



**THE STATES assembled on Wednesday
23rd March 2022, at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Robert James MacRae, Esquire.**

All members were present at roll call with the exception of –

Deputy Jeremy Martin Maçon of St. Saviour – ill

Prayers read by the Deputy Greffier of the States

Standing Order 55A – remote participation

THE STATES, with reference to their Act dated 14th September 2021, in which they had agreed that, notwithstanding Standing Order 55A(1), members who did not wish to attend in the States Chamber might continue to take part in States meetings using Microsoft Teams (until the States had considered and voted upon a proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of the Standing Order), assembled in accordance with Standing Order 55A with members able to participate remotely using Microsoft Teams.

Relationship between sixth and eighth amendments to ‘Island Plan 2022-25: Approval’ (P.36/2021) – ruling by the Deputy Bailiff

The Deputy Bailiff made the following ruling regarding the relationship between the amendment of Deputy Inna Gardiner of St. Helier (P.36/2021 Amd.(6)) and the amendment of Deputy Robert James Ward of St. Helier (P.36/2021 Amd.(8)) to the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021) –

“Last night I was asked to rule on a procedural matter, which I did by e-mail communication to all Members, but as indicated I would publicly announce the ruling so that it was understood and on the record.

I was asked to rule on whether the adoption of the 6th amendment precludes debate on the 8th amendment, having regard in particular to Standing Order 20, the relevant part of which says:

“A proposition cannot be in the same or substantially the same terms as a proposition which the States have previously debated and voted upon unless at least 3 months have elapsed since that vote.”

It is true that both amendments amend the same part of the draft Bridging Island Plan, namely policy C11, education facilities, at page 222.

The 8th amendment refers to specific premises to be added to a list of sites where developments other than for the purposes of education will not be supported unless it can be demonstrated that they are no longer required for such purposes. Those premises are the Jersey Gas site at Tunnell Street.

The 6th amendment is broader in scope and the relevant parts are (a) and (b), which I do not propose to read out.

The purpose of the 6th amendment is to ensure that education needs are given the highest priority in respect of land, which has been identified by the responsible Minister, for the purpose of the needs of primary schools in St. Saviour and St. Helier. The amendment only extends to land owned by States or States-owned companies. Furthermore, both (a) and (b) say the proposals for the redevelopment of such land, where it lies within the vicinity of existing primary schools, must be able to demonstrate that they will not compromise the ability to address identified education needs.

The relevant Minister has not, as I understand it, identified any publicly-owned land for the purposes of additional needs of the primary school estate in St. Helier and, if he has, has not identified the premises in Tunnell Street. Furthermore, those premises cannot be regarded as being within the vicinity of an existing primary school in St. Helier. Neither (a) or (b) of the 6th amendment identify specific premises.

Accordingly, there is no overlap with the premises, which are the subject of the 8th amendment, and that amendment may be debated regardless of the outcome of the debate on the 6th amendment.

Further, if the Tunnell Street premises are not currently publicly owned then there can be no overlap in any event. The 6th amendment only affects publicly-owned land.”

Island Plan 2022-25: Approval P.36/2021

THE STATES, resuming consideration of a proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, resumed consideration of an amendment of Deputy Inna Gardiner of St. Helier (P.36/2021 Amd.(6)) and, adopting the amendment, agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy CI 1, after the words “Part of field 782, St Ouen”, there should be inserted the following new paragraph – “Where additional needs for the primary school estate within the parishes of St. Helier and St. Saviour have been identified by the responsible Minister, the redevelopment of States of Jersey or States-owned companies’ land for the purposes of meeting education needs will be given the highest priority. Proposals for the redevelopment of States of Jersey or States-owned companies’ land within the vicinity of existing primary schools in the parishes of St. Helier and St. Saviour must be able to demonstrate that they will not compromise the ability to address identified education needs.”
- (b) within Policy PL 1, there should be inserted a new third paragraph as follows – “Where additional needs for the primary school estate have been identified by the responsible Minister, the redevelopment of States of Jersey or States-owned companies’ land in Town for the purposes of meeting education needs will be given the highest priority. Proposals for the redevelopment of States of Jersey or States-owned companies’ land within the vicinity of existing primary schools in Town must be able to demonstrate that they will not compromise the ability to address identified education needs.”; and
- (c) within Policy PL 3, there should be inserted a new fourth paragraph as follows – “Where additional needs for the primary school estate have been identified by the responsible Minister, the redevelopment of States of Jersey or States-owned companies’ land in local centres for the purposes of meeting education needs will be given the highest priority. Proposals for the redevelopment of States of Jersey or States-owned companies’ land within the vicinity of existing primary schools in local centres must be able to demonstrate that they will not compromise the ability to address identified education needs.””

Members present voted as follows –

POUR: 38

CONTRE: 9

ABSTAIN: 0

Senator I.J. Gorst	Connétable of St. Helier
Senator L.J. Farnham	Deputy J.A. Martin (H)
Senator J.A.N. Le Fondré	Deputy of Grouville
Senator T.A. Vallois	Deputy of St. Ouen
Senator K.L. Moore	Deputy R. Labey (H)
Senator S.W. Pallett	Deputy J.H. Young (B)
Senator S.Y. Mézec	Deputy L.B. Ash (C)
Connétable of St. Lawrence	Deputy G.C.U. Guida (L)
Connétable of St. Saviour	Deputy S.M. Ahier (H)
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 K.C. Lewis (S)	
Deputy M. Tadier (B)	
Deputy M.R. Higgins (H)	
Deputy S.J. Pinel (C)	
Deputy of St. Martin	
Deputy L.M.C. Doublet (S)	
Deputy S.M. Wickenden (H)	
Deputy of St. Mary	
Deputy G.J. Truscott (B)	
Deputy K.F. Morel (L)	
Deputy of St. Peter	
Deputy of Trinity	
Deputy of St. John	
Deputy M.R. Le Hegarat (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 STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of Deputy Robert James Ward of St. Helier (P.36/2021 Amd.(8)) agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy CI1, after the words ‘Part of field 782, St Ouen’ there should be inserted a new bullet point ‘Jersey Gas Site: Tunnell Street, St. Helier’.
- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a); and
- (c) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones should be amended to reflect the adoption of paragraph (a).”

Members present voted as follows –

POUR: 38**CONTRE: 8****ABSTAIN: 0**

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. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Clement
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 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)

Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy M.R. Higgins (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, rejected an amendment of Senator Stephen William Pallett (P.36/2021 Amd.(64)) that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that within Policy CI2 –

- (a) in the first paragraph there should be inserted after 3. the following - ‘4. within the site designated for a nursing facility, Field MN688, St. Martin
- (b) in the second paragraph after the words “a proven island”, there should be inserted the words “or parish specific”;
- (c) in the second paragraph replace sub-paragraph a. with the following –

“a. the development is essential to delivery and continuation of health and social care services, including where there is a specific local need arising within a parish, and which cannot

reasonably be met through alternative sites, service delivery arrangements or co-location with other services in a suitable location; and”;

- (d) in the second paragraph, sub-paragraph b. after the words “spatial strategy” there should be inserted the words “and any parish-specific needs; and
- (e) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent to the adoption of (a)-(e).”

Members present voted as follows –

POUR: 9

Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Mary
 Deputy of St. Martin
 Deputy S.M. Wickenden (H)
 Deputy G.J. Truscott (B)
 Deputy K.G. Pamplin (S)

CONTRE: 36

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator T.A. Vallois
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Lawrence
 Connétable of Grouville
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Clement
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy of St. Mary
 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 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 I. Gardiner (H)

ABSTAIN: 0

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of Deputy Robert James Ward of St. Helier (P.36/2021 Amd.(10)) agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy CI4, after the words “existing community facilities.” there should be inserted the following new paragraph –
- “To address specific deficiencies in the provision of youth facilities, the following site is safeguarded for use as a youth facility. The alternative development of this site will not be supported unless it can be demonstrated that it is no longer required for this purpose: Nelson Street car park /The Old Fire Station site: Nelson Street, St. Helier”
- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a); and
- (c) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones should be amended to reflect the adoption of paragraph (a).”

Members present voted as follows –

POUR: 33

CONTRE: 10

ABSTAIN: 0

Senator L.J. Farnham
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.Y. Mézec
 Connétable of St. Lawrence
 Connétable of Grouville
 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 M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 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 of St. Peter
 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)

Senator I.J. Gorst
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Connétable of St. Helier
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Trinity
 Deputy of Grouville
 Deputy L.B. Ash (C)
 Deputy G.C.U. Guida (L)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(95)) agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that, within Policy CI5 – Sports, leisure and cultural facilities –

- (a) at point 3, the words “or increases” should be deleted, and after the words “use by the public” there should be inserted the words “or increases the proportion of freely accessible public green space”;
- (b) after “Southwest St. Helier Planning Framework Area”, there should be inserted “6. FB Fields, La Grande Route de St. Clément”;
- (c) after the words “Southwest St. Helier Planning Framework Area.” there should be inserted the words – “The development of sports and leisure uses may also be supported in the identified sports and leisure area of potential (St. Peter) but only where the public benefit and contribution to the viability and success of local sports can be proven to outweigh any loss or harm to the landscape and agricultural land”;
- (d) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraphs (a)-(c).
- (e) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones be amended to reflect the adoption of (b) and (c).”

Members present voted as follows –

POUR: 41

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.Y. Mézec
 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. John
 Connétable of St. Clement
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy L.M.C. Doublet (S)
 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 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 STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, rejected an amendment of the Deputy of St. Martin (P.36/2021 Amd.(73) that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) the following should be inserted within the list of sites to be designated as sports and leisure enhancement areas at Policy CI5 – Sports, Leisure and Cultural facilities –
- “6. Field MN727 St. Martin (0.99 hectares/5.5 vergées) ”;
- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a); and
- (c) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones should be amended to reflect the adoption of paragraph (a).”.

Members present voted as follows –

POUR: 18

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. John
 Deputy of Grouville
 Deputy of St. Martin
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy L.B. Ash (C)
 Deputy K.F. Morel (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 27

Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 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. Clement
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy J.H. Young (B)
 Deputy G.C.U. Guida (L)
 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)

ABSTAIN: 1

Connétable of St. Martin

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Kristina Louise Moore, agreed that it would meet until 8.00 p.m. on Thursday 24th March 2022, with a short adjournment at 5.30 p.m. to continue its consideration of the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021) and the accompanying amendments.

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 24th March 2022 to continue consideration of the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, and the remaining amendments listed for the meeting.

THE STATES rose at 5.39 p.m.

L.-M. HART

Deputy Greffier of the States