

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 21st MARCH 2022

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[9:33]

The Roll was called and the Dean led the Assembly in Prayer.

Deputy R.J. Ward of St. Helier:

May I raise the défaut on Deputy Southern?

The Deputy Bailiff:

Do Members agree the défaut be raised on Deputy Southern? The défaut is raised.

PUBLIC BUSINESS - resumption

1. Island Plan 2022-25: Approval (P.36/2021) – eighteenth amendment: Field L127 (P.36/2021 Amd.(18))

The Deputy Bailiff:

We now return to the debate. Next is the 18th amendment lodged by Senator Pallett and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that – (a) the following should be inserted within the list of sites to be zoned for affordable homes in Policy H5 – Provision of affordable homes – “6. Field L127 St. Lawrence (1.25 hectares/6.95 vergées) ” with the remaining items on the list renumbered accordingly; (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).”

1.1 Senator S.W. Pallett:

We have already had some very strong feelings expressed around the loss of good agricultural fields, and I have no doubt that the same feelings will be expressed maybe during this debate. But I felt it important to carry on with this amendment. I had thought over the weekend about withdrawing it because there have been some strong feelings expressed through various emails that have been sent over the weekend. But I felt it right to carry on with the debate. It is going to be difficult and I think there needs to be some balance around what is acceptable and what is not acceptable. I think some Members may find that this particular amendment is not acceptable for them because of the loss of agricultural land. But in saying that, I just wanted to express why I have brought this amendment forward. I met with the owner of the field and their agent some time ago. They expressed a desire, which is in the proposition itself, to want to give something back to the Parish. There is a long association between the landowners and the Parish. They very much wanted to be able to provide some affordable homes for young people within the Parish and felt that field 127 was an opportunity to do that. They are aware of the difficulties. This is not a particularly easy site in terms of its current use but nevertheless they expressed to me that they wanted the debate to go ahead and understand why States Members may or may not want to take this field forward. What I did do about a month ago is ... not that I do not know the area, I go to Glencoe quite often and I do know the area pretty well. But I thought I would take the opportunity to walk the area just to understand the environment, how close it is to other neighbouring properties and just get a feel for the site. I am glad I did that because it certainly gave me a feeling that it is not as remote, although I find that word quite strange in Jersey - “remote” - because I do not think anything is remote from anything. It is a very small island but nevertheless “remote” has been used by some in terms of being on the edge of a built-up area. I just wanted to have a look at the site. There are homes, as you can see from the pictures that are provided within the proposition. There are homes nearby opposite the entrance to La Fraide Rue and a property to the rear of this field, Glencoe is to one side, and then when you think about the

proximity of Carrefour Selous, it is 180 metres away, and there are other properties that border the road on both sides as you go back towards Carrefour Selous. It is not particularly remote although it is on the edge of the built-up area, which the owners accept. One of the comments made by the Minister is that it is not served particularly well by the road structure and connected to other parts of the Parish by the road structure. Clearly, there is a main road, La Grande Route de St. Laurent, that runs from the site down towards Carrefour Selous, down towards the village centre, which is based around the Parish Hall and the shops. That is a busy road and that is accepted that it is a busy road, and it is certainly not a road that you would want to walk on by choice; certainly not the section from La Fraide Rue down to Carrefour Selous. It is narrow. But having walked the area, there are a series of green lanes that run off the back of La Fraide Rue, and I did write the names of them down, but there are various roads that run off into green lanes, that run down towards Carrefour Selous, La Rue de la Hauteur and then you have got another road that runs off to Carrefour Selous and then Le Mont au Meunier, which runs down towards the village centre. It does not completely join up with it and again that is accepted, but it is not in terms of access to other parts of the Parish. There are some safe walking routes and cycling routes, that could be used for this particular site. One of the things I would just like to highlight is the fact that this is not a speculative development. That is not what it was set out to be. It very much wants to provide affordable homes for young people. In discussion with the agent and the owners, they provided various information as to what that might mean in terms of price. What they are looking to provide here is 24 what I would consider to be really affordable homes, with another 7 open market. Comments have already been made, I think, in some emails around why does it have to include 7 open market homes. That makes the site sustainable and viable. It does not mean that the whole of the site could not be affordable but it would be less affordable if the whole site was 31 affordable homes.

[9:45]

The price that is being given to me, because I know it was mentioned last week, on some of these sites is what is affordable. Well, the prices that I was given in discussion with the agent was, and this is about 6 months ago, so there are obviously going to be price increases due for various reasons, but at that time they were looking at the figure of £385,000. Now I think that is truly affordable. It may have gone up a little bit because of price increases and material increases but nevertheless anything around £400,000, I think, for a 3-bed home in Jersey has got to be seen as affordable when you consider that a 3-bed home on open market in Jersey at the moment is probably in the £750,000 to £800,000 bracket, which clearly is not affordable to young couples or very few young couples. The 7 open market do allow those homes to be provided at that level of price but, again, there are always opportunities to negotiate on that and maybe find another way of providing these homes or providing more affordable homes on that particular site. I just wanted to remind Members that within the actual draft Island Plan itself, it does, and I will read the section when it talks about future affordable housing provision. It does say: "This will need to include the provision of affordable homes as a proportion of open market housing development. This is a mechanism that is customarily practised elsewhere." So having open market homes as part of an affordable homes package is a mechanism that is used elsewhere and is not unusual in terms of other sites. I suppose the word that I really want to use here, and it gets back to the reason for the owners wanting to bring this forward, is it is not a speculative development. It does look to provide homes at an affordable price. But I am now going to dwell on, I suppose, what is going to be the negative of this particular site, and it would be wrong if I did not bring that up and the fact that it is currently in agricultural use and it is rated by Jersey Farmers' Union as being a 2 site and a last resort, as it is good for agriculture. That is accepted by the owners. It is in use. They lease it out. They have a current farmer. I think it is a Jersey potato company that use it, and they do use it on a regular basis. So that is accepted. In terms of the Minister's comments, it has been quite clear that it is seen as an agricultural site but I think some of the comments made within the Minister's comments I do not think necessarily are as strong as they make out. I think there is an opportunity to integrate this particular site into local areas. Main drains

is also another issue that has been brought up with this site and the fact that there is not capacity to go or connect 24 hours a day into the main drains. But there is an alternative to that, as is mentioned in the proposition, with a holding tank and being able to pump out at times where there is less strain on the drainage infrastructure. That is being used elsewhere. It was used at the Belvedere site, Dandara site at Five Oaks, and it works there so there is no reason it would not work here. Just in regards to summing up, because I think both I and the owners are keen to hear Members' views. I am sure they are going to be strong, especially on the potential loss of the agricultural field, but just to sum up is that we believe it is a potential viable site for affordable homes. There is a difficult balance to strike, as there always is with a site that is on the real periphery of an urban area or built-up area. There have been comments made about the loss of this field and what it might mean in terms of ribbon development. There is certainly ribbon development along La Grande Route de St. Laurent, and I can understand why the Deputies and the Constable may feel that this is a step too far. But I did not bring this proposition to upset them. I certainly did not bring this amendment to upset nearby property owners. It was brought with the good intentions of a local family in trying to provide affordable homes at a reasonable price, and there is no doubt that we are going to be short of sites for affordable homes. Members have got to, I think, judge whether this is an acceptable site for affordable housing or whether they believe that it just maybe oversteps the mark. I hope we can have a structured debate. I think it is one of these sites which might bring out some of the issues around the risks of losing too many agricultural fields. Comments have been made also around the capacity or the loss of capacity within the agricultural industry of losing a field of this site. I am told that there is plenty of capacity in terms of agricultural fields and the number of fields that are needed for growing at the current time but that is for, I think, Members to weigh up when they speak and when they make a decision on this field. I am going to leave it there. As I said, I think the owners and I would like to just hear Members' views. We know it is a difficult field. We know it is going to be one that Members will have to weigh up whether, like I say, it is a step too far, but I think it is right that we do debate it. I look forward to hearing what Members have got to say; good or bad.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]**

1.1.1 Deputy M. Tadier of St. Brelade:

I hope my initial thought that I am now going to verbalise when I heard Senator Pallett say they want to give something back to the Parish, I hope it is not too glib; it is not intended to be. But I feel like saying if their prime motivation is to give something back to the Parish and the Island then there is nothing stopping them giving the field, donating it, gifting it, bequeathing it, whatever you want to call it - it would not be a bequest of course - to the Parish. Because those kind of things are done all the time and then it can be up to the community to decide what they want to do with it in the future. It would be then in the Parish ownership so that it can either be kept for community use, for green use, for open space, for natural open space, for farming, as long as it is required. I am always slightly uneasy, and I know that the Senator's intentions will be entirely honourable because I know that genuinely he wants to see more affordable housing and he is proactively trying to do something in that regard, so I am sympathetic to his motivation. But, as I have said in many other speeches, I think we have so many fundamental issues here about tackling the housing crisis and rezoning green fields when we have other fundamental underlying problems that need to be addressed first is not the way to do it. I think that is why we have the planning process. I am always slightly uneasy when any Member comes to the Assembly effectively saying: "I have spoken to someone who is not a speculator" but clearly there is some speculation going on here otherwise it would be gifted. I am not, by the way, naive in saying that we can expect everyone to just donate their land, but when they tell us things like: "We want to help the Parish; we want to give something back" then lots of people give stuff back without making a big song and dance about it. That is simply the point I wanted to make. There is another point that has come to my mind, because again it might be slight naivety, but

I did not realise the full extent of the farming community. I knew that it has always been really important to the Island, and I guess that there have been big shifts from how it used to work in the past. I suppose it is a little bit like a shopkeeper who lived above their own shop, went down in the morning, they might have baked their own bread, and then opened up in the morning, seen the local people during the daytime and gone back upstairs in the evening to sleep. That was certainly the case with Louisa Gould, who we all know, the heroine from the Occupation, who ran a shop in St. Ouen and who provided a community service, not just for the shoppers but also an important linchpin of the Resistance. I say that as an aside. We are no longer, it would appear, in the situation where the person who owns the field is necessarily farming the field. I do not think that was always the case anyway; we have always known about tenant farmers and farmworkers coming over and so on, but it has really come home to me in the last few days and last week when we were discussing rezoning of green fields, finding out that you have got good, agricultural land which is in use, where you have got tenant farmers, whether it is dairy or vegetable farmers, who could find themselves without that field that they have tended for a very long time and it struck me that quite rightly we often talk about security of tenure for people who rent in this Island in terms of their homes, and that they do not have that security of tenure, but we might need to get to the point now where we need to talk about bringing in security of tenure for our farmers, especially the ones who do not own the fields, because they are the custodians, I believe, of the countryside. When we risk rezoning these fields in an ad hoc way by saying: "I think this field could be rezoned because they are up for it and it is for affordable homes" and it does not have the backing of the planning process, which has been lengthy, and I have yet to hear from the representatives of St. Lawrence but certainly what I have seen from the vast amount of representation that we have all received on these fields is that there is clearly strong feeling, and it is not strong feeling simply of a populist or what one might call a N.I.M.B.Y. (not in my back yard) nature, there are genuinely good reasons that have been well-articulated in these emails, that I think all of us have a responsibility to seriously consider. I would like to say thank you to all of those people who have emailed us. I had to put an out-of-office on saying that I have received emails but cannot necessarily respond to them. I will prioritise constituents, but that does not mean that I do not read the emails and it does not mean that I do not give them the consideration as if these places were in my constituency as well. As I said earlier on, I need to apply the same principles that I would if I was considering these kinds of developments in my own constituency, and I have always stood on the basis that I will oppose inappropriate development and, as far as I can see with this field, it is not one that we, as an Island community, can afford to lose at this point.

1.1.2 Connétable M.K. Jackson of St. Brelade:

Like the previous speaker, I am grateful for those living around the area who have communicated with us in the past few days and I know some of them well, and understand their objections from an agricultural point of view, but I would like to make the point with regard to the infrastructure, and the Minister may pick it up later in his speech. Now, it seems clear to me that the department are not supportive of this and, in particular, from the drainage point of view there would seem to be an obligation to put a pump and a tank onsite. I suppose the question in my mind that arises is how is that financed in future years? It probably would be part of the development to install it initially, but would the inhabitants of the site, the property holders on the site, end up with a shackle around their necks for evermore to maintain this equipment and plant, which might colour the costs in the first place? So, apart from the agricultural side, I do feel it is in completely the wrong position. The unfair imposition on the infrastructure seems to me to make the whole thing unsupportable.

[10:00]

1.1.3 Connétable D.W. Mezbourian of St. Lawrence:

I am just reading an email that has been sent to me from a farmer who used to farm this field, and if I may just begin by selecting the sentence that jumps out at me: "L127 is a very good field with very good quality soil, flat and with very few short turns. A very easy field to work. To build on such a

good field would be a very sad day for the location and Parish, as there are far more suitable fields to build on without the impact on the farming industry”, and if I may start there, we heard from Senator Pallett that he had given thought over the weekend to whether or not to withdraw his amendment, but he decided it was important to carry on and have the discussion and let Members make up their own minds. I cannot disagree with that, because of course I could have put in an amendment myself to propose the withdrawal from the debate or, I should say, to propose the withdrawal of the field as other Members have done, but I do think it is important that the decision is made through due process and over my years as Constable I have had many people knock on the office door to come and see me and ask me whether or not I would support them in their attempt to have fields within the Parish rezoned and my view and my response has always been that there is a process. They should follow due process. It is certainly not my position as Constable to make a decision unilaterally on whether a field is appropriate for housing or whether it should remain in agricultural use, because I am not qualified to say that, so I always tell them: “Go through the planning process because that is your right. You are entitled to do that” and clearly Senator Pallett is entitled to bring this for our deliberation today. My view is that the planning process is appropriate because there are policies in place that we take into account, so a field that may be capable of being built on, the normal application would be put into the Planning Department, probably for preapplication advice, it would progress and it would very likely be put in front of the Planning Committee for determination and the Planning Committee of course is constrained by the policies within the Island Plan, and we have heard the Constable for St. Brelade mention the problem with drainage, and that is one aspect that has been raised by the Minister in his comments. The drainage is not appropriate, notwithstanding that Senator Pallett has referred of course to the Belvedere site, which was able to pump I believe through the night, so basically the drains would not be able to take the continual pumping 24/7. So even if this was to be approved by the Assembly, and I would urge them to vote against Senator Pallett’s amendment, the problem of drainage and everything else associated with an application would be faced and decided upon by the Planning Committee and, of course, there is no guarantee that if an application to build 30 homes on this site was to be put in front of the committee that permission would be given, because clearly this is a prime agricultural site and that is what the Senator himself has told us. He very helpfully listed for us the negatives that are associated with this site and he started by telling us that it is in agricultural use, it is an agricultural site. I spoke a few days ago and made my stance clear, I believe, on whether or not I will be supporting the rezoning of prime agricultural sites, and clearly I have not done so throughout the previous days of debate. When I was elected a lifetime ago, it seems to me, one of my policies was that I would not support development within the green zone, and I have maintained that throughout my time serving the Parish. It is difficult, of course. It is not only that I have not supported development within my Parish, but across Island. The development is not really on the edge of the built-up area, as the Senator would have us believe. The small community of Carrefour Selous is some distance away, but even Carrefour Selous as a site itself is not overdeveloped. It is pretty small compared to other built-up areas throughout the Island, and I think in his amendment the Senator also referenced the site at St. John, saying it would support current local shops and services in St. John and Millbrook. That is true, of course, but it would probably necessitate the householders using their car to get there, if they are going to do a shop, and of course we are trying to deter people from using their motor vehicles for ... I will not say unnecessary journeys, but we are trying to stop people using their cars and suggest that they use public transport instead, and of course it is not well-served by public transport. The number 7 bus serves the route, but it is not as regular as some of my parishioners would hope that it could be. The Senator mentions the long association of the owners with the Parish. I must say that the developer did have the courtesy of contacting me to speak about the proposals for this field and it was one of those instances when my heart sank. When I knew that he wanted to come to speak to me about L127 I was hoping that he would not be coming to me asking me to present this for consideration for rezoning, because my response would have been then an out and out no, but he is known to me from many years ago as a fellow pupil at Hautlieu and he came and we had a catchup

about school, I think, and people we know, and then we got on to the field and I had to say to him, as I have said to others, to go through the due process of the planning application. I think at the time he had already approached Senator Pallett and asked him to take this to or bring this to the Assembly and he did explain to me about the family connection. The family is not known to me, but then I have only been living in the Parish for about 30-odd years. I do not really go far enough back to know everyone in the Parish, and it is laudable that they want to give something back to the Parish, and I think that leads me on to what Deputy Tadier said about being altruistic. I am not sure if he used that word, but gifting something to the Parish, as we have just seen in the lower part of the Parish when a philanthropist bought the Millbrook Playing Fields and gifted them to the public of the Island, and I am still waiting to hear from Government as to what the proposal for the Millbrook Playing Fields is or will be. That is what has happened over the years. Every Parish, I believe, has a Charité field from many years ago when benefactors would either give funds and direct that a Parish buy a field for the public benefit, or they would give fields direct to the Parish. As part of this process my procureurs and I agreed that the 4 fields that are owned by the Parish should be submitted to the full consideration as to whether or not they would be suitable to be built upon, because we wanted to do our bit towards the provision of homes if we were able. The 4 fields were rejected as being completely unsuitable for rezoning, because they are prime agricultural land, and of course we could have made the decision, as Senator Pallett did, to continue and bring them and ask for them to be rezoned, but we respect the planning process and we respect the process that had been undertaken. One of the fields that perhaps would have been the best one is the field, if Members can picture themselves driving along La Grande Route de Saint-Laurent, past the beautifully restored Parish Hall, and past the church, which is the jewel in the crown of Parish churches, but down towards the top of Mont Felard and picture the Millennium Cross as the road joins really the housing on Mont Felard itself. The field that we could have put forward for consideration is the last field on the right-hand side and why would we have done that? Well, exactly the reason that Senator Pallett has brought this, it is because it is next to some houses and a development that is already there, but it is far more built up in that area than Senator Pallett would have us believe for field L127, because anyone who knows the field will know that there are very few buildings around it. It is almost in complete isolation and it is, as I have said, certainly some way away from the small development at Carrefour Selous. I think I am taking a long time to say that this field is not appropriate for rezoning for development. It is not an easy site, Senator Pallett told us. Why is it not an easy site? It is not on the edge of the built-up area. It is rated as last resort by the Jersey Farmers' Union. It is not near good amenities. It would need to provide a pumping station with a holding tank to remove the effluent that would be produced. The Senator tells us in his amendment that this site would form a self-contained pocket of new built-up area. That is exactly what it would be. It would be self-contained. It would be establishing a new built-up area, away from any other built-up area. It would be a new built-up area in the middle of the countryside. It would be covering a field that is in agricultural use and it would be detrimental, as we have read in the Minister's comments, to the character of the countryside, and that is something that we on the Planning Committee have to determine on a very regular basis, would an application, would a development, be detrimental to the character of the countryside, would it be harmful to it? I think it goes without saying, and from what we have heard from Senator Pallett, this would indeed be harmful. I cannot believe I have spoken for 15 minutes almost. I would urge Members to vote against the amendment by Senator Pallett.

[10:15]

1.1.4 Deputy J.H. Young of St. Brelade:

I am grateful for the Constable in her speech, because the Constable I think explained to us a lot of the intricacies and the factors that have to be taken into account in any planning decision, and I think that is why we are here. Members will know that the sites that have come through the planning system to get to this stage here, the very most sustainable sites where the factors can make a recommendation for zoning, have been rejected by this Assembly. The very best sites on the edge

for planning-wise, where that planning balance is achieved, around the St. Saviour fringe, around St. Helier, they have gone. So, I am standing here today. We have gone through that now and we are where we are, we are now on this site that we are now discussing and it is the first of 7 individual sites, and I have no doubt that they were brought forward by well-meaning Members, as we have heard from Senator Pallett in this case. I looked back while Senator Pallett was speaking and I thought I would check out where Senator Pallett was in the votes that rejected those sites which were the most sustainable, and he voted against them, and I think that does back up what Senator Pallett is saying, he is wanting to find ways where we can make some inroads for housing. So, the choice for all of us today is what do we do with all of these 7 sites? Now, I have given Members some clues in the planning comments papers that have been circulated and I have been quite open about this. I have said these are the sites, with all the advice that I have had and I completely buy into, these sites we have rated red. The planning arguments are against but I was open in those notes, there are 3 sites there that I thought might be considered as alternatives, and one of those has now gone, that was the one in Grouville, which the Constable has withdrawn. There were some factors there that I thought could be considered, but that has gone. So out of the 7, this is the first, there are 2 that when we get to them then I think there are arguments there, which Members will have to judge, but I want to be clear, none of those 7 are as good as the sites that this Assembly has kicked out. The advice I have got to give to Members, as the Minister responsible if you like, the Minister for the Environment, for the planning system, is I am not about to abandon the planning system. I am going to vote in accordance with making sure that what we end up with does not wreck the spatial strategy of the Island Plan. We have spent decades making sure that this Island's landscape is properly protected, and done our best to look after our agricultural fields, but obviously we have had to make sacrifices. I do not want to go over that again now. About this site, there is no question. This site in St. Lawrence, because I lived in St. Lawrence some years ago so I know it well, and anybody who goes to the auctions that take place nearby, this is open land, absolutely open land, via that beautiful vista as you drive up St. Lawrence main road, a beautiful inner hinterland of St. Lawrence landscape, I think frankly too valuable so it performs really badly. Now it has been argued that it is near Carrefour Selous, but it is isolated on the other side of the road. As the Connétable of St. Lawrence tells us, it would be another standalone isolated pocket of development slap bang in the countryside. My absolutely clear advice is no, not on this site. Then we have got the issue of drainage. Well, the drains are not good enough there. The Minister for Infrastructure and the officers tell us that. Oh, we can have a big holding tank and hold the sewage up and then we can store it and then we can filter it into the system. Absolutely not. That is not the thing to do. It is urbanisation of that area, if we do that, it really would be. It is so harmful to rural character. What have the Jersey Farmers' Union told us? The very arguments that have overridden in this Assembly, they have become absolutely to the top prominence that I take that message and I am sure successors to my role will know this, that now this Assembly values agricultural value above everything else. What do the J.F.U. (Jersey Farmers' Union) tell us? They say this site is the very last place that we should think about housing. I do not know that I need to say more. The planning inspectors back me and of course I do not know where this notion is, and I think this needs to be clear, that we can have some nice open market houses as well just to make it work. No, these amendments are all about policy 8.5. That is affordable housing, no open market. We do not zone land for open market housing. Please, Members, I ask you to get that clear. So, Senator Pallett is absolutely well-meaning, I do not criticise him and I suspect as we go through all the 7 amendments we are going to hear similar moving stories, but nonetheless we have to let our minds rule our hearts. We have to. The planning system is there and we need to respect it. There we are. I think that is probably all I wanted to say, and of course I just mention to illustrate a bit about the emphasis of planning, the Connétable spoke about a site which we did mention might be considered, which is at the top of Mont Felard. It does occur to me, and I have written down, I wonder how close that is to the airport safety zone. All the aircraft fly over that area. We are very chary about building a development underneath the airport flight path. That is one, and there is also the issue of skyline. Now, every planning issue you look at there will be lots

of factors to take into account and what I do think we should do is rely on the judgment of our professionals and the clear judgment in this case, as in most of the other ones to follow but not all, entirely, there are factors that as I have said could weigh and I have got those in the notes there and I am sure Members have seen, and when we come to those sites we will consider that, but this one, no.

1.1.5 Senator S.Y. Mézec:

I wish to only make one very brief comment, having listened to the Minister for the Environment just now, who very passionately explains that we do not rezone land to deliver open market housing, and that is of course because there is no need, because they are building so much of it on government-owned land instead. He has got a very inconsistent position on this, but that being said I completely oppose this amendment and urge other Members to do the same.

1.1.6 Deputy K.F. Morel of St. Lawrence:

I would like to thank everyone who spoke and the Connétable particularly and the Minister as well as Deputy Tadier. We have all received over the weekend correspondence about this site, and I would like to thank everyone who has emailed States Members to let them know their views. I did find it interesting in his proposition the Senator talked about wanting to give something back to the Parish. The trouble is, the Parish has not asked for this. There has been no request from the Parish for that field and there has been no popular desire to use that field for housing. Effectively, the Parish does not want it. Not only is this absolutely excellent agricultural land, it was ploughed or turned over just the other day. It is in constant use. This is not a field that gets left and ignored. It is used both by dairy, I believe, but particularly for arable and potatoes, but I do believe cows go in there for grazing as well. More than anything, for me this is about ribbon development. To adopt this field would be to adopt ribbon development. There is ribbon development in Jersey, absolutely. The main reason I voted against that field in Grouville, using that field in Grouville, was because it was extending ribbon development and you think about the ribbon of urbanisation along the south of the Island and into the east of the Island and I just thought that we cannot continue that. If we adopt this field, it would be increasing ribbon development up through the north and the heart of the Island and the countryside landscape that defines this Island. That is not a parochial matter. That is an Island matter. This is the landscape that defines this Island for everyone, all 110,000 of us who live in this Island. With ribbon development you are cutting people off from that landscape and that to me is absolutely not. Guernsey, and we will always point to Guernsey when we talk about ribbon development, because that is where they have extensive development; in my opinion it is such a shame. It means that you cannot see a lot of Guernsey from being in Guernsey. You are there and all you see are houses and houses and houses. You do not see the beautiful countryside that Guernsey still has, but as the population it is cut off from it. For me ribbon development is an absolute no and I cannot support building on prime agricultural land when we know there are other sites available. I cannot support ribbon development. I do believe the Senator in his report is really stretching it when he claims that this is effectively part of the Carrefour Selous. I grew up at the Carrefour Selous and I used to deliver papers up the main road past this field, and I know very well that the Carrefour Selous I left it behind. This was the leg of my paper round which took me out into the countryside. I know that, I know the people around there; I delivered their papers for many years. This plot of land is not a part of the Carrefour Selous. Even if it was, the Carrefour Selous is really poorly served by facilities. When I was a child there we had 2 shops and a pub. Today we have got one shop at the Carrefour Selous and a health centre, which I guess is like an anti-pub. While there are bound to be people in the community who use the health centre it is not a community facility, so to speak; it is a private health centre. Outside of that, there are no facilities. There is very little parking, the Constable mentioned the bus route, which is poor - take note Minister for Infrastructure - and therefore is not sustainably serviced by transport. It also backs right on to a green lane network, which in itself I can tell you is unfortunately quite heavily used by a large amount of traffic already

because of Glencoe and the auctions there, because of Jersey Water further down and some other businesses, many of them rural businesses. To increase the traffic along that green lane network would be completely inappropriate. This is not about keeping development out of St. Lawrence. Not only did the Connétable put forward 4 fields as part of that, but also other fields were looked at by the Environment and Planning Department and they were rejected, other fields that stretched from the suburban south of St. Lawrence, we do have suburbia in St. Lawrence; it is not all countryside, all the way up to nearer the Carrefour Selous and abutting the Carrefour Selous. The Planning Department rejected them, not through any pressure, not through any parochial pressure, but through that rational process that the Planning Department went through. This field was never a part of that, because this field was always I am going to say a ridiculous field to choose for the Island Plan. It makes no sense. It goes against everything that the Island Plan is trying to do. So I do urge Members, please do reject this. I know that it is not right to think that because we have rejected some fields already that the Minister for the Environment supported we should now start accepting all these fields. It is completely wrong to think like that because if we think like this we will be supporting development on fields that are massively unsuitable, as opposed to the fields, which as the Minister said, had more balance in terms of sustainability. Yes, I ask Members please do reject this. It is not appropriate. We have heard all the reasons why. I appreciate and the Connétable is very gracious in saying that due process is afforded to anyone. That is absolutely correct, but it is a shame that this field has made it this far, because the planning inspector clearly and roundly rejected it as a suitable site. The Minister for the Environment rejects it as a suitable site. There is nothing supportable in this site.

[10:30]

The Deputy Bailiff:

Thank you, Deputy. Does any other Member wish to speak on this amendment? I call upon the Senator to reply.

1.1.7 Senator S.W. Pallett:

I want to thank Members for their comments this morning. Myself, the owner and the agents have certainly appreciated the views of Members. I also appreciate the fact that I have not been overly castigated for bringing it forward. I know Deputy Morel has got really strong views about this field, and I heard that at the planning inspector's review, so it was not a surprise to me that he has given the views that he has. It has been a good debate; I think it has flushed out many of the issues, including the drainage, if you do not mind me saying that. I will just briefly go through what Members have said. Deputy Tadier mentioned that it could be gifted to the Parish, and he is quite right. If it was to be gifted to the Parish for housing it would still need to be rezoned, but nevertheless there are other things. The site could be kept as farming land for perpetuity, but that is for another day. He mentioned that I brought this forward in an honourable capacity and I appreciate the fact that he said that. He mentioned that there were other fundamental issues that needed to be addressed, and I agree with him on that particular point. He mentioned that it was still speculative. I suppose any building development, however philanthropic it is, there will be a degree of speculation in it, but in terms of this one I think it is on a very small scale. He mentioned an interesting point about security of tenure for farmers and I think that is something that we do need to consider moving forward, so that farmers do have the security that they can farm on fields for as long as they need to. I do agree with him that comments made by many of the members of the public who live in St. Lawrence over the weekend were not N.I.M.B.Y. comments, and I did not take them as such. I want to thank them for their comments. I think they were all balanced comments and I think all Members would be appreciative of the fact that they were balanced. The Constable of St. Brelade is right, the I.H.E. (Infrastructure, Housing and Environment) Department are not supportive in terms of the drainage and he brought up the issue of the maintenance of the holding tank. It is not something I considered but I am sure it is something that the developer has considered but he is right, there could

be an issue with that. Being a former Parish Constable I always respect the view of the Constable of the Parish where there is an issue, and this particular issue is very much a St. Lawrence issue. She mentioned earlier it was a good field with good soil, comments from the farmer, and there were far more suitable fields, but she did say that it was up to me if I wanted to bring it through in terms of a vote today to let Members make their own minds up, so I do appreciate that and that there is a process to follow and we are following that process today. She talked a lot about the Planning Committee and issues that would come in front of them if this was brought forward and at the end of the day she considered it to be a prime agricultural site. Deputy Morel and the Constable I think have questioned the proximity of Carrefour Selous. It is a matter of opinion how far away it is, but I think again Members can make their own minds up on that. I agree with her, I think there are always opportunities to improve bus routes, and again we have had it on other debates as well where that has been mentioned as a potential negative, but that is something that can maybe be brought forward by LibertyBus. Again, she mentioned potentially gifting the field. I am sure that is something for the owner to decide, but I am sure they are listening and will make their own view on that and that this field was in complete isolation, I do not necessarily agree with that although, as I have said, it is on what I consider to be the edge of a built-up area, but again Members can make their own mind up on that. Senator Mézec made a good point around the open market on government-owned land and then we moved on to Deputy Morel, again, as I have said, who I knew had very strong views on this. I heard him at the planning inspector's review. As the Parish Deputy I had no doubt that he would want to protect this site. He clearly knows his patch very well and I am glad to hear that he had a paper round. I thought I was the only one who did a paper round that was in the States. I am glad to hear that I am not the only one who had a paper round. Going back to being slightly more serious, he mentioned that St. Lawrence had put forward other sites and I think we have got to accept that St. Lawrence have tried to play their part, but that this went against the Government Plan and his view was that there was very little to gain from this and a lot to lose. I think I have summed up what Members have said. I said at the start there is always a balance to be struck and this may be striking the balance too far in one direction. I am sure Members will have made their minds up, but I do appreciate the fact that we have had a debate on this site, because I think it has brought out issues that may well be issues that are debated on the other sites that Deputy Young mentioned. I will just mention Deputy Young. Again, he is right, in many ways there are issues around this particular site that he clearly does not support. His comments clearly do not support the use of this particular field and Members again are going to have to take that on board. I have got a suspicion about where this is likely to go, but I do thank Members for their time and appreciate the comments given this morning and I ask for the appel, please.

The Deputy Bailiff:

Thank you, Senator. The appel has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the amendment has been rejected.

POUR: 2		CONTRE: 40		ABSTAIN: 0
Senator S.W. Pallett		Senator I.J. Gorst		
Deputy of St. Martin		Senator L.J. Farnham		
		Senator K.L. Moore		
		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. Mary		
	Connétable of St. Ouen		
	Connétable of St. Martin		
	Connétable of St. John		
	Connétable of St. Clement		
	Deputy J.A. Martin (H)		
	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 R. Labey (H)		
	Deputy S.M. Wickenden (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 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 K.G. Pamplin (S)		
	Deputy I. Gardiner (H)		

The Deputy Greffier of the States:

Those voting pour, Senator Pallett and the Deputy of St. Martin.

2. Island Plan 2022-25: Approval (P.36/2021) - fiftieth amendment: Field MY493, St. Mary (P.36/2021 Amd.(50))

The Deputy Bailiff:

Next is the 50th amendment, lodged by the Connétable of St. Mary and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that – (a) the following should be inserted within the list of sites to be zoned for affordable homes in Policy H5 – Provision of affordable homes – ‘8. Field MY493 St. Mary (1.03 hectares/5.7 vergées)’; with the remaining items re-numbered accordingly; (b) the draft Island Plan 2022-25 be further amended in such respects as may be necessary consequent upon the adoption of (a); and (c) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones be amended to reflect the adoption of (a).”

2.1 Connétable J. Le Bailly of St. Mary:

May I point out that the first paragraph of this proposition may have a misleading statement in the last line as it states that the field is considered an ideal site for development by the Parish? This gives the impression that it is a unanimous Parish Assembly decision. It is not, as we also have a few N.I.M.B.Y.s who thankfully are a minority. It would be better if the description read “for the Parish” rather than “by the Parish.” I take full responsibility in presenting this proposition against the wishes of the minority. I am concerned. If we are to take this housing crisis seriously, we have to accept unfavourable decisions and personal preferences cannot be selfishly included if we are to achieve our housing problem. I want to help people to a better life. The “I am all right, Jack” situation will not achieve that. Field 493 is a field owned by a former St. Mary farmer who sees no agricultural benefit for the field to be retained. He is prepared to relinquish its use in order to provide first-time buyer housing. If this field is accepted for housing the Parish will benefit greatly, as the owner will gift one-third of the field to the Parish, providing it is also used for first-time buyer housing. We owe that opportunity to some of the vast number of people who are desperate for a home of their own. It may be that our small Parish could be the answer to many people’s future, if a positive result is administered. If the Parish and indeed the Island is to remain viable then it is necessary to provide housing for local people and incoming skilled workers in order for them to be encouraged to stay in the Island and continue to preserve our existence. It is important that we look after people who are prepared to work in this Island. Any site put forward attracts a N.I.M.B.Y. objection, however these people are normally very comfortable in their own homes, which are on what was once a green field, but now they choose to take a very selfish attitude towards others. People tell me that they want to see wide open spaces with no development. We have that; we are on an Island. We are surrounded by water. That is a guaranteed area that will remain unbuilt on. I do not believe that all the Island should be built on because of that. Accepting this field today does not mean that it is a *fait accompli*. There are still many procedures that have to be overcome in order for that to happen. Accepting this proposition, however, gives hope to people. It also gives our Parish an asset. This is a matter of principle. We should not be looking to the elections or to appeasing the N.I.M.B.Y.s. I will not be intimidated by them to do so. I hope that Members feel the same.

[10:45]

The Deputy Bailiff:

Thank you, Connétable. Is the amendment seconded? [**Seconded**]

2.1.1 Deputy D. Johnson of St. Mary:

I think there have been few occasions in this Assembly where I have been in direct conflict with the opinion of my own Constable and it gives me no great pleasure to be so today. I am grateful for him clarifying the first paragraph of his report, as he said it was originally a field considered an unideal site for development by the Parish, and from the number of emails I have had in I was wondering where he got the information from. Certainly, it is not the minority of the Parish that opposes it. It is the vast majority. To give a certain element of background, it is the case, as in St. John, there was a Parish Assembly some maybe 2 years ago where a former panel was appointed with a view to considering potential sites and I do emphasise the words “potential sites”. It is my clear

understanding that having identified sites they would come back to the Parish by way of Parish Assembly to consider and take a vote on what should be put forward. My understanding, and I am a member of that panel, is that there have been no more than 2 meetings of that panel and while it may be that a slight majority were in favour of this, as I say there has been no mandate of the Parish, and that has caused a lot of, dare I say, animosity, it is fair to say. The number of emails I received, well, I cannot say far exceeded those I received before, because I have received none before, and those emails include copies of emails to the Constable asking him to withdraw the proposition. I wish to place on record that I do not believe it is N.I.M.B.Y. members of the Parish who are opposing it. They are opposing it for the very good reasons that the Minister for the Environment has set out in his summary. I do accept that this Assembly is not here to place undue weight on the wishes of parishioners who will obviously have vested interests, but I was heartened by the comment made by the Constable of St. Helier earlier last week about the wishes of all St. Helier residents to be considered in decisions and the fact that they needed cars so they could enjoy the benefits of this Island, and that harks back to one of my earliest memories in the States, when I was first elected in 2014. One of the 5 priorities was that there should be a greater amount of building and that should be concentrated in St. Helier, and I congratulate the Deputies of St. Helier at the time for their unselfishness in backing that, but why did they back that? Because they are concerned about the Island as a whole and not just their own Parish. Similarly, I am concerned about the Island as a whole and St. Helier and, as something of an aside, I have since that date wherever possible carried out what I think is my moral duty to support the Constable of St. Helier in his wish for open spaces, to better the lives of St. Helier residents. This is not a parochial matter and the reasons why my own parishioners oppose any development is for the very reasons that the Minister for the Environment has said in his report, and I do not wish to steal his thunder in quoting him, but the reasons why the Minister cannot support the development of the site is because: “The site is considered to form part of a group of the fields in the ‘inner core’ of the village, which give the village much of its character, which are important in allowing unimpeded views and helping to form an uncluttered landscape setting to core historic buildings. As such, development on this site will cause significant adverse landscape and visual impacts.” To a certain extent that mirrors the comments made by Deputy Morel and others in the last debate. We are here to preserve the landscape not for the benefit of individual Parishes but for the benefit of the Island as a whole, which in turn will benefit our tourism industry. We cannot risk overdeveloping, because Jersey will cease to be an attractive venue. For those reasons I vehemently oppose the proposition, which as I say is not supported by the vast majority of my parishioners.

2.1.2 Deputy J.H. Young:

I am entirely happy always to have my thunder stolen and it is very good when Members read the planning comments and speak of them so I do not have to repeat what the Deputy said. I think I would just remind Members that we have already included a site in St. Mary Parish, another site that went through the evaluation process and did score sufficiently well to be able to be included. I have to say not as good as the ones that you have rejected, because I think what the Members have done in this debate is they have set the bar. They have said: “Now, that is the bar for zoning” and so I think this one I am afraid ... because I do have to accept that the Connétable is well-meaning. I know he passionately wants to achieve housing. I have not checked how the Connétable voted on other matters, but I suspect he voted against rejecting those fields that were put forward. Nonetheless we have to deal with what is now before us. There is no question, this will be a hugely damaging field to develop, not just for St. Mary but for the whole Island. It is really important to agriculture in that area and of course public transport is poor. We are told the drainage system does not have capacity to be able to work with this, so here we are, we have got another whole set of planning issues that have to come into these evaluations and of course our Minister for Infrastructure knows very well, he would love to have fantastic main drains all around the Island with pumping stations but so far I do not know how we have got to this, but Members know that I believe we want to be able to invest

in that sewerage network around, but we have not got it, so what we cannot do is promote developments where the system is simply not there. This one is about ... I am afraid it is in the same category as the previous one. My absolute advice is no. This site is not suitable for development, so I propose to vote against it.

The Deputy Bailiff:

Thank you, Minister. Does any other Member wish to speak on this amendment? I call upon the Connétable to reply.

2.1.3 The Connétable of St. Mary:

I would dispute that there are a majority of people against this development, as suggested by our Parish Deputy. It is essential that we do pass some of these fields for development or we have just wasted a whole of a week. There are desperate people out there wanting a house, wanting a home. What are we trying to do to help that problem? Not very much at the moment. I can appreciate the view expressed by our Minister for the Environment, but that does not solve our problem. When you vote please ensure that to do so will improve the lives of many desperate people who want a home.

The Deputy Bailiff:

Thank you, Connétable. Is the *appel* called for? The *appel* has been called for. Members are invited to return to their seats. Those Members joining the meeting by the Teams link are asked to cast their votes in the chat channel and I invite the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce that the amendment has been rejected.

POUR: 8		CONTRE: 34		ABSTAIN: 0
Connétable of St. Saviour		Senator I.J. Gorst		
Connétable of St. Peter		Senator L.J. Farnham		
Connétable of St. Mary		Senator S.C. Ferguson		
Connétable of St. Ouen		Senator K.L. Moore		
Deputy M.R. Higgins (H)		Senator S.W. Pallett		
Deputy R. Labey (H)		Senator S.Y. Mézec		
Deputy S.M. Wickenden (H)		Connétable of St. Helier		
Deputy L.B. Ash (C)		Connétable of St. Lawrence		
		Connétable of St. Brelade		
		Connétable of Grouville		
		Connétable of Trinity		
		Connétable of St. Martin		
		Connétable of St. John		
		Connétable of St. Clement		
		Deputy J.A. Martin (H)		
		Deputy of Grouville		
		Deputy K.C. Lewis (S)		
		Deputy M. Tadier (B)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy of St. Mary		

		Deputy J.H. Young (B)		
		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 K.G. Pamplin (S)		
		Deputy I. Gardiner (H)		

3. Island Plan 2022-25: Approval (P.36/2021) – sixty-seventh amendment: Use of fields G508, G508A, G526, G526A G521A, Grouville (P. 36/2021 Amd.(67))

The Deputy Bailiff:

The 67th amendment has been lodged by Deputy Wickenden and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) the following should be inserted within the list of sites to be zoned for affordable homes at Policy H5 - Provision of affordable homes - “2. Fields G508, G508A Grouville (1.50 hectares/8.34 vergées)”; (b) the following should be inserted within the list of sites to be zoned for affordable homes at Policy H5 - Provision of affordable homes - “3. Fields G526, G526A and 521A Grouville (1.42 hectares/7.87 vergées)”; (c) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraphs (a) and (b); and (d) the Draft Bridging Island Plan Proposals Map Part A - Planning Zones should be amended to reflect the adoption of paragraph (a) and (b).

3.1 Deputy S.M. Wickenden of St. Helier:

Every time I have been on the hot seat for BBC Radio Jersey, taking part in an “Ask the Ministers” event where I get to answer questions directly from the public as Minister for Children and Education, I have always been asked how the children of Jersey are ever going to be able to afford a house and what could be done to stop our Island’s children from leaving the Island due to not being able to afford a home. I am bringing this amendment forward as part of the solution to helping provide first-home buyer homes and to give some home owners the opportunity to downsize, allowing families to upsize, releasing smaller properties to the market to allow other smaller families to upsize, releasing flats to allow first-home buyers opportunities to get on the housing market. This is why despite the calls from some house owners in the Parish to withdraw my amendment, I have persisted. As I said in my report, Grouville has a very poor record in contributing to first-home buyer houses and affordable homes, with only 6 units being provided in 20 years. I am trying to be a voice for the Grouville parishioners who want to stay in the Parish, near their family members who also live in the Parish, but do not have the ability to purchase. When the Minister for the Environment started the process for the bridging Island Plan, the Constable of Grouville wrote to his parishioners to collect evidence to better understand the housing needs within the Parish, stating that 3 surveys had been prepared to understand the potential need for over-55 housing, first-home buyer housing and social rented housing.

[11:00]

The results showed that there were 59 requests for over-55 housing and 29 requests for first-home buyer housing. The Parish also sent out letters to call for sites to the landowners of the Parish to ask them to put forward their sites for affordable housing. The landowner of these sites I am proposing received one of these letters asking them to put these sites forward for affordable housing. The letter stated that once all the sites are known, the Parish intends to hold a meeting of the Parish to give the parishioners the opportunity to discuss the merits or otherwise of each site. Unfortunately, I am not aware that the Parish ever called a meeting to gauge the parishioners' views so all I have got to go on is the response to the letter asking about the need in the Parish. As I mentioned earlier, the landowner submitted the fields to the bridging Island Plan and was assessed as all other sites were, and the site scored well under the assessment. Those are the exact words directly out of the assessment response. The site failed only one point under accessibility but met the requirements for spatial strategy, landscape analysis, use and land sensitivity. I repeat, the site scored well under the assessment and failed only by one point. This site sits between a built-up housing area and greenhouses that are currently growing potatoes and are in good condition and use, not left to ruin like so many in the Island. This site also cannot be seen from the road, unlike others that were put forward in the Parish. The site would be a logical extension to the built-up area and would be within walking and cycling distance of Holme Grown farm shop and the Parish recycling centre. If approved, the site would also be within cycling distance of other shops, services and amenity in the area as well as Grouville Parish School. The beach is also within walking distance. The site is relatively flat, already well-screened and more planting could be included along all boundaries to enhance local wildlife. Building on the site would not fill in an important open gap across the coastal plan from La Route des Sablons. The site can be connected to mains infrastructure, including mains drains, water supply and electricity. There is also a gas main at La Rue de Fauvic. Any risk of future flooding has been considered and the watercourse that runs along the southern boundary of the site would be enhanced for wildlife. The site is ideally placed for any future residents to access the eastern cycle route. Any children living on the site could also cycle to school. The route is flat and the route to Grouville Primary School could be mostly along Parish roads. Le Rocquier School is only a 10-minute cycle away. Future residents would have lots of choice about accessing sustainable transport. There are 2 excellent and regular bus routes close by on La Route de Fauvic and La Grande Route des Sablons. The owner of the fields would be very happy to work with LibertyBus to provide new bus stops on these roads if it is needed. In the Minister's submission to refuse the site, one of the reasons was due to the medium risk of flooding. I have been to the site and I have looked at the flooding maps, of which I have one in front of me, and I can inform Members that the site does not sit on a flood area and sits higher up than the houses beside it. We know that due to a pressure group in the Parish the Constable has withdrawn his Parish sites, further dashing the hopes some of these parishioners had to buy a property and stay in their Parish. In the interview announcing the Constable's retirement in the *J.E.P. (Jersey Evening Post)* on 29th October 2021, the Constable stated that before he leaves he wanted to focus on issues relating to the Island Plan, notably the provision of affordable housing for first-home buyers and retired parishioners. I would ask the Constable to follow in the footsteps of the Constables of St. John and St. Peter to follow through on his wish stated in the *J.E.P.* to support and provide for his parishioners who have a need for housing in the Parish, not just listen to those parishioners who are fortunate enough to live comfortably in their houses, and to do this today by supporting my amendment. The family that has put forward the land to provide affordable homes for Grouville were not some big property developers or greedy landowners that have bought the land in a hope to build houses and profit off the investment. This is a family that have set up a farm shop to serve the community, create community facilities, open the facilities for use by parishioners during COVID when the Parish Hall was not open. They have allowed their land to be used at no cost for a place that parishioners could drop off their recycling, which is widely used by the community, and they work with Island charities that need help. The Island and the Parish

went out to ask landowners to put forward sites for the needed affordable homes in the Parish and this family has responded to the Island's need by doing just that. I have been round many of our schools since I have been the Minister for Children and Education and I have spoken to many students and they themselves have spoken to me about their concerns around being able to stay in Jersey when they grow up as they today do not feel that they will ever be able to afford a home here in Jersey. In earlier debates, and by some parishioners, there has been talk about sorting immigration first before building more houses. I will say that if we do not start building now we will lose our youngest and brightest and we will never be able to diminish our requirement for inward migration in Jersey. To sum up, the children need to know that they will have hope of buying a house in the future. The parishioners have asked for more affordable housing. The site only missed out by one point and is well positioned in the Parish. The parishioners that are looking for a house in the Parish did not get a chance by the Parish to have a voice and this site cannot be seen by the road and is close to local amenities and connected to the main services. I ask the Assembly to support this amendment, not listen to the voices on the periphery, and to help provide the much-needed homes in the beautiful Parish of Grouville. I propose this amendment.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]**

3.1.1 Deputy M. Tadier:

I do not need to repeat the point that I know that everyone's motivation is correct and that there is widespread frustration about accessibility to housing and the fact that we have a housing crisis. I do not think that the owners of the field should be criticised for responding to a call for possible sites. They did that and they went through a process and it was found that their site was not appropriate. I have already said that I do not want to be glib this morning, so I will not say that you could, for example, say that you want to build housing on the moon and that it might be a really great place to build housing but it only failed on one point, which was accessibility, and apart from that there is lots of open space up there and it might be great if we could sort out the atmosphere problem. So it might be failing on 2 points. The point I would make to the Minister, who is a Minister and who I know stands by process quite a lot ... he considers process to be a really important part of government. I would say to him how would he feel if every student who has done a G.C.S.E. (General Certificate of Secondary Education), A-level or an H.N.D. (Higher National Diploma), whatever qualification it is, were to come to him and say: "My son, my daughter, they just missed out on such-and-such an exam by just one point and if they had have got that point they might have got the requirement to do their A-levels, to get into one of the 6th form colleges or to go to university, but they just missed out on their exam by one point and of course they went through the process, and they went through an appeals process but they somehow managed to find a States Member who could advocate for them and, even though they had been through the proper process, put a proposition in to ask for special pleading." That is kind of what we have here really. We have this field that the Deputy thinks is an appropriate field to develop but the process, his own Minister and the process that it has been through with the planning inspector, does not think it is an appropriate location and clearly the Parish Assembly, I think, has also told us this is not an appropriate location for housing. So who do we listen to? Do we listen to the Minister for Children and Education who wants to help somebody who responded to the call but lost out by one point or do we go with the process and the Parish? I think I know which one I will tend to go with but I am certainly going to listen to what the Deputy has to say in summing up, but I would also like to hear from the direct representatives of the Parish if they are able to elucidate further, which I am sure they will.

3.1.2 Connétable J.E. Le Maistre of Grouville:

As I explained last week, we had a Parish requete where people were allowed to come and express their view. I do accept, I think it was Deputy Martin who said, that maybe some people who want

affordable housing may feel intimidated about attending Parish Assemblies and certainly may not feel free to speak at them. But every time we publicised the meeting and there was an article in the *Jersey Evening Post*, I said: "Please email me", and I only had one email. That was very disappointing for me because I do know there is a need out there and even if I had had a handful of people at the Parish Assembly I can act independently, and here I would have tried to provide some housing for that minority. Of course I know they exist. I will read out the proposition at the Parish Assembly and it included some of the fields that have now been withdrawn. It was: "To request the Constable to relay to the States Assembly their strong objections, on environmental and other grounds, to the proposed rezoning for affordable homes of the following fields in Grouville and their opposition to proposed amendments to the Island Plan." It refers to this proposition. As I explained last week, I took a show of hands and there was not one hand that went up for these fields to be rezoned; not one. So the term "strong objection" could not really be stronger and, as I said last week, the passion among the members of the audience was palpable. I cannot express too much how much the Parish is against it. I am a bit disappointed that Deputy Wickenden did not speak to me about putting this proposition forward. If he had done so, I would have explained to him that I was not prepared to propose them and had been asked to do so, and indeed I have always objected to these fields on a number of grounds. Members know that I am a retired farmer, so I have worked these fields. They are extremely good fields. They are last resort on the Farmers' Union scale. As I explained last week, it is a bit of a microclimate down there. It is really good early land that you can grow just about any summer crop that you can grow in Jersey down there. It is true that you could not harvest over winter crops, but that is why it is so important environmentally and I will come to that a little bit later. It has been mentioned about N.I.M.B.Y.s, and I still think it is a dreadful term, because it will affect people's enjoyment of their houses that probably overlook the countryside. While it is not a very good reason for not retaining a field, I acknowledge that those people's lives and the value of their houses will be diminished. As agricultural land, what people may not realise is the size of the field is important. If you can imagine 2 fields of the same width and one is 4 vergées and one of them is 8 vergées, whatever operation you do, you do the same number of turns when you are cultivating the field, so the downtime, the wasted time is double on a 4 vergée to an 8 vergée field and these 2 fields are both approximately 8 vergées. They are side by side, so equally if you take your harvesting gang, which is tractor and trailer, 2 vans, probably £100,000-plus worth of machinery, plus of course the staff who by the time you have paid social security and holiday pay, 10 people who are on £120 an hour, every minute counts. The time from one field to the next or from the farm to a field all adds up. Again, it will be twice the cost on a 4 vergée field to an 8 vergée field, so they are really good fields to work. As I explained, it is sandy soil for potatoes and other root vegetables, very easy to harvest. I was very impressed by the Constable of St. Lawrence who mentioned short turns. Some Members will not know what she was referring to but the shape of the field is important as well and the longer and the straighter the fields the easier and more efficient they are to work. Obviously, the ribbon development argument does not really fit in here.

[11:15]

On the other hand, if you turn off the coast road or Route des Sablons and you turn up towards Fauvic crossroads, which carries on to St. Clement's Church, you are on a country road with countryside either side. I ask the question: is this the beginning of the new ribbon along that road? It is. It does border the main road. The other day I asked Members to imagine if we did not have ribbon development along the coast road then I suspect that this whole area would be similar to the St. Ouen area and we would have an eastern coastal path and a western coastal path. Just as we would not dream of putting a 17 vergée at Les Mielles, we should not be doing that here either. There is no village around these fields at all. At least the Minister's field a quarter of a mile up the road had a built-up area to the north and between the main road and the sea. There is only really one row of houses, and I think there is a couple just on the corner and on the coastal side of the main road there is only one house. So this is hardly a built-up area and it is certainly not a village and it is not really

that close to some of the amenities. It is true there is a farm shop there, Holme Grown. It is fantastic but it is really niche market products that are sold there, some really different products but it is not somewhere that somebody who is living in an affordable home is going to do their daily and weekly shop because the Co-op, which is a fair way away, or Iceland next door, is the sort of place where you get really valuable food. So, I cannot really see any merit in this. The Deputy was right that, yes, I would like to provide some affordable homes and the site I had was also rejected. It had a lot more going for it than this site and the big disadvantage with it was its proximity to Grouville Marsh. So, I cannot think of any good reason for this proposition to go forward. Nobody is in favour of it. The Minister, the planning inspector, the land control team, the Farmers' Union, the Parish, me and old Uncle Tom Cobley are against this proposition and I urge Members to reject it.

The Deputy Bailiff:

Connétable, will you accept a point of clarification from Deputy Higgins?

The Connétable of Grouville:

Yes, Sir.

Deputy M.R. Higgins of St. Helier:

The proposer in his report mentions that Grouville has only built 6 affordable housing units in the last 20 years. Can the Constable just remind me what fields have been put forward by the Parish that have been accepted by parishioners in the Island Plan this time and why they have not put forward others in the past?

The Deputy Bailiff:

The first part is a point of clarification. You did mention what you proposed to the Minister. The second part probably is not but, Connétable, do you want to respond to that point of clarification?

The Connétable of St. Grouville:

Can you tell me what the first part was, please, Sir?

The Deputy Bailiff:

Do you want to repeat the first part of your question, Deputy Higgins?

Deputy M.R. Higgins:

Thank you, Sir. I mentioned, first of all, how the proposer in his report mentions that only 6 affordable houses have been built in the Parish in the last 20 years and I asked how many proposals that have been put forward for building in the Parish over the last 20 years have been accepted by the Parish.

The Deputy Bailiff:

That was the part of your question I disallowed as not being a point of clarification because it was not mentioned by the last speaker.

Deputy M.R. Higgins:

With respect, Sir, he did mention that the parishioners had voted down all these things at this recent meeting and I believe that is the implication in the past, so I would like clarification on that. If we are being asked to vote, I would like to fully understand the Parish's contribution to affordable housing in the Island in the past.

The Deputy Bailiff:

I will allow the question in the circumstances. Connétable, can you respond to the question?

The Connétable of St. Grouville:

I think so, Sir. I cannot remember us having a full Parish meeting to decide upon sites. The 6 houses that were referred to the Parish was not involved in. We were hoping to be involved in the whole of that project and we were in discussions with the landowners long before the Island Plan process started, or certainly a year or 2 before. There is another affordable house site on the Rue des Maltières. I am not sure off the top of my head how many houses there are there. So there has been some. I openly admit that I should have perhaps tried to get the Parish on board with the site I was proposing, and that was a mistake because I know there were a lot of people in the audience the other evening who said to me afterwards these are not the right sites, we will have to find somewhere else. That is very difficult, of course, and a number of them did say to me that if you could mitigate against the fact that it was near the S.S.I. (site of special interest) and we had a big enough and well-managed buffer zone that it may well have been an option, but to my knowledge we have not had a Parish Assembly to vote on sites as such.

3.1.3 Deputy C.F. Labey of Grouville:

I would just like to say that I am against these sites. The question has been asked why have not the elected Members been bringing this forward and it should be Deputy Wickenden. The simple answer to that is I was asked to take these fields forward but refused because I do not agree with them, purely for the reason that this is good agricultural land and for the same reasons - well, similar reasons - as the field that I asked to be withdrawn, which was field 392A. They are in active agricultural use and that is why I refused to take them forward. Also, just to answer a few points that have been raised, I have been extremely disappointed in the process that has taken place here, especially in Grouville. I was not a party to a planning committee that was set up by the Constable to look at sites, which I think was unfortunate that the elected Members were not included in such a process. I think we should have been and we should have held a proper Parish Assembly where all views could have been taken into account for all the sites. So, I do not think that the process has been terribly well thought out in the Parish. However, having said that, Deputy Tadier raised the issue about we have had the planning inspector look at these sites and the Minister has put certain sites forward, so why is this happening? Why are elected Members bringing other sites forward? Well, I would just say to Deputy Tadier, I am glad that Members have the opportunity to bring different sites forward because quite clearly with site 392A that we voted on last week the inspector approved the site but clearly it is the democratic process that should decide these things. Yes, we can listen to the inspector and their views and opinions and the views and opinions of the Minister for the Environment, that all feeds into the democratic process, but I always felt that field 392A was the wrong site because of the ribbon development, because it was agricultural land. It was simply the wrong site and with due respect we know the area far better than the inspector that has been brought over here to look at a site for 5 or 10 minutes. So, I am glad that there is a democratic process and this is it, Deputy Tadier, so we can all communicate and discuss the sites put forward but we do not always have to agree with them.

3.1.4 Deputy J.H. Young:

I have to advise Members of a number of very significant factors in this decision. First of all, this is the largest site in the entire bridging Island Plan for housing that we are making decisions on. That is really important. This site we are talking about would produce, on the figures I am given, 102 homes. Now we know this part of the Island, this south-east corner. There is no question in my mind this is a rural corner at the moment and it is part of a charming area of flat land on the edge of the coast there, and this would absolutely transform its character if these were approved. Of course, if that is not enough, we have got currently 2 live planning applications to the west. Those applications are out to public consultation at the moment. They have not been agenda'd for any planning committee. They are major applications. They are immediately adjacent to the sites we are discussing here and at the moment the planning officers have asked me to make a decision on whether

or not I call a planning inquiry because the scale of this development would be so big as to have major implications for that area. So that is a decision that I chose not to make, whether or not to do that, until I know what is happening with this proposal being lodged by Deputy Wickenden. Again, I have no criticism of the intention. I think we are in this situation where for me it is regrettable that we have ended up abandoning and rejecting what are the best sites under our planning process, but that is behind us, but there are very, very significant effects for going for some of these sites that came forward late in the day. These sites here were put forward by the landowner to the Island Plan process right at the start, so I please want to clarify this. The sites are not entirely new. They came forward when the Island Plan was first published and representations were made to the planning inspector. I praise Deputy Wickenden. He has picked on quite a number of positive points when he proposed the proposition, but my duty is to advise you of the negative points. There was one very significant inaccuracy in what he said. He said the site is not in the medium flood risk. Well, I have looked at the map outside with the officers and I can say that the southern part of the site, that is 526, 526A and 521A, is in the medium flood risk, as determined by the experts who we brought in to help us with our coastal zone management plan as to where we should be building housing and where we should not. But it is true that the northern part of the site, as proposed here, sites 508 and 508A, are not in the medium flood risk, so I suppose I put that clarification. The policy for that sits elsewhere in the plan, WER2, that says residential development in medium flood risk areas should only happen if exceptionally justified. I do not believe that criterion of exceptional circumstances is met in this case. So that is the southern part of the site, but of course I also note that Deputy Wickenden's proposition does not say what it is going to do there but I see it has 2 parts to it. He has split the proposition, I think, if I can find it here, into 2. Yes, I think he has done that under (a) and (b). So Members might consider that but I am certainly not departing from the recommendation against both. Deputy Wickenden also made this point about missed out by one point. I think I would like to explain that the point system was used for the very first stage of evaluation because when you get hundreds of sites one has to do a screening.

[11:30]

There were a very large number of sites that got quite close to the top scores but then all of those sites were then subjected to a detailed site assessment in much more detail. It is that which resulted in the factors against outweighing, very considerably, the potential benefits. I think given all in the round, the context here is one that there are a lot of pressures on this area anyway. We have a live planning application and that will replace or propose to replace what is there with a hospice shop, with a residential nursing home and energy centre, what is called, which is all the plant and gubbins that are required - excuse my phrase, Sir, the infrastructure - to enable the greenhouses to go into a cannabis facility, which of course, if this zoning is approved, then the housing estate will be immediately adjacent to the cannabis centre. At the moment that does not require an application unless they do any processing there or if there is any infrastructure needed. That is why they have put in for the energy plant, but I do propose, as I have said and Members know, to change the regulations anyway so that may well need an application, I believe, very shortly. There is a lot of context in that area but I think, listening to the Connétable, my view is Grouville is obviously a Parish which I would be very, very surprised if there are not people in Grouville that have housing needs the same as other parts of the Island, and I absolutely respect the Constable here. I think he was put in a pretty terrible position, frankly. I think what was unsettling is the very large number of amendments that came out of the woodwork very late. The Deputy of Grouville is absolutely right, it is Members' democratic right to make democratic decisions. I am not criticising that, but of course that did lead ... when we had so many in that part of the Island, what happened was the end result of that, I can understand it, is that the site that came out best, impacted least, would have provided a small amount of housing but a valuable one for residents of Grouville, has gone, has been lost. I did make the point that there were 3 sites in the sites that were added, were proposed later. One of those was proposed by the Constable of Grouville. There was another site in Grouville, which my

published comments say I believe could have been considered as an alternative, unlike where I am saying on this one, no, I do not believe it is an alternative. But unfortunately, the Constable, as he has explained and I fully understand that, was put in a position where he had no choice to remove that proposal in that part of the Island, which was, I believe, capable, where there were no exits, which I thought this Assembly would very much benefit from having that debate, but we have not been able to have it. So, what has come through at the end of the day is one site that in my view is absolutely unsuitable, of huge impact. So, I recommend to Members that they do not support this site.

The Deputy Bailiff:

Will you accept a point of clarification from Deputy Higgins?

Deputy J.H. Young:

Absolutely, Sir, of course.

Deputy M.R. Higgins:

The Minister said that with the proposal for the cannabis development, which includes an energy plant, et cetera, that he was asked by his officers to have a planning inspector look at it. If this proposition goes through, will he ask for an inspector's report on both the cannabis growing plant and the housing? That is number one. In fact, I will leave it at that, because I may speak later.

Deputy J.H. Young:

Yes, I brought that in because I thought Members should understand the context of what is likely or something that may change in this area. It is very, very significant. I have not made that decision yet but the advice I have received is that certainly if this housing development zoning were to be approved it absolutely meets the criteria of a planning inquiry, which would have to take place, but not a planning inquiry into the zoning. If the States make that decision and the plan is approved, that is a fact. Any planning inquiry I am talking about would be one about the details of the application and so on. So, I am saying that if this zoning should be approved then there is no question it would be a major development of that part of the Island, which would require a planning inquiry. I have not made the decision. If this is rejected I am going to make that decision separately. I do not want to be committed on that at the moment.

The Connétable of Grouville:

A point of clarification if it is not too late, Sir. The Minister mentioned during his speech that this site was brought forward right at the beginning when there was a call for sites. Can he just confirm that all of the amendments, however late they were brought, had to be included in that original call for sites, because the general public do not understand that?

Deputy J.H. Young:

Yes, I am sorry, I accept the clarification. I should have made that clear. All of the amendments - we have ended up with 7; is this number 3; yes, it is number 3 - were put forward by landowners in the original process at the start. I suppose what I was really saying is that what happened with those sites, a lot of parishioners in different parts of the Island reacted earlier. One did attempt in the planning process to ensure that everybody was aware of what was going on but unfortunately it is not a perfect process and, from my point of view, I did very much rely on Parish processes, because in some parts of the Island they work well and other parts perhaps less so. Maybe if we got a chance in future Island Plans to change that procedure I think it would be sensible to do that, but it did result in a lot of public reaction. That is what I meant and I think that did worry people for many sites. There were not that many sites in other parts of the Island. Sorry for that clarification. I should have made it clear.

3.4.5 Deputy M.R. Le Hegarat of St. Helier:

I have not really spoken, apart from obviously the ones I brought forward myself, in relation to many other propositions brought forward or amendments. My observation is this is in relation to Grouville as a whole. I do go to the Parish quite often because it borders with where I live as well, not obviously in that area, but my observation is this. It is very much flood and I have noticed that when I do go round at certain times of the year there are a lot of the fields that are flooded. There is a lot of water around that area. When I visited along with 3 of my fellow Constables on the trip prior to the debate last week, the officers from Planning advised us that obviously it was a medium flood risk and I can understand why, so I just wanted people to be quite aware that it does flood. It is not that it might happen occasionally. I have observed by going around that district that it floods quite a lot, I would suggest. For me, that would be a concern about the fact that it is classed as a medium flood risk, because I think it actually is, but also the largeness of the fields for me is a real concern. These are really good working fields. You are talking of 8 vergées-plus and nearly 8 vergées. They are significant fields and so I could not possibly support this amendment.

3.4.6 Deputy M.R. Higgins:

I will be exceptionally brief. I am concerned about equity, equity in where we build houses. St. Helier, St. Clement, St. Saviour and other Parishes have borne the bulk of housing Islanders and it appears obviously from what the proposer has told us, with only 6 affordable houses in 20 years and very little in the way of development, that Grouville is not shouldering much of the burden. I do think: is it N.I.M.B.Y.ism, is it the fact they do not want to have large numbers of houses built in their Parish, which is very quaint and, I must admit, it is a very nice Parish, but are they carrying their weight? That is one point. Secondly, the inspector. Going back to what the Minister said, if this proposition is passed things like drainage and flooding, things about its location to a cannabis farm and processing, if that is agreed, that would be, I would think, reviewed at exactly the same time as the housing proposition. Equally, the number of houses that could appropriately be built on the site would be considered by the inspector. I personally am leaning towards supporting the amendment.

3.4.7 Deputy R.J. Ward:

I just wanted to ask a couple of questions of the proposer. I was looking for how many homes would be built and the Minister suggested that it would be around 102 and perhaps he will nod at me if that was the correct number. It mentions in the report that they can go to school at Grouville or Le Rocquier. I am sure that the proposer, as Minister for Children and Education, probably has the numbers at his fingertips, so that is why I ask the question. How many young people does he feel would, therefore, be going to Grouville Primary School from this development? I know Grouville very well. My children went there and I know it is very full up, as most of the schools are on the Island. What I am worried about again with another development is the talk of affordable housing. I look back on the vote for affordable housing on the waterfront development of a minimum of 30 per cent and I noted that the proposer voted against that, so when there was an opportunity to provide more affordable housing that was voted against by this proposer. I would be interested to see what happens when propositions or amendments come forward for more affordable housing on States-owned sites to see how the proposers for all of these fields vote for affordable housing then. I would ask the Minister again to think carefully about his own amendment, but that is another debate and we are getting off the point. So, I just want to know whether there is certainty that there will be school places available for the homes on this site, because if they are truly affordable you will get families with young children living there, which is a good thing. But I just want to ensure that we are not making promises for things that we cannot keep because of the need for primary schools. If there is not a primary school at Grouville that could take them, where are the plans for the primary schools? Where are the plans for primary schools for all the other developments that we are looking at here? That is one of the issues we have got here, to build wherever you want but there are some services

that are absolutely essential before we carry on and build. If he could just answer that question, that would be much appreciated.

3.4.8 Deputy K.F. Morel:

Just very quickly because I know it has been raised, aside from agricultural value, which I think is really important, and the ribbon development, which I have already spoken against, I think we also have to think very carefully about building down not just on a flood plain, effectively, but also getting more and more ... I am thinking about what is the sustainability of housing when faced with sea level rises over time and placing it down there on the coast. I think it is something we should be thinking about in general, not just on this one particular proposition. But it does strike me that as we are told sea levels will be rising, putting housing right next to the highwater mark is not the cleverest thing for us to do.

The Deputy Bailiff:

Does any other Member wish to speak on the amendment? I call upon Deputy Wickenden to reply.

3.4.9 Deputy S.M. Wickenden:

I have a worry that my opening speech was too good that people are just grasping at things to try and say against it. I thank everyone for taking part in this amendment. Where to start? Deputy Tadier, this is a democratic process. There are processes that we have been through, of course, but the bridging Island Plan and the ability to lodge amendments to the process ... and I do get appeals from students that did not quite get to Hautlieu and did not quite make the mark and they go through a process.

[11:45]

I have done some just the other week to listen and hear from those students about even though they did not hit the mark why they would like or should go to the likes of Hautlieu. So that happens all together. There will be a process somewhere in Reform Jersey proposals to say whether they are sustainable or affordable; will the Deputy be looking at that? The Parish requete that the Constable talked about came in and just said no, no, no, no. I, like the Deputy of Grouville, am a bit disappointed for the parishioners that did not get to have an actual Parish Assembly that was talked about. The Constable talked about some parishioners saying we need to find somewhere, but we have been through a bridging Island Plan process that has taken years, looking at everything that we can, and apparently none of them are acceptable to the parishioners at the moment. I have been on the Planning Committee for a long time and for the Members that have never done it, there is nothing that makes neighbours fall out more than a planning application. It is crazy how much that makes and breaks friendships and the likes when there is a planning application, so I know about neighbourly disputes and having applications next to people's houses. I would have liked to have seen a lot more younger people at that requete, maybe talking about things that are quite intimidating when you have got a former Senator or 2 setting things up and an environmental group. It has got to be really intimidating and it would have been nice for the Parish to set something up that was on the other side, to hear the other story rather than wait for a pressure group to do it. Deputy Young has pushed out a lot there. There are a lot of open planning applications all over the Island and I did not quite get why Deputy Young was talking about undetermined planning applications because there are plenty that go on. There is a possibility that you could build 102 homes on this site but it would have to go through the planning application process. It would need to be judged against everything in that process to be able to go anywhere. In one of our first debates Deputy Morel was talking about this is an enabling situation. It still has to go through other processes, so the fear factor of there will be 102 houses and that there are open planning applications that have not been determined yet I think was pushing it a little bit too far in the argument against. Of course, I have split the site up into the southern and northern and I will be taking these again, so for Deputy Le Hegarat, if you are worried

about the perception or the idea that this could be an area of flooding, even though it is higher up than the houses next door, part (b) is not in a flood plain area and could provide some of the much-needed homes for parishioners that are in there. I would ask Deputy Le Hagarat to consider maybe voting for part (b) that would allow some housing to be built for the parishioners that are looking for something to be able to stay near their families and to buy a house. Deputy Higgins was spot on about equality and equity in how these are, and I thank you for what you have said. Deputy Ward, of course, yes, I mentioned earlier 102 houses but that does not mean there will be 102 houses on there. It means that there should be a site being built that goes through a planning application that sets out what is the best way forward for the site that is there. The schools itself, although the primary school is quite full at the moment, if Grouville do not build houses for young families the school will be empty. Le Rocquier has plenty of capacity but if we start saying in Grouville: "Well, that is it, we are not doing anything and we are just going to have an ageing population there" there will be no children that will go to the school because none will be able to live there. Deputy Guida talked quite well last week about the difference between building in town and in some other places and building on open clear sites out in the countryside and how that makes a difference within the building and creation of affordable housing and its affordability on sites such as this. So that is where the difference comes on, and I think rising sea levels is interesting. It was interesting to hear. This site is well-positioned. It has got access to all of the electricity and water. It is hidden away behind other houses that were once upon a time a garage, I think, and a farm, the houses that are there now. It is a perfect opportunity to build some beautiful, much needed affordable homes for parishioners and Islanders and young people. As the Constable of St. Mary said earlier, this plan, as we are going through this process, is getting to a point where it is going to just not be worth voting for altogether because we are not going to be providing anything in here. The headlines will be that we will not be building any new houses and young people will decide ... they will just have no hope and they will want to leave the Island, because why? This may not be the best site. It is better than the site at St. Peter that we have passed. The site at St. Peter is on better agricultural land and it is big fields right in the middle of the Parish that will change the view going through that Parish considerably. This at least will be hidden away and is, in my view, far less damaging to agriculture and landscape and the setting than this one. It surprises me that the Minister has chosen to accept such and then is turning down others. I would ask Members to consider if you cannot do it and you are worried about flooding, do not do (a) but consider (b) so we can build these houses that are required. This site is far less damaging than others that have been done and could really help. Grouville have got no other option. Everything else has been removed. This is the only last hope for the young families in the Parish to be able to think that they will be able to afford to stay in the Parish. With that, I propose the amendment and ask for the appel.

Deputy J.H. Young:

A clarification, please, Sir, if I may?

The Deputy Bailiff:

Yes. You are going to say that he has got (a) and (b) the wrong way round, are you?

Deputy J.H. Young:

Yes, Sir. I was going to say that would the proposer accept that it is actually part (b) that is in the flood risk area and it is part (a) of his proposition that is not.

The Deputy Bailiff:

Yes. Do you accept that, Deputy?

Deputy S.M. Wickenden:

Yes, I will accept that, Sir. Thanks for the clarification.

The Deputy Bailiff:

You are asking, Deputy, for the Assembly to consider (a) and (b) separately?

Deputy S.M. Wickenden:

Yes, please, Sir.

The Deputy Bailiff:

I remind Members (a) are the 2 fields not in the medium flood risk area and (b) incorporates 2 fields that are in the medium flood risk area. The appel has been called for. Members are asked to return to their seats. Those joining the meeting by the Teams link are asked to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. Members are considering part (a) of the 67th amendment. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that part (a) has been rejected.

POUR: 15		CONTRE: 28		ABSTAIN: 0
Senator I.J. Gorst		Senator L.J. Farnham		
Senator K.L. Moore		Senator S.W. Pallett		
Connétable of St. Mary		Senator S.Y. Mézec		
Connétable of St. Ouen		Connétable of St. Helier		
Connétable of St. John		Connétable of St. Lawrence		
Deputy J.A. Martin (H)		Connétable of St. Saviour		
Deputy M.R. Higgins (H)		Connétable of St. Brelade		
Deputy R. Labey (H)		Connétable of Grouville		
Deputy S.M. Wickenden (H)		Connétable of Trinity		
Deputy G.J. Truscott (B)		Connétable of St. Peter		
Deputy L.B. Ash (C)		Connétable of St. Martin		
Deputy of St. Peter		Connétable of St. Clement		
Deputy of Trinity		Deputy G.P. Southern (H)		
Deputy of St. John		Deputy of Grouville		
Deputy K.G. Pamplin (S)		Deputy K.C. Lewis (S)		
		Deputy M. Tadier (B)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy of St. Mary		
		Deputy J.H. Young (B)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy M.R. Le Hegarat (H)		
		Deputy S.M. Ahier (H)		
		Deputy J.H. Perchard (S)		
		Deputy R.J. Ward (H)		
		Deputy I. Gardiner (H)		

The Deputy Greffier of the States:

Those voting pour in the Chamber: Senator Moore and the Connétable of St. Mary. In the chat: the Connétable of St. John, Deputy Labey, the Connétable of St. Ouen, Deputy Wickenden, Deputy Martin, Deputy Perchard, the Deputy of St. John, Deputy Higgins, Deputy Truscott, Senator Gorst, Deputy Ash, Deputy Pamplin, the Deputy of Trinity and the Deputy of St. Peter.

The Deputy Bailiff:

I move on to part (b) of the amendment and I ask Members to cast their votes in the chat and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that part (b) has been rejected.

POUR: 4		CONTRE: 39		ABSTAIN: 0
Connétable of St. Mary		Senator I.J. Gorst		
Deputy M.R. Higgins (H)		Senator L.J. Farnham		
Deputy of St. Ouen		Senator K.L. Moore		
Deputy S.M. Wickenden (H)		Senator S.W. Pallett		
		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. Ouen		
		Connétable of St. Martin		
		Connétable of St. John		
		Connétable of St. Clement		
		Deputy J.A. Martin (H)		
		Deputy G.P. Southern (H)		
		Deputy of Grouville		
		Deputy K.C. Lewis (S)		
		Deputy M. Tadier (B)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R. Labey (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 K.G. Pamplin (S)		
		Deputy I. Gardiner (H)		

The Deputy Bailiff:

Parts (c) and (d) fall away.

4. Island Plan 2022-25: Approval (P.36/2021) - sixty-eighth amendment: Use of Field T1404, Trinity (P.36/2021 Amd.(68))

The Deputy Bailiff:

We move to the 68th amendment lodged by Senator Pallett and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) the following should be inserted within the list of sites to be zoned for affordable homes at Policy H5 - Provision of affordable homes - “2. Field T1404, Trinity (0.5 hectares/2.7 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).”.

4.1 Senator S.W. Pallett:

Everything we have been deciding is clearly a balance and sometimes we have to make compromises and sometimes it is very difficult to do that. But we do need to strike the right balance between housing need and protecting agricultural fields. I think we have had some difficult debates around that and can I thank Members for their patience with L127, I know it probably strained everybody’s patience to some degree but I thought it brought out some interesting debate.

[12:00]

Whether we want to believe it or not we have definitely got difficulties at the current around housing, both social and affordable housing, and it is something that we need to address, whether you want to call it a crisis or not, at the end of the day we need to start addressing it, both through this Island Plan and in the next political term. In regard to this particular field, field T1404 - and there is a photograph of T1404 in the proposition - was included in the 2002 Island Plan as a back-up site. The owner and agent asked if I would present this as an amendment to this current Island Plan or to the draft bridging Island Plan as a suitable location for providing affordable homes, which I was comfortable to do. T1404, it is being offered as an affordable housing site throughout the bridging Island Plan process and has scored highly. T1404 in fact has scored as well as some of the sites that have been recommended for rezoning, some of which we have now refused. I think we are in a position now where if there is a possibility to find sites to reasonably rezone without some of the difficulties that clearly were cited through the debate on L127, then I think we should take those opportunities. The inspectors rejected the site on the basis of poor integration and I am going to go into that a little bit later on, but it is poor integration within the existing built-up zone. But I want to be clear around affordable housing and there has never been any doubt that the homes provided on this site would be to meet affordable housing need. There are no open market homes that have been suggested on this

site, it is a purely affordable housing site. Whether that is for a Parish-led scheme or Andium or privately, all would be assessed through the Gateway or the intention is to do that. The owner is, I think, open to working with any of those groups in regards to providing homes but he is quite keen to push this site forward and provide some of the homes that are desperately needed. You will see from the photos and some of the text within the amendment that the site - I think probably many of you will know where it is - is located immediately behind the new Co-op at Sion which the new Co-op was built on the old J.F.T.U. (Jersey Farmers' Trading Union), that is probably an easier way of putting it. We all remember the old J.F.T.U. site and then a petrol station that was demolished and the new Co-op put in place, which has been, I think, a benefit to those that live locally. It provides them a supermarket, I think, closer to hand than they have had for some considerable time, especially with the subsequent closure of the Co-op at Sion itself. Clearly, any future residents are going to benefit from that site, so they will not have to drive to the shops. I think we all know there are other shops and services in the Sion Village area that are within walking distance of the site. I believe, and I think the owner clearly believes, that it very much is integrated within the village setting. Again, looking at the photo it really marks the start of Sion Village. As you move in obviously you get into the more central part of Sion Village but this is definitely within the environment of the Sion Village and we believe sits well in terms of being integrated into that village setting. Again, if you look at the site itself it is surrounded on 3 sides by developments, some residential, some commercial with the supermarket and some agricultural on the northern side, with a clear open vista to the east. There has been a lot of comment today around ribbon development. This would not be ribbon development, it would be development on the edge of the village but it certainly would not be ribbon development. I take on board some of the comments made about ribbon development. Unfortunately, there have been all sorts of damage done with ribbon development, including in St. Brelade, which I think we, I am afraid, are never going to be able to put right. I think some of the comments made previously by Deputy Morel need to be taken into account when we are looking at sites but no way could you say was ribbon development. The site itself is 2.7 vergées, it is not a particularly big field but it, nevertheless, provides an opportunity to provide 12 to 14 affordable homes on that site, access from the main road. There would need to be some widening of that access. I think those that are opposing this will be seen as a logical extension of the existing built-up area at Sion Village. It is within cycling distance of Island secondary schools, they are located approximately 2,000 metres to the south and D'Auvergne Primary School is also located a similar distance to the south. There is a good road network in and out of town. There are bus stops close by and within walking distance. As much as in the Minister's comments, they did state that there were issues around the level of the bus service in the area. Again, as I think LibertyBus have shown, I think there are opportunities to improve it and that is something that I think can be discussed, I think, should the site be improved. In terms of the site itself, as I have said in the report, it is well screened behind the new Co-op but more planting can be included, I think, around the boundaries to enhance local wildlife but also to screen the site itself. I think importantly, as I have just said, it does not fill in an important open gap or lose what is considered to be an open view. It would be wrong if I did not mention the J.F.U. again and their comments which I think have been extremely useful to Members all the way through these debates. I thank the J.F.U. for providing the comments on all the fields. They have had to consider 30 different sites and that has taken some work on their behalf. I want to thank them for the work that they have done. But in terms of T1404, and I know there has been some debate about the quality of the fields and how you can gauge that, but in terms of the J.F.U.'s rating it is rated as a 3 that is important to agriculture. But before anybody jumps down my throat, I do admit that all fields are important to agriculture but some may be less so than others. This particular field is being used for silage and I think is less of a loss but I am never going to say it is not a loss, clearly if we use a green field it is gone and it is not going to come back. But we have got to balance that, as I have said at the start of my speech, with the need to provide affordable homes. I think the good thing with this particular site is that it is connected to all the main infrastructure, including drains, water supply and there is no risk of flooding on this site, which, again, is important. As I have said at the start previously, I think you

could provide a good mix of homes on this site to meet affordable needs. The owner, as I say, is quite clear that that is what his intentions are, is to provide affordable homes on this site. I just want to go through the Minister's comments before I stop and allow Members to speak; in some ways I hope the Minister can be supportive of this. I know he is minded to reject the amendment but I am hoping he might be able to provide some supportive comments in regards to this particular site. He did say in his comments that: "This site could be considered as a potential alternative, should there be insufficient homes allocated from the Minister's own list of preferred housing sites." We have got ourselves in a position where we need any site that we can, clearly with a balance in mind and, clearly, any site needs to be clear about what that balance means. This one, I think, the balance is right. The Minister and his officers have admitted: "It has previously scored reasonably well when compared to other sites" and has admitted as well within the comments that: "It can be integrated into Sion Village." There is a clear indication from the Minister that it can be part of what is an important part of Island life. Sion Village has grown over the years. I - it is a long time ago now - in the late 1980s lived in Sion and very much enjoyed living in that area. It also performs well against spatial and suitability scoring. He has made some important comments about site line of access, which we believe can be achieved, but also states within his comments that: "There is sufficient foul sewerage system to cope with capacity." At the end of his comments planning inspectors did say that they did not identify it as a potential housing site: "But it was, however, noted that during hearings that this site performs relatively well." I am somewhat at a quandary why they came to that conclusion and I will side more on the Minister's comments around the ability of this site to be integrated into Sion Village. But I hope Members will look at this as an opportunity to add - it is only a small number of homes but, nevertheless, an important number of homes - to, potentially, for affordable housing needs and will look kindly on this amendment. I did not bring any of the amendments forward lightly. I have brought them forward for different reasons but, at the end of the day, with this one I am hopeful that Members will be supportive and I very much look forward to the comments of Members that have got an interest in this particular site and more generally. I think I will stop there and hand it over to Members to speak.

The Deputy Bailiff:

Thank you, Senator. Is the amendment seconded? **[Seconded]** Thank you. Does any Member wish to speak on the amendment?

4.1.1 Connétable A. Jehan of St. John:

The Island Plan had 2 sites at Sion and I had hoped that the Minister would have chosen this one ahead of 1109. In the Minister's comments he talks about a poor bus service; there are 16 buses a day that go through Sion and I can tell him from personal experience that sometimes they are very busy. The site that was put forward by the Minister and we have voted on, 1109, is just across the road and we are going to put approximately 40 units there. The site the Minister put forward had a much higher environmental impact but yet it was recommended by the department. The site the Minister put forward was judged as category 2 by the J.F.U. and this is judged as category 3. The site the Minister put forward was on the other side of the road to the shop that the proposer has spoken about, the other side of a busy main road and, therefore, treatments will be required for his favoured sites but you will be able to walk to the shop without crossing the road from this site.

[12:15]

The site across the road is probably twice the size of the one we are considering, yet in the comments from the Minister it is described to be a good size and shape. That is part of the reason the Minister is saying not to support the field, whereas the one across the road was twice the size and, equally, a good shape for agriculture. If 1109 is deemed suitable for housing, something we have voted on and approved, then I believe 1404 should also be seen as suitable for affordable homes. Let us not forget that this Island Plan is about people and families. We are elected to make decisions and here is an

opportunity for a site to be rezoned to help. I consider this site to be far more suited to affordable homes than 1109, so I will be supporting the amendment.

4.1.2 Deputy S.M. Ahier of St. Helier:

Just a question for the proposer, if he might enlighten us as to how one would access field 1403, which is to the east of the field that has been designated. I notice on Google Maps there are a number of tractor tracks going straight across the field to the entrance of the field 1403. Does he intend to incorporate a road directly across that section of the field? Just to enquire how access would be acquired.

The Deputy Bailiff:

Does any other Member wish to speak on the amendment? If no other Member wishes to speak, then I call upon Senator Pallett to reply.

4.1.3 Senator S.W. Pallett:

It is a much shorter debate than I was expecting. Just a couple of comments. I will start with Deputy Ahier; the access will be maintained to T1403. I cannot answer his question. It is not something that I have brought up with the owner but clearly access is going to have to be maintained into that field and, if necessary, through the current site then so be it. But access, I am sure, there clearly can be a way found to access 1403. In terms of the Constable of St. John, I thank him for his comments. I know that 1109 caused some issues for him but I am thankful that he is supportive of the field that is across the road and, as he said, T1404, in his view, is more suited to affordable homes than 1109 is. I think I will leave it there. There are many other things we need to debate today and I call for the appel.

The Deputy Bailiff:

The appel has been called for and Members are invited to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce the amendment has been adopted.

POUR: 33		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Connétable of St. Helier		
Senator K.L. Moore		Deputy G.P. Southern (H)		
Senator S.W. Pallett		Deputy K.C. Lewis (S)		
Connétable of St. Lawrence		Deputy M. Tadier (B)		
Connétable of St. Saviour		Deputy of St. Mary		
Connétable of St. Brelade		Deputy K.F. Morel (L)		
Connétable of Grouville		Deputy J.H. Perchard (S)		
Connétable of Trinity		Deputy R.J. Ward (H)		
Connétable of St. Peter		Deputy I. Gardiner (H)		
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				

Deputy of Grouville				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B. Ash (C)				
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 K.G. Pamplin (S)				

Senator S.W. Pallett:

It is Senator Pallett, can I just thank Members for their support?

5. Island Plan 2022-25: Approval (P.36/2021) - sixty-ninth amendment: Use of Fields P655 and P656, St. Peter (P.36/2021 Amd.(69))

The Deputy Bailiff:

Next is the 69th amendment lodged by the Connétable of St. Peter and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) the following should be inserted within the list of sites to be zoned for affordable homes at Policy H5 - Provision of affordable homes - “2. Fields P655 and P656 St. Peter (0.98 hectares/5.45 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).”.

5.1 Connétable R. Vibert of St. Peter:

I am going to start by explaining why in St. Peter we may not have seen the opposition that we have seen in other Parishes. A few months after being elected Constable there was a Parish meeting held at the Parish Hall in regard to the then failed Ville du Manoir development. Many people came who had opposed that development and still opposed development in the Parish, however, a large number of young couples and families were also present. They explained how important that development would have been to them and the need for affordable housing. At the end of that evening we took a vote on whether fields 559 and 632 should be included in the next Island Plan and it was well supported. In fact people who had come in opposition voted for that proposition because they had heard first-hand about the urgent need for affordable housing within the Parish. Now, to fields 655 and 656, we have already covered virtually all the reasons why green fields might be selected and fields 655 and 656 are no different. I am, therefore, trying not to repeat what I may have already said

in respect of other fields in the Parish. Fundamental to our draft Island Plan is that the best sites Island-wide should be developed and I believe St. Peter has an important part to play in meeting the housing demand for the Island. I welcome the fact that the Minister recognises this and he has agreed that there are several sites in St. Peter which because they are contiguous with the existing village means they are sensible for affordable housing development. I refer specifically to the fields P632, P558 and P559 that have already been approved. These 2 fields are rated 2 by the Jersey Farmers' Union. The owner has made them available to a farmer, I believe rent free, but for some years the farmer has not used them because he no longer considers them suitable for either dairy farming or agriculture. I am proposing this site, which I feel can also contribute to the overall provision of affordable housing without impacting negatively on St. Peter's village. Indeed, the additional housing it can create will help enhance the village community and provides opportunities to deliver a wider range of housing and opportunities for Islanders. The Minister's view and the inspectors was that fields 655 and 656 were suitable sites should other proposed sites fall from the plan, which indeed has happened. I do hope that he now feels he is able to support these sites. I can understand those Parishes, in particular St. Helier and St. Saviour, where they have already made their contribution over the years to the Island-wide need for housing and wish to retain their green spaces. Therefore, I have supported all the amendments removing sites from those Parishes. I have also made no secret that I do not believe that the traditional Parish type development is appropriate for delivering today's housing. While I wish to see some parishioners benefit from development in the Parish we have an Island-wide need and the St. Peter's development, I stress, are to meet that Island-wide need for first-time buyer and affordable housing. The Minister has recognised that the Housing Gateway is the fairest means of allocating the housing within the new developments and I support this view, and I hope that we would be able to welcome those from other Parishes who have not been fortunate enough to have developments close to home. Having several sites presented together therefore allows a Parish to consider in consultation with planning officers which sites are best placed to deliver the various types of housing and tenures. This may not necessarily be with each site delivering 45 per cent rental and 55 per cent first-time buyer, as proposed in the draft plan. But the percentages can be met across the overall development site and this is why these 2 fields are so important and I would ask Members to support them being rezoned. We have also considered, and I was keen on some rightsizing development, which the addition of these fields would have allowed. However, I think this may now have fallen away, as there will be a great need for affordable housing, given that we have now only approved roughly 340 of the 600 affordable housing sites that we had aimed for.

[12:30]

All Members will know that as important as building homes is we must ensure that we build them in such a way as to foster good communities and good strategic place-making. I have been engaging with Andium to discuss how the sites in the village could be developed with community cohesion and sensitive place-making at the very forefront. Andium Homes has met with all the landowners involved and has developed an outlined village development plan which sees the various sites used for their identified types of housing. The benefit of the Parish working with Andium is that they are a single non-profit developer working across a number of sites in St. Peter to produce all the intended Island Plan outcomes. I say again that the overall site is intended that it will meet the 45 per cent rental and 55 per cent first-time buyer tenure. Should fields 655 and 656 be approved, alongside the sites already agreed, the Parish and Andium will be looking to sit down with planning officers to look at the overarching village development plan, with a view to advancing the production of the necessary development briefs. As discussions have already taken place, I hope that we could enter into the planning process very soon after the end of this debate. We are aware that the infrastructure in the area will require upgrading and it makes sense that these fields are developed at the same time, so that they can be included in that infrastructure development. This would save additional costs should they be developed at a later date. For the sake of transparency, I should say that the owner of fields 655 and 656 has generously offered to transfer 2 adjacent fields to the Parish if planning permission

is granted. This was done after the plots were submitted into the Island Plan and they would have been submitted, irrespective of this offer and since they were not submitted by the Parish had no effect, nevertheless, I thought I should point this out. It would be our intention to retain these fields which the owner no longer needs in agriculture. I do hope that Members feel they can support what are considered to be one of the most exciting housing developments to take place in St. Peter, with a range of housing that meets all needs across the various sites, including this one. Unlike our previous developments in the 1970s we aim to meet the Island's need, rather than just considering the individual needs of the Parish. Fields 655 and 656 form an integral part of that plan. I know that provided Andium can reach agreement with the landowners we will have a scheme that both the Parish and the Island can be proud of. At this point I would just note, as Deputy Ward has mentioned it in respect of a previous site, yes, I have had discussions with the primary school and Education and there are no issues should these developments take place with the capacity of St. Peter's Primary School. I make the amendment and look forward to Members' comments.

Deputy R.J. Ward:

Point of clarification, Sir.

The Deputy Bailiff:

There is a point of clarification. Will you accept a point of clarification, Connétable?

The Connétable of St. Peter:

Yes, Sir.

Deputy R.J. Ward:

Sir, I believe Deputy Morel was there first.

The Deputy Bailiff:

Yes, all right. All right, Deputy Morel.

Deputy K.F. Morel:

Yes, if the Connétable could clarify with regard to 626 and 627. I am just a bit confused because in his speech he said they would be retained in agriculture, despite being transferred over to the Parish. But in the maps here it says community use; if he could clarify because they are not the same thing.

The Connétable of St. Peter:

There is no decision for them to be in community use. I think that perhaps, a bit like the old west show, in the event that the Parish needed them some years in advance, they might make an arrangement with the farmer that they are available. But certainly my view is, and it is something between the Parish and the owner, we are entirely free to do what we would like with them, as far as he is concerned. But in my view they should be retained in agriculture.

Deputy K.F. Morel:

Thank you, Sir.

Deputy R.J. Ward:

Just a point of clarification from the Constable's speech, can I just confirm what 655 and 656 are going to be used for? Because in the report it does say housing for the over-60s to downsize but in your speech you suggested that perhaps that will not happen. A point of clarity as to what will be built there.

The Connétable of St. Peter:

What we are looking for in all cases is in fact first-time buyer accommodation. I mentioned rightsizing because in the overall development across all the fields we would have liked to have included some of that and had 600 affordable homes been approved throughout the Island, then we would have hoped there might have been a possibility to have some more rightsizing homes, as the Parish already has, and these would not have been Parish rightsizing homes, they would have been available for anyone in the Island. But we would have liked to have seen a few more rightsizing homes, which could have allowed people to free up other properties in the Island. I do not feel that now is going to be a possibility because we are down to 340 sites that have been approved out of the 600. That is why I was talking about rightsizing but I do not believe that we will be able to ask Planning if we could have substituted some affordable homes for rightsizing homes because I simply do not think we have approved enough homes. Is that sufficient?

Deputy R.J. Ward:

Yes, thank you.

The Deputy Bailiff:

Thank you, Connétable. Is the amendment seconded? [**Seconded**] Does any Member wish to speak on the amendment?

5.1.1 Deputy R.J. Ward:

It is interesting and I think I should write down what I am about to say because I am probably going to say it on just about every single green field or every field that comes up at the moment. It is very interesting that suddenly Members of the Assembly can find affordable housing and space and they are affordable and the affordability of building affordable housing is not in question. Because a number of Members voted against the extension of affordable housing on the waterfront site because suddenly that had become an unviable option when you build affordable housing. What I would like to hear from speakers and proposers is how they are certain that they can now build these affordable homes, when before the opportunity to have many, many affordable homes have been lost. They will go into the open market and be unaffordable for people, thus increasing the pressure on other areas to build on green sites, thus increasing the pressure to extend the sizes of Parishes and their homes and the pressure on schools. It is a strange sort of issue that I have with this but one of consistency. When we come to talk about affordable homes on States-owned sites I hope, again, that we will be getting support for that later on in these debates because of the obvious need and the sudden ability to find sites that are affordable housing, which has been in many ways opposed in this Assembly many, many times for economic reasons. Because developers do not like it and they need to make their money but suddenly these are going to be affordable. I wonder - and this is my concern - that that term maybe being used is a bit of a smoke screen for development, just for development and there is no certainty here. This warning that is in the back of my mind, and why I have not agreed to many of these green field sites before we know about how many unoccupied homes there are on this Island, before we have an agreement to not build unaffordable homes on States-owned land, before we know our actual population size, before we know our population policy and what is going to happen, we go into these sites then they will not come back. Not only will they not come back but eventually they will end up in the hands of developers to make large amounts of money, with the promise to young people they would have affordable homes and somebody mentioned - I cannot remember the figure - I think it was £450,000 as an affordable first-time buyer home. Really? That is not affordable to my daughter, who is working and earning and her partner; that is not affordable to many, many young people who will not get a mortgage or anything like that and will not get anywhere near the deposit for that. I think this whole debate around affordability has lost its way down rabbit hole after rabbit hole of inconstancy and interest, which we are not seeing clearly here. I have consistently not supported green field sites and we have done so because we do need to protect

the Island and we need to have a much more co-ordinated approach to housing, population and to the people of this Island. It will not come from disjointed individualistic approaches to housing and to policy-making and to Government, which is what we have seen far too much of. I will leave it at that.

5.1.2 Deputy J.H. Young:

This site, I think, is the second and last site that I would be prepared to consider as an alternative or recommend to the Assembly they consider as an alternative site now in the event of a situation where we have lost what the planning system says are the best but, again, we are where we are. On this occasion I believe there is a case to support the Connétable in recommending this proposition. I believe that it is the last ... there is another one still to go, which I shall not be supporting. If we do this Members may wish to know if we support this, this will add another 34 affordable homes, which will bring the running total - and I think it is the final total - to 375 units to what the Island Plan will include. I believe that is significant enough but it is not just the numbers. The inspector was asked specifically and I think I would advise Members to read page 42 in the inspector's report. He dealt particularly with these fields and he said that it was put forward as an alternative, which I asked him to do because at that time, of course, we had a greater number of homes. He said that: "P655 and P656 are well-related to the built-up boundary and this positive relationship has been reinforced by the permission granted in January 2021 for 11 new homes on land to the north of Manor Farm." This is immediately to the north of this site, sort of tight within the village. The Parish, and I think this is really important the way the Parish has approached this, and I think we have heard from the Connétable and I congratulate the Connétable and the Deputies, and indeed the Senator in that district, who have worked very hard to bring forward a co-ordinated plan. I cannot recall that I have had one email of grumble about that particular St. Peter site. It may be I have missed something, I apologise to anybody out there has heard. But I do take from that that there is a very strong consensus that housing development in the village of St. Peter is something which carries community support. Of course, the role in the planning system is to make sure it is the right sites and this, I believe, is the right one. It says here: "The Parish supports a connection, not least because it offers the prospect of a connection to existing cycle and pedestrian routes." I think the only question at the planning inspectors' stage was whether or not we should do it now or whether we should do it later because of what was probably by then the uncertainty of the other fields being considered at St. Peter. But of course, now we know there are quite significant developments proposed in St. Peter. I believe the planning system can cope with this well, it can cope with it well because we have already said in relation to 2 of those sites that they should be, as it were, developed as part of an overall approach to development. That is important because it gives the design work, it gives those bringing this scheme forward the opportunity to work out how the different parts of the developments relate to each other. I think the Connétable uses the word "flexibility"; that is all, if you like, meat and drink through the planning process. There are proper processes that will apply, which is the preparation of a development brief. That will be done with the planning officers, with the engagement of the Parish and the landowners to do that and then finally right the way through an application stage.

[12:45]

There is a lot of work to be done and of course the phasing of those developments, they may not all go at once, things like the infrastructure. I am able to support that. All of the suitability analysis, this is not a change of heart because there has never been any doubt that the landscape appraisal score was medium and with supplementary tree planting on the eastern side, that could then minimise any impact. It relates from the landscape, it relates well to the village centres and we have got facilities accessible on foot. I think the issue of vehicular access, and I think that is really important, in other words, that that can be done by the southern part. There is access available from the southern part of the site. In fact, there can be planning obligations ... not can be, would be money or infrastructure required as part of planning obligation agreements for roadside safety improvements and connectivity

for cyclists and pedestrians. I think we have come to that point where had the recommendations gone ahead I would not be recommending it to you. But I have been entirely open and I said that if we are in a situation where the preferred sites are not approved, then this one. I think the only thing, I think, should be recognised is, I think, at least the southern part of the site is in the noise zone 3, which means those houses will need extenuating measures from aircraft noise but that, I believe, can be done through technical measures like triple-glazing and so on, which is anybody who develops close to noise zones. That is quite distinct from a safety zone, we do not allow development in a safety zone, so a noise zone, but I mention that for completeness. I am going to support this proposition.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

The adjournment is proposed, is the adjournment seconded? **[Seconded]** Does any Member wish to speak on the adjournment? No. The States stands adjourned until 2.15 p.m.

[12:47]

LUNCHEON ADJOURNMENT

[14:16]

The Deputy Bailiff:

Yes, who wishes to speak next on this amendment.

5.1.3 Senator K.L. Moore:

I briefly wanted to speak in favour of the Constable's amendment here and obviously do not need to labour the point but I did just want to touch on a point that was raised by Deputy Ward who referred to a disjointed and individualist approach. Well, in response to Deputy Ward on that point I did want to remind him that we have 12 Parishes in the Island and each of them has the ability to consult with its parishioners, each has a distinct identity and in St. Peter there has been a considerable amount of consultation on the important subject of affordable housing. The Parish has generally found itself in strong support of delivering affordable homes to parishioners and to other Islanders so that they can enjoy the great benefits that are to be found in living in and around the village of St. Peter. I would suggest that rather than being a disjointed and individualistic approach this is simply an Island identity approach and one that well represents the 12 individual identities that we have in the Parishes, but of course west is best.

5.1.4 Deputy R.E. Huelin of St. Peter:

I would like to just speak briefly to support my Constable, and also follow on from the Senator's comments. I am also delighted the Minister is persuaded to accept this amendment. My Constable mentioned the Parish Assembly in 2018, the important outcome was that the Parish voted to support a plan to work with the new Island Plan being debated today and not challenging the then current Island Plan. The Parish accepted such a development would fall at the planning stage resulting in much work, cost and mainly disappointment for those who so desperately need homes. I think we found at the Parish Assembly that the Parish approval means, as the Minister has pointed out, that there is general support for new homes in St. Peter to support our community. I confess I have had one phone call of deep concern - just one phone call of deep concern - from a parishioner who was disappointed with the loss of such land. I was delighted to be invited to sit on the Parish Committee and contribute towards what is presented today. Our vision was for flats, family homes and over-55s accommodation. All we needed to offer was a plot in the churchyard and we had the full cradle to grave solution. I am not sure it is my place to mention names but thanks must be extended to my fellow committee members for their efforts and vision. Now, I note the Constable is not sure that we can deliver the right size in homes but I urge him not to give up.

The Deputy Bailiff:

Sorry, Deputy, your sound is being distorted. I am not sure it is your fault. Could you pause for a moment while we find out what it is that is causing it.

The Deputy of St. Peter:

Would you like me to say something so you can see if I am still distorted?

The Deputy Bailiff:

I think it is better now. All right, please proceed, thank you.

The Deputy of St. Peter:

I do not know where to wind back to, to when the distortion started.

The Deputy Bailiff:

It was not very long, I would say the last 15 seconds.

The Deputy of St. Peter:

I will go back to say I was delighted to be invited to sit on the Parish Committee and contribute towards what is presented today. Our vision was for flats, family homes and over-55s accommodation. All we needed to offer was a plot in the churchyard and we had the full cradle to grave solution. I am not sure it is my place to mention names but thanks must be extended to fellow committee members for their efforts and vision. I also note the Constable is not sure that we can deliver the right size in homes much needed but I urge him not to give up on it. I believe it is the perfect balance for our community. I urge Members to support this amendment.

5.1.5 Deputy S.M. Ahier:

When I first saw this development I was slightly concerned about the access to the site, but yesterday I took a walk up there and I am pleased to inform Members that there is a great availability for access from the main road, much wider than I thought it was going to be. The field itself seems to be in quite a state of disrepair, as was mentioned by the Constable. There is a huge amount of docks that are growing there and to the west the hedgerow is in a terrible state. There is also a development being built right next door to the northern edge of the field. I will be supporting this amendment but I would just ask the Constable if he could clarify whether the fir trees at the north end of the field will be saved. They have been there for a considerable length of time. I just want to confirm that they would be saved.

5.1.6 Connétable R.A. Buchanan of St. Ouen:

I just want to add my voice to those who have indicated they are going to support this scheme. It will produce a good number of affordable homes but I just also want to comment on some comments Deputy Ward made. He rightly refers to the lack of a population policy or the beginnings of a population policy and possibly not having the census figures as being factors, but I think we need to bear in mind that one of the biggest problems with affordable homes is that we are simply not building enough of them. The people that are going to be occupying these homes would have been in the Island for at least 10 years and have residential qualifications. It seems rather strange that the Reform Party are taking a stance against building on green field zones on the basis that the last time a proposition to build affordable homes on States-owned property was defeated. Notwithstanding the fact that there is a proposition a few items down to come back to this issue, and it is not to say that it is not going to be passed. It certainly seems to be imminently acceptable with the amendment and even unamended it seems to have its good points and merits. It is a bit of a strange assumption before we have even had the debate that there seems to be an assumption it is going to be beaten. I think that is a false assumption. I have to say that I have seen that all the Members of the Reform Party

have not voted in favour of any green field site and I would say to them it is a bit of a mistake. We know that we are trying to use as little of our green fields as possible but at the end of the day the Minister has accepted that some green fields have to be used. The only way we are going to achieve affordable housing is by building more of them. We need the green field sites, we almost certainly need the government-owned sites and we need sites in town, so to start cutting chunks out of the supply is only making the problem worse, not making it better. I would simply urge them to rethink their position if that is possible.

5.1.7 Senator S.Y. Mézec:

That gives me the opportunity to respond to his asking for us to rethink our position and tell him, of course, that we will not be doing that. I can explain why. The Constable of St. Ouen said that we are trying to use as little green fields as possible and the key part there is “as possible”. The truth is that it would be possible to use fewer because some decisions have been made about how we use our urban and developed sites that mean that we are not getting the best use out of those sites. The Government is proposing with amendments that are coming up to not require all of the land that they own when homes are built on them to be reserved for affordable housing and are instead insisting with using land that we own, which is free for us to use, to build homes that do not match the profile of need that there is in Jersey. To build homes that will be part of the unaffordable market and end up making it harder to deliver the affordable homes that we need because if we revert to other sites those would be sites that would cost us money to acquire, and that is extra cost that goes with it. So, no, the Constable of St. Ouen is wrong. We are not using as few green field sites as possible, we could be down to use fewer if we were getting better use out of the urban sites. That is why I will not support the rezoning of green fields while that option still remains open and while it is not being adequately dealt with by this Island Plan. If we accept that it is simply an inevitability that in the urban and built-up areas we will take a greed-led approach, which is what this is, and I am looking at the Minister for the Environment when I say that, open market homes on government-owned land is a greed-led approach, then I cannot justify saying we will spoil parts of our countryside, whether that is agricultural fields that are still used to produce food here, whether it is countryside that we can enjoy, whether it is important sites for biodiversity and supporting wildlife in the Island, it simply cannot be justified. So I say to the Constable of St. Peter and, in fact, the Constable of St. John, whose amendment last week I voted against as well, that I am sorry to them because I think they are doing as good a job as is possible to do in these circumstances in terms of how they are consulting, in terms of how they are trying to bring their community along. Perhaps in a different situation I may vote differently. I may say: “Actually we have done everything we can with the urban sites, built-up areas, with the land that the government owns. These are the only options and of those these would be the best ones.” In that alternative universe I may well be alongside them but we have not done as much as we should do for those urban sites. There will be opportunities for this Assembly later on in this debate to try to undo that government policy of stipulating that there will be a floor of 15 per cent affordable homes on government-owned sites. We will have the opportunity to overturn that if we, as an Assembly, choose to do that. But if we do not and we say we will keep losing these opportunities on the land we own to build luxury investment apartments, then I simply cannot say to the public of Jersey that we have done everything we can to protect and safeguard our countryside because that would be lying to them and I will not do that. I am sorry to the Constable of St. Peter whom I respect and think has done a very good job. It is not his fault that I am not voting for it, it is the Government’s fault. I can blame them instead.

Deputy J.H. Young:

Clarification, please? The Senator, I think, if I heard correctly, said that States-owned land is free. Would he confirm that no land is free and that every land has a value and that represents choices, which we need to make? Would he accept that?

Senator S.Y. Mézec:

No, that is not my economic view of the situation. If you own something you do not have to pay to acquire it because you already own it, which means the cost of building homes on it is therefore cheaper than if you are building it on land that you have had to account for the purchase cost within it. So, no.

5.1.8 Deputy M.R. Higgins:

I shall be supporting this proposition. I must admit, I have to say something about Reform's policy on this. Reform have been supportive in the past about the proportion of properties on government sites that should be affordable housing, no question of that. However, they are doing the Island a disservice by opposing any other pieces of land which could be appropriate, as I think the St. Peter development is, in not supporting it because they are denying Islanders affordable houses there. Yes, I have fought on many a principle but on this one you are mistaken.

[14:30]

5.1.9 The Connétable of St. Lawrence:

I just want to speak briefly to this, to explain that I supported the amendment to allow development on the 2 fields in Trinity because my understanding is that the agricultural land there was less important to agriculture than many of the other fields that we are being asked to consider. I recognise, of course, that homes need to be provided but for me it comes back to the balance about which many speakers have spoken over the past week. We do have to weigh up the balance in favour of retaining that good agricultural land or not. One thing I have learned over the past years of serving on the Planning Committee is that for every policy there is, there is always an exception to the rule. We, as the Planning Committee, when we make our deliberations are reminded of any exceptions there are to the policies which we are considering and we take those into account. My view on the Trinity fields was that they were exceptions to the rule inasmuch as they were less important agriculturally than many of the others, particularly 127 in St. Lawrence. I recognise and want to commend the Constable of St. Peter about the way in which he and his Deputy, and indeed the Senators who have supported him and continue to support him, have gone about managing this with their parishioners. As I think Senator Mézec has just said, similarly that has happened in St. John as well. Parishioners have expressed views to their Constables. Where do I come down when considering the balance? I have to - again echoing almost the words of Senator Mézec - regrettably acknowledge the value of the work that has been put in by the Parish, led by the Constable, but I do recognise, as I have written on the front of the P.36 amended by amendment 69 "last resort". That is what we have been told, these fields should be used as the last resort. Until we as a Government are more proactive in providing land for affordable housing, I have to go with the agricultural value. I will not be supporting the Constable of St. Peter in this instance.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? If not, I call upon the Connétable of St. Peter to reply.

5.1.10 The Connétable of St. Peter:

Firstly, I thank all Members who have taken part in the debate. I would also like to thank those who are members of our Parish Island Plan Committee, including Senator Moore and the Deputy of St. Peter. I also thank the Minister for supporting the rezoning of these fields. Finally, I would also like to thank Senator Mézec because I know he believes passionately in the use of government land and he has offered his explanation as to why he cannot support this. I fully appreciate his views. I have already commented that St. Saviour and St. Helier have made their contribution to our housing demands in the past and I believe we were right to reject further development in those Parishes. Fields 655 and 656 will form part of a comprehensive scheme to meet the Island's needs. As I said,

we had hoped for some rightsizing properties and I will not give up on that, but I do feel that with the reduced number of affordable sites that we have that it may not be possible to incorporate those. As already stated, all the properties will be allocated by the Gateway and this is the fairest means of doing so. The 2 fields will share in the infrastructure upgrades for the other fields that have been rezoned. It seems sensible that these are included within the comprehensive development at this stage and that we do not wait for the next Island Plan. The question of affordability has also been raised and I am not going to try to define the term “affordability”, however what I hope we can achieve is to make the homes as affordable as possible, hopefully developed by Andium, a non-profit organisation. In addition, it is the intention that the homes be sold at 75 per cent of their value, with 25 per cent of the equity held by Andium. The homes would be for first-time buyers in perpetuity therefore locked in, and always made available to first-time buyers when they are resold. Hopefully under such a scheme the homes are available to those wanting to buy a property who otherwise would never have the opportunity. Finally, I will talk to the developers about the fir trees and hopefully they can be saved. It has already been noted that further tree planting must take place and therefore I do hope there is no loss of these valuable trees. With that, I ask for the appel.

The Deputy Bailiff:

The appel has been called for. I invite Members to return to their seats, those joining the meeting via the Teams link are asked to cast their vote in the chat channel and I invite the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, I then ask the Greffier to close the voting. I can announce that the amendment has been adopted.

POUR: 34		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator S.Y. Mézec		
Senator K.L. Moore		Connétable of St. Helier		
Senator S.W. Pallett		Connétable of St. Lawrence		
Connétable of St. Saviour		Connétable of Grouville		
Connétable of St. Brelade		Deputy G.P. Southern (H)		
Connétable of Trinity		Deputy M. Tadier (B)		
Connétable of St. Peter		Deputy M.R. Le Hegarat (H)		
Connétable of St. Mary		Deputy J.H. Perchard (S)		
Connétable of St. Ouen		Deputy R.J. Ward (H)		
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
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 Trinity				
Deputy of St. John				
Deputy S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

6. Island Plan 2022-25: Approval (P.36/2021) – eightieth amendment: Use of Field P818, St. Peter (P.36/2021 Amd. (80))

The Deputy Bailiff:

We now move to the 80th amendment lodged by the Deputy of St. Peter. I am correct in understanding that you wish the amendment to be read without reference to the property Villa de L’Aube, is that correct?

The Deputy of St. Peter:

Yes, please, Sir.

The Deputy Bailiff:

Yes. Could the Greffier please read the amendment?

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) the following should be inserted within the list of sites to be zoned for affordable homes at Policy H5 - Provision of affordable homes. Field P818, St. Peter (0.42 hectares/2.3 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).

6.1 The Deputy of St. Peter:

I originally lodged this amendment because I felt that by the time we got to the end of the affordable homes debate there would be a shortfall in the Minister’s and, indeed, our target to deliver much needed affordable homes. It appears, if my numbers are correct, we are about 225 sites short so I say, tongue in cheek, here is a final opportunity to add 12 or 18 more. This amendment is not here to try and lodge an inappropriate site solely to make up the numbers. I believe it meets the criteria and I will try and explain why I seek Members’ support. I confess this is because ... sorry, Members will note that I have reissued to split the votes and now obviously with the withdrawal down to one. Firstly, the residential site known as Villa de L’Aube and secondly field 818. I confess this is because I conducted extra due diligence on the site, I examined the site and needed to be convinced of 3 key factors: affordability, land quality and access to services. In my opinion the residential site Villa de L’Aube in isolation did not meet the first 2 of these fundamental criteria. Can I just assure Members that everything I am saying is with the full knowledge and support of the owner? I would also go on to say that I believe 818 however is absolutely ideal, hence proceeding with this amendment. On affordability the owner has met, at my introduction, with Andium. While I am not privy to the actual financial details of the conversation the owner is happy with one of 2 outcomes, either Andium will

acquire the field 818 and develop affordable homes in line with their stated policy and remit given to them by us the States Assembly, or the owner could develop it himself in the full knowledge that there will be strict planning obligation agreements in place to ensure the subsequent homes are affordable. Affordable, in my view, in line with the Andium model. It is worth noting that there is an agreement in place with Andium and the owner to expand on those initial conversations. The land is not good. This is evidenced by the statement for a previous planning application in 2007 and documented at the back of the report. The J.F.U. confirm it is not in agricultural use. To me this is of paramount importance. I would not say I am sick in the stomach at the loss of good agricultural land but I do believe a very strong case must be made. Here you do not need to make that case because the field is poor quality, so let us allow some Jersey families to enjoy it. Now services. The owner has confirmed from the mains section of Jersey Water and state that they have a 4-inch water main already on Le Vieux Beaumont and in their own words this could easily accommodate a further 18 homes. The owner has developed the 43 units at St. Peter County Apartments and a further 4 cottages in the immediate vicinity and is in regular contact with J.E.C. (Jersey Electricity Company). They confirm there is sufficient power within the area to accommodate a further 18 homes. Again, the owner has mains drainage running through this property and confirms this could easily accommodate the usage of these additional homes. Let me stress, if the owner is wrong with these things then this will be uncovered at planning stage and it can be ensured that delivery of these services will be subject to planning obligation agreements, the cost of which will be borne by the developer.

[14:45]

If this is unduly expensive, rendering the project not viable, it will just not go ahead. The owner is an experienced individual and would not waste his or our time with erroneous information. I know my Constable is fully supportive of this and has been part of all discussions and, to save repetition, will speak to other areas of support for 818, including access and transportation. In summary, I urge Members to support field 818 as it meets the key criteria of availability of services, poor land quality and affordability. I move the amendment.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment?

6.1.1 The Connétable of St. Peter:

The rezoning of field P818 originally also utilised the house, Villa de L'Aube, which was to be demolished and would have created space for an additional 30 affordable homes. The inclusion of the house and its demolition had always caused me some problems as I believed that the costs of demolition divided among the 30 or so houses would have made them less than affordable. However, I am pleased to see that the Deputy has amended the proposition and now we will be able to vote on field 818 as a standalone site, which should provide approximately 18 homes. I revisited the site on Saturday morning and am now convinced that it should be developed and can provide affordable homes. I would therefore ask Members to support 818 as a standalone field. The owner of 818, as we have heard, has been in discussions to sell to Andium and fully understand that such planning will only be approved and the homes will only be built at what is accepted as affordable. He accepts that there would most likely be a planning obligation to this effect. He also accepts that we are now voting simply on field 818. The field is of low agricultural quality and this has been previously confirmed by Land Controls in 2008. When the representative of the Jersey Farmers' Union spoke to me after having visited the field he stated it was an ideal site for building homes. There are also no adjacent fields into which development can spread in later years. If we are to protect our agricultural fields where possible then 818 provides the opportunity to do so. Perhaps the draft Island Plan has failed to give sufficient weight to support agricultural land and, as such, a greater weight has been attributed to location, et cetera. All sites have to be considered on their individual merits.

You should also note that along the same road Thornhill Park was built some years ago, on the site of the then Moorestown School, therefore at that time Planning did consider this was a suitable area in which to build. The field may not be as close to the centre of St. Peter as some other sites, which have been rezoned, but would form part of a cluster. The site received a low score 1 when rated for spatial strategy and received a medium 3 score for suitability. However, it should not be dismissed because of this. In fact, the site has easy access to all the facilities in St. Peter's village and has excellent road and other links. The village shops, schools, doctors, dentists, chemists and other amenities are all within a 15-minute walk. The new bus shelter and bus stop are a 2-minute walk from the site, giving easy access to the centre of St. Peter in just a few minutes for those who do not wish to walk. The Co-op En Route is just a 6-minute walk away and provides a good range of essential produce. When these factors are considered the low scores perhaps seem a little unfair. The location of the bus stop also means that the site is well-served by buses travelling into St. Helier and school buses connecting to both Les Quennevais and other secondary schools. Use of the buses should be encouraged as this is key to our sustainable transport policy. The site also has excellent accessibility as it lies by the roundabout of La Route de Beaumont adjacent to the main road to the airport and Beaumont Hill, providing access to Beaumont, St Aubin and St. Helier. The nearby cycle track gives access to St. Peter, Jersey Bowl, Strive, the airport, the rugby pitch in Les Quennevais. The site is therefore well-placed for all modes of transport, whether by car, cycle or walking. Overall, it offers an excellent opportunity to make use of an area of no agricultural value. Despite the low score in the draft Island Plan for spatial strategy and accessibility, it does have excellent access to amenities, buses, shops and other facilities, together with good road links to all other areas of the Island. Therefore, I ask Members to support this opportunity to make use of poor agricultural land.

6.1.2 Deputy J.H. Young:

I think I was a bit behind the curve on this one because obviously I was reading the original proposition before it was reissued and, of course, the original proposition includes the house on the corner, the great big wall and obviously the field behind it. Things have now changed. It was my understanding the Constable was not supporting this site but apparently now he is. What I am still puzzled about, notwithstanding that change of heart as it were, which obviously Members are able to do, the reissued amendment still includes the site plan in appendix 1, which actually is unchanged. It includes all parts of it, the house, the corner and the field. I see there is an adjacent property in the field next door and I wonder what opportunity there has been for those people to be consulted in this. I have to tell you I have big process problems here on this one. Now whether or not that should have been reissued in that way because really it was a change but the proposition lodged has now become something different. Anyway, have got that point out. The Deputy of St. Peter says field P818 - that is this one - is not as close to the centre of St. Peter as some of the sites approved by the Minister in the draft Island Plan. Therefore, the site received a low score. Absolutely right because it is not in the village, it is south of the village. He said the site should not be dismissed because of this, because of suitability. He says it has easy access to all of the facilities in St. Peter village and has excellent roads. From my memory there is now a little bit of footpath going along part of it. I apologise if I get this wrong but I recall there is quite a gap where there is not one, you have to walk along the road. I cannot recall whether there is a footpath going to the Co-op shop but apparently it just takes 6 minutes to get there. All the amenities are there. Well, of course, the village has the amenities. When we are making these decisions ... I am pleased Members have taken the message on board in all their decisions so far today I think have reflected, about the planning balance, weighing the pluses and the minuses. It is true that this field is not much use for agriculture. Nor is my back garden. Are we going to make that the same priority? Will we rezone it then? No, I think there is more to it. There are also major features about the infrastructure on the site. What I am told here is that there would be ... the infrastructure team have real problems about the retaining structure at the southern boundary of the site. Now, I think we are dealing with a field that sits right next to a house all within that same retaining structure. You have the issues of the structural stability of that structure and also

what about the impact of the flow of traffic in the event the stability of the wall deteriorates. Then there is infrastructure ... the drainage capacity is not there. It is not there. I have to accept the Land Control team say, yes, there is no significant agricultural value. It has permission for horses, equine use, which is okay. Where do the horses go? Equine land is not that easy to find. I think it is a question of planning balance. The planning inspectors did not include this site and so I think it is absolutely outside of the village. It would, in my view, be that intensification and urbanisation of this part of the Island would lead to adverse impacts. Vehicle access to the site from the old Beaumont Hill, Le Vieux Beaumont, would need additional vehicle movements, north and south junctions at the junction of Le Vieux Beaumont with La Route de Beaumont at the bottom. That is another reason why the Department for Infrastructure do not rate it. Apologies ... well I am not giving apologies, no, I am very clear, my advice to the Assembly on this one is, no, this is one which is on the negative side of the line and not on the positive side so therefore I am going to be voting against it.

6.1.3 Deputy R.J. Ward:

I have to say again I would like the proposer of this amendment to explain how it can be guaranteed that these would be affordable homes, particularly given the change to the plan, which we are seeing the whole plan but now it seems to me this is just a space for a few homes. We get to this word of “viable”. It was suggested in the Deputy’s speech and I should have had a point of clarification but I was looking closely at the information that we were given, some of which seems to be out of date now. The Deputy talked about Andium possibly buying it and if not it would be developed by the owner alone. They are 2 very different drivers. One is to sell, probably at a pretty decent price actually, to the States developer Andium who will then build homes and, depending on the price that they pay, that will determine how affordable those homes will be or not and that word “affordable” has been bandied about so much at the moment. I always think one should define one’s terms before one uses them. But if it is a private developer the driver will be profit. That is where we are with all of these fields in the development of our green land. The development of profit. I say again this bridging Island Plan unfortunately is becoming a developer’s charter. Those are drivers behind it. There is one big issue with all of these that is growing and growing in my mind, which is, is it likely that this will actually be developed in the 3 years of this bridging Island Plan? Is the capacity here to build any of these, particularly for Andium Homes? Therefore, do we not have a very subtle approach of saying: “You know what, we can get it rezoned as affordable homes in the bridging Island Plan because there is a desperate need for affordable homes and we can convince people of that, but do not worry because it will not happen and then you will be able to develop it anyway because it has been rezoned.” What we have here is a subtle change to what we are doing, which is going to lead us down a pathway that is going to lose our green space and not provide the affordable homes that we all keep talking about. Particularly, I am going to say it again, and I will say it as many times as I have to until we get somewhere, when States-owned land is not being used for affordable homes, repeatedly. So, we are yet again in a situation where let us just rezone something, we do not really know what is going to happen to it, we do not know whether it is going to be built in these 3 years of the bridging Island Plan but we can give it that because we have the pretence that we have some affordable homes on them. Not only is this not the right place but it is the wrong drivers and I am afraid, again, I cannot support this, not until we absolutely sort out States-owned land and affordability of the homes that are built on it.

[15:00]

6.1.4 The Connétable of St. Brelade:

I am sympathetic to this application but there are a couple of points I would ask the proposer just to clarify for me, please. I am aware of the site and the fact that it is a sloping site towards the main Beaumont Hill and we see on the amendment before us it has a steep wall, a high wall on the Beaumont Hill side, topped by a hedge as mentioned in the documentation. There are houses

proposed on the other side of that hedge and given that these are going to be family homes, can we be sure that there is no risk to life and limb, particularly children and pets falling into that very busy road? While it is easy to draw these things on a picture, will we have an increase in the height of the wall to ensure that is the case or will there have to be a massive fence or structure to ensure that happens? I would be interested to hear the proposer's comments on that.

6.1.5 The Connétable of St. John:

We visited this site, as we visited every other site, with officials from the Department of the Environment 2 weeks ago. I am slightly confused as to where the boundaries are now. Looking at appendix 1, I am not sure where the line is on that site. I am also confused as to why the Deputy is bringing the proposal and not the Constable. In his summing up, can he confirm if the St. Peter group that was mentioned by the Constable supports these plans. As the previous speaker said, I have grave concerns about the stability of the retaining walls. If he could address those points I would appreciate that.

6.1.6 Deputy K.F. Morel:

It is more to raise questions to be answered by the Deputy when he comes back. Obviously the literature we have been given shows the full site, including Villa de L'Aube. The new site, on my reading of it, is just field 818, which means it is approximately half the size of the one that is in the report, which then makes me raise concerns about the viability of that site for an affordable housing site because I believe you will probably get, according to the plans shown, 6 or 7 houses on it not the 12 or 13 that were originally seen to be on there. Like in reality that changes the possible viability of the site, particularly when we are talking about possible affordable housing. My other concern is the location which does not look enormously suitable. Yes, it is absolutely not near an existing population centre and it is perched above Beaumont Hill, which does create issues of accessibility, which I know the Minister in his report does refer to. I would be particularly interested if the Deputy could help me understand the feasibility of this site for affordable housing given that it is now half the size. I do not think the orchard area, which should probably be an agricultural build rather than orchard ... that orchard area I assume is not part of the new site that we are talking about. I have concerns about this as a viable site.

6.1.7 The Connétable of St. Lawrence:

This site is smack-bang in the middle of the green zone. I do not really have a problem with this inasmuch as I know I am going to vote against it because it does not have any of the exceptions to the policies that would make me support it. We have heard many Members today speak against ribbon development but this could not even be classed as ribbon development because it would not be joining on to anything at all. There is nothing around it, that is quite clear, so it would be far worse than a proposed ribbon development which we seem to be so vehemently against. It would stand alone at the top of Beaumont Hill, completely impacting upon the character of the countryside to the detriment of that character. It performs very poorly, as the Minister has said in his words, when he has urged us to reject this amendment. I believe the Deputy of St. Peter said that he brought this because he thought that potentially we may reject many of the other homes that were being proposed in these rezoned sites. I do not think that is reason enough to support this. It is completely wrong, top of Beaumont Hill, I just cannot support it. When I weigh the balance it comes down firmly against it. I would urge Members to not be tempted by the fact that potentially there could be a few more homes added to those that we said we need. We have heard from the Minister it is absolutely the wrong site, notwithstanding that the agricultural value of the land is not great. It is not of good agricultural value. That is something that we need to consider with everything else. Quite clear for me, the Deputy has brought this as a quick win but it would be a loss to the Island.

6.1.8 Deputy G.P. Southern of St. Helier:

I did not expect to be so soon. Nonetheless, I shall be brief. The key question for me is the one of principle on which my party stands, in this case it is answering the question before we use any green land, whether it is good, bad or indifferent, are we making maximum use of the land that we already own? If the answer to that is no then this cannot get my vote.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? I call upon the Deputy of St. Peter to reply.

6.1.9 The Deputy of St. Peter:

Lots of fun there. Two areas that came up. The Constable of St. Brelade and Deputy Morel were talking about density, 12 and 18 homes. The owner, I have to say he would, suggested that about 18 homes could be fitted on 818 in isolation. Andium did a mock-up very quickly but very professionally to suggest that there would be 12 homes on there. The difference was ultimately the amount to space between the end of the homes and the retaining wall. The consideration of that safety was taken firmly onboard. I would suggest, and quite rightly so, that the strength of that retaining wall would be ... I have no firm information on that, however I would suggest that would come under a planning obligation agreement of any planning application that would be granted, because that would be of paramount importance. I think I have covered those 2 there. The other question is about the location. Yes, it is not right in the middle of the heart of the village, and I thank Members for supporting everything in the heart of the village, it is going to be a fantastic contribution to our society and St. Peter will continue to thrive accordingly. However, yes, it is a little bit outside. The Constable of St. Peter was very clear about the amenities and the access points and is very comfortable with that in his position as Constable. I am desperately trying to remember walking up that road. The last time I walked between 818 and the village, and I think there is a break in the pavement as you walk up from the top of Beaumont Hill to the village but I am desperately trying to remember that. I will turn the volume down, I have just seen something in chat, if that makes it a little bit better. The Constable of St. Lawrence, I thought about this long and hard and ... when I brought it, yes, I confess initially there was a bit of a quick win but then when I thought about it long and hard and carved out the house from the field I am totally confident that this is not to make up the numbers and try and get a quick win at the end, it stacks up in its own right. I thought that through and I considered that very strongly. The Constable is always very perceptive in what she observes. I will just talk about affordability. Nobody has come up with affordability very well. I know the Minister for Housing and Communities has worked it out on the amount of income and the mortgage affordability people can secure in order to borrow. I see affordability as the cost. There are 4 things that make up the cost of development. There is the land, there is the infrastructure, there is the actual build and in the commercial world there is the developer's profit. In this particular case, this will be the Andium administrative margin; they are non-profit making as you are all aware. The area that we are in control of is the land value. How much does the developer sell or, let us say, Andium pay for that particular land? Some Members will know that I have been deeply worried that by the sweep of a pen as a result of land being approved by us as Members will take a vergée from something like £10,000 or £8,000 if it is poor quality land, £12,000 for good quality land to something in the mid 6 figures. I do not want to suggest how much but we are talking an uplift of many, many hundreds of per cent, and I am uncomfortable with that. As a capitalist I am very happy if the developer is prepared to chance their arm with the planning and persuade the Planning Committee to rezone green fields into development; that is fair enough. But this is not the case. We are encouraging them to do that and I worked long and hard with the Greffe to try and bring an amendment or a proposition to that case to have some sort of controls about what the land value can transfer at in the case of the land being rezoned through the Government Plan, unsuccessfully I am afraid. I was given many reasons, it was against human rights, et cetera. I am uncomfortable with that, I get that. However, I

would like to see properties being the sum of 3 parts, the sum of the land which negotiated very well, the sum of the cost of the infrastructure and the sum of the build. I would like to see new modern methods of construction taken on board to ensure that the build is effective, sustainable and very reasonably priced. The sum of those 3 is the price of the house that is sold. Obviously in shared ownership with the balance being held in perpetuity by the Parish or whoever. That is what I would like to see but we do not live in that ideal world at the moment. That is what I would be supporting. I can only thank my Constable for his support and talking about all the access and the benefits of the area. To the Minister for the Environment, yes it was a little bit late; yes, I did change it along the way. I did it with the best endeavours in order to bring to the Assembly what I think is an ideal situation and an ideal place for a few extra homes that this Island so desperately needs. With that, may I ask for the *appel*.

The Deputy Bailiff:

The *appel* has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are asked to cast their votes in the chat channel and I ask the Greffier to open the voting for Members in the Chamber. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting.

[15:15]

I can announce that the amendment has been rejected.

POUR: 15		CONTRE: 24		ABSTAIN: 0
Senator I.J. Gorst		Senator K.L. Moore		
Senator L.J. Farnham		Senator S.Y. Mézec		
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of Grouville		Connétable of St. Lawrence		
Connétable of St. Peter		Connétable of St. Saviour		
Connétable of St. Mary		Connétable of Trinity		
Connétable of St. Ouen		Connétable of St. Martin		
Deputy of Grouville		Connétable of St. John		
Deputy K.C. Lewis (S)		Connétable of St. Clement		
Deputy M.R. Higgins (H)		Deputy J.A. Martin (H)		
Deputy S.J. Pinel (C)		Deputy G.P. Southern (H)		
Deputy of St. Ouen		Deputy M. Tadier (B)		
Deputy R. Labey (H)		Deputy of St. Martin		
Deputy L.B. Ash (C)		Deputy of St. Mary		
Deputy I. Gardiner (H)		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy M.R. Le Hégarat (H)		
		Deputy S.M. Ahier (H)		
		Deputy J.H. Perchard (S)		
		Deputy R.J. Ward (H)		
		Deputy K.G. Pamplin (S)		

The Deputy of St. Peter:

May I thank Members for their contributions.

The Deputy Bailiff:

The next amendment is the 41st amendment ...

Deputy J.H. Young:

Sir, could I make a request?

The Deputy Bailiff:

Yes.

Deputy J.H. Young:

I think it is a point of order. I did give notice of this. I have been advised that I need to request procedurally the next 2 items be swapped around in the order so that the 25th amendment and the amendment to it is dealt with before the 41st. There are technical reasons that I am happy to explain. I do not think it is material but it is technically important in terms of the policies we are agreeing. I am happy to explain if you wish.

The Deputy Bailiff:

Well, it is your proposition so if you wish to speak to it then you may.

Deputy J.H. Young:

We have 2 propositions next in the running order, both amendments from Senator Mézec, which allow us to have, I think, very important debates away from the whole issue of sites on to 2 major issues of housing policy in relation to affordable housing. Amendment 25 deals with all housing developments, whether or not they are on private sites or on publicly-owned sites. That debate picks up upon what is now only a proposal in the Island Plan and not a policy to introduce an arrangement where private developers have to or are required by planning agreement to produce a proportion of affordable homes on every site they develop. When we have the debate, if we get the order right, what is now a proposal will become a policy. Amendment 41, which will follow that, deals with that policy and a broader policy of what we do about States-owned sites, where we can, of course, make our own decisions. The amendment that I have put down for amendment refers to that new policy which would be set under amendment 25. I think it is likely that if we cannot change the order it is possible ... I am not a procedural expert but I am advised that my amendment might well fall away. I think it is important that we discuss those 2 because they are 2 very, very important principles. In fact, I would say I think every debate Senator Mézec and Reform Members have spoken about the importance of this policy in every one so far, so I think it is important we have a good debate, so I ask for Members to support switching the order of amendment over to put amendment 25 first before 41. I do not expect that amendment 25 is going to be a long debate. I am hoping Senator Mézec will support me on this, I think he will, but it will be a very short debate and it is, therefore, procedure, but I ask please for that change to be made. Do I have to ask the Assembly for a vote or is it your decision, Sir?

The Deputy Bailiff:

I will be doing that in a moment because I am going to ask if anyone wishes to second that proposition. **[Seconded]**

Deputy K.F. Morel:

Was that a proposition, Sir?

The Deputy Bailiff:

Sorry?

Deputy K.F. Morel:

I do not believe that the Deputy said it was a proposition. He said it was a point of order at the beginning.

The Deputy Bailiff:

It was a proposition, yes, which he has spoken to. It has been seconded by you, I think, Deputy. Does any Member wish to speak on the proposition that we take 25 before 41?

Senator S.Y. Mézec:

I am extremely tempted to ask Members to reject this because the purpose of this is to make an amendment in order, and I oppose that amendment, so it would be great for me to not allow it to go ahead and to not have it be in order but I think that approach might be a little bit churlish so I would say it is fine to support the Minister on this one. But I would warn Members it gives me the opportunity to then make a long speech in opposition to that amendment when it goes ahead.

Deputy K.F. Morel:

I am slightly confused, as everyone can probably tell by my jumping up and down not knowing what is going on. I am quite confused.

The Deputy Bailiff:

The proposition is to reverse the order.

Deputy K.F. Morel:

That is correct, but in saying that the Minister then said the 25th amendment to go before the 41st amendment. That is what is on my running order.

The Deputy Bailiff:

Well, it is not on the running order that was approved by the Bailiff in the running order in front of me. That says 41 and then 25.

Deputy K.F. Morel:

Judging by the faces around me I think we are looking at 2 different running orders because I have the 25th before the 41st on mine.

The Deputy Bailiff:

I can tell you what has happened. I think that the Greffier has reversed the running order at the request of the Minister. My view was in view of the fact that the running order was set this is a matter for the Assembly to decide upon and not us unilaterally.

Deputy K.F. Morel:

Absolutely, Sir, I have to admit that should not have been changed until the Assembly had decided it.

The Deputy Bailiff:

Yes, so that was why we are having this short debate about the running order.

Deputy K.F. Morel:

I do not know why that was done. Thank you. I have no more to say.

The Deputy Bailiff:

Does any Member wish to speak on this alteration to the running order? No. In that case, Minister, do you wish to reply?

Deputy J.H. Young:

No, Sir. Could we do it on a standing vote? It might be ...

The Deputy Bailiff:

Possibly, yes. Are Members content to proceed on a standing vote? Those in favour please show? Thank you very much. Yes, in that case I ask the Greffier to read the 25th amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) before ‘Proposal 22 - Future affordable housing provision’ there should be inserted the following new Policy - ‘Policy HX - Future affordable housing provision. Residential development, to which this policy applies, will only be supported where a proportion of affordable housing is provided in accordance with the proportions and thresholds set out in supplementary planning guidance issued by the Minister for the Environment. The application of this policy will be phased incrementally, subject to monitoring and review, such that: 1. the threshold levels for the scale of the development to which it applies will be incrementally reduced over time. It shall initially apply to schemes with a capacity of 5 or more homes and is intended to apply to schemes with a capacity of 2 or more homes after 5 years; 2. the proportion of affordable housing to be provided will be increased over time. It shall initially be at a rate of 12.5 per cent, rising incrementally to 20 per cent after 5 years. The percentage of affordable housing shall be rounded up if the figures arrived at contain a proportion of one unit. The tenure of that proportion of development yield that is to be provided as affordable housing, i.e. whether it is to be affordable homes for rent or purchase, shall be determined by guidance issued by the Minister for the Environment. Schemes that are just below the threshold levels will have to demonstrate that the proposals do not represent an under-occupation of the site, nor that a large site is being brought forward in phases in order to avoid the threshold at each stage. Affordable housing shall be provided on the site for which permission is sought unless one or more of the following circumstances apply: 1. that the provision of affordable housing on the site would make that development unviable; 2. that the site is of such a size or nature that the contribution to affordable housing would be maximised by the contribution to affordable housing in the form of a commuted payment, to support the delivery and/or procurement of affordable housing elsewhere; 3. affordable housing is best provided through the mechanism of a site-swap using sites within the ownership and control of the applicant; 4. the housing units provided in a mixed-use scheme are directly related to and necessary for the operation of that development. The Minister for the Environment will review the parameters which apply to the operation of this policy on an annual basis and, where there is a need for change, will issue supplementary planning guidance to revise one or more of the following: the threshold size of developments to which the policy will apply; the proportion of affordability to be derived from those developments to which the policy applies, including the level of commuted sum tariff; and the tenure of the affordable housing development yield.”; (b) ‘Proposal 22 - Future affordable housing provision’ should be deleted and replaced with the following proposal - ‘Proposal - Affordable housing. The Minister for the Environment will develop and issue supplementary planning guidance for the operation of this policy in order that it might take effect from 1st January 2023; and (c) 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 (b).”

Senator S.Y. Mézec:

In among the confusion with the swapping of the order of the 2 amendments, I realised as the Deputy Greffier was halfway through reading out that this is actually the amendment that I was happy to

accept the Minister's amendment to. Is that over and done with now since I have not made the proposition yet or could it be read as amended since I want to spare the Assembly that debate as I am accepting the Minister's amendment?

7. Island Plan 2022-25: Approval (P.36/2021) - twenty-fifth amendment: Future Affordable Housing Provision - as amended (P.36/2021 Amd.(25)Amd.)

The Deputy Bailiff:

Yes, as you have not made the proposition yet, then the Greffier can, if you wish and there is no objection to this, read your amendment as amended by the Minister's amendment.

The Deputy Greffier of the States:

After the words "the draft Island Plan 2022-25" insert the words "except that (a) before 'Proposal 22 - Future affordable housing provision' there should be inserted the following new Policy – "Policy HX - making more homes affordable. Development proposals involving the creation of 50 or more new dwellings will only be supported where at least 15 per cent of the development is made available for sale or occupation by Islanders eligible for assisted purchase housing. Access and eligibility criteria for such homes will be established and maintained by the Minister for Housing and Communities. Schemes that are just below the threshold level must demonstrate that the proposals do not represent an under-occupation of the site, having regard to development density levels considered appropriate for the area, or that a large site is not being brought forward in phases in order to avoid meeting this policy requirement. In any such proven cases, development proposals may be refused or planning obligation agreements used to ensure that a phased development will make a proportionate contribution. The proportion of assisted purchase homes shall be provided on the site for which permission is sought, unless one or more of the following circumstances apply: 1. that the provision of the housing product(s) specified by the Minister for Housing and Communities on the site would make that development unviable, and in such cases the applicant has demonstrated that an appropriate alternative form of discount or financial assistance will be provided as far as possible; 2. that the site is of such a size or nature that the contribution to assisted purchase housing would be maximised in the form of a commuted payment, to support the delivery and/or procurement of assisted purchase housing products elsewhere.

[15:30]

A commuted payment will not be accepted where it is intended to cross-subsidise homes already subject to an affordable, first-time buyer or other assisted purchase requirement, but may be used to increase the supply of assisted purchase homes on another open market site; 3. where assisted purchase housing is best provided through the mechanism of a site-swap using sites within the ownership and control of the applicant, which will be secured using a planning obligation agreement. This policy will be in effect from January 2023, following the development and publication of appropriate assisted purchase products and eligibility criteria, as relevant to the application of this policy. The Minister for the Environment, in consultation with the Minister for Housing and Communities, will periodically review the parameters which apply to the operation of this policy and, should a need for change be identified, will issue further supplementary planning guidance to revise one or more of the following: the threshold size of developments to which the policy will apply; the proportion of homes to which the policy applies; the type and value of first-time housing products which might be applicable; the means by which the contribution can be made, including the level of commuted sum tariff; the housing gateway band(s) from which the homes are to be allocated.

(b) 'Proposal 22 - Future affordable housing provision' should be deleted and replaced with the following proposal - "Proposal - Affordable housing. The Minister for the Environment will develop and issue supplementary planning guidance for the operation of this policy in order that it might take effect from January 2023 January 2023. The Minister will also further assess the viability of

decreasing the threshold to which this policy applies and/or increasing the proportion of contribution that is to be made. Such work will be undertaken in consultation with key stakeholders, with a view to increase the policy requirement in the subsequent Island Plan (2026-2035). The overall impact on housing supply and viability will be assessed having regard to the need for restrictions to be put in place to ensure that contributions to the proposed Sustainable Communities Fund are viable, proportionate and appropriate in light of the provision of affordable and other types of first-time buyer and assisted purchase homes.; and (c) 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 (b).”

7.1 Senator S.Y. Mézec:

Thank you to the Deputy Greffier for that. I really hope that I am reading the right notes now. So, the aim of this amendment, which is now amended by the Minister for the Environment, is that it will require in large private developments that a proportion of the homes which are built there are allocated to be for affordable housing. That as a policy is not unique. It is not a new idea and it is not something that Jersey would be spearheading without looking at the impacts that there have been in lots of other places that have similar rules to this already. It is the case that in other places where a large development is proposed there is a planning requirement that some contribution is made in exchange for getting planning permission that they will provide a contribution for affordable housing, either through payment into a fund or by reserving a proportion of those homes which are built for affordable housing. This is not a new idea in Jersey. This was proposed as part of the 2011 Island Plan and back then the proposal to require the private sector to deliver a proportion of affordable housing on their sites was proposed as the key way of delivering affordable housing at that point. We know that back in 2011 we had big problems with our affordable housing stock and so it was proposed that the way that we would deliver those affordable homes would be through the private sector. It was proposed as a policy which would later be enacted in the 2011 Island Plan. After a few years of wrangling, that policy never saw the light of day. It was not implemented and a few years later it was quietly dropped and changed to a different policy, which would be that rather than getting the private sector to deliver affordable housing it would be the government-owned providers using government-owned land. All of these years later, though Andium have made a sterling effort with the sites that they do possess, we have not actually fulfilled that policy either because we have not freed up government sites to the affordable housing providers to deliver those homes. So we set out to do one thing in 2011, gave up, adopted a different policy instead, and we have not fulfilled that policy either, which means now in 2022 we are in a housing crisis and extra effort is now needed to try to make up for those lost years where we were not doing what successive Governments had said they wanted to do in delivering affordable homes on government-owned land and, before that, asking the private sector to make its contribution. When it was proposed in 2011, obviously the industry did not like it, but of course they would not. It is asking them to do something new. It is asking them to take a proportion of what they would build and not make as much money out of it as they otherwise would, so you cannot blame them for not being particularly pleased about it. That may be one of the reasons why the politicians at the time essentially chickened out of pursuing it. So when I lodged the amendment to this Island Plan it was because I had seen in it a paragraph which said that the Minister and Government wanted to resurrect this policy and put it in place, but they would not be putting it in place for the duration of this bridging Island Plan but instead would be putting in a commitment that they would bring it in in the next stage of the bridging Island Plan, which I saw as several wasted years at the end of which there would be no guarantee that this policy would come through because the next Assembly could debate the next bridging Island Plan and decide to chicken out at that point as well. So, I sought to put an amendment in so that it would be implemented in this part of the bridging Island Plan and would be enacted so we could start reaping the benefits from that policy sooner rather than later. In my original amendment, I did this by pretty much copying and pasting the original proposition that was put out to consultation in 2011. What the Minister for the Environment’s amendment to this has done is he has significantly raised the threshold at which that

policy would kick in. So, my original amendment and the original policy from 2011 proposed that this affordable housing contribution would kick in on sites of 5 homes. Now, you might think that that is quite a small amount and would put quite a burden on those developers when they are building homes on those small sites, and that may well be a legitimate view. What the Minister for the Environment has said is starting it at that level we may not know what impact it will have on the industry and there could be unintended consequences so let us play it safe, and we can play it safe by raising that threshold very significantly to sites of 50 homes or more, where the impact of having to account for that affordable housing contribution will be less noticeable for those developers than if it were on smaller sites. I do not consider that ideal but I think that in the interests of making progress, in the interests of saying to the industry that it is now time for you to play your part and to get something enacted in this plan and in force by January next year so that when these large developments are going ahead, they are going ahead with the knowledge that they will be making a contribution to affordable housing in Jersey, helping to address the crisis and provide homes for those people who need them, then I think it is worth compromising on that and saying, okay, this is good enough to get some progress. What the last paragraph of the Minister's amendment does is commit us to examining that threshold in the future, working out if 50 is the best starting point or if it could be brought lower to secure a greater yield in future. So, I thank the Minister for bringing his amendment to it. I hope that States Members, having had several days now of debate over specific housing sites where many of us struggled with finding that balance between protecting our open green space and providing the affordable homes that we know we need, that debating this policy now we know that in practice this will apply to already built-up sites, sites in town that are not owned by the Government but owned by the private sector. So, this will help us secure a greater yield of affordable homes without having that negative impact on our environment, which has come into the debate several times over the last few days. I hope that that angle to it will at least make this uncontroversial and allow States Members, whatever position they have taken on those fields in the countryside up until this point, to say, right, now we have a proposition that in practice will mean we will get a greater affordable housing contribution in the town and built-up areas and allow the private sector to play its part in doing that. So, I make the amendment on that basis.

The Deputy Bailiff:

Thank you, Senator. Is the amendment seconded? [**Seconded**] Does any Member wish to speak on the amendment?

7.1.1 Deputy J.H. Young:

I am grateful for Senator Mézec I think helping our debate by accepting my amendment. I think everything the Senator has said is correct. This is not the first time. This policy was previously called policy H3 from the 2011 Island Plan. The whole intention was to see that every site that was developed for housing everywhere in the Island that a proportion of those homes was affordable. I think although it was former Senator Cohen who brought the Island Plan, I think it was the late Deputy Duhamel who had the job of putting this policy into effect. I know that this was a very, very difficult thing to do because, as Senator Mézec says, it was about what are the rules, what are the thresholds, where do you start that, is it any site or is it on large sites? Also, what percentage do you say; 10 per cent? To be frank, I am having a bit of a struggle to remember what the percentages were, but they were set. Then, of course, the issue you also have to deal with: that may not work on every site, having a straight percentage of homes. If you, say, have 10 per cent and you get 5, well, half a house would be affordable, so it does not really work. Multiples are not going to work. The idea also of including such a policy is what they call - and this has been used elsewhere and is criticised - having a tariff. Developers can pay money into the planning system which would be used to acquire or ensure delivery of affordable homes elsewhere within the planning system and whatever site. So, in other words, because then the developer would meet their liability and then those homes would then be developed somewhere else. But, of course, what is somewhere else? This is all very, very

difficult. Then you also have the issue of what they call swaps in that a lot of developers need the flexibility in the policy to be able to take what is an obligation which is forced on a developer, because the whole way that this policy would work if Members support the amendment as amended, is it is a policy and that means every planning decision of any residential development of homes over the threshold, then they would not get the planning consent unless they enter into that planning obligation agreement to fulfil that liability. They can either fulfil it by a proportion of homes or in all the other sorts of ways that the words of the policy have set out. Obviously, listening to the policy, I am sure Members' reaction will be the same as mine: it sounds very complex. But, of course, it has to be because Senator Mézec's amendment took what is a very short paragraph in the draft plan to say coming into the process ... before Senator Mézec's amendment it says we are going to look at this and we are going to look at the viability with a view to bringing it forward in later plans. The inspector considered a lot of evidence about that and he asked: "Why did it not work?" Because it has worked elsewhere throughout the U.K. (United Kingdom) and other places. Why has it not worked? I do not think he was satisfied with the answer because he said this is a good approach, this is good in principle.

[15:45]

But he did have to respond to the evidence coming from the industry. The industry was saying: "We do not really know what the effects of this is going to be. We do not want to have unviability. It could block all housing developments." Of course, the reality is we need ... and we have to acknowledge this. Not only do we want affordable homes, we want open market homes, open market homes for the people. Because just remember the numbers. Going back to the debate we had early on last week, 4,300-odd homes in the period, 1,600 affordable. That is a large number of homes, open market homes. Of course, if we introduce this policy, we are going to be able to get a chunk, if you like, of that open market homes into an explicitly affordable box, if you like, for the benefit of our community. Now, the question is how onerous do you set that level and what is affordable? So, Senator Mézec's proposal as drafted was ... I cannot remember, I think it was 5, that if you went over 5 units it became ... The proposal in the amendment that I have put that the Senator has accepted has adopted a very high threshold to start with, 50 units. So, any developer that develops 50 units, they are going to get this obligation imposed on them, if Members agree, and we have applied the start date of January. We have gone along with Senator Mézec's proposed start date for that. Members might say: "Why can we not do it tomorrow?" I think, to be honest, the truth is we have to give all developers notice. Everybody has to have time to gear up for what is a major change. I think a matter of months is not unreasonable and I am pleased that Senator Mézec proposed that, and I am happy to support him in that. We have adopted the threshold of 50 units. Of course, if you remember in those words - I am sure you picked it up - any development that is below the threshold we will need to make sure that that is not done to circumvent the policy, because obviously a developer could come in and say: "Here is a development of 49 homes and we can get round this." So, we need to make sure that those words and all those complicated rules have been worked up by the planning officers. I trust them. I have not drafted them, but they are experts and they have taken advantage of expert guidance from our advisers, and what have you, to try and get the flexibility rules. The other thing is about what is affordable, which is absolutely a key question. I think what we have used in my amendment, we have used a different phrase other than "affordable" for this category of homes that we are, if you like, levering from the private sector. We are calling it "assisted purchase." What is an assisted purchase product? There are lots of different permutations of that. We have heard all about low-start equity, all million and one things we have heard about, and I know the Minister for Housing and Communities has had lots of discussions with Andium and so on about that. That is why the proposal has embedded within it that the definitions of what scheme ... so, in other words, schemes that developers come forward with for affordable homes ... sorry, I have slipped into that mistake, for assisted purchase homes would have to be agreed individually by our Minister for Housing and Communities, and I have to tell you our next Minister for Housing and Communities

has a big job. Not only has he or she got every single site that we have zoned to do the rules, but he is also going to have to look at those products from January. I think that the Minister for Housing and Communities will be using and relying on the legal powers that the new Minister for the Environment has in the law to do that by supplementary planning guidance. So, I think the officers have helped us produce a set of rules that can work, that adopt Senator Mézec's proposal, and he is absolutely right to bring it here. I think Senator Mézec's amendment is a drive to say we cannot wait. We have to do it now. The inspector is saying we should do it now. It is really important. That is the gestation of how we got here. I think it is a really important mechanism. Sorry, the other thing I should say is what the proportion is. Senator Mézec proposes, I think, 12.5 per cent, so in other words 12.5 per cent of the homes will be assisted purchase. The amendment, which the Senator has accepted, proposes the 15 per cent figure, 15 per cent it would be. So, on a development of 50 homes, I suppose my maths would tell me it would be 7 units, would it not, would be in that category, 7.5 units, so there we are. So, there is a lot of work to be done on a site-by-site basis. Also, it is going to have to rise because again I think the proposition unamended was to rise at 20 per cent and I think what we have gone with ... I do not think we have set in the amendment, at least I do not think we have, an escalating value, but it will need to go up. This will not stay. This is a start, and the benefit of having this very low-key start is that I really do not think there is any valid objection, particularly now when we have seen a huge increase in property values. Now, all the evidence is that during that time the viability and the profitability of open market developments has not gone down. I would take some believing that in the current market it has. If anything, it has gone up. So, we will be able to assess ... I would find it would be difficult if we get a reaction: "We cannot do this, it is unviable, it is unviable." I think there are sufficient safeguards in these policies that allow us to deal with this on an individual basis and that we can assess then ... when I say "we", the Government, the Minister for Housing and Communities, the new Minister for the Environment can assess how well this works and whether we are getting our fair share of yield of assisted purchase homes. I think the whole thing is it is about balance, trying to come up with a proposal that does not have a negative effect on the housing market but enables us to move towards a greater measure of assisted purchase. So, I do not think I will get a chance to speak again because obviously it is amended as amended. It will send a very strong signal, I believe, to prepare for this policy to be extended in 3 years' time. What that means is land negotiations that are happening now need to take this on board and recognise it. It is no longer "air ware" or "words ware", it is "real ware". If you agree this, it is in a policy, a new policy which is added into the draft plan at page 194. That is a very considerable strengthening. I think it is long overdue and it follows the footsteps of Members before ourselves who were wise enough to see this is important that we do it. So, thank you and I ask you to support the proposition.

7.1.2 Deputy G.P. Southern:

Again, briefly, I think I remember the 2011 policy. I did not obviously take note to make sure that it followed through and delivered anything, and I should have done. But it is an example of 2 things, really. One is the art of co-operation between a Back-Bencher and a Minister can be done very, very effectively in the format that we have currently. I believe as we get into party politics more and more it will become easier. Secondly, I suppose, is the way in which these limits have been negotiated. The Minister has come a long way but has taken a chunk out of the original. From 5 to 500 is quite a significant move. **[Interruption]** Thank you, yes, 5 to 50 is quite a significant move, but one that has been agreed by the Back-Bencher and one that I believe can be made to work and one which will have not a great deal of significance immediately. Because we do not build many estates with 50-plus houses or units so, therefore, it will only have a very gentle introduction into the market. What is significant is that built into the system is that these limits will be reviewed, and I think that that is significant as we take this through. I believe that this will make this particular model workable. I do not think that the previous model had that level of sophistication about it which we have seen now. This is a significant move to provide housing, much needed housing, for our population and I believe it is one that must be welcomed if we are going to get anywhere with our housing crisis.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? If not, I call upon Senator Mézec to reply.

7.1.3 Senator S.Y. Mézec:

A relatively short debate; there is not a huge amount for me to say in response to that. I am hoping that the length of this debate is a sign that what we are about to do is not very controversial. As I said, it is something that has been thought of for a long time now and it was something that was raised again in the original version of the draft bridging Island Plan because there was clearly a political acceptance that the principle of this policy is the right thing to do. But because of a bit of pushing now I am hoping that we will have managed to get this over the line to have a start date for this policy to be in action, and then a plan afterwards to review it and make sure that it is doing the business and, if it needs tweaking, then the door is open for that, rather than what I think was the risk with the original wording, that we left it to the next Assembly, for whom it might fall off the agenda and then we find ourselves in the same position in years to come with it not being put into force. So, I have little more to say than that, other than to thank the Minister for his approach on this one. I can get that out the way because I probably will not be thanking him on the next amendment, but I was pleased to see his commitment to seeing this through and I was happy to meet him halfway on the thresholds for this. I am hoping that the Assembly is about to support this and we can be proud of ourselves for taking some action which will see a greater provision of affordable housing in the Island, particularly in the already developed and built-up area, which then gives us a good excuse to strengthen protections on our open green space in the future. So, I call for the appel.

The Deputy Bailiff:

Thank you, Senator. The appel has been called for. Members are invited to return to their seats. Those joining the meeting via the Teams link are invited to cast their votes in the chat channel. I ask the Greffier to open the voting to Members in the Chamber.

[16:00]

If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce that the amendment as amended has been adopted unanimously.

POUR: 41		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				

Connétable of St. Clement				
Deputy J.A. Martin (H)				
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. Martin				
Deputy of St. Ouen				
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 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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

8. Island Plan 2022-25: Approval (P.36/2021) - forty-first amendment: States’ Owned Land (P.36/2021 Amd.(41))

The Deputy Bailiff:

Next is the 41st amendment lodged by Senator Mézec and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

After the words “the draft Island Plan 2022-25” insert the words “except that - (a) within Policy H5, after the words “(0.6 hectares/3.3 vergées)” there should be inserted the following new paragraph - “Where States of Jersey or States-owned companies’ land is brought forward for the development of new homes, all of the homes provided on it should be affordable except where the provision of only affordable homes would render the development unviable.” and the words “on these sites, together with any other government-owned sites or sites to be developed by arm’s-length bodies, that are brought forward for the provision of affordable homes over the plan period” should be deleted.”; and (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a).

8.1 Senator S.Y. Mézec:

Can I thank Members for their unanimous support on the last amendment? I confess it means I may have to look at some manifesto notes to redraft now following that acceptance, but I am thoroughly pleased with that anyway. So, I suspect this next one we might not be as close to unanimous on, especially with the amendment which has been lodged to it, which I will be clear with Members I will be wholeheartedly opposing that amendment to this amendment when it is proposed. There is underpinning this one a point of principle from which you will have gathered from listening to the other contributions that we have made in previous amendments is a principle that we are not prepared to budge from, which is that we must get the best use out of the land which we already own and use that for public benefit because that is what the Government ultimately exists to do. It is to serve the needs of the public. It is not to act as a quasi-private business with the objective of making as much money as possible. So, to be clear about what this amendment does - because there has been some conjecture about what this amendment does that needs to be addressed - this amendment will require that when an application for planning permission is made to build homes on government-owned land or the land which is owned by government-owned companies that all of the homes provided on those sites should be for affordable housing. What it does not do is it does not tie our hands to make sure that we are only building homes on publicly-owned land. We can still use publicly-owned land for other purposes or for dual purposes, multi purposes, if we want homes on this part of a site or a community centre on this part. We know that there are other public services we will need to find locations for in the next few years, like the fire and ambulance service, for example, or school sites. This amendment does not tie our hands to say we can only build homes on these sites. I think that some of the paraphrasing of this amendment in some of the summary documents has regrettably made that unclear, so this does not tie our hands in that way. The other thing it does not do is even though its intention is to make sure that 100 per cent of the homes we build on government-owned land is for affordable housing, it does not say if it is not possible to go ahead with a brilliant proposed development with great public amenity space and all the rest of it while keeping the homes 100 per cent affordable, it does not mean that you will not be able to put in a planning application to say: "Okay, we will try for at least the majority of these homes to be affordable" but you will have to prove that it is unviable otherwise. If you have the proof, if it is accepted, if it is clear that you are right to say that it is unviable, then that can be considered. So, it is not to say that this will be the only option and if it renders particular plans unviable then you just have to put them in the bin. It does not do that. We have spent many days now debating building affordable homes on sites in our countryside and there has been some give and take in that debate. We have accepted some sites; we have opposed others. Some of us have maintained a blanket position on all of those that we would not accept rezoning of green sites until we got best use out of our government-owned land. I know there were Members who might have been a little bit sympathetic to that position but still on balance voted to provide homes on these other sites just because the need for affordable housing is so desperate, and I understand that perspective and have respect for it. But now that that part of the debate is over, we have an opportunity with this amendment to say accepting that there is a housing crisis and accepting that there is a desperate need to provide more affordable housing, let us get the best use of the land that we own and we make sure that that is written into the rules so that in the future we will not be able to allocate the land which we own for a grandiose scheme, a money-making scheme, or something which does not make every effort possible to meet the public need and provide more affordable housing. I have mentioned previously the chart which is in the bridging Island Plan. It is table H1. It is the one that we amended last week to change the numbers of affordable versus open market in the different sites based on the amendments that have been made. It does say in it, even in the amended version which we have adopted now, that there will be plans to build 150 open market - i.e. unaffordable - homes on government-owned land in town. I say that that is 150 too many. If we insist on maintaining this policy into the future, bearing in mind we have a part 2 of the bridging Island Plan to come up with in a few years' time, then there will at that point be even more pressure to destroy even more of our countryside because we will have failed in the years in between to get the best use of the land that we own and make sure that we are building the homes that we

need. This point of principle has been raised in the Assembly previously and I know that there are Members who are sympathetic to it but previously have on balance decided to opt against it, thinking that we were tying our hands behind our backs on it. I say to those Members now that this is the final opportunity in this Assembly to safeguard those sites. If we choose to equivocate over it, it opens up the possibility later that we will lose and that those sites will be lost to those schemes building potentially luxury investment apartments for which there is no demonstrable need, just to make money, and then those sites will be lost for ever. I know some see that as an attractive thing to do because they think that you can raise the funding by building open market luxury housing with nice sea views in Jersey and use the profit you make from that to reallocate to provide affordable housing elsewhere, but it really is not as simple as that, not least because that is simply not how we fund the delivery of affordable housing through Andium. We do not do that through the capital subsidy that is suggested we would do if we maximised the profit out of the government-owned land. It is a fact which has been revealed in States questions in the last few months that in every single year of its existence Andium Homes has provided a financial return to the Treasury which is greater than the S.o.J.D.C. (States of Jersey Development Company) in the entirety of its existence. So that says to me that someone has the model right and someone has the model wrong, that the provider for affordable housing, who are renting homes out with a discount and selling homes to first-time buyers at a discount, are still able to make £30 million a year to give back to the Treasury, which by the way not a penny of which is ring-fenced back into housing, it just goes into public services, yet the S.o.J.D.C., who we say are meant to be our delivery agent for not just housing but other public amenities as well, is not able to provide those profits to then put back into affordable housing and regeneration of St. Helier. If we continue to hold our hands up and say that is just the way it is, we will continue to lose these opportunities and that will be our legacy looking back on some of these big sites that the government owns and continuing to read in the *J.E.P.* every day or hear on the radio or on the television of the housing crisis, of more young people saying: “I simply believe I have no future in this Island because the Government time and time again rejects opportunities to provide homes for people like me.” That is what many young people are thinking. I think there is nothing more to be said that has not been said in the previous debates on this principle. I know this amendment is coming up and I will speak again on that once the Minister has proposed it, but I urge Members to listen carefully to the Minister for the Environment, who I think will attempt to make an argument that he has come close to making at several points in other amendments to this debate, which is that he agrees with what it is trying to do but will not vote for it at the end of the day. I say to Members it is how you vote that matters, not what your intentions are on the inside. If you vote against what a proposal is trying to achieve, you end up on the voting record alongside those who totally disagree with you. So, if Members do want to see the Government using its resources to provide the homes we need, I urge them to support this amendment and to reject the Minister’s amendment when it is proposed. So, I make the amendment.

The Deputy Bailiff:

Thank you, Senator. Is the amendment seconded? [**Seconded**]

8.2 Island Plan 2022-25: Approval (P.36/2021) - forty-first amendment (P.36/2021 Amd.(41)) - amendment (P.36/2021 Amd.(41)Amd.)

The Deputy Bailiff:

There is an amendment to this amendment lodged by the Minister for the Environment and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Replace the words “all of the homes provided on it should be affordable except where the provision of only affordable homes would render the development unviable.” with the words “, these shall be for affordable homes unless it has been otherwise approved that the development needs to specifically

provide open market homes, particularly where this is required to ensure the viability of public realm and community infrastructure delivery, in line with an approved Government Plan. In such cases, a minimum of 15 per cent should be made available to eligible persons in accordance with “making more homes affordable” policy (HXX), for assisted purchase housing”.

8.2.1 Deputy J.H. Young (The Minister for the Environment):

I apologise to start to Members that this is a difficult and complicated subject which I am going to have to try and do my best to keep as simple as possible. To explain, Senator Mézec’s proposal obviously seeks to establish a firm ... not just a firm, a binding planning policy in the Island Plan that if any housing development takes place on any States-owned land, on any of the States-owned companies ... which I think the list that I have been given in the corporate notes which I am going to depart from in places, Andium Homes, Ports of Jersey, States of Jersey Development Company. These are companies for reasons that past Assemblies decided ... I do not think I can be party to all of those, but nonetheless we did establish those companies. They have been in operation for a good number of years.

[16:15]

I think all of us have a good understanding of the strengths and weaknesses of those companies and how well they are doing and where there are areas that need to change and unfinished business. I think all of us have that. Nonetheless, we have those companies. Senator Mézec’s amendment to this puts a binding policy that every residential development on land which is either in States ownership or those companies shall be 100 per cent affordable homes unless the development is unviable. Unfortunately, there is no great explanation of what is viability, what would determine that, but nonetheless that is what it says. The amendment that I have brought takes the same principle and objective of all such sites. I prefer to use the phrase “that are in public ownership”, whether they are owned by the States or whether they are owned by these arm’s length companies. Those arm’s length companies are owned by the public. The shares are held by the Minister for Treasury and Resources and they represent the shareholder, which is us, on the board of those companies. We have transferred the land assets to those companies to be able to make decisions on them. My amendment seeks to find a way in which we can still have this objective of ensuring that all the land that is brought forward for the development of new homes should be affordable. The proposal that my amendment seeks to do that is not very long. Compared with the previous amendment we discussed and debated this is quite short. It says: “These shall be affordable homes, unless it has been otherwise approved.” The word “approved” is important, because somebody, and I will come to that in a minute, has to decide what is approved: “... as it is otherwise approved that the development needs to specifically provide open market homes, particularly where this is required to ensure [and this is the point] the viability of public realm and community infrastructure delivery ...” I can see shaking of heads, but bear with me, please. Not just any old community infrastructure delivery, but the mechanism proposed in this amendment is in these extra words: “... in line with an approved Government Plan.” Why have I put that? It is because I recognise, and Members know that I voted with Senator Mézec on both his propositions for affordable homes on these States-owned sites at the 30 per cent and 50 per cent level. I cannot remember when it was, but earlier on. My argument for supporting that is because I was not convinced that the viability assessments that had been done of the various schemes were sound. I felt they were superficial and not properly tested. In my view they need to be. I thought to myself how ... and this is where I went through endless iterations of this with the officers. I can tell you, I think the first 4 sets of words I rejected for 2 reasons. When I said “otherwise approved” and I know that Members of this Assembly want a process where they get a say in what that community infrastructure investment is and the public realm is. I know most Members want school sites. Most Members want ... I see shaking of heads, but this is what we have to ... we do not want wall-to-wall housing. We need to make sure, accompanied on

those sites, are the community facilities that make those sites work as decent places to live. We do not, in my view, have a process for us to be certain about that now. I do not think our approach that we had for the planning for the use of States assets has been developed enough. I think it is open, my proposal adopts ... and the officers, after taking on board my arguments, have said they believe this can be done through a new Government Plan process, because a Government Plan is changed every year. It can even be amended as you go by proposition. It is not fixed. The amendment gives a mechanism whereby those decisions can be taken on a site-by-site basis. That would be, and this is an important point for me, the downstream of the planning process. Planning cannot deal with all these decisions. Planning sets the overall framework. We need other processes within Government to put them into practice. That is the mechanism that the amendment suggests. It takes the same purpose. Therefore, this is an opportunity for Members. If Members do not like the reasons being put forward on site X ... one cannot have this discussion without talking about the waterfront. There are less issues that surface, for example, with Andium Homes, which has been very successful and has generated decent funds and transformed the housing stock. However, they have the problem that at the moment we do not ... they have to go into the market and buy sites. In all the meetings I have ever had with Andium they say: "Give us the sites and we will develop them." They need the flexibility to be able to operate in a way. Unless we put a lot of capital investment in they need the flexibility to do that. It is written down on my notes about the Ports of Jersey, but that is rather different there. They have aspirations. However, nonetheless, there are infrastructure needs there, which at the moment are for our future. I will go back to S.o.J.D.C. One of the reasons why the vote against this previous proposition, which came many, many months ago, was S.o.J.D.C. will not be able to deliver their scheme on the waterfront. Of course, what is the scheme? It is going to go to a planning inquiry later this year. It will not be me that has anything to do with that. There is the mechanism within the planning system to be able to look at what the elements of the public realm and the community infrastructure are and being able to make judgments on whether or not the housing mix, the mix of affordable homes and the mixture of open market homes, on a site-by-site basis, where it is appropriate. Members of the public can have their say, because it is an open process and States Members can put their 2 penn'orth in. It comes back, of course, into the Government Plan process from the outcome. That is the thinking behind my amendments. If we have the main amendment without my amendment, if Members do not support the amendment I have put forward, then the S.o.J.D.C. and others will feel: "Well, we have lost a scheme. It will change." My view is it need not change, because Government can change its funding model. Government can put in extra land coming from some other scheme, allowing for cross-subsidies. Government can inject new capital. Government can change borrowing limits. There is no question that where you have regeneration projects doing it without capital injection is really difficult. You are likely to get not the best results. That is my personal view. I brought this amendment in because I had to accept my personal views are not in line with government policy now. There are 2 issues that I took to the Council of Ministers only in the Government Plan, which I think are really important. All the other routine planning issues fall within the Minister's purview to deal with. On the 2 policy issues: how many homes do we seek to deliver? We had that discussion and you have endorsed those targets, although we have not achieved them. The other issue is what is our policy for funding public infrastructure? Our policies are set out in the Government Plan now. I have had to recognise that is a reality. I put forward this amendment for consideration. It is a good solution. I accept the fact that it ... well it does not equivocate, because it says that they should all be for affordable homes unless ... and the "unless" is really, really, in my view, very, very clear. The Planning and Building Law and the Island Plan requires we have policies that ensure land is used in the best interest of the community. Such a policy, as amended, adopted, would sit, and sit well, within that. If we do not amend it, it is possible that important community benefits and infrastructures will be lost. By the way, there is also a difference, but I do not think it is particularly material, the amendment I have lodged includes a minimum of 15 per cent, which is absolutely in line with what we have just adopted in amendment 25; 15 per cent affordable homes. I do not see the 15 per cent minimum in the

substantive proposition from Deputy Mézec. It says: “Unless they are unviable”, and there is no check on that. What is unviable? It is an attempt to try and improve it. One cannot separate out this issue from the debate we have had so far. Personally, I was surprised that Reform Members, and I respect their right to do so, took the view that zoning of land should be opposed because of the disagreement, if you like, the differences of view here. I was disappointed because we know very well that there is a housing mix needed of houses and flats. I certainly took the view that we need both. We need both urban homes and we need homes in the rezoned areas. Where we have ended up in 370-odd, although it falls short of the target, it is a useful and helpful contribution. Sadly, it is not going to make as much difference as I had hoped we would. Andium have the ability to be able to ensure that we are getting a mix of homes in that way. However, it is likely that if the amendment is adopted unamended then that may not be possible. It is really quite potentially problematic having an inflexible policy. My advice would be I really do believe the amendment gives the tools to the States Assembly to keep an eye on this as it goes, to be able to intervene as necessary. Really what it boils down to is this is potentially ... underneath this is a money issue. The Island Plan is not the vehicle to run financial policies. I accept that. Nonetheless, having process issues that allow Members to have a full say in the way in which States-owned entities use their assets and to ensure that they are used at all times in the best interest of the community, essential to allow the flexibility required. I am not going to say much about Ports. That is a story for another day.

[16:30]

I know Ports have aspirations to do certain developments, which will almost certainly fall to the next Minister for the Environment to have to deal with. We do need to allow flexibility and cross-subsidy. Andium have shown us that they have done very well. They have 4,500 homes in their portfolio and have committed to the delivery of 3,000 by 2030. The targets that we adopted within that 4,300-odd homes during the bridging plan period, did include a very, very substantial chunk, in fact a huge chunk, from States-owned entities. I have spoken really exclusively about the States-owned entities, the companies, but I do not know how a lot of these other sites, which are in the States ownership, not the companies, are going to be dealt with. We have Le Bas Centre. We have St. Saviour Hospital. We have the D’Hautree site. There are lots of them. I do not know what mechanisms Government is going to use for those. As far as I know, I am not hearing very, very great ambitions for lots of public sector infrastructure over and above the housing developments on those sites. Where we are on the waterfront, for example, we have a huge list of goodies, as it were. There is a huge list. I am not meaning pejorative saying “goodies”, but you know what I mean, major assets that you want that you can either put your hand in your pocket and buy or you can try and lever through some development device. I am not seeing that issue arising on all the sites that are currently being spoken about as States-owned sites. I would have thought, for example, if we need a school we buy it. It goes in the capital fund. You do not lever it from this policy. It is difficult at the moment, because here we are, setting the policy well in advance of a new Government, and all I have tried to do is to have an amendment that is giving a workable means of achieving what Senator Mézec’s proposal seeks, but provides mechanisms to keep it totally in check, in check by States Members through proper government processes. I have probably gone on too long, so I am going to leave it at that, Sir.

The Deputy Bailiff:

Thank you, Minister. Is the amendment seconded? **[Seconded]** There is a question for the Attorney General from Deputy Tadier.

Deputy M. Tadier:

I am looking at the words in the Minister’s amendment. It says that the land should be for affordable homes and then it says unless it has been otherwise approved that the development needs to specifically provide open market homes, which it then qualifies. The question for the Attorney General is about the chronology, I suppose, of when would that decision be made and by whom. It

seems to me that is quite critical. The 2 points seem to be in conflict. I can understand that if land has already been allocated, for example, now and we are asking for this, it would not necessary apply retrospectively. That would make sense. Even if we pass the amendment today of the Minister, which says all homes should be affordable, then how do we qualify and who justifies and sets the bar for that other scenario about viability.

The Deputy Bailiff:

Is this a question about the mechanism under the amendment, is it, for approval?

Deputy M. Tadier:

Yes, Sir. I am sorry if that was slightly verbose, but I was trying to be as clear as I could. Hopefully the Attorney General gets where I am coming from.

The Deputy Bailiff:

Is that a question for the Attorney General or for the Minister, Deputy?

Deputy M. Tadier:

It is to do with how the amendment would be interpreted legally. If the Minister thinks he can answer it he can give a political answer, but there is a potential legal answer to give. I do not mind waiting until later on if the Attorney General wants to consider it.

The Deputy Bailiff:

In the first instance, do you want to treat this as a point of clarification and direct it towards the Minister, because he has just spoken about the process? Would that be of assistance to you?

Deputy M. Tadier:

Yes, thank you.

Deputy J.H. Young:

My intention was, in bringing forward the wording, is that it would not be retrospective. In other words, from the point of adoption of the policy, which is when the plan is approved, these sites could only be developed for open market homes unless they have been approved that this was required to ensure the viability of public realm and community infrastructure delivery, in line with a plan. The intention behind that is that somebody would need to make a decision. At the moment, my understanding is that decision probably rests with the Minister for Treasury and Resources, that they are able to approve that scheme. The words in this amendment intend that that would no longer be the case as there would be a requirement for whoever makes that approval to do it in line with an improved Government Plan. In other words, the Government Plan would have to include a section which details these sites and the uses of those public sites. That was my expectation. Deputy Tadier is right, it is all very well for me to have that expectation, but for its legal workability it is wise to seek a view of the Attorney General. I have not come up with these words, they have been offered to me by the officers. It has been thrashed out with officers across all the various companies, Treasury and what have you, but in the end we do need the Attorney General's views. It also requires a very clear statement of what the public realm and community infrastructure being sought to justify is. At the moment, I do not see that being present either. I want that to be clear. Also implied in such a process is the effect on the viability in financial terms of such infrastructure has gone through a process of assessment. My expectation as a Minister in bringing these words is that if these words were adopted there would have to be quite a bit of work putting that expectation into practice. I would very much welcome the Attorney General's view as to how much that stands up in law.

The Deputy Bailiff:

Mr. Attorney, have you heard the exchange between the Deputy and the Minister?

Mr. M.H. Temple Q.C., H.M. Attorney General:

I have, thank you, Sir. I can give an immediate reaction, which is that the Minister's amendment to the amendment clearly does not specify a procedure for who makes the decision or indeed when it is made. I can quite see why the Minister suggests that those points should be covered in some guidance that is to be developed subsequent. In terms of the Minister's power to publish guidelines and policies, that is a power that is Article 6 of the 2002 law. The power is a broad one. My immediate reaction is I do not see a difficulty in terms of the Minister publishing policies or guidelines which cover the points about the process to be followed as regards when the decision is taken and by whom. I hope that assists the Deputy with his question.

Deputy J.H. Young:

I did not catch the Attorney General's words; did he say there is difficulty or no difficulty?

The Deputy Bailiff:

He said there was no difficulty in you issuing policies or guidance under Article 6. Is that what you said, Mr. Attorney?

The Attorney General:

That is correct, Sir, yes. The power in Article 6, the Minister's power to publish guidelines is a broad one and I do not, in principle, see a difficulty with the Minister publishing a policy or guidelines which covers the points about who takes the decision and when the decision is made, or procedural matters generally.

The Deputy Bailiff:

Yes, thank you. Deputy of St. Mary, do you have a question for the Attorney?

The Deputy of St. Mary:

I thank the Attorney General for his comment. I refer to the original amendment by Senator Mézec where, again, there is reference to: "... except where the provision of affordable homes will render development unviable." We have the same question, do we not, at what stage and who determines what is viable?

The Deputy Bailiff:

Mr. Attorney, do you want to respond to that?

The Attorney General:

I agree with the Deputy's question. It raises the same questions. Again, I do not see a difficulty with guidance of procedure or a policy being issued by the Minister which covers the points about when the decision is taken by whom and what is the criteria in Senator Mézec's proposition about when a development would become unviable.

The Deputy Bailiff:

Thank you. Does any Member wish to speak on the amendment to the amendment? Deputy Southern.

Deputy G.P. Southern:

I wished to come back to the Attorney General to ask a further question of clarification.

The Deputy Bailiff:

For the Attorney?

Deputy G.P. Southern:

The Attorney, yes.

The Deputy Bailiff:

Yes. There is a further question, Mr. Attorney, from Deputy Southern.

Deputy G.P. Southern:

The basic issue here is a definition of the word “unviable”. It seems to me that neither of these versions of this particular proposal do that. Are we faced with an arbitrary, anybody’s definition or a flexible definition, of viability? If it is a legal question, I think it is, and is there a difference between these 2 forms of words.

The Deputy Bailiff:

I am not sure it is a legal question, simply because it is the wording in the proposition. Unviable simply means not viable. I do not think it is a legal question for the Attorney.

Deputy G.P. Southern:

The question then becomes: is there a difference between what is contained in the new amendment or the original?

The Deputy Bailiff:

The original uses the word “unviable” in (a). The amendment uses the “viability”. These are simply ordinary English words; the definition of which you will find in a dictionary. They are not points of law for the Attorney. Deputy Ward, do you have a question or would you like to make a speech?

8.2.2 Deputy R.J. Ward:

I thought I would speak early on this one, because, to be honest, this is the crux really of what we have been talking about for so long. The Minister’s amendment to the amendment uses the words: “A minimum of 15 per cent should be made available.” Let us be honest, a minimum 15 per cent becomes a target. That is the issue that we have. Therefore, you are effectively saying 85 per cent of homes built on States-owned land, land that we all own, will not be affordable. Yet, at the same time, we are having a 2-week debate with green field after green field coming forward for affordable homes. You can agree those affordable homes, but while we are having 85 per cent of States-owned land not having affordable homes built on, let us make a good scientific prediction and see where we are in 3 years.

[16:45]

I am happy to stand up and say I was wrong, if that was the case. If we do not do this, in 3 years’ time, we will be back with the next iteration of the Island Plan. We will be having more fields and more fields coming forwards for affordable homes, because the others would not have been built yet, because the likelihood of most of them being built with the sort of facility we have to do it. Let us be absolutely straight down the line about this, perhaps the Minister may agree, it is unlikely that this project of building is going to happen anyway, particularly because they all have to go through some sort of planning permission and by the time we recognise that some of them are not going to be affordable or there is going to be a different definition of affordable and it will be linked to viability, and we will not get half of them anyway. We will be back here and we will be rezoning more fields. We, therefore, get back to an incredibly crucial point over this amendment and the original amendment: how are we going to use States-owned land to address the housing crisis that most of us who have some sort of reality of what is going on in this Island talk about. There are some groups who deny a housing crisis. I suppose they do not have a housing crisis. They are in a very privileged

position. Let us move on. The problem is that we keep talking about affordable homes while having a resource in the background that we are simply not using. We have been diverted from the real need here. We have done so, because we are in this Island Plan with individual fields in individual Parishes, just before an election, so that people are talking about their Parish where they are going to be standing with their whatever they call themselves, a party or not, so that they can try and promote that they are the people who will be doing the right thing for the Parish and the Island. Underlying is a complex and detailed argument, which is about how we are going to use States assets. What we have allowed to happen is the States of Jersey Development Corporation to effectively become the property developer for the Island. I have some notes, but I am going to take the Minister's line and throw my notes away and talk from the heart here. We seem to have a reliance of selling off States property for profit to we do not know who, it could be off-Island investors - although we have solved that problem with reform, so off-Island investing will not happen anymore - but to investors or people with money or those who already own enough property, so that we can come up with some sort of community realm. We are relying upon selling off our assets just to pay for the basics that we need, it seems. We have heard about the regeneration of St. Helier so often from the I.F.C. (International Finance Centre) buildings. I have not seen any of it. Where has that gone? We even have a proposition somewhere about planting trees, I believe, or greenery. I have not seen any of those either. The issue is this is simply not happening. What we have here, it is like one giant pyramid scheme for property. We are building up and building up ownership in places and we are losing it. What I am saying to Members is this is a way more important proposition than perhaps we recognise, because after this we are either going to go away and say: "Yes, we accept the amendment; 15 per cent minimum", which is effectively going to become the target, by the way. It will be 15 per cent, because if we get 15 per cent we have got the minimum, we have done well. Well done, States of Jersey Development Corporation. Well done, Ports of Jersey. Andium Homes are better than that. They are doing a better job, to be quite frank. Thank heavens that they are, if that is parliamentary? Can I say heavens? I am not sure. Where we are going to end up is the situation where we will come back to this Assembly if we accept the 15 per cent target and we will have to rezone those fields. At that point, we may have to support them, because the crisis would have got so great, we will be concreting over so many fields on this Island. It will change the nature of where we are. The small Parishes with the nice villages ... I will show you around central St. Helier. Please, come, let us have a walk round. That is where you are heading. That is where you will end up. That is where you end up, because we have not used States land appropriately. One of the steps to that is to accept this amendment at the moment. Throw away 85 per cent of States-owned land to unaffordable accommodation. It is a misuse. If private investors want to go into the open market and build their luxury mansions and sell them to wealthy people, I do not know how much we can do about that. We have made a step forward with Senator Mézec's amendment earlier, so we can at least try to control 15 per cent or whatever it was. However, States-owned land it is fundamentally different. This is the difficult choice for you today. This is the choice that is going to come back to haunt us if we get it wrong. We have a limited resource of space on the Island. We have to use States-owned land first, we have to use empty properties first, we have to look at population first, we have to look at demographics first, before we go concreting over all of our green fields and changing the very nature of the Island that we live on, very quickly, or we will become Milton Keynes. That is not what any of us want. That might seem strange coming from a Reform Member. It is not just that, it is about the greenery, it is about our environment, it is about the small piece of beautiful Island that we have that we do not want to lose, because we are not going to get it back. Once you build on these fields, you do not get them back. They do not come back. I urge Members to reject this amendment from the Minister and accept the amendment from Senator Mézec. Forget your party loyalties, whatever they may be or not, look sensibly at the decision you are making for the future and whether we are going to throw away States-owned land or are we going to keep control of it and do something successful with it.

8.2.3 Deputy M. Tadier:

The first point I have, which arose out of what I asked the Attorney General, is not so much about what the definition of viability is, it is this particular wording that we have that talks about unless otherwise approved: "These shall be affordable homes, unless it has been otherwise approved that the development needs to specifically provide open market homes." The question is, and it still remains unanswered, is: who is making the decision about whether they are viable? Who is making the decision to approve it specifically? My concern is the word "approve". It seems to jump the gun. If you have a policy in place, which we will in either amendment, which says that the homes that S.o.J.D.C. brings forward should be for affordable homes, i.e. 100 per cent affordable, unless otherwise approved. It sets off an inherent contradiction in my view. Concurrently, somebody is making a decision already, saying: "It has already been decided that this scheme is not viable for affordable homes, so we do not need to abide by that." I am not sure if that is clear. That seems to me to be putting the cart before the horse. I think, at best, this is a technically ill-worded amendment. The other point Deputy Ward has made, that I would agree with, is that it seems to set a target of 15 per cent. We do not know who the next Government is or how it is going to be made up. We do not know what the commitment is that that Government will have or indeed whether they will try and assert any political influence over the arm's length companies and to what extent and to how they would do that, which I, incidentally, for the record, think is entirely a legitimate thing to do, within reason. You do not have a dog and bark, but it is really important that any new Government sets clear expectations about what they want those vehicles to deliver on behalf of the public in terms of policy direction. We could have any type of Government. If we have more of the same, we are likely to have the same laissez-faire approach, which says: "We do not really want to get involved in what they do." If they say that this development is not viable and it needs to have the vast majority of homes to be sold or luxury apartments, but do not worry because they will have to have 15 per cent for so-called affordable homes then that is setting a really dangerous trajectory. I can see why the Minister has done it. He is probably thinking at least this sets a minimum threshold. However, we have a stark choice in front of us today. If we really want the message to go out, not just to the public, but literally and clearly to the States of Jersey Development Company or other States-owned companies that we want you to develop fully affordable homes and maximise those at every opportunity, that needs to be done. The second and last point I will make, again, it does echo what Deputy Ward said, but I am sure I will express it in my own particular way, coming from a recent arts, culture and heritage background, which was my brief role, but hopefully one where I made a mark in Government, I am very surprised to see, again, that we should still be relying on this defunct and morally outdated method of trying to ... I do not know if it is even outdated. I do not know if it was ever in vogue. However, to say that we expect the sale of prime real estate ... remember, in many cases this will be land which has been reclaimed, which you cannot really put a value on in those terms. We are saying we are going to sell off this land in large quantities just so we can pay for a few benches, couple of trees maybe, a bit of lawn, who knows, a statue or a piece of art that is going to be hidden away somewhere in a wind tunnel that nobody is going to see. I was reminded of the fact of how disjointed our public realm is when I have been walking around town, as I did last year with some members of the Parish of St. Helier before we organised the Corn Riots Festival. We look in particular at the area around Sand Street, where you realise that it has been terribly designed. You have benches which are designed in such a way not to be comfortable, in fact they are uncomfortable, because they deliberately do not want people lying down on them. Not that anyone would necessarily lie down on them. You have these bizarre Ruberoid tree mats that are put down where the trees are plonked into. There is no grass around; very, very bizarre. Then we have, of course, the Jersey Girl, the Rowan Gillespie hanging model, which is down by the Harcourt development opened in 2010. That has quite a lot of artistic merits as a sculpture, but it has been put down there as an afterthought. It is hanging there in a place where very few people can see it. It is not an area which we do very well in already. These things should really be funded, I believe, and I

have said it before, through a centralised pot of money. We do that by taking money from when developments are made, through some form of taxation, through some form of land development tax. We should be taxing the vast amount of profits that are being made, whether it is on States-owned land, which of course we should not be making vast amounts of profit on, or from private developments. They should be going into a centralised pot that can be used all across the communities. That was the whole point of my amendment in the Les Quennevais amendments, which was included there to the Minister, which he accepted, which said that there will be money becoming available that is used not just in St. Helier, that was my amendment, but can be used in all communities. We should not be relying on selling off the family jewels in order to pay for what Government should be routinely delivering in terms of its public amenity space.

[17:00]

This is a complete neoliberal model in which none of us should take any pride. We have seen where that gets us. It gets us to waterfront developments where they become like ghost towns. I do not need to give any examples about the improvements that could and should have been made at the waterfront and the missed opportunities. The only safe way here, and of course I hold my hands up, I am biased, this is party policy, but I know there are many people in the Assembly who have been very sympathetic to the drive that Senator Mézec is showing now and did show when he was Minister for Housing and Communities. That is about setting ourselves that ambitious but realistic target that the default position should be that we maximise these sites, not for profit but for the public benefit, which is affordable homes, be they rental or homes to buy.

8.2.4 The Connétable of St. Mary:

We have got to a point where we are not achieving the objective, which is providing areas of land for housing. Much needed housing. Affordable housing. My interpretation of affordable housing would be £250,000. This is possible if we change our method of build, which we need to do for ecological reasons anyway. If we have a site which only takes one house we should use it. That would be one more satisfied family; one less housing unit to provide. If there is States-owned land across the Island then it should be used. If we can use old glasshouse sites that have received grants for building then that should be subject to compulsory purchase if necessary. We need to address our lack of housing. We need to make that first step to buy cheaper. This is possible. Why are we not doing this? Our Minister for the Environment must have a list of these greenhouse sites which are derelict. Also a list of States land throughout the Island which could not be used for anything else other than to be used for real affordable housing. Could he please provide that information? We need to provide homes; not tomorrow, not now, we should have provided them yesterday. This is urgent. This should be happening. We need to provide 100 per cent real affordable housing on States land until we have satisfied the first-time market. Then if we have a surplus of States land it should be kept for future first time buyers.

8.2.5 Deputy K.F. Morel:

I am very pleased to follow the Connétable of St. Mary there. Senator Mézec has a habit of bringing propositions that can be tricky to navigate; and I mean that as a compliment, nothing else. They get you thinking and they test where you stand and what your thoughts are. Really all I have been doing over the past half an hour or so is testing myself, thinking about these things and trying to think through and trying to understand the implications of the Minister's amendment, Senator Mézec's amendment, and so on. I am going to speak to where I think I am although I am not entirely sure how I will vote at this moment, but I thought my confusion may help others. Ordinarily the Government and its officers and money spent by the Government - I assume as well by the arm's length organisations, States-owned entities, et cetera - are meant to be tested against a kind of value for money test, as set out in the Public Finances Law and also the Public Finances Manual. Senator Mézec knows very well because he will have heard this argument a thousand times. If you have an

area of States-owned land managed by the Government, because the Government does it on behalf of the States, if you have States-owned land managed by the Government, and let us say you can put 500 houses on there and to do so in the open market you would get back, say, £20 million. I am just pulling numbers from the air here. So you would get 500 houses, open market, £20 million comes back to the purse. The theory says you can then use that £20 million to go and build, let us say, 1,500 affordable homes somewhere else in the Island, whereas if you had used that States-owned land for purely affordable homes you would get 500 affordable homes but you might only bring in £5 million and so the value for money test says the States should earn the £20 million on its land and use that £20 million to go and then provide homes elsewhere. Of course, that is the 100 per cent economic view of this argument. The trouble - and to be honest it is economics because it is about scarcity - with that argument is it does not take into account the scarcity of land in the Island. As far as that is concerned I think the debates that we have just had over the last day and a half or 2½ days about green field sites show me absolutely where the States Assembly lies on this matter. The States Assembly in my view - and I am on the side of the Assembly I believe in this case - has said: "Look, we do not want you to concrete over green field sites because that is an utterly irreversible situation - that field can never come back - until the States-owned land, and that is land directly owned by the States, land owned by arm's length organisations and States-owned companies, until that land is exhausted. Until we know that you are using all of that land to provide as many homes as possible. Only then once that is done", and also, as the Connétable of St. Mary was saying, brownfield sites, glasshouse sites, derelict sites, use this land before you start turning to the pristine, in terms of agriculture pristine because it has been touched, it has been harmed, it is not natural green field sites. Of course that means we have 2 conflicting arguments. We have the value for money where the public purse is saying: "Earn your £20 million in order to spend £5 million building homes" versus the States, which I think has said pretty successfully: "We want to protect these green field sites, therefore, we want you to use the States-owned land to create affordable housing." We have also heard people talk about the value of community infrastructure versus the value of the land, and I have got to admit there I do find that, from the Minister's perspective, quite a weak argument that we need to sell it on the open market in order to do the community infrastructure upgrade. In the main, those community infrastructure upgrades seem to be kind of urbanisation, just making Jersey lose its own character, and I do not know. They do not seem very much ... I guess a lot of them are hidden and they might be sewers, they might be things like drainage, et cetera. I find the economics of this Island absolutely fascinating and I find this a really fascinating proposition because of that, because you have the value for money argument versus the scarcity of land argument, and at the moment I think we cannot ignore the scarcity of land and the States having said: "We do not want you to build on lots of green field sites." If it had wanted us to build on green field sites we would have all voted through St. Saviour and St. Helier and St. Ouen, and so on and so forth. The question then is should it be the Minister's 15 per cent, should it be Senator Mézec's 100 per cent, and that is the difficulty I have, Senator Mézec, is the complete inflexibility that you have there. But there is a moral argument, I accept there is a moral argument; is it a practical argument, I do not know. 15 per cent on the other hand seems so incredibly tiny that it does not seem almost worthwhile. So perhaps I have not helped the Assembly; perhaps I have just passed on my own confusion and my own fog to the Assembly, but what I do say is to those people who say: "No, the States has an obligation to get value for money, therefore, it should be free to do as much open market as it possibly can on its own sites." What I say to you is that is not what the States has said over the past 2 or 3 days. The States has made it clear that green field sites are to be protected, States-owned sites are to be prioritised for housing and, therefore, the value for money argument does fall away because we are saying we want the States to build on that land. We cannot on the one hand say: "Build on the States-owned land" and on the other hand say: "By the way you have got to maximise the money from States-owned land." Those 2 things do not match. You have to choose one or the other. I think so far the States has said build on States-owned sites and that means affordable housing effectively on States-owned sites. Hopefully, because a lot of it would be apartments, it would be 3 or 4-bedroomed, not one-bedroom

apartments, because I agree with the Connétable of Trinity when he said we need to stop building one-bedroom apartments. We need to build apartments that families can live in, which happens all over the rest of the world. That happens everywhere around the world, so 3 or 4-bedroomed apartments for families so they can live for years and years and years are where we need to be heading in this Island. With that confusion, thank you, I will end my speech.

8.2.6 The Connétable of St. John:

The Deputy may be shrouded in fog in the Chamber but I can report that it is very sunny here in St. John. We now have 3 arm's length organisations who are involved in development. Andium, S.o.J.D.C., and now it seems Ports of Jersey. In my opinion we only need one. The Minister for the Environment was not keen to talk about Ports, but I will. Let our very capable Ports of Jersey team focus on transport links and the provision of much-needed warehousing space at our ports. Their sustainability strategy launched last week is excellent, in my opinion. There is absolutely no need for them to become a housing developer now or in the future. Let transport remain as their core business and leave the developing to the developers. There are already sufficient development companies who can cater for office and/or open market properties. In my view we should be focused on providing what is needed for our community and what is needed now. Throughout the bridging Island Plan debate I, like others, have done my best to help our youngsters in our community while battling with the significant environmental challenges. I have to say that while accepting Senator Mézec's kind words I am disappointed that Reform did not support local Parish schemes, as I am sure that they do want something similar to many of us. We also need to do much better in looking after what we already have. Too often we allow our assets to fall into disrepair. In the debate about South Hill I supported the increased percentage for affordability. I also spoke about the opportunity of provision of accommodation for some of the key workers who we need. We need to provide accommodation that is good enough, not only to recruit these people but also good enough to retain them. But let us think a bit more about South Hill. For example, we have Andium who develop homes and do it very successfully, yet they lost out to S.o.J.D.C. for this development. How many units could Andium have provided on the same site? How much duplication is there? How often do both companies look at the same opportunities? The Minister spoke about some of the forthcoming sites, well, in my opinion the best people to develop all the sites he spoke about is Andium. I remind Members, we are in a housing crisis. We have people leaving the Island and others who would like to return to the Island who are not returning due to the price of housing. I do not think the Minister himself is convinced the infrastructure that he referred to could be achieved through other means, other than returns from S.o.J.D.C., and empty property tax, for example. Deputy Morel spoke about the benefit to fund additional homes if we raise more cash. Well finance is very, very important. The finite resource we have at present is the land, the land required that is suitable to develop, and at this time it is almost priceless. I see the original amendment as a lever that can be used and I think we find ourselves in a position that we should use all the levers that we have access to at this time. On that basis I will vote against the amendment to the amendment, and support the amendment.

[17:15]

8.2.7 Senator K.L. Moore:

I am very pleased to follow the Constable of St. John who gave an excellent speech. However, before following his entire train of thought I think we do need a little clarity on the subject still. It seems very apparent from the speeches from the Reform Jersey contributors to this debate that this is very much a return to the debate we had in November about the Jersey Development Company sites. In November Senator Mézec was asking for 30 per cent of housing to be made available for affordable housing, so the Minister here is perhaps trying to seek some remediation because the Assembly was

very definitive in its view in November. I think the proposition brought by Senator Mézec at that time was lost by about 7 or 9 votes, so we were clear that we did not agree with him back then when he was asking for 30 per cent on a more specific site area. But what confuses me today is the catchall that we are seeing in this proposition. Of course the bridging Island Plan is only for a 3 to 4-year period essentially, so that should perhaps clarify matters. But we do have a framework for the waterfront that is in place and of course has taken some investment to get to that point. We have other plans that are also in train but perhaps have not yet gone to the actual planning process. So what I really need to understand is will those projects be caught by this amendment to the amendment, or the amendment, if it is agreed by the Assembly? We really do need to know that because that would mean a complete revision of the plans that have been drawn up so far at the cost of the development company or others. I think that is really critical because we cannot keep moving the goalposts and we cannot flip-flop between our decisions. Either we agreed with Senator Mézec back in November or we disagreed and we had firm reasons for doing that. However well-intentioned his amendment might be today, if it is going to go back on our decision of November we simply cannot do that because it shows no clarity for anybody who is trying to do any sort of business in the Island. So, we do have to be a bit practical, however hard it might be. In listening to the debate, and the previous one, I have also taken a bit of time to look back on the Health, Social Security and Housing Scrutiny Panel's report on the housing transformation programme. We provided the full report in 2013 and some of the key findings then highlighted very clearly the need for the Assembly to focus on provision of affordable housing and to set a greater process in place to commit to delivering more affordable housing over the time period; of course we have failed which is why we are here now having to face really difficult questions. So, we must learn from that but also we cannot flip-flop and agree with our hearts without being a little bit practical. So, I do hope that in summing up the Minister will clarify whether there can be any carveouts for plans or frameworks that are already in place and moving forward, or whether we can in good heart accept Senator Mézec's amendment, which of course given the votes of the Assembly over the past few days, would entirely make sense because we all know that we need to deliver affordable housing. But I think we do need some safeguards in place for plans that are already well advanced.

8.2.8 The Deputy of St. Mary:

Like Deputy Morel before me I am slightly confused as to how the Assembly incorporates what it really wishes into these particular amendments. I am at one with most Members I think in saying that the States have not looked after their portfolio of land over the years very well, and we are at the situation where more should have been done releasing it for affordable housing. That is where we are. I also accept what Senator Moore has just said; we did agree a situation in relation to the waterfront and we cannot risk undoing it. The problem I have at the moment is this ... I am sorry, before I go, having fallen out with my Constable this morning I perhaps should say I firmly agree with his remarks about derelict greenhouses. It seems absolutely absurd to allow such derelict edifices to remain, if that is what they are doing, and keep them in being when at the same time we are taking green fields away. We are depriving ourselves of agricultural land at both ends and that seems an absurd situation. What I was about to say though is that Senator Mézec's amendment first to viability; now who is determine that viability? My concern is that, as the Constable of St. John said, we have property owned in 3 States-owned bodies, and I do not wish to cast aspersions on any of them, but it could well be that if Ports of Jersey for instance were to have their own plan for development they would argue that it is not viable on a certain basis. Does this amendment prevent them from doing it? Who is to determine that? In a curious way it seems to me that the Minister's amendment does give greater flexibility. Yes, I appreciate what he said about the 15 per cent being a low mark but it is within his power or his successor's power to increase that, but at least it does give that flexibility. My real concern is that if Senator Mézec's amendment is adopted as is, there is no flexibility and it does give rise to the possibility at least that one or 2 of the States-owned bodies might themselves seek to determine what is viable and what is not and we will get nothing for

affordable housing out of them. So my inclination - and I would be interested to hear what the Minister for the Environment has to say about this - is that we are better served if we could trust the as yet unidentified next Minister for the Environment to say what his plans were; that would be helpful. But we are in a difficult place, it seems to me, in reconciling what I think are the wishes of most Members with what appears in the amendment and the amendment to the amendment.

8.2.9 Deputy R. Labey of St. Helier:

I would absolutely like to endorse everything that Senator Moore just said. I think the Assembly will remember me saying - it might have been in the waterfront debate - that the biggest threat to our arm's length bodies, Ports, S.o.J.D.C., Andium Homes, reaching their goals, achieving their aspirations, hitting their targets, the biggest threat to them doing that is this Assembly. Political decisions, political indecisions, political U-turns. That is what we will see here. My understanding, I say to the Senator, is that the waterfront development is not captured by the Minister's amendment but is captured by Senator Mézec's amendment. Forgive if I am wrong; I am sure I will be corrected. What we have here from some Members here is the conflation of the housing issues. It must be remembered that the pressure for building on green fields has come from the Parishes where those green fields sit, because they are looking to help those first-time buyers in their Parishes who want to buy and want to stay in the Parish, and those considerable number of people - amazed by the amount of people - who have expressed a desire to downsize, releasing another property. So you could turn the waterfront into Soviet-style khrushchyovka, the buildings for the masses, without any of the infrastructure that is planned for there but that would still not take away all the pressure from the Parishes themselves and their parishioners wanting to move within their community. Sometimes I wish I was a member of Reform Jersey because it would have been lovely to sit through this debate just saying no to all the green field development, and it was really, really tough for me. I did not do it with all of them, I tried to hold the line with what the Farmers' Union was saying but I did not always do that, but in the end something had to give because do we want to send out the message to all those people on the Gateway: "Do not think you will ever have a chance of living in St. Mary, St. Ouen, St. Peter, Trinity, St. John, St. Martin, Grouville." Surely that is not the message we want to send out. The other conflation is the idea from Reform that we should not build on any green fields until we have occupied the 3,000 empty homes currently in the Island. Well, look, we cannot wait at any rate, we have to get cracking. We are getting cracking. But the 3,000 figure is from 11 years ago, it is from a census 11 years ago. With that figure of 3,000 we do not know if the home was empty just on the day the census was taken, or for a week, or for a month, or people were on holiday. I do not think there are 3,000 empty properties on the Island at the moment and I can reassure the Assembly that I am working on empty properties. We have started that work in the autumn and it is continuing, and we are going to talk about that at the next sitting with Deputy Tadier's proposition. I hope we are not going to have to rerun the waterfront debate. It is important to remember that it is a planning application now; it is due to go to an independent public planning inquiry in the autumn of this year where everybody will be able to have their say. Do not forget it was very, very widely consulted upon before the plans were drawn up. If all goes according to plan, S.o.J.D.C. will be able to in 2023 start selling off plan those apartments. So in 18 months' time we could be in that situation giving 550 first-time buyers the opportunity with assisted purchase, either the pay as you go deposit scheme or, at the moment, 15 per cent shared equity - we are hoping to get that figure up and I think we can do it - giving them the chance to get a foot in the ladder and see a light at the end of the tunnel and pay their deposit as they go and have some hope. It must not be forgotten that you cannot equate that development with the developments on the green fields or on other States-owned sites because it is starting from scratch on the waterfront in having to put in ... you would probably have to put in £50 million worth of infrastructure, but because they want to make this a destination for all Islanders

with pools and parks and all the other goodies, as they term it, down there; restaurants, the art house cinema, all the different shops and restaurant places and all those pools. Building occupies about 30 to 35 per cent of that site; the rest is open space public realm. It is also going to provide lots of opportunities for those who do want to downsize to St. Helier again releasing their properties, and I know that the top 30 per cent high pricing is a difficult pill to swallow for a lot of us, but it is buying £150 million worth of infrastructure without recourse to the taxpayer, the public funds.

[17:30]

The waterfront does need people down there now because some of the restaurants have been finding it hard to survive. It needs a lot of people down there to support the restaurants that are down there and the new ones. It is the inflexibility of the Senator's original amendment that is just too much to stomach, and I am sure that with our arm's length bodies we can get that 15 per cent up and if their starting a scheme knowing that is the minimum I am sure they will do their best to get that minimum higher. I know that Lee Henry from S.o.J.D.C. is working to find ways to get that 15 per cent up on the waterfront, and we are making some progress there. But none of them want this amendment from Senator Mézec. One of the best parts of my job, the one I most enjoy, is meeting with Andium and Ports of Jersey and S.o.J.D.C. and we have really good meetings. I just think the Island is really lucky to have the ladies and gentlemen who are running those organisations who are so committed. I am trying to bring them together - because they are not in competition with one another - and into Government sitting on the Regeneration Steering Group as members of that so that we can tap into their knowledge. I hear what the Constable of St. John was saying, he has got a very particular take on Ports of Jersey, perhaps because of his eminence in logistics, but let us at least give Ports of Jersey a chance to show us what they want to do. I know that scheme already includes - because they are not daft - provision for assisted purchase housing.

The Deputy Bailiff:

Deputy, there is a point of clarification from the Connétable of St. John.

Deputy R. Labey:

Yes.

The Connétable of St. John:

The Minister said it was down to the Parishes that we are having to build on green fields. Would the Minister agree that it is actually the Minister for the Environment who has brought some of the sites for debate and not just the Parishes?

Deputy R. Labey:

Yes, of course. The Constable of St. John's progress through this debate has been exemplary, but I was just acknowledging the existence in the Parishes themselves of those first-time buyers and empty nesters who would like to stay near or in their communities.

The Connétable of St. John:

Thank you.

Deputy R.J. Ward:

Sir, can I call for the adjournment please?

The Deputy Bailiff:

The adjournment has been proposed by Deputy Higgins in the chat and seconded by Deputy Martin. Does any Member wish to speak on the adjournment? The States stand adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:33]