

3.6 Deputy J.H. Young of the Minister for Economic Development regarding the total capital expenditure by the Ports of Jersey and its predecessors on the 1937 Airport Building during the last 5 years:

Will the Minister inform the Assembly of the total capital expenditure by the Ports of Jersey and its predecessors on the 1937 Airport Building during the last 5 years, since the potential problem of intrusion of the building into the one-in-7 safety slope was known? Can he state why this problem was not taken into account before authorising expenditure and whether any other buildings are affected?

Senator A.J.H. Maclean (The Minister for Economic Development):

The demolition of the 1937 Building was always a 2-phase project to ensure business continuity and safety. Phase 1 of the overall demolition involved the top 2 floors for which a planning application was submitted in April 2010. Following planning approval, that work was undertaken between October 2011 and October 2012. The total budget allocated to phase 1 of the demolition was £1.6 million. This involved removing the top 2 floors which critically ...

The Deputy Bailiff:

I regret to advise that we are now inquorate. Thank you. There are still no doubt some Members outside, it would be good if they returned to the Chamber.

Senator A.J.H. Maclean:

I will carry on rather than starting again, if that is all right with Members. The total budget allocated to phase 1 of the demolition was £1.6 million. This involved removing the top 2 floors which critically included significant asbestos. Planning was made aware at the time of the first application that this was a 2-part project and the second application to remove the remainder of the building was submitted in October 2010 for which, as Members will know, a decision is still outstanding. The 1937 Building has become an even more problematic obstacle to the regulator since it was recently listed. There are other on-site airport structures which contravene aeronautical safety services. These are Hangar 4 and the Airport Fire Service Building. The removal of these structures is contained in the airport's long-term capital programme and a planning application for these will be submitted in due course.

3.6.1 Deputy J.H. Young:

The Minister mentioned the long-term plan. Could he tell us what the urgency is on the demolition of the second phase of the airport demolition, since his comments appear to give the impression it is an immediate requirement? Could he clarify that?

Senator A.J.H. Maclean:

Yes, I can. The picture changed when the decision was taken to list the 1937 Building. Prior to that there was an exemption in place from the regulator because the demolition for the second phase was in the forward capital programme for 2017-2018. As far as the regulator is concerned, providing there is a plan in place that mitigates the risk to an acceptable level.

3.6.2 Deputy J.H. Young:

Does the Minister mean it is the listing of the building rather than its actual demolition that is the problem and if the Minister were to delist it, would that effectively solve the problem, at least for the immediate future?

Senator A.J.H. Maclean:

That really is a question for the regulator I would suggest. Certainly the position, as I said, changed when the 1937 Building was listed as far as the regulator was concerned. It is currently listed. Prior to that it was in the capital programme for demolition in 2017-2018, which was acceptable at the time.

3.6.3 Deputy M.R. Higgins:

The Minister has given the impression that it has only become of concern since 2010 but for over 10 years the Airport Arrivals Terminal has been well known to be breaching the one-in-7 rule, as has the hangar, but no steps were taken at any time to deal with it. So why all of a sudden is it such an issue?

Senator A.J.H. Maclean:

The Deputy is right, in fact it was a C.A.A. (Civil Aviation Authority) report in 1996 that first identified the issue. To say that nothing has been done is not correct, though, because in the intervening period agreement with the regulator has been put in place with regard to all obstacles that affect the airfield and that as long as the regulator is satisfied with that particular plan, in the case of the 1937 Building, that was for demolition in 2017-2018, the regulator accepts that and as such the airport was compliant and the licence was awardable.

3.6.4 Senator S.C. Ferguson:

The regulator was asked recently on the airwaves why London City and Gibraltar, which are both very difficult airports, appear not to be having the same problems, particularly given the advances in technology today. Would the Minister care to say why we are being singled-out whereas other airports have obviously dispensation?

Senator A.J.H. Maclean:

I do not think we are being singled-out. All airports have obstacles to differing degrees. Clearly London City has its own problems, of which it will have agreed with its regulator effective exemption to allow flying to continue. Gibraltar will be much the same. Jersey is certainly not being singled-out. There are currently identified 11 obstacles, 2 of which are on-airfield, the remainder are off-airfield which have mitigation plans in place and therefore are acceptable to the regulator as a result.

3.6.5 Senator S.C. Ferguson:

Supplementary? Yes, I am informed by my friends in the aeronautical business that St. Peter's Church is one of the items. So exactly what mitigating circumstances is he going to give that?

Senator A.J.H. Maclean:

Airports and Jersey Airport could be described as an obstacle rich environment. The plan with the regulators is to agree ways in which those obstacles can be removed, reduced and mitigated as best as possible. I might add that by moving the runway - which has been suggested as one option - to the north, that certainly brings the St. Peter's Church much closer. The concept of seeking to remove that or its spire, I think, is totally unacceptable. It is one of many obstacles. What we seek to do with the regulator is to reduce that number.

3.6.6 Deputy G.C.L. Baudains:

Might I suggest the Minister refers the C.A.A. to Lukla airport in the Himalayas, I think they have more significant problems. **[Laughter]** What I would like him to clarify for me is the fact that he has mentioned that there were other obstacles that were closer to the runway and presumably that is what the C.A.A.'s concern is about, the proximity of these obstacles to

aircraft. Yet he tells us that the application to demolish those is not yet made but for the Arrivals Hall it is, could he explain why he is not seeking to demolish the closer obstacles first?

Senator A.J.H. Maclean:

The position changed when the building was listed. At that particular point, as far as the regulator is concerned, that makes the 1937 Building more of an obstacle, more of a threat because there is no plan in place on the basis that having listed the building it reduces, in the view of the regulator, the chances of that building being demolished or having an agreed plan. The other 2 buildings, Hangar 4 and the Airport Fire Service Building are in the capital programme for 2016 and an application will be submitted in due course to allow those buildings to be removed.

3.6.7 Deputy J.H. Young:

The Minister has given us an insight into the bureaucracy of the airport regulation process, concentrating on these plans. Could he confirm that we seem to be, from what he says, in a choice between knocking down 2 listed buildings, either St. Peter's Church or the airport building? Is he not in a dialogue with the Minister for Planning and Environment to delist the airport building now? Is this not the solution so this issue can be properly addressed?

Senator A.J.H. Maclean:

St. Peter's Church is not an option as far as demolition is concerned [**Approbation**] ... I see that the Dean is enthusiastically stamping. [**Laughter**] Quite simply, since this matter came to the fore there has been some further assessments made of the cost of potentially moving the runway and the various other additional buildings beyond St. Peter's Church, which would be affected if the runway went to the north, and that cost could be in excess of £200 million. So I think it is safe to say from a financial point of view it is completely out of the question. With regard to dialogue with the Minister for Planning and Environment, yes, we have had dialogue ... I think I made the point in my opening remarks that this planning application went in in 2010. So there has been quite a lot of dialogue between officers and indeed between the Minister and myself about this matter. But delisting has not been a subject of discussion because quite simply I urged the Minister not to list in the first place.

3.6.8 Deputy G.C.L. Baudains:

Could I seek clarification on that? Is the Minister suggesting if it was delisted it would not have to be knocked down?

Senator A.J.H. Maclean:

I am not suggesting that but Deputy Young, I think, was suggesting that and that was the thrust of his question. He was asking me to have dialogue with the Minister to encourage him to delist to remove the problem. All I was saying was I had dialogue for a considerable period of time, urging the Minister not to list in the first place.

3.6.9 Deputy J.H. Young:

I need to clarify. My question was aimed at the situation we seem to be in, if the listing continues then, as he said, we are going to be faced with immediate restrictions on our flights. Whereas if the delisting is lifted this will mean that the plan for its future demolition in 4 years' time can take place and we will not be in a position where we will have our flights adversely affected. Will he confirm that is the correct understanding?

Senator A.J.H. Maclean:

That would appear to be the correct understanding. The reason I say that, the regulator has - and these are in his own words - begun to lose patience with the process. I can understand, in some respects, where he is coming from. So to go back and delist - and you would have to ask the Minister for Planning and Environment - having made the decision to list on certain grounds, I would imagine that he is unlikely to want to reverse that decision but that is a matter entirely for him. I think the way in which this threat to aviation in the Island can be dealt with is that an early decision is made to demolish the building and that removes the issue altogether.