraction beyond the boundaries of the” the words “existing consented area (under RC2018/0816) at Simon Sand and Gravel (St. Brelade/St. Peter)” should be replaced with the words “safeguarded mineral sites”.

8.1 Deputy J.H. Young:

This section is mineral extraction and solid waste and this is, I would hope, the easier of the 2 debates that we are likely to have. This is about the safeguarded sand and gravel extraction in St. Ouen's

Bay and Members I think will know - and I will probably just summarise a little bit of the history of how we got here today - that the draft bridging Island Plan as published that went to the inquiry maintains the policy position that was agreed in the 2011 Island Plan, i.e. that they are not to support the continued extraction of sand in the sensitive landscape setting of St. Ouen's Bay, which of course is in the coastal national park, and specifically not to allow the continuation of the Simon Sand Gravel Quarry. That plan, based on the 2020 mineral strategy, set a time limit of 2018 to that extraction and that was extended by planning consents to 2023 within the boundaries of the existing sites. As part of the work on the bridging Island Plan, a study was done. We asked Arup to do that for us looking at the whole issues of mineral waste and water and they recommended that, given the remaining reserve that might exist on land within and adjacent to the quarry operations, the site might continue to be used and extended for further on Island extraction. It might also serve as an integrated extraction waste management and restoration site. This work, as part of a consideration of options, also identified there were alternative sources of supply and that is alternatives to on-Island production involving the use of recycled aggregates which is proving to be very successful and some importation of sand into the Island through our ports. Of course, that has happened. Following the cessation of the production of the quarry, which was a decision made by the owner in 2021, this year the Island has relied upon the use of recycled aggregates as a substitute for sand and arranged for bulk importation being managed by 2 local quarry operators in association with - and I think I am allowed to mention the name of the operator - AA Langlois who provide a valuable service to the Island. Sand has thus continued to be available but of course it is a fact that the price has now increased. I concluded that my decision in the draft plan in going to the inquiry was that the local environmental implementations of more sand extraction at St. Ouen outweighed the benefits of on-Island production and, therefore, I took the position with the inspector that extraction should cease. Obviously, there were alternative views on that. I think I am probably correct in quoting that the Environment Scrutiny Panel expressed their view, and I cannot remember how but certainly it was a subject of debate within the panel. I think the panel did meet the owner and indeed the owner attended at the inquiry and made their case. The independent planning inspectors gave this very thorough consideration and recommended to me, as Minister, that I reconsider my position on the draft plan and on the recommendations that are relative, I look at the potential for further sand extraction on land within the existing - and this is important - sand quarry boundary. What is very clear about that is, at the moment, planning permission to extract further sand is not apparently in place. I considered the wider sustainability issues about bringing in aggregates and that obviously deals with the whole question of carbon impact or the impact of increased transport costs and so on, and also the issue of the inconsistency. I have to be blunt about this. On the inconsistency of my approach to that which I was taking regarding crushed rock, which I will go on to debate regarding the other quarry, and then of course the issue of costs on the industry, the inspectors took the view that the land at St. Ouen's Bay is of little scenic value. They say it has significant overburn from earlier workings. That means the land has been reworked, it is not untouched sand and it is largely covered in brambles so it is a very disturbed landscape. Having thought about it, I weighed it all up and I did believe I needed to reconsider the issue. Obviously, a number of things have changed. There is a need to give emphasis to the wider environment costs of importing raw materials and there is a greater awareness of the cost implications and so I think it is appropriate for the new bridging Island Plan to enable the extraction of sand reserves at Simon Sand during the bridging Island Plan period. A number of important elements, I believe, should be applied to that recommendation and those are set out in detail in the amendment I have lodged. First of all, the extraction should be only within the existing safeguarded mineral sites and subject to a number of environmental considerations. I would flag up at this stage there was considerable opposition to me doing this from the National Trust of Jersey and I think probably other Members may hold that view, we will find, in this debate. Obviously, I had to take into account how we mitigate and deal with those environmental matters. If sand extraction is to continue, and of course it will need future planning consent, that will be subject to a comprehensive and thorough assessment of all the environmental implications as required by an environmental

impact assessment, which is a statutory requirement because such a development is laid down in supplementary legislation as it is mandatory. That would have to include any potential for contamination of the site, and I have no evidence of this but I have asked that it be researched to establish whether or not there is any historical previous use as a dump for rubbish because, obviously, that needs to be known before areas are opened up. Then there is the effect of hydrogeology because, as Members know, this site is slap bang on top of our underground water reserve, the St. Ouen's Bay aquifer, where Jersey Water extract a certain amount of fresh water. They do not extract as much as they would like to but we need to understand what changes would happen by increasing the extracted area and the effect on ground water. Then there is the effect on local ecology and archaeological resources. I suppose the most significant thing is that the site has always - always, always - since the States ... it was a States decision that approved the extraction of sand from that site back in the 1970s. Back in the 1970s; I have checked back in the records. It was that important that this was done. They did a number of things. They identified the area. They also put, not in their proposition, the requirement that there would be an arrangement in place to secure the restoration of the whole quarry site, when it was worked out as a quarry. There is a whole history about that, which is probably best not gone into now because that all raises the question of whether or not planning conditions are complied with and so on. The permissions up to now had those as planning conditions. That is a story for another day about that. We know at the moment that we have not seen that restoration take place throughout the decades. It is only recently we started to have some information about what might be done. This amendment, where I am asking the States to change the draft plan, would make any extension subject to a planning obligation agreement for the phased restoration plan for the whole quarry site and to start work on it. Not just a plan that does not go anywhere, but a commitment to starting it. That is really, really important. Any extension to the quarrying activity will require a new restoration plan and a phasing and implementation of a legally binding planning obligation agreement, without that consent would not be coming. The thing about planning obligation agreements is, of course, they were not available in the 1970s and Members at the time had to rely on planning conditions. I would just mention this, it is important for the record, when the States approved that back in the 1970s they set a requirement that the developer, the operator of the quarry, set aside funds into a fund to allow restoration. It is a story for another day about whether or not such is in place. Nonetheless, they did it, because now we have planning obligations agreements.

[15:45]

What that means is that any consent that is given subject to a planning obligation agreement ... agreement means what it is you sign - a legal agreement - and that agreement runs with the land. It is attached to the land. Wherever the land ownership may or may not go in the future, that planning obligation condition will remain. A planning obligation condition, if it is not fulfilled then the Minister, whoever they are, has power to step in and act as if they were the developer to fulfil the agreement and to recover their costs as a civil debt. That is a very, very powerful provision. Those are the conditions. They are very strong conditions. They need to be, because this is a very, very special area. We need to make sure that if we are to allow it to continue in the future we look after it in a better way. That is the reason for my amendment today. I ask Members, please, to support that amendment to change the draft plan.

The Deputy Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]**

8.1.1 The Deputy of St. Martin:

I rise to support the Minister wholeheartedly in this. I am a simple bloke from St. Martin, but I have always looked upon this as quite a simple solution. As the Minister said, there have been rules in place, or certainly guidance in place, since the 1970s and more detailed since the 2011 Island Plan more than 10 years ago. The reason this is simple is because, from what I can see, this is a win-win

for the owner of the site. I cannot understand why what is in the proposition today has not already happened. I am not going to play any blame game here, but it is clear to me, maybe I am looking upon it too simply, that we can do both things that are proposed. The owner of the site can change people to take sand away and the owner of the site can charge people to bring him clean inert waste to put into the site to rejuvenate it. It is more than a win-win, because we can also do the following if we go with this amendment today. Just to keep it simple, sand out, there is something to be gained there. Inert waste in, yes, there is something for the owner here and also a benefit to us because we know that La Collette is now full. The entirety of La Collette is now becoming super-full and it is coming out of the ground. There are no more holes left to fill at La Collette. There is an advantage to us there. There is going to be an advantage to the environment, because the plan that would have to be approved would be great for wildlife. Depending what happens in negotiations with the owner, there may be an advantage as a tourist attraction or local attraction. There are fantastic opportunities to do fantastic things on the site. I urge anybody who is involved with it, most especially the owner, to get on board with this amendment, which I hope we are going to approve today. The things we can do down there are really, really, really good; not just for us, but to the environment. I urge Members to vote in favour and just get on and start sorting this out.

Senator J.A.N. Le Fondré:

It is a minor matter, a note that I am a beneficial owner of land pretty well adjacent to the site they were talking about, although there is no direct financial interest or anything along those lines, I would be better off abstaining on this matter, Ma'am.

The Deputy Greffier of the States (in the Chair):

That is noted.

8.1.2 The Connétable of St. Brelade:

Wearing the Scrutiny Panel hat, we were invited to the site and looked over it some weeks ago. It is an enormous site; no question about that. The history was explained. Of course, we have a situation where the goalposts have changed. The reason I say that is because the owner had obligations in the past. He had planned what to put in place once the extraction had been completed. There is a large lake which Members will see on the plans. Of course, that has had to be changed through influences beyond the owner's control. Effectively, he proposed to have a lake for fishing, water sports and so on, but that has proved to be impossible due to the pollution from P.F.A.S. (per- and polyfluoroalkyl substances) in the aquifer. This has come from the airport over past years and there is not a lot that he can do about it. His original plans, truthfully, have been scuppered. He will need to produce new plans and the thought now is to fill part of the lake in with the waste that has been referred to earlier. That seems to be a sensible solution. What I am suggesting to the Minister, and I will be supporting the amendment, we have to work backwards on this one. We have to decide what will be acceptable at the end of the extraction period. Government needs to work with the owner to agree what needs to be achieved, because otherwise we could well end up in the same situation that we have at the moment. I have to say, it is not something Government should be proud of. There are some years of extraction to go. We need to take advantage of that to enable the owner to wind it down in a proper manner and put funds aside for its redevelopment. To conclude, once again I would repeat, let us work backwards on this one. Let us decide what we want at the end of the period, get it agreed with the owner, get them written down and agreed with whichever obligations the Minister decides is most appropriate and deal with it in a fair and proper manner.

8.1.3 Connétable R. Vibert of St. Peter:

I will also be supporting the Minister. I will speak about the area where extraction may take place. I certainly saw some documentation going back to the 1980s where previous government departments had identified an area where extraction could take place and had given a date after which extraction

would be allowed. I am happy enough that extraction would continue there. However, like the Minister, I have heard these rumours that potentially it was a rubbish dump at one stage. Again, I have no proof of that. However, if that is the case then there is a possibility of pollution from that refuse. Any extraction tests have to be done prior to that to establish exactly what is under the first layer of sand. The other thing is the restoration. That is the one area where I have had contact from parishioners who are quite concerned that although the sand quarry is currently closed, there is no evidence at all of any restoration ever having taken place. That is of great concern. I appreciate what my colleague, the Constable of St. Brelade said, that the owner has had some problems with his original plan. However, those were well-known about some years ago. Yet there is no evidence of any restoration. If we permit further extraction of sand then there has to be something that is legally binding in respect of restoration of the whole site. That is an absolute must. Other than that, I am happy to support the Minister. Thank you very much.

8.1.4 Deputy R.E. Huelin of St. Peter:

I am equally happy to support this. It is in my Parish. I would like to draw Members' attention to the financial and manpower implications. I would like to remind Members of the P.F.A.S. poisoning, which is all over that particular area and warn that the removal of that might involve some Government support going forward. I am not making that as a commitment or something that has to happen, but I think we ought to be aware of it.

The Deputy Greffier of the States (in the Chair):

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

8.1.5 Deputy J.H. Young:

I am really grateful for the Members who spoke, because they are all cognisant of the very complex technical issues and also some of the political aspects of it as well. This is very much a high-profile matter. Starting with the Deputy of St. Martin, I probably should have mentioned in my speech, I did not mention it, but I will do, under the last part of part (a) of my proposition where we refer to the in-fill material, because there is not any doubt that there needs to be material imported into that site, but of course here we have a very important site with environmental risks. Therefore, with the advice of the technology officers who are the qualified waste management officers, those of a scientific background, the recommendation they put to me, and the words are here, that any material imported into the site has to be undertaken using "clean inert material from natural sources as far as possible and practicable". That does not mean rubbish, just to be clear. The Deputy of St. Martin is absolutely right. I believe that is a practical proposition because there are such sources available. I know where they are, but I think it would be premature for me to say so here at the moment. The Constable of St. Brelade, it is absolutely true that back in the 1970s when the restoration was allowed, obviously the area being spoken about was miniscule compared to what it has become and what it is now. There was indeed talk of a nice lake, fishing and so on, a very lovely Walt Disney-type world where we could have this. Of course, that did not happen. It is a fact, as the Deputy of St. Peter said, that the restoration that has happened is the build-up on the banking or bunding around the sight to screen it from views. That is it. That does not include any restoration, which means that refilling what you have taken out, restoring the landform. That is standard provision in all mineral workings that there needs to be some arrangement for restoration in place. The original plans, frankly, are out of date and irrelevant because of the change, the vast increase in the area. We have seen all sorts of things happen. The incident that the Deputy of St. Peter referred to about P.F.A.S. contamination in that area was not known, also probably the degree of air travel and the issue about the risk of bird strikes and so on was not known. Our environment understanding of how one looks after areas was not known. There is no question, we have needed an updated plan for a long time, a very long time, decades. I know that lots of efforts have been achieved in trying to get to that point. Only recently

there have been some ideas come forward. The ideas put forward so far, this has come up in scrutiny hearings, it has been raised by the Connétable, the proposals have not been accepted. They go beyond restoration and they involve effectively a new use. That has been indicated that the application would need to make a new planning application. At the moment they have put forward that to happen, but that has not happened. That deals with the Constable of St. Peter's restoration issues. I am afraid I cannot help him with the issue of rumours. I have, to be frank, heard those rumours, but I have to accept the owner drew my attention to the fact that they are rumours. I have asked for the work to be done by the officers to see what evidence they can find historically which would either confirm or deny that they are just Spanish stories, as we know in Jersey. I do not know what the Jersey word for Spanish stories is, but I will look to my linguist colleagues. Deputy of St. Peter, I have tried to avoid over-complicating it with the issue of P.F.A.S., but the Deputy knows there is a separate piece of work, which is funded, to investigate that because we do not know enough where that is and we do not know enough that anything can be done about it or not.

[16:00]

The one thing that we cannot be thinking about is here is a nice lake for people to swim in and so on. I make the proposition, Ma'am, and ask for the *appel*.

The Deputy Greffier of the States (in the Chair):

The *appel* has been called for. Members are invited to return to their seats. Those joining the meeting by the Teams link are invited to cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had a chance to vote I will ask the Greffier to close the voting.

The Deputy Bailiff:

I can announce the amendment has been adopted.

POUR: 38		CONTRE: 0		ABSTAIN: 1
Senator I.J. Gorst				Senator J.A.N. Le Fondré
Senator S.C. Ferguson				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy of St. Martin				

Deputy of St. Ouen			
Deputy S.M. Wickenden (H)			
Deputy of St. Mary			
Deputy G.J. Truscott (B)			
Deputy J.H. Young (B)			
Deputy L.B. Ash (C)			
Deputy K.F. Morel (L)			
Deputy G.C.U. Guida (L)			
Deputy of St. Peter			
Deputy of Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy J.H. Perchard (S)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

9. Island Plan 2022-25: Approval (P.36/2021) – twentieth amendment: La Gigoulande Quarry (P.36/2021 Amd.(20))

The Deputy Bailiff:

I move on to the 20th amendment, lodged by Senator Moore and I ask the Greffier to read the amendment.

The Assistant Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that (a) Field MY966, La Gigoulande Quarry (St. Peter / St. Mary) should be removed from Policy MW1; (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a); and (c) the Draft Bridging Island Plan Proposals Map Part A - Planning Zones be amended to reflect the adoption of (a).”

9.1 Senator K.L. Moore:

Much debate time over the last 9 days has been spent discussing and protecting green fields and green space across our beautiful Island. This debate, I am afraid, is really no different. In fact, in the words of the Farmers’ Union, this is one of the best fields for growing in the Island. I can say that indeed there were many items growing in the field when we went for a walk on Sunday to look at it and to also admire the ecology around the site, the many trees that are planted in the banks and hedgerows. Also, sitting high above a valley it has quite an impact in terms of the vista. It can be seen from a long distance. The Deputy of St. Peter shared with Members of the Assembly earlier this week a view from the fields surrounding his home when he was allowed out for a brief moment of respite during his stay. That showed exactly the importance of this site and the impact that it may have if quarrying is allowed to continue into this field. Of course, Members will be mindful of the views of the inspectors and the need to ensure that we have sufficient aggregates in the Island to continue building the much-needed homes that we hoped to deliver for Islanders now and into the future. I would like to remind Members that despite the views of inspectors there are, of course, alternatives. The Minister has, I am very pleased to say, accepted amendments which endorse the use of alternative

modern methods of construction which move away from the need for aggregates. Also, he has accepted an amendment that allows for greater use of prefabricated building for the delivery of housing. There are alternatives. Equally, we have another quarry, which has significant space. It recently had a planning application to extend and expand its production, which will ensure its products for some years to come. Equally, there are reserves still in place in the current quarry, particularly underneath the plant. Also, there is recycling available in the Island now. Just this morning, I went along to La Collette to view a new recycling facility which is turning rubble from building sites into both coarse and fine sand, as well as crushed rock of different varieties. I have to say I was extremely impressed to see this in operation. It appears that significant quantities of those aggregates will be delivered on a week-by-week basis from this enterprise. That does not figure in the inspectors' report. It is a very important contributing factor when considering the needs for producing aggregates in the Island. My report, which I hope Members have had an opportunity to read, also covers the governance concerns about the consistent use of one company that provided a number of background reports for the Island and our Government over a significant period of years, which perhaps has its risks. The mineral strategy and the underpinning report comes with somewhat of a mild health warning, in terms of awareness from Members. I would ask them to consider that when they are taking into account any views that might be expressed from the Minister in this debate. Members are really quite familiar with this issue. It has captured most Members' attention as we have built up to the debate this week. I will leave it at that for the moment. I move the amendment and look forward to the debate.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]**

9.1.1 The Deputy of St. Martin:

I am pleased to rise early. I am going to repeat myself from a previous amendment when I say that I ploughed and grew crops in this field. I know I said that when we were talking about the cricket field, but I have worked in this area as well, in a considerable number of fields in this area. In fact, if Members look at the overhead they have been given, if you can imagine a field to the north of the one we are talking about, I ploughed and planted daffodils in that one as well. It is no longer a field. It is now an enormous hole in the ground. I rise to put a little bit of clarity on this. This is where I want to take exception with Senator Moore. She says this is the best field on the Island. If you gave me a choice of fields, and I look over to another ex-fellow farmer and say: "Where would you choose to farm?" it would not be this one. This is a good field, but it is stretching it to say that it is the best field on the Island. That is where my exceptions with the Senator stop. Like her, a fortnight ago I went to La Collette to see this new, quite fantastic piece of kit that has been put together, private enterprise piece of kit, for recycling builders waste. It was put to me that we have a third quarry down at La Collette now. She is right, they are putting rubble in at one end and getting product out of the other, the sort of product that you would buy from either this site or the other site on the north coast. It is clear to me that we need to start slowing down on taking bits of Jersey out of the ground. I am not saying we can stop, but we need to start thinking about slowing down. We need to think about doing things slightly differently. Had I been the quarry, I would have approached this field in a very different way, but we are where we are. We have an application in front of us and I am going to vote with the Senator on this one.

9.1.2 Deputy D. Johnson of St. Mary:

Before I begin my address, perhaps I could shed some light on the field and its suitability. The exact quote, which I have here, is in simple terms you do not find much better fields to farm in Jersey. I hope that is a compromise to both Senator Moore and the Deputy of St. Martin. I rise to make 2 points. The first relates to the actual safeguarding of the field and the second to the extinguishment of the road, which will be necessary, if the quarry were to fulfil their plans. As for the first point, it

is worth noting that the amendment put forward by Senator Moore, and incidentally endorsed by 5 politicians at the time, says: "The following sites are designated as safeguarded mineral sites." I do emphasise the words "safeguarded". It is perhaps as well we are debating this particular matter at the end of this 2-week period, because we have in previous days looked at, in not so many words, safeguarding other sites. Yesterday, pursuant to Deputy Gardiner's proposition, safeguarded sites near primary schools, and pursuant to Deputy Ward's proposition, we safeguarded Gas Place and a car park, to safeguard them against other development. What are we safeguarding here? The start position is that the field is already owned by the quarry. We have one planning authority on the Island, which is the Environment Department. There is no possible reason or cause why the site, now an agricultural field, should be used for anything else. Unlike the U.K. where there are rival authorities wanting sites, that is not the case here. In the Minister's report, which I will quote from shortly, he does refer to that point. In the U.K. there is a requirement to safeguard sites in this way. Jersey has no such requirement, although we appear to have adopted that practice. There is no legal obligation on us to safeguard sites. I ask the question: where does safeguarding get us? At the moment, we have numerous uncertainties around, over this 3-year bridging period. The rate of extraction from the ground, the use of other building materials, the possibility of bringing in materials from outside and other various aspects, surely if there is no vantage in safeguarding the site now we should wait. When saying this, I am mindful of the fact that safeguarding sites is not or should not be equivalent to permission to develop. The policy MW1, in its final paragraph says: "All proposals for extended mineral extraction sites must be accompanied by an E.I.A. (environmental impact assessment) and a comprehensive after-use site restoration plan." That is acknowledged by the quarry. The site cannot be developed without the submission of a planning application, which itself must be supported by a detailed environment impact assessment. At the moment, certain comments have been made by various parties, but a detailed E.I.A. would require much, much more. The only advantage in giving this go ahead to safeguarding at this stage is not for the Island of Jersey, but for the benefit of the quarry, who would see it as a first foot in the door of getting planning consent in due course. That is the only advantage.

[16:15]

In the round it does not advantage them either, because in the Minister's report he does acknowledge that such an assessment is necessary, but at the same time in justifying the reason why the quarry wants to proceed with this safeguarding now, the inspector says: "If a decision about expansion were to be delayed, current extraction of the remaining permitted reserves along the eastern side of the quarry would have to cease in the near future. That in itself denotes that this informal safeguarding, if this were to happen, is somehow going to be influential in the planning application as and when it comes. It should not be, it cannot be, because there is not there the sufficient information. I do revert to the basic point: who benefits from this safeguarding, other than the quarry? The Island certainly does not. It is going to be in no worse situation in 3 years' time, by which time the matter will be clear on a number of fronts. The quarry is at liberty right now, if it wishes to proceed, to submit its application. I now come on to the question of the extinguishment of the road. I have to say, I was put in my place by the Attorney General on this. I got quite excited about some of the provisions. The extinguishment has to be applied for by the Highway Authority, which in this case will be the Parish of St. Mary Roads Committee. Unfortunately, in my view at any rate, we do not have the final say if there is an overriding public interest test. You will know better than I on this. If the Minister for Infrastructure were to approach the Highway Authority on that basis, basically the St. Mary Roads Committee will either have to make the application itself or he would take it over. While the law does initially say that the land, formerly the site of the road, is for the use of the Parish. Again, the Attorney General's advice is that it cannot be used for anything else other than that for which the application was made. I do make the distinction between the extinguishment of the road and the planning application. Extinguishment of the road is a separate matter. Curiously, the bridging Island Plan makes no reference to it in its policy here or in the policy statement. It is a separate matter. The

application can be opposed by “anyone aggrieved”. Whoever is to preside over that application, bearing in mind there were 600 or so representations, it will not be an easy job. The point I am making is if an extinguishment application is to be made, how soon can it be made? I will maintain that it can only be in the public interest to make that application once the planning application is made and agreed. It cannot surely be made on the basis of a safeguarding application, because there is no proven ability that it will be fulfilled. I maintain that any application for extinguishment will have to be delayed until after a planning application is made. If that is the case, again, what purpose is there in giving this safeguarding provision? On that basis, I asked for my name to be put on the report accompanying the original proposition. I am proud it is still there and I hope that Members will vote in accordance with the proposition and with my own views as well.

9.1.3 Senator I.J. Gorst:

Could I firstly thank both you and the Bailiff for allowing me to be at home today, having COVID-19 in the family and needing to manage childcare arrangements? This is a bridging Island Plan that lasts for 3 years, rather than the normal 10-year Island Plan. The Minister’s proposal to include this field might have been more credible if this was a 10-year Island Plan. It is not. This is a quite simple decision for us. We know from the evidence that the quarry will not need this field during the period of the Island Plan. We know that this field is not zoned for housing. We know that this field is used for farming, and I bow to the superior knowledge of others about whether this is Jersey’s premier field or not. I have to say now, of course, being in St. Peter, it could be. I would have historically thought that that surely could only be in St. Ouen; but there we are. It is a field. It is good for agriculture. It is being used for agriculture. The case has not been made by the Minister or by his consultants that today is the day that we should safeguard, and I bow to the Deputy of St. Mary’s superior legal knowledge, that what does safeguarding mean anyway in this context. It is not necessary to make this decision today. I say that as well, because let us be clear, people complain about having houses next to them. It can be inconvenient. Neighbours can come and go. You might have a noisy family and they might have a party once a year. This is a quarry. This is not just something, a normal level of inconvenience, that if we say it is going to be safeguarded today then we can be absolutely certain that the quarry company, who will therefore have value, and maybe we should not talk about the fact that this field was purchased and value was created in the accounts of the company by purchasing this field, it is the wrong way round. That also makes me concerned that we will simply be reinforcing that purchase in advance of any decision about this particular field. It is a very inconvenient and difficult neighbour and once there does not go away. It is clear that it is unnecessary at this time. The previous business plan of the quarry company was that there was sufficient ability to do what they were doing from a quarrying perspective on their existing site for another number of years. As I have said, the evidence shows that they have more years of quarrying beyond this 3-year term. Let us say that the next Government does not quite get round to doing the next Island Plan in a timely manner, there is still excess capacity to deal with quarrying at that site without this field being included and certainly without it being safeguarded, which to my mind is giving it the stamp of approval and inappropriately adding value to this private company. The question about whether we will need to quarry it in this way into the future is a delicate question that we do not properly at this point have the answer to. As the mover of this amendment said and the Deputy of St. Martin said, they have seen some great alternative possibilities already on Island. We also need to think about the balance of on-Island provision, as we have just done for sand, down at Simon Sand Quarry, and quarrying. Is it right that we do provide all of these aggregates on-Island? There is an argument that says, yes, we should, because of the environmental impact of travel of this sort of product. There is also a strong argument that says that land in Jersey is a scarce resource and we must really seriously think about how we can produce and use other methods to replace the need for on-Island quarrying in the way that this safeguarding, if we do not overturn it today, would do. There is time to do that. There is the time of this bridging Island Plan and there is time beyond that, while the quarry continues in its current use. I really do not believe, and I do not want to focus on

some of the objections that parishioners have sent to States Members, because we will never quite know what happens behind closed doors. I think there is enough evidence without delving into those types of observations for States Members today to support Senator Moore and say let us do that other detailed thinking about what is possible. What should we use? Should we really be continuing to use the same old traditional methods of housebuilding and roadbuilding that we have been using in the past? The answer to that has to be no, of course, we should not. If we are really going to deal with the cost of housing then we need to use new methods of housebuilding, which will require less aggregate than we have used in the past. Therefore, there may even, by the time we get to the end of this bridging Island Plan, not even be a need to extend those quarrying facilities further. For me, it is quite clear and I hope that Members support Senator Moore.

9.1.4 The Connétable of St. Peter:

As Members know, La Gigoulande Quarry is located on the border of St. Mary and St. Peter. It is surrounded by picturesque lanes, some leading to the neighbouring Parish of St. Lawrence. These lanes are enjoyed by many walkers and also visitors staying at the Greenhills Hotel. Those living close to the quarry, many of whom are in my Parish, had every expectation that the quarry would close during the next decade. Previous Island Plans had indicated the extent of the reserves and when these might be exhausted. There was no indication that the quarry's life would be extended. In fact, planning permission had been granted for another use. The quarry was to become a recycling centre with activity currently located at La Collette being relocated there. A cycle path was constructed along the length of St. Peter's Valley to improve safety, as it was anticipated that the number of large lorries on that route would increase as they delivered waste building materials to the site. Over the last few months, we have been told numerous times that our vote on the Island Plan in respect of field MY966 within the mineral strategy will protect the field. What are we protecting the field from? It is owned by the quarry, having been purchased at the end of 2019 for an amount substantially more than its value as an agricultural field. That is what it is. It is an agricultural field located in the green zone. There is no need for any further protection at this stage. Only the owners of the field could suggest an alternative use and it seems highly unlikely that they would do so or receive planning permission to do so. If the protection is to ensure the quarry owners are able to construct the access road into the field it also seems highly unlikely that they would remove material over the next few years in such a way that they would lose access from what is now a valuable asset. We are asking for MY966 to be removed from the draft Island Plan and the appropriate independent research to be undertaken prior to the next plan in 3 years' time. We should not be taking a decision of this magnitude without proper analysis of whether the quarry extension is necessary. We have no real data on the impact to the nearby houses, other than a blast test during the U.K. planning inspector's visit. However, that test was substantially deeper to that which would take place if quarrying was extended to the field, where blasting would be much closer to the surface. The impact on the Greenhills Hotel would almost certainly see it close, with the loss of both the hotel and the jobs of many staff who work there.

[16:30]

Unlike the quarry, that has the recycling option to fall back on, which would provide employment; there is no alternative for the hotel. There have been suggestions that we need to extend the quarry to meet the demands of the hospital and forecast housing demands from within this plan. All this, however, is scheduled to be completed before the existing reserves at La Gigoulande would be depleted. In addition, as we have already heard, they have other reserves under the existing plant. These may be more difficult to extract and require the plant to be moved, but they should not be dismissed. The Island's second quarry has recently had planning approval for a substantial increase in the area it can quarry, so do we need to extend the life of La Gigoulande Quarry. The independent inspectors have used an inconsistent assumption that the other quarry can produce 150,000 tonnes of material a year. However, that quarry is stated in the current Island Plan, the Arup Report, and in

their 2021 planning application P.2016/0174 that it can produce over 200,000 tonnes and up to 230,000 tonnes per year of aggregates; far in excess of the figure used by the independent inspector. In their previous report, Arup uses a figure of 259,000 tonnes. That is over 50 per cent more than the independent inspectors have used in their assumptions. If anyone wants to look for that, that was in section B13 of the previous report. It is, therefore, entirely feasible that the other quarry could meet current demands for aggregate, especially as there are now other sources. The volume of recycled aggregates has also been underestimated. This is an important new source of material. We looked at the new crushing and washing facility at La Collette this morning. They aim to produce over 100,000 tonnes of recycled aggregate this year. They are already producing more than the estimates in the draft Island Plan. As a Government, we should be encouraging this activity. That is something we discussed this morning, there needs to be a culture change. People need to be encouraged to use recycled aggregates. Recycled aggregates are not generally used in structural concrete or only in small percentages. Nevertheless, our current volumes of new aggregates can adequately cover the demand for structural concrete. Recycled aggregates can then be used for the vast number of non-structural applications. In fact, why are we considering digging another big hole in the Island when we have recycled materials that can be used for much of our work? We could also utilise imported aggregates. Comparisons of gate prices per tonne indicate that the gate price of aggregates in the U.K. can be as low as one-third of the gate price in Jersey. I thought that was quite shocking; one-third of the price of the gate price in Jersey. Even with import costs, which are considerable, they can be imported without increasing the cost of building in Jersey. I would also mention to Members that the owners of La Gigoulande were recently involved in a planning inquiry to determine quarry plans for Hatfield Aerodrome. This is really a warning about how our decision today could be interpreted. Making his final case, the Q.C. (Queen's Counsel) for the quarry owners highlighted the inclusion of the site in the county council's minerals local plan. Using the words that were used, this identified it as a site where "permission is likely to be forthcoming". By having included it in their minerals plan that was used as a reason why planning should be given. That is exactly what we are doing today, so we must act with great care. There were 265 out of the 705 draft Bridging Plan submissions during the consultation that voiced concern regarding the potential quarry expansion. That is 38 per cent of the total. I would ask Members to please support Senator Moore's proposition. There is no harm in delaying the decision for 3 years. When at that time we should have all the relevant information in front of us. Thank you very much.

9.1.5 The Connétable of St. Mary:

I feel I should say a few words as this is partially in the Parish. My concern is for the people living in the immediate vicinity, including the Greenhills Hotel. Any further ingress into the land would put the quarry operation very close to those properties. This process of a quarry extension has drawn many complaints from the homeowners and the hotel, as it puts the quarry far closer than one would wish for safety reasons. It will create noise, dust and serious vibration during blasting operations. It is not important to make a decision on this today on this bridging Island Plan, as Senator Gorst implied, as it will not affect the operation of the quarry for the next 3 years plus. The change in method of construction will drastically reduce the use of sand and aggregate, a method which we need to adopt in order to supply the demand of really affordable housing. I support Senator Moore's proposition in order to protect the surrounding residents in St. Mary and St. Peter.

9.1.6 The Connétable of St. John:

Last year I attended a Planning Committee meeting for an application of the extension of a quarry. The application was heard following several years of planning. The applicant had done and continues to do a lot of work around the environment. It may surprise Members to know that I was there to support that application. I was happy to support ... as the company having worked with the Parish and other stakeholders, I was convinced this was the right thing to do. The committee, as I have mentioned several times in the last 2 weeks, did have reservations to start with, but they also,

following the process, did not object to the extension. The Deputy of St. Mary spoke about the need for a detailed Environment Impact Assessment. I know that the quarry in St. John did and does extensive work in this area. They continue to look at alternatives at every opportunity to reduce their impact on the environment. I too have today visited the Island's new third quarry this morning. I have to say I was very impressed. I was impressed by the operation. I was impressed by the methods used and the technology that has been implemented. The result is good quality aggregates being produced here on-Island from recycled products; a win-win. There is discussion about the cost of import and with the current steep rise in fuel costs that is concerning. However, I have done a considerable amount of work in this area during my time in logistics. I believe there is a workable solution and that would be to combine inbound products, imports, with our current export of products, such as ash, and by having vehicles in closed loops. This would considerably reduce the impact of costs to importation and also reduce the impact on the environment. I do not believe the case has been made to rezone this field. I will be supporting the Senator's amendment.

9.1.7 The Connétable of St. Ouen:

I am pleased to follow my fellow Constable on this. This time I will attempt to get my geography right. To be clear, St. Ouen is not next door to St. John. However, I do have some previous experience with this quarry, because my late father-in-law had a field which many years ago disappeared into the quarry. We have personal experience of the operation of that quarry. I would endorse the Constable of St. John's comments about the quarry up on the north coast. As I was president of the Jersey Motorcycle and Light Car Club, and there is relevance to this, when they negotiated with us to increase the size of their quarry, I have to say, it was very carefully planned. They have taken great care to protect the environment, they have given us a plan which allowed us to carry on the activity of motocross in the area, and then to reinstate the land afterwards so that effectively it will look exactly the same. That, to me, is the way to do it. I have to say, from all the reports I have received, this is not the case with the La Gigoulande Quarry. It seems to me to have been fairly badly thought out. What concerns me is when you look at the plan, not only are we going to lose yet another greenfield, and we have spent the whole of these last 2 weeks to keep green fields, but it is the closeness it will bring the quarry to Greenhills Country Hotel and quite a large number of houses. There literally will be only 2 fields between them and the quarry. I have to say, if I was living there I too would be very concerned about the noise, dust, and everything else that goes with having an operational quarry there. You only have to go along the north coast road when Ronez is in action to experience the noise of that site in operation. Frankly, closer than that to a residential area; if I was a resident I would be concerned. They have a lot more homework to do before they achieve this. I too, like everyone else, have received a huge amount of correspondence on this subject. We need to take note of that. They clearly are not carrying the community with them at the moment. That is something they could learn from the quarry on the north coast, who did carry the community with them, almost to a man. If you are going to do something like this and you are going to impose this on a community, you need to make sure that you have taken adequate precautions. Frankly, I do not think that is the case. In short, and I do not wish to detail Members on this, I too will be supporting Senator Moore.

9.1.8 Senator L.J. Farnham:

Very quickly; I do not need to repeat what any of the previous speakers have. I wanted to put a bit more context around the potential and the viability for importation of aggregate. The Constable of St. John hit on a very good point with the possibility of a mixed solution moving forward. What happens is that we have to draw a line in the sand, excuse the pun, at some stage, because there needs to be investment in infrastructure, so we can get some proper structure around and prepare for the importation of aggregate on a decent scale. I know there is private enterprise and public sector enterprise wanting to do that; Ports of Jersey, for example. If they know we are going to have a policy which reduces quarrying on Island, which I think we all probably support because it is

ultimately unsustainable, then we need to take that stance sooner or later, so we can start establishing a market and give that market time to settle, so we can start getting better value, certainty of distribution and regular distribution. Senator Moore referred to some comments I made last year in relation to this, which were confirmed by a local business owner, who has managed to successfully import aggregate at a better value by paying a lot of attention to doing that. The sooner we take a stance against the expansion of quarrying the sooner we can find a solution to providing the aggregate we need.

9.1.9 The Deputy of St. Peter:

I am not sure I am going to add very much to some of the excellent speeches that have already been given on this particular subject. The case has very strongly been put forward to support Senator Moore. However, as the Constable of St. Peter said: 38 per cent of comments into the bridging Island Plan were on this particular subject and I just want to add my support for the residents of St. Peter and St. Mary in their absolute passion in this particular subject. In the words of one of the people who will be most affected by extension to this quarry, and I will paraphrase it: "If it is absolutely necessary for the quarry to be extended the Island as a whole will benefit and I will not get in the way." Now, how refreshing to know there is at least one non-N.I.M.B.Y. (not in my backyard) in Jersey.

[16:45]

However, we do not know if it is necessary. Indeed, I suggest it never will be. The real question I ask is: why are we being asked to rezone prime agricultural land and lose a beautiful country lane without far more detail? If the need for crushed granite from this quarry is essential, we have a perfectly acceptable process. It is called planning. Planning will review all the needs and evidence in the public domain to ensure the outcome is considered in the best interest of our Island. What this amendment does say to Planning is that should an application be lodged there will be a presumption to approve, as the States Assembly said so in the recent bridging Island Plan; a presumption without the full examination of the facts. What is clear is the conflicting view on the available reserves. According to the draft bridging Island Plan, the Island has 17 years of winnable reserves. I believe 12 years at Ronez and the balance at La Gigoulande. When both quarries remove or relocate equipment, a further 6 years of reserves are released at both sites, meaning we now have 30 years of winnable reserves. Let us not forget this includes the need to build over 5,000 homes, wherever we are, and of course our much-needed hospital. Also, I know Members have alluded to this, let us not forget that the world of construction is changing. Modern methods of construction will reduce the need of crushed granite or concrete to almost nothing. As an Island, we are trying to embrace technical enhancements. We must fully understand this before making such a dramatic decision on our environment. The public health concerns have not been addressed, I do not believe, to date in any speeches. Clearly the residents who live nearby are deeply concerned and before any presumptions are made a detailed analysis of the risk of the dust, and I will try and get this out properly, respirable crystalline silica must be undertaken. Finally, let us not forget we have a tourist industry. We must factor in detail the effect on one of the jewels in our Island. Okay, Greenhills is in my Parish, so I am bias, but to make the presumption of extending a quarry to within 225 metres of it, without established irrevocable need, is just wrong and unnecessary. I urge all Members to support this amendment. It is unnecessary and we do not need to do it now.

9.1.10 Deputy K.F. Morel:

There have been some excellent speeches, including that of the Deputy of St. Peter just now. I do risk repeating some of the things said. This is unnecessary. The safeguarding has come from, effectively, nowhere. It has been done, the Minister for the Environment may argue, with consultation through the Island Plan process. Obviously, as we know, the Island Plan is many hundreds of pages long and there are many, many, many things in there. While hundreds of the

comments across the whole Island Plan, a third came about this single issue. If any of us were to go to speak to any of the residents in the area, they will feel like they have not been consulted with, because they have had to react to this. They have had to motivate themselves and immobilise themselves. My goodness, what a good job they have done and quite rightly so. I also praise the residents of St. Mary and St. Peter, and a few in St. Lawrence who also joined in with that action. I thank them a great deal. This safeguarding, one of the key issues here is: is this necessary now? No, it is not. Does safeguarding change anything? Yes, it does. If we allow the safeguarding to go through, I can promise the Assembly there will be a presumption towards any planning application going in that it will succeed. It is that simple. To be honest, we saw that with the quarry on the north coast. This is not a criticism. The quarry on the north coast was passed by the Planning Committee, but it was quite clear that the area for extension had been safeguarded for extension and that made it, from a Planning Committee perspective, very difficult to say no to it. As long as they had the right environmental controls, et cetera. The Connétable of St. John has said, he was almost perhaps surprised himself that he found himself able to support it. If safeguarding does go through, there will be a presumption that a planning application will succeed. On the other hand, if this is not safeguarded the quarry owners have every right to go ahead with their planning application. There is absolutely nothing to stop them continuing with their planning application. They can do so today if they wish. Nothing stops them doing that. The clear difference is though, safeguarding almost guarantees success. I would say in order to have a proper consultative period, even if the planning application went in today, I would say we do it without the safeguarding because then there will be a higher bar of assessment for that application. I also wanted to talk about, and I am glad the Deputy of St. Peter mentioned it, the health effects. This does partly speak to my amendment, which is next up. I spoke to the owners and manager of La Gigoulande Quarry earlier this week and I visited the quarry earlier this week. They said there is currently no dust monitoring at the Gigoulande Quarry. That, to me, is a concern. I expressed that to them; I am not saying anything differently. I do not understand why we have inland quarrying, near residential properties without any dust monitoring. Not dust monitoring that is recorded by the company, but is publicly known and shown; real-time available dust monitoring. This is here a 2006 environment impact assessment, application for planning permission for deepening one of the quarry areas in La Gigoulande. They have a list here of nearby properties - this is not the extension part, this is the western part - and we can see that one of the properties is as close as 40 metres away from the quarry boundary. Another one is just 55 metres away. In here it points out that the hotel is 395 metres away, but with the extension it will be much, much closer. The extension pushes the quarry much closer to that hotel. It pushes it much closer to a number of other buildings, which at the moment are 300 to 400 metres away. I find it quite astounding that we have a quarry 40 metres away from residential buildings. There is nothing we can change there, but I find that astounding. That is the level of proximity we are talking about. We do not have any dust monitoring to go with it. There are significant health affects with the issue of dust. I will not spend too much time on it, because I will be repeating myself in a few minutes otherwise. However, it is also notable that in the U.K., in Westminster, there is a private members Bill at the moment going through Parliament. Obviously private members Bills in Westminster Parliament have to follow a rather tortuous process and many of them fall by the wayside regardless of their merit. There is one going through at the moment which is focused on the dust created by quarrying and the need to create a distance between quarries and residential properties. That is interesting, because people realise quarrying creates particulate matter, both P.M.10 and P.M.25. A lot of that includes silica, which we know is harmful to lungs. We know particulate matter is really harmful to lungs as well. An important aspect there is with the extension, while I am not completely au fait with the way it will be quarried, but this 2006 environment impact assessment was for deepening the quarry, so the quarry there was already low. It was already deep. As you go into an extension, you are now talking about being back at the surface and coming down again, so the work will not be as contained as it is in a deep quarry. That is incredibly important. The existing planning inspectors' comments do say, and I know planning inspectors have to be impassionate, but sometimes

it does feel like some things they say might be a little understated. There are clearly some environmental costs associated with quarry expansion, which should not be dismissed lightly. These include bring noise, vibration, and dust closer to some residential properties and Greenhills Hotel, the loss of some trees, and a less direct routing of La Rue Bechervaise. It says they should not be dismissed lightly, but it feels like they are being dealt with lightly, just in that statement. That is pretty much it. They then move on. Which then brings me to the other issue, which has been brought up, which is the quality of the information that has been gathered to support the Minister's inclusion of the safeguarding. There is no question that that has to be questioned. We have a firm that has been used as the key consultant. I believe Senator Moore in her report talks about how the same firm has been used by the Environment Department for something like 22 years. That in itself raises alarm bells for me. That should never happen, that they use the same firm year-in year-out. I believe the figures that are used in there, perhaps not all but most of them and certainly as far as available tonnage of aggregate that can be quarried, they have all come from the firm involved, the firm that owns the quarry. We have been asking the people with the biggest financial interest in this extension to provide us with the information to support the extension. That, I have a real issue with as well. I believe if we say not to the safeguarding today, this 3-year period can be used to have proper independent assessments of not only the availability of aggregate in that quarry, including the availability under the plant area, because that has been ignored. There are hundreds and thousands of tonnes of aggregate under the plant area. That has not been mentioned. We can use those 3 years to gather the information that will satisfy not only this Assembly, but also the residents of this Island and particularly the residents who live nearby, as to whether or not the extension of that quarry is the right way forward. Today we do not have that information. Unfortunately, the Minister's information that he has used does not stand up to scrutiny. For that reason alone, we should not agree to this safeguarding.

9.1.11 Deputy M.R. Le Hegarat:

I did not intend to speak, because I think everybody said everything. However, I want to throw a little bit of a different mix into it. I will certainly be supporting Senator Moore's amendment to have this removed. This is my thinking: the road is the property effectively of the Parish of St. Mary. So, if the Roads Committee of St. Mary decided that they do not want to lose the road, then it will go to a court process. That court process will make a decision based on the public interest. Now, will that public interest test be influenced by a decision made by this Assembly? That I cannot say. So, if hypothetically we were to approve this today or approve for this site to be safeguarded, will that reflect in any court process that will follow in relation to a public interest test? Because we would all be saying we think that it is in the public interest to safeguard this land for this purpose, so will that have an influence on the court case that would follow, the public interest of whether or not St. Mary should lose their road? As I have said, I am already supporting this amendment but this is a concern. I do not have a profound knowledge of public interest, I have only ever really done it in legislative matters or in relation to the freedom of information, but I do wonder whether that would have an impact. That is why I wanted to raise that point for those people who may think that this is a good idea, just to reflect on that, that when it comes to the public interest test we may have already aided and abetted that process. This for me is not essential, it is not like - and we all remember the conflict about Queen's Valley - but it was water and we all have to have water, so whatever your thought processes were, it was essential. I do not think this is essential, and I think most of us around this room do not, because there are new ways coming forward and you can look at other things. So for me, I will be supporting the amendment but I just wanted people to think about that prospect.

9.1.12 Deputy J.H. Young:

I thought I would wait and hear views. I think Members have made some excellent points but I think I am going to present the case for why the proposal appears in the bridging Island Plan. I am not

standing here as an advocate for the company; I have been on site, I have listened to the views. I think what I have sought to do, and it is my job, is to give States Members the choices.

[17:00]

As I said at the beginning, there are difficult choices and we have faced most of them this week and I think the Assembly has done well. I am hoping this is the last major debate we will have on this where there is a huge choice. A question for the plan is this: are we going to plan for the availability of our own construction materials from our own natural resources in the Island or are we not? Now I have to accept that Deputy Morel I think is very, very critical we do not have the evidence and so on, I will not go over the comments he made. He is right, it is not perfect, but as I stand here today a lot of money and effort has been invested into trying to get at this answer to help you make the decision. We went to Arup, experts in the field who do this work all the time. They have worked with engineers, with the firms concerned, with the whole market analysis of the current rate of construction, use of construction materials, the reserves left, a sense of forecast, and they have given us that advice. Members, I think, have been invited on to site visits to talk to the quarry owners but I accept they are going to come from a position of their business but that opportunity has been available. I personally have been onsite myself and Members have had the opportunity to look at the effects that they are on, that they are unarguable. The proposal to safeguard a field which is on the edge of this current quarry is going to have environmental significance. I think the things that Members have said about a planning application is right, is that safeguarding a site in a plan - and I need to be clear about this, as I have tried to be clear all week on other site decisions - does not confer planning consent. This site has a statutory requirement of an environmental impact assessment, statutory in law; that needs to be done. I have already said if I was the Minister dealing with such an application it would have to go, in my view, to a planning inquiry into the application itself - itself - in other words, not to be going to the Planning Committee. I think it meets the criteria if an application were to come in where, instead of at the moment where the debate has gone on around the principles, because that is what the inspectors have done, they have had to look at the policy. They have had to say: "Well this is a policy, it is a plan, it is a bridging Island Plan, but nonetheless it is a planning framework." But when you get to a planning application inquiry, then it gets right down into the fine details of all the things Members have spoken about. I am very clear because if it were safeguarded in this plan that does not mean consent would be issued and, if there were any failures in that process, the whole business would be open to a judicial review and challenge anyway to pull the thing apart, so the process is there. Now why is it in this plan, can I ask that? Why do we need to do this now? What I am told is that the estimates and the forecasts of the expert work mean that if we do not safeguard this within our planning framework now, by the end of 2025 the numbers I have got here, I have seen - people may argue these numbers but of course they were thrashed around *ad infinitum* in the planning inquiry - that we will have less than 10 years' supply at the end of 2025 for our own construction materials. Virtually all that supply then will be from the St. John's quarry; virtually all of it. At that point, the figures that I have seen mean that the St. Peter's Valley quarry - I can never pronounce the name properly - La Gigoulande, will be out. The scenario, the owners of course will be looking for after-use and they have already got consent as a waste-processing plant but that is not the main issue. The main issue is: our planning framework, are we going to plan for that material or are we not? Because there are major implications of saying: "We are not going to do that now, we can put that off." What that effectively means is that we will have, I believe, to completely now go into looking into importation of construction materials. Now, I am sure the Constable of St. John is an expert in this, absolutely, and if this is what happens, I would be advocating he leads this project to try and work out how it is done because there are major implications here. I think the Deputy of St. Martin as well is very, very, very up with this kind of use of construction, aggregate materials and so on. But I recall what the quarry owner said to me is, when I asked them, I said in my naivety ... of course, when you go to the quarry, what do you find? There is a batching plant, there are lots of different products, all graded according to the various grade

of quality required by the industry, different size aggregates, different strengths for different materials and, of course, they employ 39 people who go around and deliver these construction aggregates on to site, ready-mix concrete to order, and it is all there. So, the question I asked is: "Well, if we did not have this, what would we do? Would we import finished products into St. Helier Harbour or would we issue raw bulk materials?" They said to me: "Well if you import bulk materials, we need very, very large landing areas to be able to unload boats. There is a lot of dust, handling and all this unloading of lorries." At the moment, from what I can see, the Ports of Jersey's plan, as I said, is not in the current bridging Island Plan, but I think if a decision is made that we are not going to plan for it now and we are going to defer that now until the next plan, I do not think we could just sit back and wait for that. I think that work would have to go on now and that means I can only speculate as to what the financial consequences and capital investment required in our ports are. Now, as I said, it is a framework, and, again, why do we need 10 years planning? I am told that is an international recognised standard for planning frameworks. It is in the U.K. and I suppose this explains why the planning inspectors thought that it was right to put it in the plan, that it is a national policy framework. It is national planning policy framework to have a 10 years rolling plan for supply of materials, so that is why we got that. Now it is equally true, and I hear the arguments: well, what difference does it make? It is true, I believe that the company, they own this field, they could go ahead and put in an application whether or not this is safeguarded or not in this plan. I am not leading in any way but I think that is entirely possible, but of course if it is not safeguarded, then the same issues would be relevant. Because in the end the planning decision-maker would need to decide on the balance of the planning arguments - and there is no escaping this - as to whether the benefits to the community outweigh the negatives and there are very significant negatives for the people around that. I feel very much, particularly for the Greenhills Hotel, and Deputy Morel quotes this and so on; I have asked to see those. In fact, as a tourist facility I can understand how marketing and perception would affect their market. I will have to maintain what I regard as the professional position because I think that is my job. There are lots of other valid issues, the issues about the road being extinguished, absolutely right. I queried that and there are legal processes for that. I am convinced that why we are trying to do this, why it is in the draft plan, is to provide a framework to allow us to plan for the future. I am pretty certain that Members are going to adopt this amendment and take it out, I am certain of that listening to the debate; if I was sitting in other seats I might. But I am in this seat and it is my job but there are major implications of doing so. I want Members please to be very aware of that and be very clear about that, that there are major implications, that work needs to start now on how we plan for the importation of materials. Unlike the aspirations of Members that suddenly things are going to change, that we do not need concrete anymore because we have got all these new methods coming, well, I just ask, will they all be there in the volume required by 2026? Will they? Do Members think that? Will we not need concrete in structural foundations anymore? Will we not need concrete if we construct a hospital in the new few years? I use an "if" because that is very dangerous territory for me. The volume of concrete in there must be enormous. So, I am going to maintain my position that I believe it is right that the plan includes this and obviously Members will vote as they so choose.

9.1.13 The Connétable of St. Brelade:

I would like to just pick up on the detail of the process of extinguishing a road which has been referred to in previous speeches. It is my understanding that the matter would have to be recommended to a Parish Assembly by a Roads Committee; that is my experience in the past. I suspect the first obstacle would be to have the Roads Committee support the proposition. Now if the Parish Committee were to refer this to a Parish Assembly and it were to be rejected by that body, what would be the process thereafter? Would it be appropriate for the Attorney General to be asked to elaborate on that?

The Deputy Bailiff:

Yes, Mr. Attorney?

Mr. M.H. Temple Q.C., H.M. Attorney General:

Yes, I am happy to answer that question. There is a provision in the relevant legislation, the Extinguishment of Roads (Jersey) Law 1972, and it is Article 2(2) of that law. It essentially provides a jurisdiction for either the Highways Authority or for the Minister to make an application to the Royal Court seeking an order for the extinguishment of the relevant road or roads. While the Parish Assembly may reject the proposition to extinguish the relevant road, there is still jurisdiction for the Minister to either require the Parish to make the application or the Highways Authority to make the application or for the Minister himself to make the application under Article 2(2) of the law. So, I think the important point is that the view of the Parish Assembly is not necessarily a block to an application to extinguish the road, it is one of the points that the Royal Court would take into account when it hears the application for extinguishment of a road. The law provides detailed provisions about who may appear in the Royal Court, who has standing to address the Royal Court on this issue. I hope that answers the Constable's question.

[17:15]

The Connétable of St. Brelade:

I thank the Attorney General and that concludes my few words.

9.1.14 The Connétable of St. Lawrence:

I was not going to take part in the debate for this amendment; however, I just want to address a few points that the Minister made when he spoke. He told us that he was simply doing his job, that is why he has included this in the bridging Island Plan debate. I have to agree, yes, that is what he is doing but we are all here to do our job and our job is to decide on whether or not to accept what the Minister has included or to reject it. That is quite clear because the Minister told us in his opening words that this gives us a choice and it is clear we have a choice. He also said near the end of his few words that he thinks that Senator Moore is going to be supported by Members with her amendment; she will be successful. We all get the feel, do we not, within the Chamber, certainly in the Chamber, not virtually. When I am sitting at my kitchen table listening to debates, I have got no idea whether the Assembly is going to go with something or not. You need to be here to sense the way Members feel and I agree with the Minister that I think Senator Moore will be supported. I will urge Members to support her because what the Minister has told us is that if he was the Minister if and when a planning application went in for this field to be used for mineral extraction, in his view it would meet the criteria for a planning inquiry. So I assumed from that that hypothetically if he was the Minister, he would call a planning inquiry, but of course he will not be the Minister. It is very unlikely that he will be the Minister if and when an application is put to use this field for mineral extraction. Of course, what we are deciding here today, our choice, the choice that the Minister has told us we all have, is whether or not to rezone essentially to allow this to be included for mineral extraction. I was struck by 2 words in the comments of the Minister, one of the bullet points towards the end. He tells us: "The proposal in the draft plan, however, simply safeguards the site for mineral extraction." Simply safeguards. Exactly. That is what it would be doing, it would be safeguarding it for mineral extraction. I just want to speak from a Planning Committee member perspective because very often when we consider applications that are put before us, which we as individual members of the committee may think are horrific: "Why on earth can this be put to Planning?" I cannot give any examples but I know I have felt that over the past few years: "Why on earth is this coming to us? This is appalling. If this was to be approved it is appalling. It would desecrate this, it would desecrate something else, it is too high." But the thing that we are told by officers is that there is a presumption that permission will be given; there is a presumption that permission will be given and therefore we are almost - almost - stuck with that because there is a presumption. Now if the committee decided to reject the application, then it is clear that the applicant would go to appeal. My view is that because there would have been the presumption that permission would be given,

notwithstanding the views of the individual committee members which may have rejected the application, it is almost guaranteed that the inspector who hears that appeal would come down in favour of the applicant. Of course, it would go to the Minister to decide whether or not to accept the inspector's recommendation. So that worries me, and it was backed up by something that the Constable of St. Peter said when he spoke earlier, as I understood him, he was referencing a planning application from the U.K. I cannot remember the area that he spoke to but it was clear to me that that reference made it clear that the presumption for permission to give development outweighed everything else. That is our choice, we either support the Minister in his effort to have this simply safeguarded for mineral extraction or we say: "No, here and now we do not want this site to be rezoned for that, we do not want this field [a good agricultural field, as we have heard] to be rezoned for that. We will make our decision now and we will safeguard the field, we will safeguard it against the use for mineral extraction." I think that is probably the notes that I have made; just of course to agree with what Deputy Morel said earlier. The applicants know now that they could put in an application to apply for mineral extraction anyway as it stands; however, it is highly unlikely based on the current planning policies that permission would be given. It is far more likely that permission for an application would be granted, as I have said, if we were to support the Minister in this and vote against the amendment of Senator Moore. My view is that I think Members will support her and I urge those who may be wavering, or who at the moment will not be supporting her, to change their minds and go with the Senator.

9.1.15 Deputy M.R. Higgins:

I am just going to make a few comments. On this particular issue I was not going to take a view, I was going to leave it to the people who live in the areas and represent the people in the areas. But there is a danger with that and that is many of the people who have spoken against this proposition are doing so facing an election within 90 days or whatever it is. It is obviously an issue with people in the community and they want to be seen to be opposing it and to support them, and I can understand that, but what I think is a concern to me is the Minister put a very good argument from the economic case saying about the implications of it. I do not think our building techniques are going to change in the next 3 years but what I am upset about is the fact that we have no economic data, no report that sets out, for example, the impact importing those materials is going to have. The truth of the matter is, we just had a statement from the Chancellor of the Exchequer in the U.K. who has had new evidence from the Office for National Statistics talking about the biggest fall in personal income in a sense in 50 years with the result of all the inflation that is going to come. They are forecasting up to 10 per cent in the U.K. and we know darn well that we always get 10 per cent. We always get a bit more because we are an Island and we have to import everything. We have no idea how oil prices are going to go and so we have no idea what the real cost of importing materials are. As the Minister said: are we going to buy finished products and import them into the Island or are we going to bring in the raw material? Again, as the Minister said, the Ports of Jersey have not got anything in their plan to cover this and so it also means if we bring in bulk materials, that bulk material is going to have to be taken from the port to wherever it is going to be turned into a finished product. So we are faced with a debate here with obviously the emotional argument from the local residents, from the local hoteliers and others, and we do not have sufficient idea of what projected costs are going to be, say, 5 years from now or more, there is no data. I am just expressing my concern that we do not have sufficient information in one sense to make it a true judgment. I understand in this particular matter that the quarry can go for planning permission anyway and, yes, they can go through the court route and so on, but I think it is a great pity that we have not been given all the information so we can make a proper decision. It should not just be based on emotion. I will not, I do not think, oppose the proposition but I do think it is a failure of our process. We have had, you could say an Island Plan, we have some information and we do not have a lot of others, yet we have got to make some fundamental decisions.

The Deputy Bailiff:

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

9.1.16 Senator K.L. Moore:

I thank everybody who has taken part in the debate. I am very grateful to everyone who has spoken supportively. But of course it is the Minister who we must focus our attention upon in responding because the Minister set out very clearly the very importance of this decision. It is not something that we can take lightly and nor do any of us take this lightly. Deputy Higgins is right to challenge our reasons for doing so and, he is quite right, there are serious economic situations arising at the moment and we have to be extremely mindful, particularly of the potential for cost of importation. That being said, we do know that there are sufficient minerals in the Island for continuing extraction at current rates that will surpass the next 3 years and so it is not correct that we are going to run out of crushed rock between now and the next debate on any Island Plan. Also, we can take into account and be confident, I think, in the decisions that the Assembly has taken in this Island Plan so far in that we have shown our support for modern methods of construction and for prefabrication of homes. But that will mean lower need for the use of aggregates, as we currently see it. Of course, as I mentioned in the opening speech, we also now have online a new recycling facility, which has the potential to deliver considerable amounts of aggregates, both in terms of fine and coarse sand, but also gravel of varying grades to deliver the need for aggregates going forward. They also make concrete, which is considerably cheaper, I am told. I do not wish this to become an advert but I was quite struck by what I saw and what I learnt this morning to see concrete blocks that are being sold for a third of the price of the equivalent from other providers in the Island currently. Given the cost-of-living pressures that we see and the inflationary pressures that we see, we should be grasping any opportunity to see reduced costs, particularly in construction, and running with those. I hope that we can give the Minister confidence and reassurance in reminding him of those aspects. I do not think that the inspectors, as thorough as they were, were able to take into account that new issue of supply when they gave their views on this particular issue in their report. A large part of this, however, is about engagement, both engagement of a company that has been well-rehearsed and also the engagement of people and communities in the Island who when they are fired up and worried about something they show their power. That is what they should do. We are right to listen to them and to engage with them.

[17:30]

Of course, we have to balance the facts and ensure that they are doing so with the right reasons, the right rationale, but I feel absolutely confident in continuing to bring this amendment because it is (a) the right thing to do for the local community and (b) the right thing to do in terms of the future of construction in the Island. I feel reassured and confident that we can continue to deliver and meet the homes that we want to see provided in the Island going forward, but in a more sustainable fashion that will, in the short term at least, protect this greenfield but also meet the needs of our community. With that, I thank everybody for their contributions, and I particularly thank those members of the public who have become very engaged on this matter. They should all be commended for their hard work and I ask for the *appel*.

The Deputy Bailiff:

The *appel* has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are asked to cast their votes in the chat channel. I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce the amendment has been adopted.

POUR: 40		CONTRE: 5		ABSTAIN: 0
Senator I.J. Gorst		Deputy J.A. Martin (H)		
Senator L.J. Farnham		Deputy K.C. Lewis (S)		
Senator S.C. Ferguson		Deputy M.R. Higgins (H)		
Senator J.A.N. Le Fondré		Deputy J.H. Young (B)		
Senator T.A. Vallois		Deputy J.H. Perchard (S)		
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy G.P. Southern (H)				
Deputy M. Tadier (B)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Deputy M. Tadier:

Could I ask for some procedural intervention? It is to ask from the Minister, in particular, about whether we can expect to come back tomorrow what his thoughts are? I understand that there are 2 items potentially, other than the Island Plan, in terms of a statement that I wanted to make tomorrow morning for the A.P.F. (L'Assemblée Parlementaire de la Francophonie), and I know that there is an urgent oral question, and to see what the Minister's thoughts were on that, if it would be helpful to plan that in advance.

The Deputy Bailiff:

The current position of course is that the Assembly resolved yesterday to break now and resume at 6.00 p.m., and sit until 8.00 p.m. So that is the current position unless anyone makes another proposition. Minister, do you want to answer the question that has been asked by Deputy Tadier?

Deputy J.H. Young:

I think Deputy Tadier has a special reason for us wanting to sit tomorrow morning, which I think sounds to me very valid, unrelated to this debate. But we have here, I think, according to my ... we have now got debates on ... I think there were 3 down for debate. There is Deputy Morel and there is the Constable of St. Brelade, but I take it the Constable of St. Brelade is amending his own amendment, which would mean just 2 debates. I do not know how long they will take. I would like time myself, to be honest, to reflect on the 2 weeks before I have to make a closing speech on the plan itself. So, I would prefer to be able to consider that overnight and do that in the morning because I am feeling really quite tired. But if other Members feel differently I will obviously respect that. For me, I think we have the choice of whether we stick to what we said yesterday and clear the remaining 2 debates - Deputy Morel's and the Connétable's - and then adjourn and come back tomorrow for the debate on the Island Plan, as it were, or whether we adjourn now. I think I will stick to our original plan. Let us clear these items, as we planned. **[Approbation]** But if Members will agree that after that we will then adjourn and deal with the final debate on the Island Plan tomorrow morning, which I think would work for Deputy Tadier's distinguished guests who are attending.

The Deputy Bailiff:

The general view appears to be that we should adjourn now and resume at 6.00 p.m. and at least finish with the last 2 debates.

Senator L.J. Farnham:

I propose we adjourn for at 30 minutes.

The Deputy Bailiff:

Thirty minutes or until 6.00 p.m.?

Senator L.J. Farnham:

6.00 p.m.

The Deputy Bailiff:

6.00 p.m. seems to be the mood of the meeting.

[17:36]

ADJOURNMENT

[18:00]

10. Island Plan 2022-25: Approval (P.36/2021) - eighty third amendment: Quarrying and Air Quality Amendment to Policy MW1 (P.36/2021 Amd.(83))

The Deputy Bailiff:

We resume with the 83rd amendment, lodged by Deputy Morel and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) within Policy MW1, after the final paragraph, there should be inserted the following new paragraphs - i) Proposals for extensions to mineral extraction sites will only be supported where there is at all times during the working life of the site, a minimum distance of 250 metres between the proposed face of the extraction site and the nearest occupied buildings, whether those buildings are for residential or employment use. ii) A proposal for extensions to mineral extraction sites will only be supported where real-time air quality and dust monitoring systems are provided and operated within the guidelines set out by the Institute of Air Quality Management and the results of that monitoring is published online. iii) All proposals for extensions to mineral extraction sites must be accompanied by a Dust and Particulate Matter Impact Assessment before Planning Permission may be granted. (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent to the adoption of (a).”

10.1 Deputy K.F. Morel:

I would just like to thank States Members for taking the time to listen to me because they may have felt that we had done with quarrying for the day. I am afraid not. I would also like to start by just pointing out what may be an error in my report, which was brought to my attention today. The wording does matter but basically, I say in here that there is no monitoring of air quality being undertaken at the quarrying sites, either by the Government or the operators. I understand that at the site in the north at Ronez there is periodic air quality monitoring undertaken. I have no idea if that is then reported to the Government or not, or if that is just for their own purposes. But this amendment is here and does not fall away because we accepted Senator Moore’s amendment because, as we mentioned in a previous debate, it is perfectly within any quarry owner’s right to bring a planning application for an extension to a quarry. Obviously, we do know that the La Gigoulande Quarry is keen on extending. We do know this and between now and the next Island Plan they could quite easily bring a planning application. But what is lacking in Jersey’s armoury of health protection is an air pollution law, we do not have that; is air quality monitoring, we do not have that; and certainly - as I said earlier in a previous debate - at La Gigoulande, because they confirmed that to me this week, they do not undertake air quality monitoring and they do not undertake dust monitoring. This proposition on the second part of it requires that real-time air quality monitoring is undertaken and is published so that people can see that. For me that is a minimum. People need to understand if they are living near a site such as a quarry which creates dust how harmful that dust is to them. It is really important that they have that information. The reason being is that rock dust in the air, breathed into the lungs, can cause awful diseases; in this case silicosis being a clear disease which is very similar to asbestosis. If you all cast your minds back to before the pandemic we quite rightly supported a number of propositions by Deputy Alves to do with asbestosis, and there was compensation for as well. I know Deputy Martin, as Minister for Social Security, supported the payment in compensation for that. So we know that this activity can create harmful by-products. Now, there is a problem in Jersey, and this is a real problem in many areas, that the quarrying at the moment - certainly at La Gigoulande, as I said from the 2006 report - has residential buildings as close as 40 metres to it. Now, there is sadly nothing we can do about that but if there is an extension to be created to La Gigoulande or another extension to Ronez - this would not affect the current extension, that permission has been

granted - but if there was a request for a further extension I think the least we can do is make sure that that extension is measured at the very least in terms of how close it is to residential buildings and other employment sites. Now, in my proposition here, my proposed amendment, I am asking for a minimum distance of 250 metres between the proposed face of the extraction site, which is where the blasting takes place, and the nearest occupied buildings, whether that is for residential or employment use. I appreciate that makes life very difficult for anyone who does want to extend a quarry in Jersey. But there is a reality here which is that there are various organisations who have worked out that you should not have a quarry even 1,500 metres from the nearest residential area, let alone 40 metres from the nearest residential area. I referred in the previous debate to the private member's Bill in Westminster. That private member's Bill has been brought about because there is a quarry in Warwickshire I believe, where the M.P. (Member of Parliament) for that area is clearly concerned because work at the quarry will take place just 350 metres from the southern end of the village that he is concerned about. This extension, if it were to take place, would be literally 100 or so metres from new buildings. In my view, that is not right and it is why we must ask ourselves is quarrying inland the right thing to be doing, so close to people's houses? Condemning people to the possibility of suffering such awful diseases for the sake of building materials I find difficult to accept. This is an issue that has been raised around the world. In the report you will see that in Nova Scotia they have now limited quarrying to within 800 metres of residential buildings, Quebec 600 metres, Victoria 500 metres with blasting and 250 metres without blasting, India 500 metres, Malaysia 500 metres. The lungs of people in Malaysia are no different to the lungs of people in Jersey, and yet I am having to go with something which is 250 metres just to make it somewhat viable that we could extend some quarrying in Jersey. I think it is really important that we recognise that by having these quarrying sites so close to people's homes we are putting them in danger of suffering from some awful diseases caused by the dust that is created from those quarries. We need to put in some guidelines so that when Planning is looking at these things it has some measurements and some benchmarks to measure that quarrying against. It does not mean that the permission would not be granted because, as we have heard many times throughout the last 2 weeks, planning is also always a matter of balance. It may well be that a planning inquiry, which would likely be called for any extension of a quarry, would say that: "Yes, while it is within this 250-metre limit that the States have provided for, we believe that the benefits outweigh the potential risks there." But it is right, in my view, that we set a benchmark and say that ultimately quarry faces should not be closer than 250 metres to residential homes and people's places of work. Thankfully there are no schools in the area, which the M.P. in the U.K. (United Kingdom) has had to contend with. He points out that the quarries that he is particularly concerned about are 170 metres from some schools. We do not, thankfully, have to worry about that but we do have to worry on behalf of residents who are in the area. We heard, for instance, that the Greenhills Hotel, which is an employment area, that would be 200 to 300 metres from the quarry face. So this is stringent. It does make it difficult, but I have taken the very, very lowest limit possible that makes it reasonable for us to say we are doing something to safeguard people's health while also providing the opportunity for a quarry extension to be at least considered, at the same time, the second part of the proposition saying if planning permission is granted then real-time dust monitoring must take place. I hope this will get the support of the Assembly as new conditions for the extension of quarrying in the Island. With that I make the amendment.

The Deputy Bailiff:

Deputy, do you accept a request for clarification from the Chief Minister?

Deputy K.F. Morel:

Yes.

Senator J.A.N. Le Fondré:

Yes, it is 2 points, one I hope is easy, is the Deputy prepared to take it in parts or particularly the part (i), I presume that can be taken separate, or not, and will he consider that during the course of the debate. The important point though is when he was speaking to the Assembly he referred to “the quarry” and “inland quarrying”. As I have understood it, this amendment applies to all quarries, so that would be Simon Sand, La Gigoulande and Ronez, not just the quarry that was the subject of the previous debate. Is that the Deputy’s intention?

Deputy K.F. Morel:

Yes, I can confirm I am happy to take it in parts. That is not an issue for me. Secondly, yes, it is for all quarrying, absolutely, because the health effects are the same for all quarries.

The Deputy Bailiff:

Thank you. Is the amendment seconded? **[Seconded]**

10.1.1 The Connétable of St. John:

The Minister in his comments supporting his opinion to be minded to reject this amendment correctly, in my opinion, points out the amendment is both unnecessary and inappropriate. I think we need to be cautious about the unintended consequences. I think the proposal is well-intended but I am concerned. If adopted it would effectively scupper any future mineral working extension in the Island as it is unfeasible that operating faces at any of the current quarrying sites could ever be greater than 250 metres from the nearest occupied buildings, whether those buildings are for residential or employment use. Indeed, the operations themselves would be unable to function as the onsite facilities will always include buildings for employment use. I am sure this is not the Deputy’s intention. We heard in the previous debate, and just now from Deputy Morel, that some homes in St. Peter’s valley are as close as 40 metres. If adopted the amendment would fundamentally undermine the proven need for continued production of local aggregates in the long term if such a policy for a 250-metre standoff endured beyond the business Island Plan period. All the current mineral sites have potential to extend, albeit some more urgently than others. Indeed, Ronez quarry, which now has a secure reserve position, may seek planning consent for extended operations, albeit in decades to come, not years. It is the function of the planning process to assess the impacts arising from the quarrying operations, and this will include the air quality. An arbitrary 250-metre limit does not allow recognition that impacts differ from site to site for a host of reasons including degree of mitigation, prevailing winds, or the nature of the dust and the hazard presented by its physical and chemical characteristics. I agree about the requirements for air quality monitoring should be published, but I do not think it should be limited to quarries. This all has to be diligently evaluated through a correctly scoped and thoroughly scrutinised impact assessment. Each case must be determined on its own merits. A blanket propositioned buffer distance that has no scientific or evidence base does not ensure the health protection that Deputy Morel is seeking. A thorough analysis of the impacts of each individual application through the planning process is a better way to achieve that. As Deputy Morel said in his introduction, it is wrong to assume that there is no air quality monitoring at quarrying sites. There may be indeed limited legal obligation but I am aware that Ronez, operating in St. John, do undertake periodic personal and static dust monitoring together with continuous monitoring of emissions from certain processes.

[18:15]

This dust sampling measures dust concentration as well as the nature of the dust. This is primarily to protect the health of employees and to ensure that exposure to respirable dust and the respirable silica dust is below occupational exposure limits, so by taking mitigating actions to protect employees on site in this way there is also a significant contribution to mitigating any impact from fugitive dust that could leave the site. There has been quarrying at Ronez for over 100 years. My wife’s

grandmother was named Ronez after the quarry. I hope there is quarrying there for many years to come if it is safe and practical to do so. I would urge Members to reject item (i) and support (ii) and (iii).

10.1.2 Senator J.A.N. Le Fondré:

I am quite pleased to follow the Connétable. I think he has pretty well said everything I would have wanted to say. Provided that the Deputy has indicated that he will split the vote, and particularly (a)(i) that I want to speak to, (ii) and (iii) I am relatively ambivalent on. It does seem to make sense that a dust strategy and air quality monitoring is carried out. But the big concern I have is the distance of the 250 metres. I think the Connétable has made the point already that quarries will have buildings inside their working area. Very, very briefly, using purely evidence of Google Earth and mapping out from there, and it very much depends on where the proposed face is, but certainly all of the 3 quarries named - and I should repeat my declaration earlier, I own a property within 250 metres of one of them - they all have properties within 100 metres of certainly the boundaries and potentially what might be an operational part of the quarry. I am not an expert in that area but certainly within the area of the quarry. It very much then depends which bits are being extended for extraction. I accept that the Deputy says this is about new works that do not already have permission but I think the Connétable's comments about the impacts of unintended consequences should be very, very carefully considered here. I agree that the ambition of the Deputy is laudable; I do agree with him on parts (a)(ii) and (iii) but I think (a)(i) would cause significant issues which we are not necessarily informed of to have an informed vote. On that basis, I certainly will not be supporting (a)(i). Also, I will be listening to the comments of the Minister as well.

10.1.3 The Deputy of St. Martin:

Like the Chief Minister, the 2 words at the top of my paper on this particular amendment are "unintended consequences". While I absolutely agree with the Deputy on many of the things he said, we just need to be really careful about the specific process that we are worried about here, because it is stone crushing that is creating dust, which is creating the issue we need to remember back to Senator Moore and what I said about La Collette; there is stone crushing going on there. But more important than that, there are, because of the bylaws and the reasons that we want to recycle as much stuff on building sites, we have mobile stone crushing plants which go all around this Island. On a daily basis we are crushing stones on site in all sorts of places, the idea being that we recycle that, we leave it on site, we use it as the hard standing under the foundations. We need to be really careful here otherwise somebody could well take us to task and say: "Well if it is good enough for the major stone quarries we are going to have to apply this rule to mobile plants" and before we know where we are, we are in a real pickle. So, I just highlight that and alert Members to unintended consequences.

10.1.4 Deputy J.H. Young:

I think Deputy Morel's proposition is well-intended and certainly there are parts of it that I think are quite reasonable, for example the last point is that as part of a planning application process if there is any risk for environmental issues then that should be something that is dealt with at the planning permission stage. The first one, no need to cover that because Members have made the point, what is being said about the difficulty in working (i) is true. But point (ii), Deputy Morel, he correctly identifies in his report that we do not at the moment have any air pollution law in Jersey, and this is a terrible shame. Deputy Morel knows this is a subject - when he was on the Environment Scrutiny Panel - that the panel are looking at. It is a matter of ongoing correspondence. I have recently written letters about the work that is ongoing about air quality, and I think due to the panel they got us extra money in the Government Plan. But the point is this, I think we have got to make those ... there is not a question of unlimited resource here. What do we know about air pollution at the moment? Particulate matter, either P.M.10s or P.M.2.5s do have these damaging effects on lungs, and seriously.

It is natural material. I am getting a lot of complaints now about particulate matter from wood-burning stoves. Wood-burning stoves concern a lot of complaints, a lot of scientific work about incomplete combustion or combustion at not a low enough temperature or flues not discharging high enough above prevailing contours and so on in valleys. This is a project that I have asked the Environmental Health team to work on to bring forward proposals for that. The biggest source of pollution is traffic. Obviously, that is not natural, that is pollutions from hydrocarbons coming out of fuel. So, we have got to have this programme of air quality management backed up with law, and there is no question here we have got another source. There are lots of them. So, yes, if somebody is going to do something when there is a risk in their own premises then they should have to incur the cost of introducing monitoring measures and they should be able to keep records, but I think that is the sort of context in which I would personally want to carry that forward, and also ultimately to have a law where we could deal with breaches. At the moment you would have to use planning conditions. Planning conditions are notoriously difficult to enforce, as I am sure the Deputy knows. So, I think this is well-meaning, and for me I am having trouble with it because I honestly believe ... let us put our resources where we can get the most benefit because what the team tells me, they have had no complaints. They have had no complaints where there are so many other complaints in other areas for air pollution. I have mentioned a few. So, we have not had that, there is not that history. This is probably arisen obviously as a result of the previous debate. Well, we have made that decision now and if there is a planning application there will be an environmental impact assessment, and I agree that point (iii) in the proposition should be there, and probably point (ii) in that case because once you have set something as a standard how do you know it is being complied with if you do not have monitoring. But I do not know whether the Minister for Infrastructure can tell us, is there any monitoring of what goes on down at La Collette, for example? I am getting nodding. I think what I have observed is that a lot of construction sites where this sort of activity is going on, what happens is there is somebody there spraying water to damp it down, to take practical, sensible measures to keep dust down because it affects operators, it affects everybody. So, I think fortunately these days there is a more enlightened attitude where in the past perhaps people, did not care or did not really see the connections between health and this. So, I think it is well-intentioned; personally, I think part (i) simply I do not think can go. I think I am persuaded probably to go for (ii) and (iii). I did not put that in my comments, but I am really ... I put that out there, this needs to be done in the context of future work on air quality. I have given that information to the Scrutiny Panel, there is an ongoing review, and ultimately there will be a report on the whole thing coming forward. To be honest, the Island Plan in planning policies is not really the place to do that kind of grassroots environmental work. It is not really planning, I do not think, but I will go with points (ii) and (iii).

10.1.5 Deputy R.J. Ward:

I know everyone wants to go home but I just feel a little bit annoyed by what I have been hearing. Unintended consequences? The unintended consequences of not monitoring air pollution on this Island anywhere is that we do not know the effects of air pollution on our population. The unintended consequence of that is we do not know what chemicals are being produced. It is interesting that the Minister talks about wood-burning stoves. The really important ones are the fuels that are being burnt in the centre of our towns, particularly when it is sunny and particularly with old engines, because we do not have M.O.T.s (Ministry of Transport), and the production of the by-products of combustion and incomplete combustion are polycyclic aromatic hydrocarbons, which are really bad for you. Really bad for you. I looked at this, and I know it is the end of the day, and I thought: "Not another one." But then I read this and I thought: "Actually, well done, Deputy Morel, because what you have done here is you pointed out the reality of particulate pollution around our quarries." What we are saying is: "Well, because we cannot quarry with the right sort of distance from people then let us just carry on and do it anyway." That was a similar sort of argument for coal mining: "Well, it is not economic to protect our miners and, to be honest, they are expendable, they are working class so let us just carry on and do it anyway." The biggest issue for me here is the fact that we do not

monitor what is being produced. So, what I would say to every States Member is if you are not worried about it would you go and live there? Would you go and live next door to somewhere where you do not know what is in the air that you are breathing? We do not want to do that. I mean, those of us who live in St. Helier are probably forced to do that because there is so much traffic and there are so many poor engines and there is so much idling of engines near your home that you are not entirely sure what you are breathing in. But I think before we dismiss this and say: "Well, unintended consequences, we do not really know what is going to happen to that quarrying industry if we do this" we have to make a decision for this Island Plan and what we do as a Government, what we do as an Assembly. Do we put the health of our Islanders first or do we put the economics of a company first? For many they will want to be pragmatic, they will want to look for the balance in those 2 things. Well, the balance is to ensure that we monitor what is going on and put in mitigating measures to stop it happening. That is really important. What was talked about as regards the mobile crushing units, I get that, they were working just across the square there on the way in one morning and there was dust everywhere. I was thinking: "Well I do not want to breathe that in because you do not know what is in it." But it happens everywhere and unless as a States Assembly, as Government, as a regulator and as an Environment Department we say to builders: "I am sorry but you are not going to do it this way because these are the regulations, fix it" then it will carry on. Because underlying this - and a lot of Members of this Assembly would support that - is the real driver is the money. It is all about the money. This is about health. This is about the well-being of Islanders and the health of Islanders and so I would urge Members to ... we see the way this is going at the moment with the speakers and I would just urge Members to think again before you dismiss this out of hand. I support this and I support this because it is about new extensions to quarrying, and we talked earlier about that perhaps not being necessary for another 5 or 10 years. Now, in that time there should be time to come up with mitigating measures, there should be better air quality monitoring, there should be better monitoring of pollution on the Island and the effects it is having on the population. So I think give this an opportunity and I would suggest that people support it.

[18:30]

10.1.6 Senator K.L. Moore:

I was a little surprised to hear the Minister suggest that this was not quite the right environment to be debating this issue because I would simply applaud Deputy Morel for bringing this. I concur with many of the points made by Deputy Ward, and I would hope that if part (i) of this amendment is not adopted today that the Minister will ensure that his successor will complete the work that is necessary because sometimes - particularly with health issues - we do not know the unintended consequences until they hit us in the face. We can all think of health issues that have been caused by asbestosis - I think somebody has already mentioned it - and those consequences are devastating. I will certainly support Deputy Morel. I think perhaps there needs to be some refinement in part (i) for the reasons the Chief Minister outlined in terms of employment use and potential for people working on the quarry site. That is perhaps my only area of concern with that part, but I would urge the Minister to ensure that something is done about this in future if not today.

The Deputy Bailiff:

Thank you, Senator. Does any other Member wish to speak on this amendment? If not, I call upon Deputy Morel to reply.

10.1.7 Deputy K.F. Morel:

Thank you, everyone, for speaking. It is really helpful. Of course, I understand the issue that this proposition raises in part (i) particularly. I really do. But I think we have to realise that ... Deputy Ward said it correctly; do we put the health of our Islanders first? It is that simple. Or the health of the construction sector? It is difficult to know. It is interesting as well that ... I am going to quote here a group called the Environmental Working Group which is a U.S. (United States)-based body

specialising in research. It stated that: “None of the air quality standards for silica are adequate to protect people living or working near mining sites. The danger of airborne silica is especially acute for children.” That is the way it is. Those are absolutely the facts. In bringing this debate I am really pleased that there has been positivity around parts (ii) and (iii), and I completely understood the issues around part (i) but I wanted to make sure the States had heard this and that the States knew this and that the States made a decision where it was completely aware of the facts. So, if you reject part (i) by all means go ahead, but know that when you are doing so you are putting the health of Islanders at risk and you are putting the health of children at risk in doing so. That is what I want the States Members to know. I also find it quite astounding that really ... I mean, whether it is through the Island Plan, whether it is through a lack of an air pollution law, whether it is through other environmental regulations, I find it quite astounding that given that quarrying was a part of this Island Plan that the Minister for the Environment has not addressed this issue at all. He really has not addressed the issue. I believe that the view was mitigation measures, and the Minister for the Environment referred to various mitigation measures. We do not know how successful they are without monitoring the sites and the areas of land around the sites to see whether those mitigation measures work. It is just an assumption that they are working at all times. To be honest, I do not even know what mitigation measures are in place at the quarrying site at the moment. Do they use water to reduce dust flying out of those sites? I do not know, but what I do know - and I think this is an aside - but I do know that I have walked past plenty of building sites in Jersey where dust is flying out of those sites, whether it is angle grinders being used in the roads, things like this, and it is shocking. This happens all over the Island; it is happening today. I think that is something that the Minister for the Environment really needs to get to grips with. I would like to say thank you to everyone who spoke. The Connétable of St. John said it would undermine the proven need for mineral extraction and that the 250 metres was arbitrary. The 250 metres is arbitrary only in the sense that it is less than everywhere else that is looking at this issue. I picked an arbitrarily lower number so that there was at least a possibility of having some extraction in Jersey. It is not arbitrary in the sense that I picked a high number; I went in completely the opposite direction to try and balance the economic needs of the Island with the health risks. I thank the Chief Minister, he mentioned his ambivalence about parts (ii) and (iii), obviously he will reject part (i), I understand that. The unintended consequences that he, the Deputy of St. Martin and the Minister themselves mentioned, I think Deputy Ward responded perfectly to those. We really are in a state when it comes to various elements of construction and its impacts on health, and I think down to some of the I.F.C. (International Finance Centre) buildings where dust was pouring out of there despite the apparent mitigation measures and the apparent monitoring. I am very willing to be corrected on this but I believe it was the case that monitoring was not taking place sometimes in some of those I.F.C. buildings when it should have been taking place. I am happy to be corrected if I am wrong on that. But we do not pay attention to these issues. We have a construction centre - whether it is in the mining to the building - that is working hard but they are putting lots and lots of dust into the air of this Island and no one is paying any attention to the amount and the harm that is doing. Essentially, we as Islanders and as a States have adopted the view that ignorance is bliss. The trouble is ignorance will ultimately harm us, and harm us all. I will leave it at that. I will take (i) separately and then (ii) and (iii) together if that is okay. Can that be done?

The Deputy Bailiff:

Yes, it is your amendment. So, you wish to take (i) and then (ii) and (iii) together?

Deputy K.F. Morel:

Yes, please.

The Deputy Bailiff:

Yes, well the *appel* I think has been called for and Members are first voting on (a)(i) of the proposition. Members are invited to return to their seats. Those joining the meeting via the Teams link are asked to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that (i) has been rejected: 16 votes *pour* and 28 votes *contre*.

[VOTING TABLE TO FOLLOW]

Deputy K.F. Morel:

Sir, if I could just say quickly in terms of the vote, it is parts (ii), (iii) and (b) together, just to make that clear.

The Deputy Bailiff:

Yes, that would be appropriate. So we now turn to the balance of the amendment, (ii), (iii) and the consequential (b). Those joining the meeting via the Teams link are invited to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The balance of the amendment has been adopted unanimously.

POUR: 45		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				

Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Deputy K.F. Morel:

I thank Members.

11. Island Plan 2022-25: Approval (P.36/2021) – sixtieth amendment: Performance Measures (P.36/2021 Amd.(60)) - as amended (P.36/2021 Amd.(60)Amd.)

The Deputy Bailiff:

Next is the 60th amendment lodged by the Connétable of St. Brelade. Connétable, you have lodged an amendment to your amendment; do you wish, if there is no objection, your amendment to be read subject to its amendment?

The Connétable of St. Brelade:

Yes, I do, please.

The Deputy Bailiff:

Thank you. Greffier, could you please read the amendment as amended.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that within the Chapter headed “Island Plan performance framework”- i. the Proposal headed “Proposal - Strengthening the Island Plan performance framework” the words “to development” should be substituted with the words “to develop, in consultation with the Statistics User Group (or any replacement Statistical Advisory Council) and the Economic Council (or any replacement independent body performing a similar advisory function),”; and ii. the table headed “Thematic Island Plan policy” (in the Chapter headed “Island Plan performance framework”) - (a) and within the potential performance measure relating to Policy GD8, after the word “zone”, there should be inserted the words “and additional

storey/built height area”; and there should be included the following additional potential performance measures - “Number and estimated heights and spread of trees and shrubs exceeding 4 metres lost (including in the 5 years preceding site development if identifiable)”; and “Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed 4 metres in height”; (b) and within the potential performance measure relating to Policy ER4 - Daytime and evening uses, there should be included the following additional potential performance measures - “Total cubic building area for daytime and economic use gained and lost in St Brelade’s Bay” and extent to which lost to public amenity or residential development; (c) and within the potential performance measure relating to Policy EV1 - Visitor accommodation, there should be included the following additional potential performance measures - “Total cubic building area for visitor accommodation gained and lost in St Brelade’s Bay and extent to which lost to public amenity or residential development”; (d) and within the potential performance measure relating to Policy NE3, there should be included the following additional potential performance measures - “Number and estimated heights and spread of trees and shrubs lost exceeding 4 metres in height (including 5 years preceding site development if identified)”; and “Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed 4 metres in height”.

11.1 The Connétable of St. Brelade:

First of all, I crave Members indulgence for yet another St. Brelade’s Bay amendment, but it is the matter close to my heart. The amended proposition responds to the statement response SR65 or the post-consultation report by omitting the former paragraph (b) of the proposed amendment relating to policy GD9, refining the wording in relation to policy GD8, refining ER4 to admit references to footprint and storey area, and to reduce additional scope to the St. Brelade’s Bay alone, a heading of further and similar potential performance measure in respect to visitor accommodation in St. Brelade’s Bay, adding a requirement that the stronger performance framework proposed in the proposal, which is strengthening the Island Plan performance framework, be developed in consultation with independent bodies associated with good statistical governance and future economy growth. It is accepted that some of the former proposals regarding potential performance measures could be difficult to calculate because of the width of their scope, but in view of the inclusion of the St. Brelade’s Bay improvement plan and the statement in its preamble that St. Brelade’s Bay is an important part of Jersey’s tourism offer, 2 of the proposed additional potential performance measures are confined to that area, which should be relatively straightforward to measure and could assist in the development of the improvement plan and in future government-testing methodology of performance measurement on a larger scale. All the potential performance measures are potential and, therefore, suggestions for measures should not be discounted without proper consideration. Of particular concern is the balance of considerations with respect to the economy and natural environment. In that respect it is noted that the Minister has accepted the feedback of natural environment in the public consultation to include proposal 36, which is that which refers to the strengthening of the Island Plan performance framework in the bridging Island Plan. The involvement of the Infrastructure, Housing and Environment Department will assist in the evolution of a balanced framework to assist in the measured performance of the Island Plan and the development of its proposals and future policies. However, there remains a weakness in economic representation and there is a concern about Government being perceived to mark its own homework. For this reason the proposition proposes consultation regarding the content of the performance framework with 2 independent government-constituted bodies specialising in advising on statistical integrity and future economy. The Statistics User Group is an independent body and the Economic Council is chaired by the Minister for Economic Development, Tourism, Sport and Culture. I make the proposition.

The Deputy Bailiff:

Is the proposition seconded? [**Seconded**] Will you accept a point of clarification from the, Minister?

Deputy J.H. Young:

Thank you, I just would like clarification please from the Connétable because I may have not picked up the details. We had an original amendment here in July and then we have got an amendment to the amendment in February which seems to cover the same ground. But could the Connétable explain, does the new one completely substitute for the old or are bits of the old one still going forward in what he had to say?

The Connétable of St. Brelade:

In effect it substitutes the previous one.

The Deputy Bailiff:

Yes, as I understand it, you simply look at the new document, the amendment.

11.1.1 Deputy J.H. Young:

I am pleased really getting rid of that one because this one is easier. It has got 2 performance measures for St. Brelade. As a St. Brelade's Member I can hardly argue against that because it will not be me, it will be my successor who has to go through this very onerous task of trying to go out and measure every tree and the spread of trees and the size of the girth. Well, great stuff, you know. Absolutely what I wanted. Can I just ask the Constable, please, since he has brought this amendment, just remind him that the planning law does not cover trees? I am awaiting a review from his panel about the future of our proposal to have tree cover in the planning law, which comes for debate at the end of April, and I hope the Connétable will give us a green light to get that into law because without that, this I am afraid will remain an unattainable vision. That is what I have got to say and I have got no objection putting it to the statistics body. That seems to be sensible. Good luck though. I do disagree with one thing, it says it is not going to cost any money and there is no staff or manpower. Well, look, everything costs money. So, there we are.

Deputy J.A. Martin:

Sir, can I have a clarification, is the Minister supportive? I need to know.

Deputy J.H. Young:

I was asking myself that at the end, but the answer is yes.

The Deputy Bailiff:

Well, that is good news. Does any other Member wish to speak on the amendment?

11.1.2 Deputy K.F. Morel:

I am going to reiterate exactly what the Minister just said about it would be wonderful to see the Environment Scrutiny Panel's report on tree strategy and tree protection to come forward very quickly.

The Deputy Bailiff:

Thank you. Does any other Member wish to speak on this amendment? I call upon the Connétable of St. Brelade to reply.

11.1.3 The Connétable of St. Brelade:

I am grateful for the Minister and Deputy Morel for speaking. Certainly, I look forward to the debate on P.76 and supporting the proposals from the department in that. I think it will be a way forward in the process of protecting our tree stock in the Island, which is long overdue. I would add that funding was allocated towards that particular area in the Government Plan. This amendment offers improvement of the current proposed performance measures so that deterioration or improvements in scenic landscapes and loss of land suitable for tourist economy or public amenity development can

be better assessed in the future. As simple as that. I thank Members for their consideration after these long few days and ask for the appel.

The Deputy Bailiff:

Thank you, Connétable. The appel has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel, and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the amendment has been adopted.

POUR: 43		CONTRE: 1		ABSTAIN: 0
Senator I.J. Gorst		Deputy of St. Martin		
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				

Deputy of Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy J.H. Perchard (S)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

The Deputy Greffier of the States:

The Deputy of St. Martin voted contre

The Deputy Bailiff:

We now return to the Island Plan as amended. I was not clear whether Members wished to continue the debate, bearing in mind the Minister's request to speak tomorrow, or to break now. But we of course may continue until 8.00 p.m.

Deputy K.F. Morel:

Sir, may I propose the adjournment?

The Deputy Bailiff:

Is that seconded? [**Seconded**] Does any Member wish to speak on the proposal that we adjourn now? Accordingly the Assembly is adjourned until 9.30 a.m. tomorrow.

ADJOURNMENT

[18:54]