

**4.10 Deputy M.R. Higgins of the Minister for Health and Social Services regarding the Minister’s assessment of the independent Planning Inspector’s report on the plans for the proposed new hospital: [OQ.9/2018]**

Given the Minister has stated publicly that, although the Planning Inspector recommended to the Minister for the Environment to reject the plans submitted for the proposed new hospital, the inspector has indicated the site is nevertheless appropriate for the new hospital, will the Minister explain how he has made that assessment of the inspector’s findings?

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

The inspector said in his report, and I am paraphrasing because he says it in more than one place: “I assess that in broad spatial terms, the application proposal would be a sustainable and accessible location.” The Minister for the Environment said in his ministerial decision that he accepted the case made by the applicant on the grounds of need and that the points made by the independent inspector’s public inquiry report about the existing site being a suitable location for the hospital.

**4.10.1 Deputy M.R. Higgins:**

Supplementary? The Planning Inspector said, among his evidence: “In terms of the overall planning balance I consider that the spatial and locational factors that weigh in the proposal’s favour are heavily outweighed by the significant negative impacts that arise in terms of townscape, visual amenity, the settings of heritage assets, and the amenities of existing residential properties.” So he was basically saying that the site was not appropriate with the plans being put forward. As he was told within his terms of reference he was not to look at any other sites, how can you still say it was acceptable after that statement and other statements he has made in his report?

**The Deputy Bailiff:**

Through the Chair, please.

**Senator A.K.F. Green:**

I read the report and I do not put my own slant on it. Very clearly, the inspector says that this is an appropriate location. He did go on to say that the plan before him, the Rochdale profile presented to him, was not one that he would want to see on the site within that location but he did say this was the appropriate location for the new hospital.

**4.10.2 Senator S.C. Ferguson:**

Why does the Minister keep saying that the Gloucester Street site has been agreed by the inspector when the inspector’s report says, on page 2, put simply: “The application site area is far too small to accommodate successfully the amount of floor space proposed”?

**Senator A.K.F. Green:**

It does, but again the Senator has failed to read the report correctly. What it says is the application site, the site on which we were basing the footprint of the proposal of the Rochdale profile. But he is saying the location ... in other words, if you were to use more of that location and expand your building site, the location is right.

**4.10.3 Senator S.C. Ferguson:**

Yes, but surely the Minister understands that if he uses more of the location site there is not any room for patients?

**Senator A.K.F. Green:**

I wish I was an expert on everything. I have my officers working on plans to look at how we might use the rest of that site. One of the things that we absolutely worked to avoid, we wanted to be 50 metres or so away from the current building. We might have to review that.

**4.10.4 Deputy G.P. Southern:**

I suppose it is a very general one since the Minister is not an expert on anything. Where does the Minister believe he now is and what proposals does he have to resolve what is becoming a crisis rather than any other description?

**Senator A.K.F. Green:**

What I would say, generally - and I will answer specifically the question in a second - if we put as much effort into trying to make this work on the site that we have, the site that was approved by the public, the location that was approved by this Assembly, if we put as much effort into developing that location, we would be on the way. Where I intend to go is I have asked officers to look at ... because it is quite clear the inspector has said that he feels the height, despite advice from officers in Planning, is not right for that part of the site. It seems to me that if we go sideways then you lower the height. So we are looking at our options around that. It may be that we will have to phase ... and I do not know this because I have not received advice yet, it may be therefore that we might have to phase the development. I do not know the answer to that. I am going to get some ideas from officers, from experts, from people who know what they are doing, who have worked very hard to develop a scheme for Jersey. I am getting that advice next week.

**4.10.5 Deputy G.P. Southern:**

We are back to the “when” questions and the 100 days. The Minister may not know where he is going but what is the process by which he intends to arrive there and when does he expect to come back with some sort of further answers or solutions to this House in order that we can accept what the compromise is that he suggests?

**Senator A.K.F. Green:**

I cannot answer that question. What I have told Members is that I am expecting to receive some advice next week about how we might make that location work differently for us. I have to get that advice first. It is very clear both the inspector and the Minister said this is the right location. It is very interesting that they failed to acknowledge that the inspector also said in terms of transport and infrastructure links it was also the right location.

[12:15]

**4.10.6 The Connétable of St. John:**

Does the Minister not admit that what the inspector said is it is an appropriate location, he did not say it was the only location and that there are other locations that are probably more appropriate but that was not for the Building Inspector to say? However, his own advisers, Gleeds, in their original forms, did identify other locations that scored significantly better than the current hospital location. When is he going to stop flogging a dead horse?

**Senator A.K.F. Green:**

I am never going to stop. I promised to deliver a hospital and I am going to deliver it. I am going to deliver the right hospital in the right place at the right price. Right, to answer the question, I did not see anywhere in the report where the inspector made comment about other sites. What he did very usefully though is give us a whole host of principles that we need to work to. If you were to apply those principles - the inspector did not - to the other sites they

all fall, but they all fall for other reasons. Let us be quite clear, nobody wants to hear this but the sort of building that you would need to ... if you complied with the planning, going outside of town, the inspector says that the maximum height for building outside of town is 18 metres. So if you apply that to any site outside of town you would need to develop a hospital that is the size of 5 Asda superstores with 2 Patriotic Street car parks alongside. If you comply with the sort of building that we would want to put on those sites ... no, sorry not want, would need to put on those sites to provide a good hospital you would be able to see it all over the Island at Overdale, which is against the Planning Inspector's guidance in relation to the current site. If you went to Warwick Farm we joked about having to need to change the flight path, they were jokes, but it would not comply with either the planning policy on Green Zones or on height. If you went to the Waterfront, it was made quite clear to me by Planning that we would have nothing that would interfere with the view of Elizabeth Castle from Gloucester Street. Now, the Planning Inspector made a big play of the influence of the current Rochdale proposal, which has been rejected, and its influence in relation to Elizabeth Castle. So you can see putting something right across the Waterfront would shoot holes in that policy as well. The advice from Planning has always been ...

**The Deputy Bailiff:**

Minister ...

**Senator A.K.F. Green:**

Sorry, Sir, but this is a big subject.

**The Deputy Bailiff:**

But there are still time limits that have to apply. If you could bring your answer to a close.

**Senator A.K.F. Green:**

Perhaps you could add a couple of minutes on then, Sir. The advice has always been that Overdale could not produce the sort of hospital that we need to produce. Warwick Farm could not produce the sort of hospital that we need to produce. They would not consider - I do not want it anyway - the Waterfront. Here we have a planning inspector that does say that this is a good location. This would work, but not this particular planning application.

**4.10.7 Deputy J.M. Maçon:**

Arising from the Minister's previous answer, where he says they are going to have to go back, look at possible new phased processes going forward on a new application, can I ask the Minister, before a new application is lodged, will the Minister present to the States Assembly the cost implications of any new phased processes that may be desired in order to achieve the new application?

**Senator A.K.F. Green:**

Only if it exceeds the envelope agreed by this Assembly.

**4.10.8 The Deputy of St. Ouen:**

This question and the issue of potential delays is really far too important it seems to me to have 2 warring camps shouting at each other from the top of their ramparts on respective castles. Does the Minister recall the very helpful sessions that most of us spent at Jersey Hospice Care in which we as States Members examined in detail the case for building a hospital and what was required in a new hospital, and risks and benefits associated with that? I think we all felt after that, we came away with a much greater understanding. Now the Minister is beginning to talk of phasing a construction. I believe Members would like to understand exactly what he

means by that, what is the impact going to be if this might even go ahead. So rather than have the sort of public slanging matches, would the Minister hold the sort of sessions that we had at Jersey Hospice Care so that again we can get, let us say, down and dirty into the detail of it all and we can begin to understand his plans? Then if we have to criticise them we can criticise them on an informed basis. Will the Minister respond?

**Senator A.K.F. Green:**

Let us be clear, I do not have a plan at the moment, I just gave that as a possibility. That is not a recommendation, the phrasing is not a recommendation at this stage from officers. I am just thinking logically. I welcome the question from the Deputy and, in fact, I had already discussed with the Chief Minister that we needed to, in the light of the inspector's report, just remind people how that fitted with the sites that we have rejected. On that basis, once I have something to share with Members I am happy to do that and talk about previous sites just so Members know exactly where we are. It is a very good suggestion, one I welcome and one I will proceed with.

**4.10.9 Deputy M.R. Higgins:**

Can the Minister tell us how much has been spent on planning for the hospital to date, what additional sums he expects to be spent trying to sort out the current mess and, thirdly, does he agree with the Minister for Treasury and Resources that because we have a £70 million contingency fund it is no problem because we can do it, rather than the money being invested in other things in the Island which are more pressing, or equally pressing?

**The Deputy Bailiff:**

That is unfair, extending the question too far out from the parameters of the original question, Deputy. If you want to ask a more tailored question relating to the original subject, bearing in mind this Minister faces questions without notice as well.

**Deputy M.R. Higgins:**

Could I just ask the Minister for an estimate then of when he thinks it is going to be before he can come back with a new proposal and also, again, does he regret that he did not listen to this House and wait for the Planning Inspector's report before making a decision?

**Senator A.K.F. Green:**

Two questions there, but the first one I cannot answer because I do not know how long it is going to be yet, but I will be as quick as I possibly can. No, I do not regret it because look where we are. We have an Outline Business Case agreed, we have a location agreed. We have funding agreed and we have had the location confirmed by the independent inspector and the Minister for the Environment. Often when you make planning applications they are rejected. You refine them, you put them back. In fact I have been approached by many developers on the Island and they have just said, tongue in cheek and in a jestful way: "Welcome to our world." This is the cut and thrust of planning applications and we will come up with something that will work in that location, of that I am confident. The right hospital at the right price for the people of Jersey.

**Deputy M.R. Higgins:**

Sir, the Minister may be misleading the House. The inspector did not ...

**The Deputy Bailiff:**

Is it a point of order?

**Deputy M.R. Higgins:**

It is a point that he is misleading the House. The Planning Inspector was not tasked under his terms of reference to determine location, he was told to exclude the fact that other locations had been put forward.

**The Deputy Bailiff:**

I am sure, Deputy, if you wish you could ask that as a question in questions without notice which comes on very shortly. We now come on to question 11.