

STATES OF JERSEY



ANNUAL BUSINESS PLAN 2007: PROPERTY PLAN (P.34/2007) – SECOND AMENDMENT (P.34/2007 AMD. (2)) – COMMENTS

**Presented to the States on 13th April 2007
by the Minister for Treasury and Resources**

STATES GREFFE

COMMENTS

Harold le Seilleur died on 22nd October 1996. In his Will dated 28th December 1988 he bequeathed the reversionary ownership of 1 and 2 The Denes, Grève D'Azette, St. Clement, and the ten other separate buildings which formed the residue of his immoveable Estate, to the States of Jersey.

It was Mr. Le Seilleu's express wish that the States of Jersey should consult with the Executors of the Will upon the use of those properties with a particular view toward their use for the benefit of the aged, infirm and needy residents of the Island.

On agreeing to receive the bequest in 1997, the States also agreed to place the property portfolio in the administration of the Health and Social Services Committee.

Those properties, with the agreement of the Executors of Mr. Le Seilleu's Estate, are managed as a 'ring-fenced' portfolio as the 'Harold Le Seilleur Fund'. The Accounting Officer of Health and Social Services has sole responsibility for the administration of the Fund using rental and other receipts to manage, maintain or replace its property, with any surplus funds being used 'for the benefit of the aged, infirm and needy residents.'

In 1997, the Planning and Environment Committee identified the property as a proposed Site of Special Interest.

On 3rd November 1997, the Health and Social Services Committee, with the approval of the Executors, agreed to dispose of the unused workshop at 1 Oxford Road, in order to raise capital to maintain and invest in other properties in the portfolio.

As is normal practice, in December of that year, States Departments were circulated to see if there was any requirement for the property to be bought from the Fund for States use. In January 1998, Employment and Social Security registered an interest in using the building as an employment workshop for the disabled and Public Services as a store. Housing expressed an interest if the existing building could be demolished to build residential units.

A Planning Brief issued in March 1998 listed a presumption against residential and office use, with sheltered workshop, café, amateur theatrical and non-intensive retailing given as acceptable uses.

In April 1998, the Employment and Social Security Committee approved the principle of "buying" the property from the Le Seilleur Fund. The requirements for the refurbishment as an SSI were quite onerous and the estimated cost of the proposed scheme of refurbishment at the time was in the order of £1.8 million. The Committee could not secure the funding to be able to proceed with the scheme.

The building continued to deteriorate with much needed repairs but it was felt that the limited monies the Le Seilleur Fund had should be directed into the maintenance of the other buildings within the portfolio, which, apart from one, are residential units with tenant occupiers.

In August 2002, without further interest or funding, the decision was taken by the Health and Social Services Committee, in consultation with H.M. Solicitor General and the Executors of Mr. Le Seilleu's Estate, to offer the building for sale on the open market. This was supported by the Planning and Environment Committee, which agreed also to a guarantee a sum of £200,000 being transferred to the Le Seilleur Fund should the sale of the building raise less.

Following the tendering of the property in the open market using a reputable local agent, the States rejected the proposal to sell the property for £356,000 in May 2003. No provision was made for reimbursing the Le Seilleur Fund for the loss of the much needed sale revenue.

The building has remained untouched since then with interest only being shown by charity organisations that do not appear to have sufficient funding for refurbishment, or interest from the private sector.

In August 2006, an appeal was made to the Minister for Planning and Environment, for a review of the proposed

SSI status, bearing in mind that the requirement to refurbish the property as an historic and architecturally important building has proved to be financially unviable, especially in terms of use by a charitable organisation or for a community use.

In December 2006, the Minister for Planning and Environment reaffirmed the property's status as a proposed SSI, with the intention of adding the property to the list of SSIs in the near future because of its particular qualities which are considered to contribute to the special architectural and historic identity of the Island.

Subsequently, the Minister for Health and Social Services has given approval for Property Holdings to progress the disposal of the property on behalf of the Le Seelleur Fund, which wishes to invest the receipt from the sale of Le Seelleur Workshop together with other of its funds into another substantial property with a full rental income and which will provide benefit for health services that need to be provided for the aged, infirm and needy residents of the Island. It cannot be morally correct for the Le Seelleur Fund to be deprived of funding from properties which a previous decision of the States has placed within the administration of the Minister for Health and Social Services for the purposes intended by Mr. Le Seelleur

In Senator Shenton's proposed amendment, he states that further information will be submitted to all members prior to the debate. As at 11th April 2007 he has circulated some additional information to Ministers, but not to States' members generally. Having delayed a response as long as possible, a decision was made to lodge these comments in time for Members to give them due consideration prior to the debate.

A copy of a letter received from Mrs. Anne Pugsley, Executrix of the estate of the late Mr. Le Seelleur is attached (copied in electronic format for convenience). There are also some photographs showing the general condition of the premises.

On the basis that the SSI status will not be lifted or varied, the States is asked to reject this amendment and support the sale of the property for the benefit of the Le Seelleur Fund.

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10th. April, 2007

M. Le Fevre, Esq.,
Director of Estates,
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Dear Mike,

Oxford Road Workshop

Further to our recent conversation, I can confirm that I have fully discussed issues related to the sale of the Oxford Road Workshop and that, I am in full agreement that the capital raised should either be used towards the refurbishment of other H.E. Le Seilleur property to maximise rentals or, should be used directly for the benefit of the aged, infirm and needy residents of the Island as requested by the late Mr. H.E. Le Seilleur.

Yours sincerely,



Anne C. Pugsley (Mrs.)
Executrix of the Estate of the late Mr. H.E. Le Seilleur



View of ground floor level storage room



View of exterior/yard area



View at first floor level



View of first floor level workshop