

STATES OF JERSEY

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RELOCATION OF JERSEY DAIRY: INVESTIGATION INTO ALTERNATIVE SITES

**Lodged au Greffe on 15th January 2007
by Deputy J.B. Fox of St. Helier**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to agree that a full investigation of all possible alternative sites for the relocation of the Jersey Dairy should be undertaken by the Minister for Treasury and Resources, in consultation with other Ministers as necessary, and that the results of the investigation setting out the advantages and disadvantages of all possible alternative options should be presented to the States prior to the consideration of the Draft Howard Davis Farm (Partial Abrogation of Covenant) (Jersey) Law 200- (P.170/2006).

DEPUTY J.B. FOX OF ST. HELIER

REPORT

A covenant gifted to the Island, whether to the States or other organisations such as the National Trust, is often 'willed' with a covenant for a specific purpose as in this case, and should only be altered, partially abrogated or removed as a last resort. In this case Proposition P.170/2006 is silent on any suitable alternative site investigations.

The States on a number of occasions in the past have partially abrogated an existing covenant to allow an alternative use. This practice has only been possible after full details have been considered by the States resulting in an Act of the States and a change in the law.

When a generous benefactor such as T.B. Davis wills a gift of this magnitude in memory of his son Howard, who served with distinction and died in service for his country, and the freedom of future generations, then I believe that the States when considering any abrogation, partial or otherwise, whether with the consent of the living heirs of T.B. Davis should only be considered when all other alternative options have been exhausted

The Dairy Industry in Jersey, the Strategic Review, prepared for the Economic Development Committee by Donald McQueen MA PhD ARSGS dated February 2003; the PROMAR International Final Report, A Sustainable Dairy Industry in Jersey, dated December 2006 and this States of Jersey, P.170/2006 Proposition, Draft Howard Davis Farm (Partial Abrogation of Covenant) (Jersey) Law 200- lodged au Greffe on 21st December 2006, by the Minister for Treasury and Resources, describe the good reasons why there is a necessity to move and build a new commercial dairy and milk processing facility, of approximately 26,500 square feet together with ancillary offices, storage, vehicle parking and access road.

There is no explanation of any investigation in any of the three reports, as to why a more appropriate alternative site has not been identified which would alleviate the necessity of having to consider building a large commercial structure on green agricultural land resulting in the partial abrogation of an existing covenant.

Nowhere in the reports does it detail a full investigation of all possible alternative sites for the relocation of the Jersey Dairy or give any conclusions including the reasons for the rejection of any alternative options, and therefore I submit this proposition and ask that the States consider this prior to consideration of the Draft Howard Davis Farm (Partial Abrogation of Covenant) (Jersey) Law 200-. My principle concern is that future benefactors may be dissuaded from gifting land if they perceive that the States Assembly may, in the future, disregard their original intentions.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this proposition apart from the actual costs of the investigation and I believe these can be met within existing resources.