

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 30th JUNE 2020**

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[9:33]

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

**The Deputy Bailiff:**

### **1.1 Welcome to His Excellency the Lieutenant Governor**

Turning to the Consolidated Order Paper. Firstly, on behalf of all Members, I should like to welcome His Excellency the Lieutenant Governor to the Chamber this morning.

## **APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

### **2. Nomination of Deputy K.G. Pamplin of St. Saviour as a member of the Economic and International Affairs Scrutiny Panel**

**The Deputy Bailiff:**

There is a nomination of Deputy Pamplin of St. Saviour as a member of the Economic and International Affairs Scrutiny Panel. Is that nomination seconded? **[Seconded]** Are there any other nominations? Deputy Pamplin wishes to speak.

#### **2.1 Deputy K.G. Pamplin of St. Saviour:**

I just wanted to put on a matter of record for Hansard and the general public, for those who were unaware, I was an original member of this panel at the beginning of the term. I quite fancied working alongside Deputy Morel and the panel that he put together. Unfortunately other commitments took over so I had to step away but it was always the intention, if successful, with the panel's approval to return to this extraordinary brilliant panel at this time when the economic needs of the Island are going to be a massive situation for all of us. I thank the panel members for accepting me back on the panel and I hope that makes it clearer for members of the public.

**The Deputy Bailiff:**

I note from the chat and confirm that Deputy Pamplin has been proposed and seconded. In the default of there being any other candidates I declare that Deputy Pamplin has been appointed as a member of the Economic and International Affairs Scrutiny Panel.

## **QUESTIONS**

### **3. Written Questions**

#### **3.1 Deputy K.F. Morel of St. Lawrence of the Chief Minister regarding Government of Jersey contracts with EY: (WQ.233/2020)**

##### **Question**

Will the Chief Minister advise how many Government of Jersey contracts have been awarded to EY since 1st January 2018, to include contracts to EY offices in Jersey and in any other location, and in relation to each such contract awarded to EY will the Chief Minister advise –

- (a) whether a tender process was carried out;
- (b) what the purpose of the contract was;
- (c) what the value of the contract was; and
- (d) what the duration of each contract was?

##### **Answer**

The information requested is detailed within the table below: -

a. Was a tender process carried out	b. Contract purpose	c. Value of Contract	d. Duration of contract
No	<b>Efficiencies Programme COO (2020)</b> Continuation of delivery programme for Efficiencies programme	£198,764	4 months
No	<b>Efficiencies Programme CYPES</b> 1. Support to develop and produce a plan for delivering CYPES efficiency savings, assisting with design and validation	£105,000	3 months
No	<b>Efficiencies Programme JHA</b> 1. Identify opportunities for efficiency savings 2. Delivery of outline opportunities for efficiencies 3. Delivery of detailed plans for realisation of Efficiencies	£108,000	3 months
No	<b>Efficiencies Programme Stages 1-4 Accelerated Portfolio COO</b> 1. Identification of efficiency opportunities 2. Verification of efficiency opportunities and commissioning of activity to deliver efficiencies 3. Oversight and reporting of delivery of efficiencies, including governance and decision making	£860,696	12 months
No	<b>Efficiency Programme HCS</b> Support to develop and produce a plan for delivering HCS efficiency savings, assisting with design and validation with focused areas e.g. CIPs, agency reduction, P82 funding	£564,533	12 months
Yes	<b>Finance Transformation Partner T&amp;E</b> 1. Consolidation of the Finance Function 2. Coaching of Treasury Staff 3. Co-creation of the Government Plan 4. Outline Business Case for Integrated Technology Solution 5. Enterprise Risk Management 6. Financial Process Review and Improvement 7. Accounting Automation Implementation 8. Zero Based Budgeting	£2,850,000	24 months
Yes	<b>Revenue Jersey - Provision of Tax Advice</b> 1. Jersey approach OECD review of the Taxation of the Digital Economy T&E	£70,000	4 months

Yes	<p><b>M&amp;D Transformation Partner COO</b></p> <ol style="list-style-type: none"> <li>1. Target Operating Model (TOM) for the States of Jersey Modernisation and Digital Function</li> <li>2. The discovery, design and implementation of a Corporate Portfolio Management Office (CPMO)</li> <li>3. The discovery, design and implementation of a States of Jersey Digital Strategy including investment case</li> <li>4. The discovery, design and implementation of a Business Architecture function including COVID response</li> <li>6. Cyber Security Programme Initiation Phase</li> <li>7. Programme Management of contractual activities.</li> </ol>	£3,600,000	27 months
Yes	<p><b>Our Hospital Financial &amp; Commercial Advisory Services OCE</b></p> <ol style="list-style-type: none"> <li>1. Development of the Business Case including the Economic Case (including Value for Money analysis), Financial Case (including financial modelling and affordability assessment) and Commercial Case (including procurement strategy)</li> <li>2. Financing including debt funding options and execution.</li> <li>3. Accounting and Tax advice.</li> <li>4. Procurement support including support in development of financial and commercial aspects of bid documentation, support in bidder engagement and dialogue and evaluation support.</li> <li>5. Other financial and commercial advice as required including providing support in areas such as financial and commercial modelling.</li> </ol>	£800,000	19 months
No	<p><b>Provision of Interim Head of Technology M&amp;D</b></p> <p>Emergency requirement as a result of COVID to provide senior resource to manage IT operations government infrastructure estate</p>	Commercial in Confidence*	7 months
Yes	<p><b>Project Torrin - Financial Advisory Services T&amp;E Framework Contract</b></p> <p>Call off contract for financial advice on ad-hoc basis including: -</p> <ol style="list-style-type: none"> <li>1. Borrowing advice repayment of the pension increase debts</li> <li>2. Report providing the indicative debt capacity of the seven wholly or partly owned companies</li> </ol>	£132,331 (expenditure between 2018-2020)	24 months

No	<b>Project Bailiwick (T&amp;E)</b> Urgent C19 response. Advice on raising a new debt facility.	Up to £400,000	3 months
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\*As the contract outlined is for a specific role the contract value has been omitted to not breach commercial confidentiality.

### **3.2 Deputy K.F. Morel of St. Lawrence of the Chief Minister regarding Government of Jersey contracts with J3 Limited: (WQ.234/2020)**

#### **Question**

Will the Chief Minister advise how many Government of Jersey contracts have been awarded to the construction consortium J3 Limited since 1st January 2018 and, in relation to all such contracts awarded to J3 Limited, will the Chief Minister advise –

- (a) whether a tender process was carried out;
- (b) what the purpose of the contract was;
- (c) what the value of the contract was; and
- (d) what the duration of each contract was?

#### **Answer**

J3 Ltd have been awarded a total of 4 contracts since 1<sup>st</sup> January 2018.

The first two contracts were; contract for Future Hospital Project Pre PCSA Part 1 and contract for Future Hospital Project Pre PCSA Part 2.

Both contracts were awarded as a result of a competitive tender process.

The purpose of the two contracts was to assist the project team with the preparation and submission of a revised outline planning application for the Future Hospital Project as well as progression of the design in preparation to commence the project in anticipation of the possibility of a positive planning submission outcome.

The combined value of the contracts was £2.8m

The duration of the contract for Future Hospital Project Pre PCSA Part 1 was 3 months

The duration of the contract for Future Hospital Project Pre PCSA Part 2 was 10 months

The third contract was Property Services.

J3 were procured under exemption from Financial Directions.

The purpose of the contract was for the development of a draft Island Public Estates Strategy.

The value of the contract was £676,000

The duration of the contract was 7 months

The fourth contract was The Construction of a Temporary 180 Bed Acute Respiratory Field Hospital (Nightingale Hospital)

J3 were procured under exemption from The Public Finances Manual.

The purpose of the contract was to design and construct a temporary 180 bed Acute Respiratory field hospital utilising a Neptunus Evolution II modular design for the management of COVID-19 patients.

The value of the contract is £5,900,000 (estimate based on latest cost forecast)

The duration of the contract is 4 months

Contract Title	Supplementary Information if Required
Pre PCSA Pt 1	J3 were chosen as a result of their success in the open procurement competition to identify and appoint a design and delivery contractor for the Future Hospital Project
Pre PCSA Pt 2	
Property Services	<p><b>J3 were procured under exemption from the Public Finances Manual due to the urgent nature of the work required and the availability of J3's well-resourced and experienced on-Island team.</b></p> <p>Following a critical C&amp;AG Report on Operational Land and Building the Public Accounts Committee insisted on prompt action and progress ahead of a further review meeting in June 2019.</p> <p>As well as the definitive time pressures insisted upon by PAC the work around the IPES was an essential piece of work to support the Economic Framework, Island Plan, infrastructure fund and Government plan.</p> <p>The J3 team of experienced professionals with the capability and capacity were available following the cessation of the hospital project to carry out the required services associated with the IPES.</p> <p>To ensure suitability of the J3 team, due diligence on the capacity and capability took place ahead of placing a contract as well as securing an improved blended day rate from that charged on the Future Hospital Project.</p>

Nightingale Hospital	<p><b>J3 were procured under exemption from the Public Finances Manual due to the urgent nature of the work required and the availability of J3's well-resourced and experienced on-Island team.</b></p> <p>Of the estimated £5.9m total contract value over 90% of this will have been spent by J3 on behalf of GoJ in the local supply market. This approach was beneficial to the industry during this difficult time. 520 locally employed construction workers worked on the project and 83 of the 89 supply chain partners were jersey businesses.</p> <p>The approximate value of this contract to J3 themselves is £550,000 which consisted of the agreed mark-up for management of the supply chain and their own labour rates. J3 are also a locally registered business.</p> <p>Through J3's links with Sir Robert McAlpine they had access to current up to date knowledge and lessons learned from UK Nightingale Hospitals that were under construction in Manchester and elsewhere. This saved the project approximately 4 weeks of design allowing construction to commence just 8 days after the initial briefing from the GoJ.</p> <p>The J3 team were available to commence work immediately which gave us leverage to renegotiate pricing leading to rates being negotiated down from previously tendered rates in 2017 for the Future Hospital Project.</p> <p>The J3 team have good working knowledge of the Island and relevant supply chain which was critical to the success of the project as well as experience of working with GoJ.</p> <p>The Completion date for the works was early May, however, the contract will still be in effect until GoJ sign off the final payment which is estimated to be end of July 2020.</p>
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### **3.3 Deputy K.F. Morel of St. Lawrence of the Minister for Infrastructure regarding the use of U.K. companies for the laying of road surfaces in Jersey: (WQ.235/2020)**

#### **Question**

Will the Minister advise whether any U.K. companies have been used to lay road surfaces in Jersey since 1st January 2017; and if so, will the Minister provide a list of the projects on which they were engaged, the value of the contracts and the reasons why non-Jersey companies were used?

#### **Answer**

A UK based company has been employed to lay a product called "Gripfibre" on certain Government of Jersey roads since 1<sup>st</sup> January 2017. Gripfibre is a specialist road surfacing product generically referred to as micro-asphalt.

Micro asphalts are applied to existing road surfaces which are "tired" and have a polished and slippery surface, joints caused by service interventions which can let damaging water into the structure, but which have a residual strength and life. Micro-asphalt extends the life of such road surfaces in a cost-effective way by sealing the road surface from the ingress of water, adding a thin

layer of asphalt to slow the oxidation of the existing asphalt layers and return the skid resistance of the road to an as new condition.

Extending the life of existing road structures with residual strength is not only a cost-effective technique, but also more environmentally sustainable than the alternative of removing and dumping the existing asphalt at the La Collette landfill, and replacing it with freshly quarried aggregate.

The laying of Micro-asphalt surfacing is also a fast process, and this can be advantageous by reducing the time that roadworks impact on and disrupt the public.

There are currently no local suppliers of Gripfibre micro-asphalt or an accredited equivalent on Jersey, this is a nationally accredited process (British Board of Agreement) requiring specialist skills and plant. Suppliers of this type of specialist product typically work nationally, rather than within local areas.

The projects where micro asphalt has been used since 2017, with costs, are:

<b>Year</b>	<b>Roads to which Gripfibre was applied</b>	<b>Value of the contract</b>
2019	Rue des Sapin La Route des Hetres La Route de Trodez La Route de Millais	£460,000
2018	St Peters Valley Le Mont de la Pulente La Rue de Sergente La Rue de Bel Air and Eden Lane	£530,000
2017	La Route d'Ebenezer La Rue de la Petite Falaise.	£220,000

Note: Included in the sums paid for the micro-asphalt are monies paid to local subcontractors employed by the UK Contractor for certain operations required as part of the work, such as white line removal, ironwork adjustments, road sweeping, white lining replacement and traffic management. Local asphalt laying companies are also used in advance of the micro asphalt works to correct any defects in the road surface that the micro-asphalt cannot correct.

Typically £4.5 to £6.5 million is spent on planned highway maintenance per annum.

### **3.4 Deputy C.S. Alves of St. Helier of the Minister for Education regarding the provision of virtual learning materials to schoolchildren: (WQ.236/2020)**

#### **Question**

Will the Minister advise what work, if any, will be undertaken during the school holidays to invest in better virtual learning materials for schoolchildren, to address the prospect of a second wave of Covid-19 later this year that would further disrupt their education?

#### **Answer**

Wide ranging, significant, financial and non-financial investment has already been made to improve virtual learning for school children.

Staff and students at all schools now have Microsoft Teams and all staff email accounts have now been migrated to Office 365 enabling access on any internet enabled device, at any time. Staff training has taken place to increase knowledge and skills with new or current software that enable virtual learning.

The Learning at Home website was launched 30th April and has been accessed by over 4,500 users with over 15,000 unique page views.

<https://learningathome.gov.je/>

Digital Jersey has worked with the local Telecoms companies to enable a free broadband offer for school children, adult learners and those leaving care who do not currently have a broadband connection.

<https://www.gov.je/news/2020/pages/freebroadband.aspx>

From the start of lock down schools were loaning devices out to families and currently have in excess of 300 devices out on loan. Additionally, 300 more devices have been ordered to increase the stock available to loan to children who do not have access to a suitable device.

<https://www.gov.je/News/2020/Pages/OnlineDevicesOrdered.aspx>

A second wave is seen internationally as likely to happen during the winter, however, with our current test and trace approach we are following a strategy of very low active cases and interrupting any spread of new infections through the contain strategy. Any mitigation measures will be considered based on the nature of a new outbreak, the location and numbers. Based on international research and studies, it has been shown that generic school closures and indeed the opening of schools, did not have a considerable impact on the spread of the infection as children are unlikely to get infected and to pass the infection on if infected.

Schools are welcoming all year groups of children back last week and this, with a focus on their well-being. Once returned to school, teachers and staff are also assessing any learning loss that may have occurred and will be planning to address this with officers in my Department. Due consideration will be given here, once we can fully assess our children and young people.

### **3.5 Deputy C.S. Alves of St. Helier of the Minister for Social Security regarding the Covid Related Emergency Support Scheme: (WQ.237/2020)**

#### **Question**

With regards to the recipients of Covid Related Emergency Support Scheme (C.R.E.S.S.) who receive payments via the Bankers' Automated Clearing System (B.A.C.S.), will the Minister advise –

- (a) how frequently are such payments made;
- (b) if an applicant's payment is rejected or fails, how promptly are payments re-issued;
- (c) in the event of a failed or rejected payment, does the Government proactively notify the recipient or does responsibility lie with the recipient to contact the Government;
- (d) how many individuals have contacted the Government about missing payments; and
- (e) how many of these missing payments have not yet been followed up or re-issued?



## **Answer**

- (a) CRESS Payments are paid weekly in arrears.
- (b) Payment re-issues will depend on the circumstances of why the BACS payment was rejected. See (d) for more detail.
- (c) Re-issues are agreed with the claimant on a case by case basis, typically by providing a double payment of benefit in the following week. If a customer indicates that they are in immediate hardship and cannot wait this long, the customer can arrange to collect a cash payment from CLS by appointment.
- (d) Where CLS is aware of a returned BACS payment staff will investigate the reason for rejection and contact the customer where possible. If a customer is missing a payment of benefit and has not received any communication from CLS about this, they should contact the CRESS team.
- (e) The question does not specify what is meant by “missing payments”. The most common reason for a BACS payment failure is that the payee’s account details provided by the customer are incorrect. If a customer provided incorrect bank account details on their application submission, CLS staff will contact the customer to confirm the correct account details. CLS does not hold records that would make it possible to report on the specific reasons that individuals have contacted the CRESS team.
- (f) When CLS is aware of a BACS payment being returned, this will be followed up and re-issued where applicable. Of the approximately 2,550 payments of CRESS benefit up to the 21/06/2020 there have been 53 BACS rejected payments, reflecting less than 3% of total payments. All of these rejected payments have had appropriate action taken.

### **3.6 Deputy C.S. Alves of St. Helier of the Minister for Children and Housing regarding provisions for accessibility in newly-built social housing: (WQ.238/2020)**

#### **Question**

Will the Minister advise whether new social housing under construction includes disabled access and adaptable living environments to suit a range of disabilities, including access difficulties that result from ageing; and if so, how many units (and what percentage of the total) conform to these criteria?

#### **Answer**

All new social housing must meet the ‘Lifetime Home Standard’ and be designed to ensure that individuals with supported housing needs, including older people and people with disabilities, are able to access living environments that are suitable for their needs.

Where an individual has a demonstrable housing need that cannot be readily met in social housing, agencies, including Andium Homes, the Housing Gateway, and Health and Community Services – will work together to develop a bespoke housing option for the individual.

Andium Homes is currently on site delivering over 700 new homes. All such homes are developed in line with current Jersey Building Byelaws, which require new homes to be accessible by all and adaptable for the aging population. This is in line with the Discrimination (Disability) (Jersey) Regulations.

- The Building Byelaws set standards which aim to ensure the health and safety of people in and around the buildings, promote energy efficiency and aim to provide access for all, which will include disabilities. Whilst the Byelaws cater for the majority of disabilities, individuals may have very specific needs. Andium has a dedicated Medical Adaptation budget for this purpose.

Andium Homes is also: -

- Working with Health and Social Services to deliver a new purpose-built facility for two clients with significant complex medical and social needs.
- Working with Health and Social Services to deliver 10 x apartments at the newly built Le Squez Phase 4 for clients with Learning disabilities, whilst seeking additional opportunities on future developments that may be suitable for those with varying needs and support.
- Working with Children’s Respite Service at Eden House to deliver an extension to the existing facility, whilst seeking opportunities to provide an additional building on future developments.
- Working with Autism Jersey to deliver a new purpose-built facility from which it can deliver its support services, along with several “autism friendly” homes within the development of the Ann Street Brewery site.
- Working with Age Concern Jersey to deliver a new purpose built and fully accessible headquarters for the charity.
- The only social housing provider with a dedicated annual budget of £220k for medical adaptations in existing housing stock, 168 such adaptations were carried out in 2019.
- Andium works closely with the Occupational Therapy Services to ensure adaptations are carried out to the specific needs of the client.
- Andium Homes will also offer clients in bedsits and one bed apartments the choice of a bath or shower as part of its Bathroom Replacement Programme, and larger units if there is a medical need.

### **3.7 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding the Drugs and Alcohol Strategy: (WQ.239/2020)**

#### **Question**

Will the Minister provide an update on the current activity of, and any recent outcomes from, the Drugs and Alcohol Strategy?

#### **Answer**

I can confirm that we are currently working to the Building a Safer Society Strategy (BaSS), specifically Strategic Priority 3: ‘To minimise the harm to individuals, families and communities caused by drugs and alcohol’.

<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/BaSS%2016%20-2019.pdf>

The following is a summary of the current activity and recent outcomes from an Alcohol and Drug Service (A&D) perspective based on the objectives which relate to the service:

1. The team has the following established pathways:
  - Alcohol Pathway
  - Opiate Substitute Treatment
  - Arrest Referral
  - Needle Exchange and harm reduction
  - Young Persons Substance Misuse Worker (YPSMW)
2. The A&D Service has an established multi-disciplinary team – a dedicated Consultant Psychiatrist, Consultant Psychologist and Social Worker (established under BaSS)
3. The A&D Service, through the Alcohol Pathway, runs clinics in GP surgeries and other community clinics (away from traditional A&D location to reduce stigma). Hospital Alcohol Liaison Nurses work from within the Emergency Department and wards in JGH
4. The A&D Service was running a Shelter Clinic at Aztec House (suspended in the last few months)
5. The A&D Service has developed close working relationships with Jersey Probation and After Care Service (JPACS) and the States of Jersey Police Service (SoJPS)
6. Under Strategic Priority 3 the following have been met by A&D service:

**Objective 1** – A YPSMW is now in post and works alongside the youth services providing support. The Service provides holistic support for people under the age of 25 who wish to address their dependence or harmful polysubstance misuse.

**Objective 2** – A Court Liaison Officer was in post working from both A&D and JPACS, funded through JPACS. Both agencies looking to review the post, but needs (deferred decisions and Parish Hall enquiries) are temporarily met by A&D

- The A&D Service has an established Opiate substitute programme with dedicated prescribers (Consultant Psychiatrist, sessional GP and Nurse Prescriber) and 4 Substance Misuse Nurses

**Objective 3** – Needle Exchange and harm reduction workers provide all equipment required by people who inject drugs, including harm reduction advice and overdose prevention advice. They also provide Blood Borne Virus (BBV) advice including offer of testing for BBV through dry blood spot testing. Specific support and information are also given to steroid users. A Specialist BBV Nurse clinic is run from the A&D Service, offering treatments for Hepatitis C, including additional liver screens

- 2 GP prescribers were recruited (although one has since retired) to prescribe for drug users
- the WellWoman and GUM clinic offer contraceptive support to A&D clients. A&D also continues to provide free contraceptives and sexual health advice to service users. Pre-Covid 19, plans were being put in place to develop a sexual health clinic at the A&D Service

**Objective 5** – (information covered under objectives 1, 2, 3 above)

**Objective 6** – Specific pathways in place between A&D Service and JPACS for supporting clients on Probation Order Treatment Orders and Binding Over Treatment Orders.

- The Arrest Referral Pathway working within police custody, supporting the Parish Halls with parish hall enquiries and deferred decisions. The Arrest Referral Pathway also offers support to clients who require psycho-social support drugs like cannabis and cocaine
- A Substance Misuse Worker is now in post at SoJPS, linking in with the A&D Service.

### **3.8 Deputy C.S. Alves of St. Helier of the Minister for Treasury and Resources regarding the co-funded payroll scheme: (WQ.240/2020)**

#### **Question**

Will the Minister confirm what checks, if any, are in place to ensure that those businesses applying for the co-funded payroll scheme are doing so out of true necessity and are not, for example, working as normal and delaying invoices to clients in order to appear to need financial support while paying their workers a minimum amount?

**Answer**

All businesses making a claim under the Government Co-Funded Payroll Scheme (CFPS) are required to make a declaration that, in the month for which a claim is made, the business has suffered a 30% reduction in turnover compared to an equivalent trading month. When making this declaration, businesses are required to calculate their turnover in line with accruals accounting rules. These require that revenue is allocated to the month that products or services were delivered irrespective of when the invoice is raised.

An audit process is in place to review claims made under the CFPS. When claims are audited, businesses will be required to provide suitable evidence to demonstrate that they have correctly calculated their turnover in line the Scheme's accounting rules and have therefore genuinely suffered a fall in turnover of at least 30%.

**3.9 Deputy R.J. Ward of St. Helier of the Chief Minister regarding the advice of the Scientific and Technical Advisory Cell: (WQ.241/2020)**

**Question**

Will the Chief Minister advise what political decision-making process is followed for receipt, and deciding upon, health advice from the Scientific and Technical Advisory Cell (S.T.A.C.) in relation to the Covid-19 pandemic and, in particular

- (a) are individual Ministers able to make decisions separate from, or contrary to, the advice;
- (b) what collective consultation, if any, is undertaken with the Council of Ministers; and
- (c) how is a final position decided in relation to physical distancing and who has the final say politically on the decisions made?

**Answer**

- (a) Throughout this crisis Ministers have considered, and consistently taken decisions in line with, medical advice. Notwithstanding that, Ministers are the decision-makers, not our valued medical professionals.
- (b) As part of wide and extensive governance processes, matters of wide importance have been considered by the Council of Ministers, including matters such as: travel advice; schools, including phased approach to reopening; physical distancing; shielding; the Stay at Home instruction; the COVID-19 Strategy; and the subsequent move through the levels; emergency legislation; payroll support scheme; the covid-related emergency benefit scheme; construction industry permit system; the nightingale wing; reporting of deaths; ethical framework; and testing and tracing.
- (c) The physical distancing guidance has been considered and endorsed by the Council of Ministers, following consideration by the Competent Authority Ministers and the Emergencies Council, but the statutory responsibilities have been exercised by the Minister for Health and Social Services.
- (d) For example, the most recent decision on physical distancing was endorsed by the Competent Authority Ministers on the 23<sup>rd</sup> June, and by the Council of Ministers on the 24<sup>th</sup> June, and noted by Emergencies Council on the 25<sup>th</sup> June. The Health and Social Services Minister then signed

an Order on the 25<sup>th</sup> June to remove the offences for refusing to obey a direction to move to 2 metres apart.

### **3.10 Deputy R.J. Ward of St. Helier of the Minister for Infrastructure regarding the provision of solar panels at the new Les Quennevais School: (WQ.242/2020)**

#### **Question**

Will the Minister advise –

- (a) what percentage of the roof space of the new Les Quennevais School will be covered by solar panels;
- (b) what plans, if any, there are to enlarge this coverage in order to increase the generation of electricity both for the school and for the local population; and
- (c) whether this incorporation of solar panels, and the resultant generation of electricity, will be considered as an investment for infrastructure projects during the Island's recovery from Covid-19 as a means of improving Jersey's sustainability for the future?

#### **Answer**

- (a) The North Facing pitches are not suitable areas for PVs. Of the best and useable 1050m<sup>2</sup> of South Facing Pitched Roof 15% of it (160m<sup>2</sup>) has been used.
- (b) Further deployment of PV is expected as the technology of the systems and efficiency of energy generation improves and the cost effectiveness of the equipment makes it increasingly affordable.
- (c) Improving sustainability is a central ambition of the government and the GHE department. Solar power is often difficult to justify on a purely commercial basis as the power produced is not always consistent and the "buy back" and "stand by" rates are not always favourable commercially, however, renewable energy in a variety of sources is routinely considered for all projects, and indeed the new Les Quennevais school also has 11 Air Source Heat pumps installed to augment the climate control.

From an environmental standpoint on buildings with say, a 20 year plus lifespan, solar panels may well make good sense. Designing solar into a new build is easier and more cost effective than retrofitting solar to old buildings.

### **3.11 Deputy R.J. Ward of St. Helier of the Minister for Social Security regarding errors in the payment of benefits by the Department of Customer and Local Services: (WQ.243/2020)**

#### **Question**

Will the Minister advise –

- (a) how errors in the level of payments made to claimants by Customer and Local Services are monitored, including how such errors are recorded and how they are reported to the Minister for any decisions required about the enforcement or cancellation of repayments; and
- (b) who takes the final decision regarding the enforcement of a repayment following an over-payment made to a claimant?

#### **Answer**

Customer and Local Services administers a wide variety of services for a number of Ministers covering a range of legislation.

For all services and payments, the potential risks are assessed, and an appropriate level of control and checking is put in place to reduce potential errors (both customer and departmental) and fraud. Monitoring of performance (and therefore errors) takes place through a range of approaches, including colleague appraisals, team meetings, performance meetings, relevant exception reports, write off logs and quarterly risk meetings. All payment transactions, customer interactions and therefore any payment errors are recorded on the appropriate departmental business system. The department proactively seeks feedback from customers on the service it provides. In addition, the OneGov customer feedback policy also sets out the process for handling customer complaints.

If a benefit claimant wishes to challenge a decision about their benefits, they can first request that their decision is reviewed by a different officer. Following a second decision, there is the right of appeal to an independent tribunal. For benefit payments, Determining Officers can refer cases that have exceptional circumstances and fall outside of guidelines to the Minister for Social Security for a Ministerial Decision. This can include decisions about the enforcement or cancellation of repayments.

Final decisions about enforcement of overpayments to a claimant are made by the relevant Determining Officer according to departmental guidelines and within the financial limits of the departmental scheme of delegation.

### **3.12 Deputy R.J. Ward of St. Helier of the Minister for Treasury and Resources regarding administration of the loans provided to Andium Homes: (WQ.244/2020)**

#### **Question**

Will the Minister, as shareholder representative, state –

- (a) how much has been repaid to the States by Andium Homes in each of the last 5 years; and
- (b) how much of the loan debt has been repaid as a result and what the remaining balance is of this loan?

#### **Answer**

- (a) Capital repayments made by Andium on States Loans are detailed below for each of the last 5 years:

2015	£927,000.00
2016	£3,433,000.00
2017	£1,550,000.00
2018	£8,898,000.00
2019	£23,044,000.00

- (b) Loans are issued to Andium on a project by project basis. Repayments from Andium back to the Housing Development Fund are then used to fund subsequent loans to Andium to progress new projects. The total repayments in the last five years are £37,852,000.00. The total outstanding capital value of loans as at 31/5/20 is £204,791,000.

### **3.13 Deputy R.J. Ward of St. Helier of the Minister for the Environment regarding the Government's consideration of measures to address climate change: (WQ.245/2020)**

#### **Question**

Given the pressure on monies put aside to tackle climate change, as agreed by the States Assembly, and the discussions over the nature of the recovery from Covid-19, will the Minister advise what

consideration or discussion, if any, has taken place either at the Council of Ministers or within his Department in relation to –

- (a) the ‘Climate Change and Small States: Parliamentarian’s Toolkit’ produced by the Commonwealth Parliamentary Association; and
- (b) the U.N.’s 17 Sustainable Development Goals?

**Answer**

Due to the redeployment of staff into the COVID-19 public health policy response this has not yet been explored by officers or been brought to the Council of Ministers. It is recognised that this is important and as staff and effort returns to business to usual levels this workstream will be re-considered as part of the resumption of the Climate Emergency work.

**3.14 Deputy M. Tadier of St. Brelade of the Minister for Treasury and Resources regarding the statue of Sir George de Carteret in St. Peter: (WQ.246/2020)**

**Question**

Will the Minister state what Government grant, if any, was given to fund the statue of George de Carteret in St. Peter; and, if such a grant was given, will the Minister advise who requested it, who approved it and what due diligence, if any, was undertaken before the grant was agreed?

**Answer**

No Government grant was given to fund the statue of George de Carteret in St. Peter.

**3.15 Deputy M.R. Higgins of St. Helier of the Minister for Children and Housing regarding the waiting list for social housing: (WQ.247/2020)**

**Question**

Will the Minister advise Members of the current social housing situation in the Island and in particular –

- (a) the number of people on the social housing waiting list and the average waiting time on the list;
- (b) the demand for 1-bed, 2-bed and 3-bed accommodation;
- (c) the number of houses or apartments currently being constructed and their expected completion dates; and
- (d) how he plans to meet the demand for housing over the next 5 years?

**Answer**

- (a) 2547 people are currently waiting on the Housing Gateway list.  
1645 of those are on Band 5 which is the assisted purchase scheme.  
902 are those waiting for social housing provision  
Below is the table showing the average waiting time in months.

Average of (Months)	Avg Waiting	Bedrooms Requested
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<b>Band</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Grand Total</b>
Band 1	11	23	19	8	15	13	19
Band 2	18	27	17	21	23	0	21
Band 3	26	34	23	27	26		29
Band 4		28					28
Band 6	12	15	19	42			17
<b>Grand Total</b>	<b>16</b>	<b>26</b>	<b>20</b>	<b>17</b>	<b>20</b>	<b>11</b>	<b>22</b>

Please note the average waiting time would not be useful information as there are clients on the list who have waited years due to not expressing interest or due to the type of property that they require.

- (b) 1 bed = 397
- 2 bed = 261
- 3 bed = 134

- (c) Andium Homes is planning to develop more than 1,100 new homes between now and 2024. This will make a significant contribution towards meeting the demand for social housing over the next 5 years, including homes for rent and assisted purchase.

I anticipate that the demand for social housing over the next five years will be met through the acquisition and development of new sites, including Government-owned sites that are no longer required and through regeneration in St. Helier; and intensification of development on existing social housing sites.

The Housing Policy Development Board is due to report with recommendations about how to meet the island's future housing needs. The Board's work has been postponed due to Covid-19, but it is expected to report with its recommendations in Q4 2020. The Board will recommend a range of potential measures to increase housing supply, including the release of sites for housing, potential funding arrangements and new tenure models.

The Board's work, alongside the 2019 Objective Assessment of Housing Need Report, is helping to inform the Island Plan Review programme.

### **3.16 Deputy M.R. Higgins of St. Helier of the Minister for Health and Social Services regarding ventilators and continuous positive airway pressure units: (WQ.248/2020)**

#### **Question**

Will the Minister advise members of –

- (a) the current number of ventilators and *continuous positive airway pressure* (C.P.A.P) units available for use in the Island;
- (b) the current stock of personal protective equipment (P.P.E.) available to meet a potential new wave of Covid-19 (or another infectious virus); and



(c) the current waiting time for new stocks of P.P.E. to be received by the Government of Jersey from the world market?

**Answer**

- a) The Government of Jersey has 36 invasive ventilators, 39 non-invasive ventilators and 40 Continuous Positive Airway Pressure (C.P.A.P.) units.
- b) The sufficiency of the current stock of PPE available to meet a potential new wave of Covid-19 would need to account for several factors relating to the extent of that new wave, such as incidence, prevalence, severity of disease, length of second wave and the purposes for which the PPE is used (treatment, testing, prevention and so on). Notwithstanding the extent of these currently unknown factors, the key items of the current stock of PPE are:

FFP3/FFP2 Masks (providing protection against aerosol generating procedures)	51,560
Surgical Masks (providing protection in more general less high-risk environments)	1,374,150
Gloves	2,069,960
Sterile Gowns	9,320
Non-Sterile Gowns	144,810
Plastic Aprons	1,445,000
Visors	333,145
Goggles	6,319
Hand Sanitiser	33,000 litres

*Stock at 23 June 2020*

This level of stock, managed through the Government of Jersey PPE Portal, is currently sufficient to be able to respond to risks associated with a potential new wave of COVID-19.

(c) the current waiting time for new stocks of P.P.E. to be received by the Government of Jersey from the world market?

Current waiting times for PPE Stock are under one week as this is sourced via the quality assured Global Pandemic Stock held by the UK Department of Health & Social Care (DHSC). This also gives us the ability to source emergency stock if required.

**3.17 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding the early release of prisoners during the Covid-19 pandemic: (WQ.249/2020)**

**Question**

Will the Minister advise members how many prisoners, if any, were released early from H.M.P. La Moye in line with his proposals for dealing with the Covid-19 pandemic?

**Answer**

No prisoners have been released early from H.M.P La Moye to deal with the Covid-19 pandemic.

The States of Jersey Prison Service's plan for dealing with covid-19 has been effective and has meant that Covid-19 has not entered the prison. Therefore no one has needed to be released to help manage accommodation and/or protect medically vulnerable prisoners.

**3.18 Deputy M.R. Higgins of St. Helier of the Minister for the Environment regarding the organisation of, and the number of employees in, his department: (WQ.250/2020)****Question**

Will the Minister provide members with an organisation chart for his department and set out for members the arrangement of his department in terms of full-time equivalent (F.T.E.) employees; and will he explain how this has changed over the last four years?

**Answer**

I regret that I am not able to provide the information the Deputy has requested in the limited timeframe available, due to circumstances beyond my control.

The current organisational chart of officers currently working on services for which I have political responsibility i.e. Environment and Regulation teams within the GHE department is awaiting finalisation as part of work on the Target Operating Model. The recently appointed acting DG is currently actively working on this with the Corporate People team.

The question also requires a retrospective analysis of historic staffing numbers for the previous four years before the Environment department was disbanded and partly absorbed into GHE in June 2018. This is a complex task because neither the old and new FTE's nor services included are comparable. The policy planning, historic building and environmental policy teams were moved out to the SP3 Department (the central policy team) for which I don't have responsibility, and there were regulatory functions transferred in. I have instructed that this research be carried out as quickly as possible.

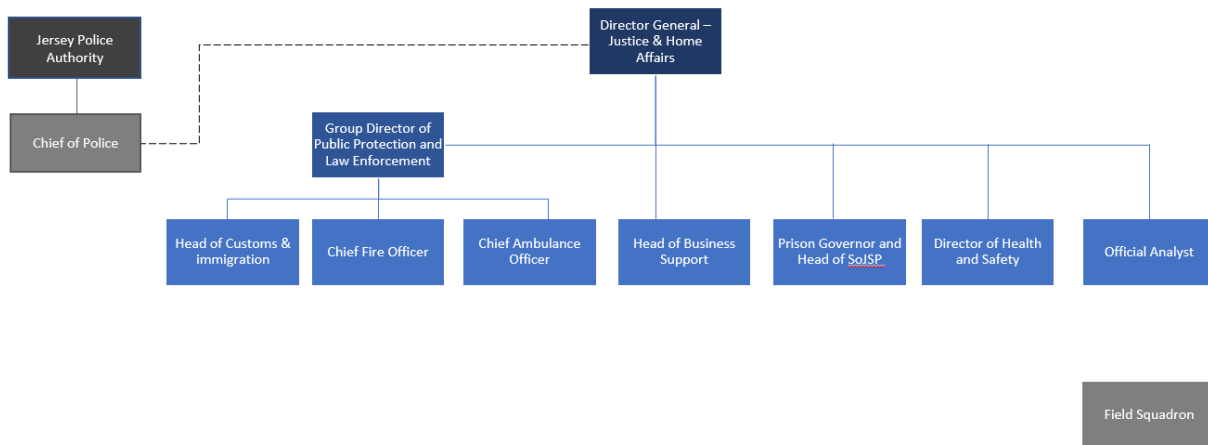
I offer the Deputy my apologies and undertake to provide the information to all States members as soon as possible.

**3.19 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding the organisation of, and the number of employees in, his department: (WQ.251/2020)****Question**

Will the Minister provide members with an organisational chart for the Department of Justice and Home Affairs, including each division such as the States of Jersey Police, the Fire and Rescue Service, the Ambulance Service, Customs and Immigration and H.M.P. La Moye; and will he also set out for members the structure of this Department in terms of full-time equivalent (F.T.E.) employees and explain how the arrangement has changed in each division of the Department over the last four years?

**Answer**

An organisational chart for the Department of Justice and Home Affairs including States of Jersey Police, the Fire and Rescue Service, the Ambulance Service, Customs and Immigration and H.M.P. La Moye is set out below -



Please note that the structure of each division below the heads of service is still under development. Once the arrangements have been finalised, I will share the final structure with the Deputy.

The structure of the Department in terms of full time equivalent (F.T.E) employees and how these arrangements have changed in each division of the Department over the last five years is set out below -

	Actual FTE						
	Prison	JCIS	Fire & Rescue	Ambulance	Police	Police Officers	Police Staff
<b>2016</b>	158.9	86.8	76.5	64.1	318.7	214.8	103.9
<b>2017</b>	145.5	85.8	73.5	66.3	311.4	207.7	103.7
<b>2018</b>	150.3	85.8	67.1	73.5	294.7	194.2	100.5
<b>2019</b>	158.9	81.9	67.1	77.1	300.8	192.6	108.2
<b>2020</b>	145.9	77.68	69.18	81.3	316.2	199.3	116.9

Please note that these figures represent actual FTE. The numbers therefore vary from year to year depending on the number of leavers and joiners in a given year. For the years 2019 to 2016, the number is the position at the end of the year. For 2020, the number is the position on the 25th June.

### 3.20 Deputy G.P. Southern of St. Helier of the Chief Minister regarding the Household Living Costs and Income Survey: (WQ.252/2020)

#### Question

Further to the responses to Written Question 226/2020 and Oral Question 159/2020, will the Chief Minister –

- (a) Outline what actions, if any, he will be undertaking, in conjunction with Statistics Jersey, to ensure that the results of the Household Living Costs and Income Survey will be published early in Quarter 4 of 2020 so that an informed debate on the subject of reducing income inequality can be incorporated within the Assembly’s consideration of the Government Plan for 2021; and

- (b) state whether it is his assessment, as others such as the Resolution Foundation have found, that the Covid-19 pandemic has had the greatest impact on the living standards of the young and those on the lowest incomes?

### **Answer**

- (a) The Chief Minister is unable to “ensure” that the results are published early in quarter 4 of 2020. As stated in the answer to Written Question 226/2020 and Oral Question 159/2020, as per the [Statistics and Census \(Jersey\) Law 2018](#) “*In exercising any of its functions, Statistics Jersey has the right to act independently.*” The nature of the work and reporting timelines of Statistics Jersey are based on statistical considerations, as determined by the Chief Statistician, not dates and timelines set by the Government of Jersey.

The Chief Minister will however, continue to work closely with Statistics Jersey in delivering this piece of work.

- (b) We do not yet have the breakdown of the impact in this level of detail. However, the Jersey Opinion and Lifestyle Survey (JOLS) was launched on 19 June 2020 and the results of this survey will address, to some extent, this question. It is anticipated that the results will enable analysis of the broad effects of the COVID-19 outbreak on individuals and households broken down by categories including age, sex and income.

I have also accepted the recommendation for the income and spending survey to recommence its work as soon as possible in 2021, in order to provide pertinent updated information on the relative living standards of individuals and households in the Island.

### **3.21 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding the cost of primary care for people on low incomes and those with chronic illnesses: (WQ.253/2020)**

#### **Question**

What measures, if any, does the Minister have under consideration to further reduce the costs of primary care for people on low incomes and those with chronic illnesses?

#### **Answer**

I refer Members to my response to both OQ158/2020 and WQ228/2020 that cover similar ground to this question.

With the temporary contract with GPs set to expire in August this year, officers are currently working with primary care colleagues to learn from the real and practical experience we have gained from working differently during the Covid-19 pandemic. By referencing principles within the Jersey Care Model (JCM) and in P.125/2019, an assessment will be made of the best way forward to improve access and service sustainability. As the negotiations on future working arrangements are underway, the outcome should not be pre-judged, but the principles set out in both P.125/2019 and the JCM will help inform the deliberations.

### **3.22 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding mental health services for young men: (WQ.254/2020)**

#### **Question**

Given that suicide is reportedly the single biggest killer of men under 45, what is the Minister doing, or what does he plan to do, to address mental health issues amongst this specific demographic?

#### **Answer**

Suicide is a relatively rare but tragic event that has an impact across our community. Demographic profiles of deaths from suicide have local, regional and national differences. It is important to develop collaborative strategy and interventions in relation to the local situation and we continue to be vigilant to changes in the at-risk populations. Previous research and audit in Jersey reveals that there is a vulnerable cohort of men under 45.

As with other jurisdictions, we recognise that the reasons why people die from suicide are complex and vary. They usually involve multiple factors which lead to an elevated risk. These include social issues such as isolation, debt, unemployment (and, conversely, high stress employment – for example, health workers), health issues – both physical and mental, psychological factors including Post Traumatic Stress Disorder (PTSD), and problematic alcohol and substance use. We work with a significant number of males under 45 who have existing vulnerabilities, which do not result in a risk of suicide. There is, however, an upward trend in the percentage of all assessments that indicate elevated risk of suicidality. We work with those who are in distress and at risk of suicide to reduce these risks.

Improving mental health and wellbeing in this vulnerable group is the primary objective in *Prevention of Suicide in Jersey: A Framework for Action 2015-2020* which has framed the work being done in relation to suicide. Objective three of the framework is to reduce the risk of suicide in high-risk individuals. Although suicide prevention is essentially a public health function, the Mental Health Care Group (MHCG) is supporting the work and the development of other prevention of suicide community initiatives. The MHCG has appointed a suicide lead who is responsible for MHCG (18+) input and action on the framework. The MHCG suicide lead is also the interim chair of the suicide prevention steering group.

The MHCG conducts a real time audit of deaths of service users by suicide. It also works to identify ‘at risk’ populations and emerging trends. There is ongoing review and publication of annual suicide rates completed in compliance with international best practice approaches (please see supporting information below).

Ongoing staff training by the Suicide Prevention Lead has supported awareness and increased competence in both risk assessment and safety planning around self-harm. The service continues to develop a heightened awareness of the potential increased risk of suicide amongst clients, particularly men, with addiction. In response to Covid-19, there is senior management support for [Zerosuicide](#) online awareness training. Planning for implementation is being led by the MHCG suicide lead. Business planning is to start for the introduction of the ‘Suicide Status Form’ [CAMS training](#).

Reduction in deaths from suicide and the number of people at risk requires a whole community approach. There is no one answer. Multiple initiatives, across the life span, that make populations less vulnerable to suicidality are most likely to succeed. MHCG aims to continue a multi-agency co-ordinated approach. Raising awareness and reducing the stigma about seeking help is integral to realising this. Development of the Jersey Suicide Alliance is currently on hold because of Covid-19. There has however already been support from community partners, including the third sector and Parishes. It is recognised that development of the Alliance is urgent as Covid-19 itself will impact upon suicidality through its direct impact on isolated individuals and the wider impact upon the economy.

### **Supporting information**

The latest public reporting into deaths in Jersey is available here: <https://www.gov.je/Government/JerseyInFigures/Health/Pages/MortalityLifeExpectancy.aspx>

**This includes reporting on deaths by suicide between 2007 and 2017. The number reported in 2017 was 7. Because of the low numbers involved, a demographic breakdown is not provided.**

#### **4. Oral Questions**

##### **4.1 Deputy R.J. Ward of St. Helier of the Minister for Infrastructure regarding the use of disinfectant vehicles: (OQ.180/2020)**

Following the report in the *Jersey Evening Post* of 24th June 2020 regarding 3 disinfectant vehicles with a capacity to cover 2,400 square metres in one hour with disinfectant, will the Minister confirm which areas it is proposed will be disinfected with these devices and identify who has control over the decision to take such action?

##### **Deputy K.C. Lewis of St. Lawrence (The Minister for Infrastructure):**

The article referred to by the Deputy that appeared in the *J.E.P. (Jersey Evening Post)* business section on Wednesday, 24th June, related to a private cleaning company and its commercial operational capabilities, not G.H.E. (Growth, Housing and Environment). One of the disinfecting machines mentioned in the article has been purchased by G.H.E. from this company so that the department has the capability of carrying out disinfecting work efficiently should it be required. I am pleased to confirm that at present the actions taken to contain the virus within the Island have been effective and that there are no plans for the widespread use of this machine in the areas of the Island that are administered by G.H.E.

[9:45]

Should the situation change, the operational decision on when and where any such work was to be carried out on or on behalf of G.H.E. would be taken by G.H.E. head of technical support services, having consulted with the teams supporting the Minister for Health and Social Services, Environmental Protection and Jersey Water. Risk assessments and method statements, including environmental impact considerations, have been addressed to ensure staff safety, public and environmental safety.

##### **4.1.1 Deputy R.J. Ward:**

What analysis on the long-term and short-term effects has been taken on the respiratory health of people should large spraying of disinfectant happen? In addition, on the flora and fauna, even of urban areas, which have significant biospheres, mini ones, within their areas.

##### **Deputy K.C. Lewis:**

A full safety rundown has been carried out. As mentioned previously, this is a very diluted form of bleach that is used, 0.1 per cent sodium hydrochloride, which is in fact a bleach but a very, very weak solution. We are not at present using any of this equipment. Some of our playground equipment has been cleaned prior to reopening, which was done manually with a soft cloth, and I believe anyone who is a parent will know the trade name Milton. It is a very weak disinfectant solution used for sanitising baby equipment and such like. Very, very weak and absolutely safe.

##### **4.2 Deputy M. Tadier of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the Committee's consideration of the existing nationality requirements for people wishing to stand for election to the States: (OQ.183/2020)**

Will the chair advise what consideration, if any, the committee has given to the situation whereby Islanders who have lived in Jersey for decades (but who do not have a British passport) cannot currently stand for election to the States whereas British nationals who have lived in the Island for 2 years can do so, including any potential impact this situation has on Islanders' democratic engagement?

##### **Deputy R. Labey of St. Helier (Chair, Privileges and Procedures Committee):**

P.P.C. (Privileges and Procedures Committee) did look at this at the end of 2016 but in relation to P.138 from Deputy Higgins, which was about standardising the qualification for candidacy across all 3 categories of States Member. There is a very good report on it prepared by the Deputy Greffier, if the Deputy is interested in seeing that. Shortly after that, of course, the Deputy himself lodged P.1 ...

**The Deputy Bailiff:**

Deputy Labey, you froze just then so we could not hear what you ... Deputy Labey, we cannot hear what you are saying.

**Deputy R. Labey:**

Okay, I have got my mic on, can you hear me now?

**The Deputy Bailiff:**

That is a bit better yes. Sorry, can you start your answer again, I do not think Members heard it all.

**Deputy R. Labey:**

I am so sorry. Maybe I should come closer. The issue was looked at by P.P.C. at the end of 2016. There is a very good paper on it by the Deputy Greffier. It looked really more at the standardisation of qualifications to the candidacy across all 3 categories of States Member but it does reference citizenship as well. Of course the Deputy's own proposition for P.1/2017 came hot on the heels of that and was lost unfortunately resoundingly 31/8. So I think that killed the matter as far as P.P.C. was concerned. My committee have not yet considered his proposition that is on the table at the moment but we will be doing so in the coming days.

**4.2.1 Deputy M. Tadier:**

I had hoped that this question, which was obviously lodged on Thursday, would be an opportunity for the committee to consider the matter. It is a political decision ultimately whether or not we level up in terms of who can stand for election or whether we level down across the 3 categories. Does the chair believe that it would open up our political system in a positive way where swathes of Jersey people who have been here for decades are finally allowed to serve in their Assembly where they have previously been banned from it?

**Deputy R. Labey:**

The Deputy is asking for my personal opinion, which I am happy to offer but it is not representative because I have not yet spoken to P.P.C. of P.P.C.'s opinion of his proposition. I am on record as having supported the Deputy on the previous attempts to get this through. He is a very clever man and far cleverer than me but I would offer this advice. I think he should approach this from a culture point of view. He is after all the Assistant Minister responsible for culture. Culture does not just mean the arts, it means our social makeup, our traditions, our customs. We pay a lot of lip service to including ...

**The Deputy Bailiff:**

I am afraid we lost you after "lip service". Deputy Labey, the last words we heard were "lip service".

**Deputy M. Tadier:**

Ironically.

**Deputy R. Labey:**

I am having trouble hearing people as well so I missed the start of Deputy Tadier's question. I was saying if we were to enfranchise more people from our cultures that we cherish and we pay a lot of lip service to this would provide action and a meaningful contribution rather than just words.

### **4.3 Connétable A.S. Crowcroft of St. Helier of the Minister for the Environment regarding the planning applications process: (OQ.178/2020)**

Is it the Minister's assessment that the time taken to process planning applications is acceptable, and if not, what plans does he have to improve this service?

#### **Deputy J.H. Young of St. Brelade (The Minister for the Environment):**

Our target turnaround times for planning applications is 8 weeks for minor applications and 13 weeks for major applications and 6 weeks for pre-application advice. I am comfortable that these timescales are appropriate. Members will of course understand that the planning process is an open and transparent consultative one and Islanders need the time to be able to properly engage with developments, which can affect their homes and their neighbourhoods. We have had a situation where during the current COVID pandemic planning officers were retasked to other areas of government work, particularly contact tracing, which has resulted in a backlog building, which I hope is temporary. This is being tackled as staff return to contact tracing when the recruitment programme enables that and they can get back to their normal roles. That is a progressive change at the moment.

#### **4.3.1 The Connétable of St. Helier:**

I asked the question about whether the time taken is acceptable, not whether it is appropriate. I entirely agree with the Minister that the times that he has given are appropriate but he has not really said whether he believes the level of service being offered to people who have planning applications is acceptable. I am aware of many, both small and large applications, which have gone considerably over the timetable that the Minister has indicated and these are from well before the coronavirus pandemic. Will the Minister therefore undertake to provide a list of all applications which have currently not met the timetable that he has set so that we can assess just how behind the department is?

#### **Deputy J.H. Young:**

That is a good question. I am hopeful that I will not need to do a list because I can give the Constable the numbers. He will remember the Planning Society officers report that we published in the autumn, which gave comparative performance figures from 2014 to 2018, and it is true to say that there has been a decline. A decline occurred in 2018, which personally I associate with the disruption caused by the disbandment of the then Environment Department and the huge amount of change and uncertainty, which has affected their team. Performance went down from 98 per cent to 70 per cent. Currently the numbers are that we did seem to improve because January to March we were up to 89 per cent, again which was good news. But that now has fallen to 68 per cent as a result of the COVID situation. I am not so sure whether I need to divert people away to do a full list. I can do that but I am not sure it is going to help. I think the issue, and there is no question, is about this service is results dependent and what we have seen is policies over the years that I inherited that have reduced that staff, increased the pressure and what that has done is it has resulted in less performance. What we need to do, this is a very skilled job, we need to be able to recruit more planning officers to do this and of course nothing I have said relates to the issue of enforcement, where I am getting a very high level of complaint because the backlog there for this is more significant.

#### **The Deputy Bailiff:**

Connétable, are you content with your answer or do you still want the number of applications that are out of time, as it were?

#### **The Connétable of St. Helier:**

Certainly I would appreciate seeing a list of the larger applications. That is the ones that have the 13-week deadline.

#### **The Deputy Bailiff:**



Are you content to provide that list, Minister?

**Deputy J.H. Young:**

Yes, I will but I think the fact that I have not brought in, during this kind of situation it has also been difficult for the Planning Application Committee to deal with major planning applications, which normally attract very large numbers of members of the public and the people are unable at the present time to attend in those large gatherings. So that has been difficult and therefore that has restricted the number of major applications that we can handle at the moment. I think that is going to continue for some time and it is the same thing for planning appeals where at the moment I am not able to get inspectors into the Island and so third party appeals effectively put those applications completely on hold. I am sorry that is the case. I am absolutely working on this and I will do my best to do it but if the Member wants a list okay, but I am not sure that entirely helps. But I will do it.

**The Connétable of St. Helier:**

Can I refine my request for a list to those applications which were overdue before the onset of the pandemic in the first week of March?

**Deputy J.H. Young:**

Yes, I will do that.

**4.3.2 Deputy S.G. Luce of St. Martin:**

I thank the Minister for his answers, I probably understand the challenges he faces. But the construction industry is worth hundreds of millions of pounds every year. Can I press the Minister to speak to the powers that be to encourage them as quickly as possible to get the Minister a full team back on board at the time when we are trying to encourage our local economy back into production again? What we cannot have is an industry that is ready to go but held back by delays in planning applications because officers are off doing other work within government. Can I ask the Minister, please ask as hard as you can to get your officers and a full team back at the Planning Department?

**Deputy J.H. Young:**

The Deputy and I are entirely in agreement. What I have found difficult throughout, and it is even more difficult now, is to go through our corporate processes that we now have in place under this target operating model and it is impenetrable. I am really getting to the point where I may have to bring a proposition to the States. I hope that is not necessary. At the moment we seem to be going in reverse direction, processes to review spending and reduce costs. But thankfully I have got an undertaking that there would be no more loss of staff. So I will do exactly as the Member says and I hope those that have control of our H.R. (human resources) matters are listening. I know our director general feels exactly the same as I.

**4.3.3 The Connétable of St. Helier:**

It is in 2 parts, if may. First, does the Minister agree with me that nothing in my question is intended to detract from the fantastic job that his officers do in determining applications in these current circumstances, in particular. Secondly, does he agree with me that the impatience of some applicants to have their proposals determined is indicative of the tremendous confidence that local developers and builders and businesses have in Jersey's economy and that confidence is something we need to encourage and facilitate as a States?

**Deputy J.H. Young:**

Yes, there is no question the planning applications are a crucial part of our economic system.

[10:00]

What we have seen ironically during the pandemic is we have seen an increase in the number of applications because obviously many professional officers are deskbound at home and are therefore concentrating on pushing those into the system. As I say, that has contributed to that backlog. The difficulty I think, the major applications issue is really a struggle and is something that the planning officers and I are discussing with the chairman of the Planning Applications Committee and Members to try and find a way in which we can get through this issue of not being able to hold major meetings, open public meetings on the public applications. So we do our best and it is really important. I do not know what more I can add. This is such a difficult area and we have to deliver and it is my responsibility and I will keep at it to deliver.

**4.4 Deputy T. Pointon of St. John of the Minister and Health and Social Services regarding the testing of people who experienced mild Covid symptoms in the early stages of the Coronavirus pandemic: (OQ.172/2020)**

Will people who experienced mild COVID symptoms early on in the pandemic be invited to undergo antibody testing with a view to establishing a better understanding of the potential levels of immunity now established in the Island's community?

**Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):**

The Government is pursuing a suppress, contain and shield strategy to ensure the continued control of the virus in a safe and sustainable way that protects Islanders by causing the least overall harm. During the last few months as part of the contain element of the strategy a range of new testing infrastructure has been introduced, which has enabled hundreds of people a week to be tested. At present we are analysing the results of these different testing programmes. During July I will be bringing forward further details describing the next phase of the testing programme. I can reassure the Deputy that a key element will be to focus on testing to continue to improve our local understanding and provide new data on current prevalence of the virus and previous exposure. It is important however to remember that currently scientific research does not support evidence of antibodies as equivalent to having immunity to COVID-19. S.T.A.C. (Scientific and Technical Advisory Committee) continue to review published national evidence on a weekly basis and I will ask S.T.A.C. to consider the Deputy's question.

**4.4.1 The Deputy of St. John:**

How many antibody testing kits are there now in the Island and those still on order? Will it be possible to roll out antibody testing to all Island residents who wish to be tested in the course of time?

**The Deputy of St. Ouen:**

I understand the Island received 100,000 antibody testing kits so there is a good supply in the Island and we have those contacts should more ever be needed. I do not believe there is a plan at present to test everybody in the Island. That may change as the situation moves on. But this, as I have said, is constantly under review by S.T.A.C.

**4.4.2 Deputy J.H. Perchard of St. Saviour:**

The Minister stated that the results of an antibodies test does not necessarily indicate immunity. If that is so, what is the purpose of an antibodies test and what does it tell us?

**The Deputy of St. Ouen:**

The purpose is not to arrive at a diagnosis of COVID within any individual person being tested. They are being used for statistical purposes to understand the spread of the virus within our community.

**4.4.3 Deputy J.H. Perchard:**

The Minister stated that they are being used as a statistical measure to understand the spread in the community. What is the benefit of understanding the spread in the community and what will happen ... does he have plans if that spread reaches certain numbers?

**The Deputy of St. Ouen:**

I think to calibrate our response to COVID it is important to gain an understanding of how the disease spreads. For example, by conducting the statistical survey we can pick up whether there is spread within particular geographic areas or spread within vocations because we have also tested people who have been working during the lockdown period. Therefore we can understand what are the vectors that may spread the disease and this can only help our efforts to keep the virus under control.

**4.4.4 The Deputy of St. John:**

Would the Minister agree that if we did better understand how prevalent immunity is in our society it might be possible to limit restrictions to those who have not developed immunity should there be a second wave of infection?

**The Deputy of St. Ouen:**

Yes, that might be possible and I am sure S.T.A.C. would have that in mind. As I have said, during July, following further work by S.T.A.C., we will be entering into the next phase of the testing programme and I have undertaken to draw the Deputy's views to the attention of S.T.A.C.

**4.5 Deputy K.G. Pamplin of St. Saviour of the Chief Minister regarding the Government's policy in population and migration: (OQ.168/2020)**

Following the latest report by Statistics Jersey of the Island's projected population figures, will the Chief Minister bring forward the Government's policy on population and migration as a matter of urgency?

**Senator J.A.N. Le Fondré (The Chief Minister):**

As I am sure the Deputy understands, work on the new migration policy has been on hold since March 2020 while resources were diverted to COVID-19 policy and legislation. As I informed Members on 27th May, which was in response to a question from Deputy Truscott, it is my intention to bring the migration policy debate before the end of the year. I have instructed officers to recommence the work. Allowing for the summer recess and the required scrutiny process I anticipate that the debate will take place in November and the Corporate Services Scrutiny Panel have been informed of this.

**4.5.1 Deputy K.G. Pamplin:**

I thank the Chief Minister. The more we can get the message out to the public the better of what is going on with this very important debate that we will have, not that all debates are important obviously. But can the Chief Minister give us, from the information and the way he sees things now, what the impact will have on this piece of work of the pandemic in terms of migration numbers and obviously the situation we will be debating in the next couple of days? Can he give us any insight at this stage of the impact of COVID-19 on that piece of work and the Island's population as a whole?

**Senator J.A.N. Le Fondré:**

If I have got it correctly there are 2 questions there. One is the impact and the work and one is the impact on Island population. Obviously the work has been delayed, as I indicated. It is very much still focusing on controls and so therefore pre-COVID was about slowing the rate of increase significantly. That still, at this stage, remains the intention. In terms of the impact on the population of the Island, it is a bit difficult to anticipate this where we are in the whole COVID-19 crisis. It appears to be the case a number of people have left the Island and it will therefore depend on the recovery element of what happens over the next few months and into next year as to what happens

to the population and migration side. What I will say is that irrespective of short-term impacts of COVID-19, it is very clear that the migration policy absolutely needs to be updated and the controls reinforced. That remains for me a priority and, as I said, it is the intention that we have recommenced the work, that that can now start progressing over the course of the summer and that it will then go to obviously Scrutiny, States Members and then it will be lodged in time for a debate. I anticipate that to be in November.

#### **4.6 Senator S.C. Ferguson of the Minister for Treasuring and Resources regarding the online purchase of goods in Jersey from large online retailers: (OQ.182/2020)**

Will the Minister advise whether she will negotiate with Amazon, and other large online retailers, in order to ensure that they deduct V.A.T. (value added tax), and add G.S.T. (goods and services tax), to the cost of goods ordered online in Jersey; and if not, why not?

##### **Deputy S.J. Pinel of St. Clement (The Minister for Treasury and Resources):**

It is longstanding policy that Jersey will be a fast follower of the European Union in making the changes which the Senator envisages. I understand that the E.U. (European Union) will make such changes in summer 2021 requiring retailers to charge the taxes of the destination country and remitting them to that country. It is generally considered that once large retailers have built systems to accommodate E.U. requirements they will be more prepared to do the same for smaller jurisdictions, such as Jersey, and will be asking officials to review the way in which Jersey charges G.S.T. on imported goods for personal use with a view to modernising the system. We will be looking at the 2 main viable options for modernisation. One requiring offshore retailers to account for Jersey G.S.T. and pay it to the Treasury; the future E.U. model as I have just described. Or the other, increasing the role of Jersey Post and freight forwarders in tax administration to relieve the burden on Jersey Customs. This is the current U.K. (United Kingdom) model. The review will not commence until later in 2021 when we can see how similar changes have been implemented in the E.U. It is my understanding that Amazon do currently zero rate goods bound for Jersey consumers, which are then subject to G.S.T. in Jersey if their value exceeds £240 or £135 from 1st October 2020, as I announced earlier last week. Not all offshore retailers do follow that good example. Treasury did some work in 2018 to try to engage offshore retailers with little success. However the power really is in the hands of the consumers, preferably to buy locally, otherwise from offshore retailers who price goods fairly. The *Jersey Evening Post* campaign to persuade Sky TV to zero rate its services is a shining example of that.

##### **4.6.1 Senator S.C. Ferguson:**

Does the Minister not understand there is a degree of urgency going on here? To leave until 2021 something which should be started now, it is more logical to do the price adjusting for V.A.T. and G.S.T. at the beginning of the cycle, at the point of ordering. I find it very difficult that it is being treated with such a lack of urgency when the repricing with the view to repealing G.S.T. in due course does not seem to be on the table. Will the Minister start negotiating earlier - in fact now - rather than leaving it until 2021?

##### **Deputy S.J. Pinel:**

I understand the Senator's request for urgency but as I said in my opening remarks, Treasury did quite a considerable amount of work in 2018 to try to engage offshore retailers but with little success.

[10:15]

Until we follow what the E.U. are putting in practice and their systems, which will enable us to deal with this, we would not then have the G.S.T. resorted to Treasury.

##### **4.6.2 Deputy M.R. Higgins of St. Helier:**

I would also like to agree with Senator Ferguson that the Minister for Treasury and Resources should move forward on this because is she not aware that the United States Government is opposing E.U. plans to tax the tech companies, such as Amazon, and therefore it may result in a trade battle between the United States and Europe, which means it may be many years before any action is taken?

**Deputy S.J. Pinel:**

I have also said that we will start work to do a review on this in 2021 when we see what the E.U. have introduced because, whether we continue to follow the U.K. model or whether we go with the E.U. model and have all companies charging tax at source on their retail exports and referring that tax, be it V.A.T. or G.S.T., back to the country of destination, there is not much more we can do to speed that up until we can see where other countries are going.

**4.6.3 Deputy M.R. Higgins:**

The Minister is bringing in proposals to reduce the *de minimis* level to help local retailers but local retailers have been charging the equivalent of U.K. V.A.T. since at least the last 12 years. What steps will she take to prevent local retailers effectively ripping off Jersey consumers and also taking away their ability to buy cheaper goods from the U.K.?

**Deputy S.J. Pinel:**

I would like to correct the Deputy. It is not taking away people's ability to buy goods from the U.K., and that was one of the main reasons for deferring the introduction of the *de minimis* level was because of the COVID introduction. We were very aware of the fact that a lot of consumers would prefer or almost have to shop online hence it was deferred until October because of that very reason. But the measure of reducing the *de minimis* level from £240 to £135 was part of the Budget and Government Plan last year agreed by the Assembly, and it will eventually be removed altogether possibly, as I mentioned earlier in 2021 when the E.U. reassesses its situation, in which case we will be again a fast follower and remove it completely. At the moment it stays at £135 from 1st October.

**Deputy M.R. Higgins:**

The Minister has not answered the question about what she is going to do about local retailers who are charging the equivalent of V.A.T. to local residents.

**Deputy S.J. Pinel:**

There is not a lot one can do about local retailers charging V.A.T. If they choose to do that, which pushes their prices up, then it is down to the consumer to be able to shop around.

**4.6.4 Deputy S.M. Wickenden of St. Helier:**

Is the Minister aware that in Australia they tried to force Amazon to do exactly what the Senator is suggesting, which is to charge their version of V.A.T. or G.S.T., and in the end Amazon cancelled Australia's ability to use the global Amazon and now they have their own Amazon that they are only allowed to use locally to buy local products around Australia but they cannot do anything in the wider network, either sell or buy?

**Deputy S.J. Pinel:**

Yes, I was aware of that. As the Deputy quite correctly says, Amazon have removed Australia albeit not for ever but temporarily from their distribution list. We would not want to chance the same thing happening here.

**4.6.5 Senator S.C. Ferguson:**

In this technological age, the approach being taken by the Treasury is that of the 1980s. They really do not appreciate the technology behind this. It is all right to quote Australia but the market has moved on. The E.U. are coming in on it, this sort of thing. If the Minister does not take advantage

of the technology as well as the urgency required does she not realise that she does not understand the scope of technology today and that she needs to consider her position? When will she start negotiations?

**Deputy S.J. Pinel:**

I think I have already answered that, in my opening remarks and also in answer to other questions, that we are not behind in our technology but it is depending on what the E.U. do in summer 2021, so a year away, as to whether we follow that or whether we stay with the Customs Union and the U.K. method of collecting G.S.T. as to quite how we follow this. It is not a matter of technology. It is a matter which option we take.

**Senator S.C. Ferguson:**

I would suggest ...

**The Deputy Bailiff:**

You have had your final supplementary, Senator, and your questions have been answered by the Minister.

**Senator S.C. Ferguson:**

No, she has not said exactly when she is going to get started on this. It is no use saying 2021, please. We do need a degree of urgency.

**The Deputy Bailiff:**

Senator, you have made your point. Minister, have you given an answer to the question?

**Deputy S.J. Pinel:**

Yes, I did, in my opening remarks. I said the review will commence later in 2021.

**4.7 Deputy K.F. Morel of St. Lawrence of the Minister for Education regarding the provision for schoolchildren to attend clubs and activities during the summer holidays: (OQ.176/2020)**

Given the abrupt disruption to the social, physical and mental development of our Island's children caused by the closing of schools due to COVID-19, will the Minister confirm that there will be provision for all schoolchildren to attend clubs and activities during the summer holidays and what investment, if any, is the Government of Jersey making in those clubs and activities?

**Senator T.A. Vallois (The Minister for Education):**

I am confident that there is capacity within the childhood sector to meet the identified needs of children coming through this pandemic. I estimate that there are approximately 1,500 places available over the summer in the 29 holiday and activity clubs registered with my department. While there is no planned investment above that described it is important to recognise that throughout this pandemic the childcare sector has been well supported in terms of sustainability from access to the co-funded payroll scheme and other business support measures established by the Government.

**4.7.1 Deputy K.F. Morel:**

The Minister speaks of a childhood sector and also of no investment planned so does that mean the Minister is relying on private fee-paying activities in order for students of whatever economic background to avail themselves of such clubs and activities. If so, does she not agree that many children will be in the situation where their parents economically hard hit are unable to afford the activities that they may want to undertake?

**Senator T.A. Vallois:**

I am advised before my time that we did offer, perhaps 6 or 7 years ago, a number of primary school sites but the decision was to close these. This was due to there being sufficient capacity within the private sector to meet the needs of children and families. We also recognise that we have the Youth Service offering to assist various socioeconomic households' children, particularly vulnerable and young carers as well, and they have continued to do so throughout the pandemic even though they have reprovisioned their services. We need to recognise that those registered providers who provide an excellent service have been impacted by COVID during the Easter holidays and May half term when they could not open.

#### **4.7.2 Deputy L.M.C. Doublet of St. Saviour:**

Has the Minister had sight of the letter which J.C.R.T. (Jersey Community Relations Trust) wrote to the Chief Minister and all Ministers which raised an issue along these lines asking for provisions like this but not just for play clubs but for extra educational provision, perhaps in the holidays or after school? So if the Minister is adding some extra provision in this area could she make it so that there are some extra educational provisions there to try and balance out some of the inequalities that are arising as a result of the crisis that we have had?

#### **Senator T.A. Vallois:**

I am aware of the letter. Officers are providing a response to the Chief Minister, to provide to the J.C.R.T. In terms of educational provision, there are some of our schools that do provide some opening. They are looking at that. One in particular I am aware of that was considering this was d'Auvergne and we are looking and setting our home-learning provision, our I.T. (information technology) offering and what we have in terms of further educational offerings that we can provide during this period.

#### **4.7.3 Deputy L.M.C. Doublet:**

Can the Minister envisage that the Jersey Premium scheme could be extended and further investment put in, in that area, to facilitate things such as holiday clubs and the extra education that is going to be needed going forward?

#### **Senator T.A. Vallois:**

I am sure, as the Deputy is aware, the Jersey Premium is applied through the claiming of income support. That budget is handed over to the relevant schools and they will utilise that in the best way that is sufficient for the children within their care. Whether that is employing extra staff to support on one-to-one or 2-to-one basis for their particular needs or extra resources, it will be determination for the head teacher what is appropriate to provide for those children under the Jersey Premium offering that we have?

#### **4.7.4 Deputy K.F. Morel:**

Given the Minister's answers it seems that the Education Department is ridding itself of any responsibility to ensure that children have some sort of social and educational activities to undertake during the summer. Could the Minister explain why, given the disruption to their education, the Education Department has not decided to undertake a co-ordinated approach to ensuring all children of all ages have something to do where they can mix with each other and try to make up the lost months, such as opening schools for the groups that, as she mentioned, used to take place 6 or 7 years ago?

#### **Senator T.A. Vallois:**

Can I just state that we are not ridding our responsibilities? We have been working and teachers and head teachers have been working throughout this pandemic to support children in the best way that we possibly can, considering the circumstances we find ourselves in. I recognise Deputy Morel's concern, particularly over the social interaction, and of course we are working with a variety of

different schools. Like I stated, some already consider what kind of provision that they may provide over the summer but we also need to recognise that social interaction is not just an educational offering. It is also sports clubs, activity clubs, whereby we have 1,500 places in the childhood sector that we do support through our registration team and we are assisting around the public health guidance in terms of their opening and how they will work during the summer period. We also have the Youth Service that do many reach-out programmes over the 3 months and they go into hot spots and they support children, whether that is on the beaches, in the parks, in different areas to help and support them with their mental health and also answering questions or concerns that they may have.

**4.8 Deputy J.H. Perchard of the Minister for Health and Social Services regarding the Covid-19 (Safe Distancing) (Jersey) Regulations 2020: (OQ.170/2020)**

Following the adoption of the COVID-19 (Safe Distancing) (Jersey) Regulations on 27th May 2020, will the Minister state how many fines, if any, were levied under these Regulations; and, of those issued, how many were imposed upon individuals with a responsibility for children as described under Article 3 of the Regulations?

**The Deputy of St. Ouen (The Minister for Health and Social Services):**

I am pleased to advise the Deputy that no fines have been levied under the Regulations mentioned.

**4.9 Deputy C.S. Alves of St. Helier of the Chair of the States Employment Board regarding the mental health support provided to States of Jersey employees working at home during the Covid-19 pandemic: (OQ.167/2020)**

Will the chair provide details of any mental health support that is being given to workers from all Government departments who are working from home, or who have not been able to go into their normal work environment, (such as schools and offices) due to the current COVID-19 crisis?

[10:30]

**Senator J.A.N. Le Fondré (Chair, States Employment Board):**

The Connétable of St. Ouen, as vice-chair, is taking the question.

**Connétable R.A. Buchanan of St. Ouen (Vice-Chair, States Employment Board - rapporteur):**

I thank the Deputy for allowing me to answer this question. During the coronavirus pandemic, employers have had and continue to have access to a full range of mental health support. This includes 24/7 access to the Be Supportive employee assistance programme and access to local face-to-face, now of course virtual, support and telephone and counselling support for employees in crisis. Staff well-being, both mental and physical, has been a primary concern for the States Employment Board during lockdown. During the crisis we have helped colleagues to build and maintain good mental health through tailored one-to-one support by using digital events and tools, such as webinars, and the Thrive app, which I have to say I have personally used and found very helpful. That just goes to prove that even States Members are not exempt from mental health issues. Regular all-staff communications also detail steps colleagues could take to improve or maintain their mental health. As we prepare for gradual return to office work for some colleagues healthy working assessments have been prepared for their use. These include prompts around mental health for workers who remain at home, people who may suffer from anxiety from returning to the workplace and those who have struggled during lockdown. Individuals can do their own assessment and share these with their line managers or use one of the other channels I have mentioned before. In addition, a welcome pack to the workplace guide for employers making the return transition from home to the workplace has also been launched to provide further assistance.

**4.9.1 Deputy C.S. Alves:**



I have personally heard from numerous employees who have not had any communication passed on to them regarding mental health, access to mental health provisions, which the Constable has outlined in his response. Can the Constable state how was this information passed on to staff? Was it passed on regularly and was it passed on to not just those who have access to the intranet, for example?

**The Connétable of St. Ouen:**

My understanding was that most of this information would have been passed to ...

**The Deputy Bailiff:**

Connétable, can you start it because we did not hear the beginning of your answer. Do you want to start your answer again?

**The Connétable of St. Ouen:**

I thank the Deputy for her additional question. My understanding is that all staff were communicated largely electronically with this information and those that we know who did not have access were written to. But I am concerned about her remarks and obviously I will take it away and investigate and find out where, if anything, has gone wrong.

**4.10 Deputy G.P. Southern of St. Helier of the Chief Minister regarding the impact on frontline services of the economic recovery plan: (OQ.185/2020)**

Will the Chief Minister assure Members that there will be no cuts to front line services resulting from reductions in staff numbers, or otherwise, when devising the economic recovery plan to replace the 2020 Government Plan?

**Senator J.A.N. Le Fondré (The Chief Minister):**

As I have said previously, we are very much at the early stages of considering the Government Recovery Plan and this would have to be a comprehensive document to cover all the things we need to deliver including, but not limited to, economic recovery. We know there are significant financial pressures on the public finances, particularly in light of the measures we previously put in place to help individuals as well as businesses, but also as a consequence of the likely direct financial consequences of the crisis itself. Therefore, as I have said previously, everything remains on the table at this stage, nothing is in, nothing is out. But personally I do wish us to retain obviously front line services, their delivery may change as a result of what we have learned, but also as a result of the need to balance the books, but really it is simply too early to say any more than that at this stage.

**4.10.1 Deputy G.P. Southern:**

What I am concerned about is that we see a repeat of the 2010 process, which did ascribe service cuts, for example a saving of 3.8 police posts back in 2010 at a saving of £220,000. Will the Minister assure us that we will not have a repeat of these types of cuts, which are definitely service cuts?

**Senator J.A.N. Le Fondré:**

I do not think I can add much more to what I said in my first answer, which is at this stage it is too early to say much more than what I have said. Everything remains on the table; nothing is off it. We do have significant financial pressures, probably unprecedented in the last 70 years; it is of that order of magnitude. There are a variety of measures we have to take to get those books balanced and that is what we are presently working on. But from the perspective of impact on front line services I would hope we were all in the place that we wanted to try to make sure we continue to deliver those services and protect the front line jobs. But I cannot give a guarantee at this stage because we simply do not know. We will know over the next few months what the picture looks like but, as I said, from my personal perspective I do want to support front line services.

**4.10.2 Senator K.L. Moore:**

Notwithstanding the obvious pressures that the Council of Ministers have and the difficult decisions that face them, could the Chief Minister accept that making statements such as the one he has just given is quite unhelpful for the mental health and well-being of staff who may be concerned about their future roles in the organisation? We must remember at this time that they have been under considerable pressure in relation to the OneGov and the implementation of target operating models for the past 2 years and this will only impact on that situation.

**Senator J.A.N. Le Fondré:**

Just to pick up on the last point first; I am very much of the view that the changes in the structure to produce the OneGov structure, which was obviously approved essentially by the previous Council of Ministers in principle, is I am very much of the view that structure has assisted greatly in the ability of the Government and the Island to respond to the crisis as well as it has done and credit should be given where credit is due, and in particular it is the chief executive. So, from that perspective, I disagree with the inference of the Senator. But also we have to be honest, in these very challenging times one should not give false promises out there and so what I am saying is I cannot guarantee something until we have finalised the work that we need to do. But within all that lot I reiterate my personal view that we should be doing everything we can to protect front line services but equally there will be, I am sure, examples where services have been delivered differently over COVID-19 and that the service continues to be delivered but just in a different fashion. So all those are elements in the mix and, as I said, at this stage we have to make sure that everything remains on the table because of the magnitude of the problem we face. But my personal view is that we should be doing everything we can to support the delivery of the front line services.

**4.10.3 Senator K.L. Moore:**

If the Chief Minister could set a timeline with which he might delivery a high-level strategy so that at least there is some level of understanding of the direction of travel and the parameters with which the Council of Ministers are approaching this decision-making process to give some level of certainty to those people who may feel affected.

**Senator J.A.N. Le Fondré:**

It will basically be laid out in the Government Plan.

**4.10.4 Deputy M.R. Higgins:**

I am a little bit concerned in one sense about the future direction when we do not even know where we are. I have asked 2 written questions today of the Minister for the Environment and the Minister for Home Affairs for details of the organisational structure and other information about the departments so I can understand where we are at the moment so we can judge by the changes that are going to happen. Neither could give me the information that I really required. They have given some but not all. Will the Chief Minister undertake to get that information to me and Members as soon as possible so we can understand what the structure is at the present and what changes have taken place?

**Senator J.A.N. Le Fondré:**

I will endeavour to get it to the Deputy as quickly as practical. What I will say is that certainly some of the final elements of the restructuring were meant to have been taking place in the February/March/April period and therefore, along with a variety of other matters, as we will all expect, there have been delays because of the COVID-19 issues and I suspect that may well have been the reason that the Deputy did not get the answer he was looking for. But at the very least I can make sure he is presented with where we intend to get to and provide an update in due course.

**Deputy M.R. Higgins:**

I would appreciate if you would get the existing information, which would be very useful, thank you.

#### **4.10.5 Deputy R.J. Ward:**

When deciding on possible removal of front line services, will the Chief Minister commit to consulting directly with those who provide these services on a day-to-day basis in order to fully understand the impact of possible removal of these front line services for the people of Jersey?

#### **Senator J.A.N. Le Fondré:**

As I have said, at this stage I cannot guarantee anything; everything remains on the table. If something does have to change then it will go through the normal process, which, as I have always understood it, does include consultation. That is really what we can say. We will have choices to make and it is ultimately going to be in the hands of the Assembly but the magnitude of the challenge should not be underestimated and we are all having to address how we deal with the magnitude of the problems we are going to be facing.

#### **4.10.6 Deputy R.J. Ward:**

Is that choice not best informed by those who provide services and see the genuine impact rather than those who sit in offices with spreadsheets and numbers and have no real connect with the day-to-day working of front line services and the genuine importance they have for the people who use those services? Can the Minister commit at least to talking to those staff and the people who receive services before they are removed?

#### **Senator J.A.N. Le Fondré:**

We have not said we are removing anything at this stage. What I have said is I cannot guarantee that nothing will be removed because it depends on the magnitude of what we are having to deal with. My preference is to deal with some very large strategic issues, which will significantly reduce the challenge that we face, but may not entirely remove it. It is at that point we will then have to address how we square that circle. The other issue of what the Deputy is talking about, and I do take the point he is making around people sitting effectively in darkened rooms with a spreadsheet - I hope that is not just accountants he is talking about - but the other issue on all of this is dealing with the overall strategic balance on the organisation and so it is absolutely true that there will be individuals who could be affected and we will look at things from their perspective and obviously their views will need to be taken into account. But it will mean that we do have to take account of the overall issues within the organisation, and it may not be a service, it may be in a new project and it may be a case that a particular project has to be deferred, for example, rather than cancelled, but by doing that that manages the cashflow issues that we will be facing and protects jobs in the wider sense. So there will be all those kinds of measures we have to take into account and, as I am trying to say at this stage, all I am saying is I cannot guarantee what the Deputy and Deputy Southern are looking for but I have said my preference is to ensure that we protect our front line services.

[10:45]

#### **4.10.7 Deputy G.P. Southern:**

Let us try a different form of words here, and we are not talking about transforming services and still delivering them, we are talking about deferring, reducing or ceasing them. Will the Chief Minister undertake to ensure that children and young people in particular are protected from any plans to reduce Government growth budgets and genuinely put children first instead of use it as a common old garden phrase?

#### **Senator J.A.N. Le Fondré:**

Again, I cannot guarantee. As the Deputy fully knows, his party representative is in charge of those particular areas but it will be very much where we absolutely know we have to invest in Children's Services. I do not see any reason why that investment is not going to continue because we know that, even though we face challenges, we also know that we faced under-resourcing in certain significant

areas and Children's Services was one of them. Whether that means, having said all that, a project starts fractionally later within a particular year, for example in 2021 or during 2020, I cannot state that at this point, but I am absolutely convinced that the Minister will be on top of that.

**Deputy G.P. Southern:**

So no protection to children then.

**Senator J.A.N. Le Fondré:**

I did not say that.

**The Deputy Bailiff:**

You have had the final supplementary, Deputy Southern.

**4.11 Deputy I. Gardiner of St. Helier of the Minister for Children and Housing regarding the lack of free healthcare for children and the inequalities facing children in housing and education in Jersey: (OQ.174/2020)**

Following the recent concerns expressed by the Children's Commissioner regarding the lack of free healthcare for children, and the housing and education inequalities in Jersey, will the Minister explain what actions, if any, he will take between now and the end of 2020 to address these issues?

**Senator S.Y. Mézec (The Minister for Children and Housing):**

Can I start by saying that I welcome recent comments from the Children's Commissioner that have been helpful on shining a light on some of the issues we need to get to grips with? The commissioner was asked at the end of last year to conduct an analysis of the compliance of Jersey's legislation with the United Nations Convention on the Rights of the Child, which is work that is ongoing alongside people from the University of Swansea, and that is also going to help identify some of the systemic issues in our legislation that we are going to have to change. On the 3 areas raised in the question itself, in terms of education inequalities there is an ongoing education funding review led by the Minister for Education, and I have seen a draft report, and the Minister for Education will be able to give more detail about timeline for pursuing that, but that will be very important in helping us understand how funding and education can help address some of those inequalities. In terms of housing inequalities, I will be pushing, as she knows, for the introduction of a landlord register, which I believe will enhance the quality of housing that children live in. I have asked that a children's rights impact assessment be done for those regulations, even though there is currently no requirement for us to do that it is worth doing. In terms of healthcare inequality, the first step I would suggest would be to support the proposition from Deputy Alves to make primary care access cheaper for children.

**4.11.1 Deputy I. Gardiner:**

I would like the Minister to address a bit more the legislation plan as the children's rights impact assessment has been raised during the recent debates around various propositions. Would the Minister confirm that he has and will ensure children's rights impact assessments are used when considering every proposition and legislation will come to the States?

**Senator S.Y. Mézec:**

Yes, I want that to be a requirement in legislation that we have to do that and work is ongoing to put that legislation together. Very soon I am going to be asked to approve some law drafting instructions. I still have to go through the consultation that we did on this earlier this year. Then it will be down to the Assembly whether it adopts that legislation, and of course I hope it will and then it will just become a normal thing that we do. But there is no point in waiting for that to happen before asking departments, on important issues, to at least consider some sort of children's rights impact assessment. I mentioned that I have asked for one to be done for the landlord licensing scheme; that is a good opportunity to do that. I know that is already being done in the work that has been happening

with the development of the Island Plan and my officers are in discussions with officers from other departments to try to give them assistance to be able to proactively do that sooner rather than later, even though it is not technically a requirement yet.

**4.11.2 Deputy L.M.C. Doublet:**

Does the Minister agree with me that, in order to address the significant inequalities that would have arisen for children as a result of the COVID crisis, we will need to invest financially in children going forward and beyond just demographic increases in budgets? Does the Minister agree with me that is something that is going to be necessary so that we can halt the disadvantage and stop it echoing down the generations?

**Senator S.Y. Mézec:**

I wholeheartedly endorse that and my view is that the Common Strategic Policy and the Government Plan accepted that point as well and set the path for really much-needed investment particularly in Children's Services, but also one of those headlines was about reducing income inequality and of course that has a fundamental impact on children's well-being and their opportunities in life and, as we look towards the end of the COVID crisis and inevitably have to deal with the economic crisis that goes alongside it, there will need to be a strong focus on people's standards of living and the impact that has on children. I believe that if we make mistakes on that or do not deal with some of these issues adequately in the short term then we will pay long-term consequences for it, so that is one of the messages I am trying to get as strongly as possible around the Council of Ministers table.

**4.11.3 Deputy L.M.C. Doublet:**

Does the Minister have any views at this point on where exactly that increased funding might go? For example, does he agree that Pupil Premium should be given increased funding?

**Senator S.Y. Mézec:**

That is a very good idea. Pupil Premium is relatively new in Jersey, it has been in operation for a few years, and I know that the education funding review has looked at Pupil Premium to see if that can be enhanced and how that would be enhanced, if there are any changes in targeting to make it more effective and that sort of thing. So that will be made public at some point in the future. You will have to ask the Minister for Education exactly for the details on that but I know that as part of that review that subject has been considered.

**4.11.4 Connétable S.A. Le Sueur-Rennard of St. Saviour:**

In the recent interview on television the Children's Commissioner announced that a child needed to go back to school because this child was sharing a house with 18 adults. Could the Minister tell me how he is dealing with this as he has the job of looking after children and also housing?

**Senator S.Y. Mézec:**

That is obviously a worrying thing to hear and we know that overcrowding in housing in Jersey is a problem and it is particularly a problem for those where the parents or guardians do not have housing qualifications, and that gives rise to some of the issues of children's rights where the basis of that home is not on the child's situation but by the parents or guardians. So there is a lot that we need to do to improve the quality and accessibility of housing. There is work that I am undertaking as part of the funding that was given to me in the Government Plan on strengthening tenants' rights, on providing a housing advice service, but I am also pleased that Andium have been able to fast track some of the work they were doing on delivering new housing because the more new homes that we can get available to people means the fairer and more effective distribution of those there can be so that children are not living in overcrowded situations.

**4.11.5 The Connétable of St. Saviour:**

Eighteen people in one home sounds to me like it is overcrowding. If we are paying private landlords a supplement to house these people, or if they are being housed by Andium, surely something should flag up something in your department. I appreciate your answer and I have to be honest that, as you know I am on a Scrutiny Panel, and I will be following this through because I am not happy with 18 people in one home unless it is Government House.

**Senator S.Y. Mézec:**

I confess to not being exactly aware of that specific case so I would have to look into it. It may be the case that my department already is aware of it and taking action because I do not get updated on the fine details of every single case that comes to the department. But I can raise it with officers and see if it is one that they are aware of and if there are things being done to resolve that. But the Constable is right to point out the importance and helpfulness of the fact that my 2 remits of children and housing go together at the moment because that has meant that I have been able to get officers from the housing side and the children's side working together in what I think has been quite an effective way, particularly over the last few months, in dealing with emergency cases. I would like to enshrine that in some sort of way so that carries on into the future as well.

**The Connétable of St. Saviour:**

Thank you for your answer but I will watch you on Scrutiny, Senator, thank you.

**4.11.6 Deputy M. Tadier:**

My question covers both housing and children. The commissioner's comments highlighted that inequality still exists in terms of housing. So, despite the fact that the Assembly in March 2018 passed an in-principle decision to ban children being discriminated against in terms of renting with their families in the rental market, nothing has yet been done to effect that change. Does the Minister share my frustration of that and what steps will he be taking, urgent steps, to make sure that this is rectified?

**Senator S.Y. Mézec:**

I absolutely share that frustration and there will be officers who will be able to corroborate the terms under which I have expressed that frustration to them. Dealing with that is in phase 2 of the children's legislative transformation programme. I am due to have a meeting in the next week I think with one of the new officers providing support on housing issues where I will be making it clear that I am really unhappy at how long it has taken to deal with this and how it has been difficult to find space in the schedule. That is not acceptable. The Assembly made a democratic decision and it is not right that it has not been carried out up until this point. It is ultimately meant to be a matter for the Discrimination Law, which does not fall within my ministerial remit, but I will still be pushing very strong for that to be pushed higher up on the agenda and dealt with quicker, because I am not happy at how long it has taken.

**4.11.7 Deputy M. Tadier:**

Is one of the issues that, even though we have a Minister for Children and Housing, many of the levers that would empower a Minister for Children and Housing to take action in such areas fall either to the Environment Department, when it comes to enforcement and minimum standards, or to the Minister for Social Security in terms of this piece of legislation? Would it not be better for the Minister for Children and Housing to ask for some of that area of responsibility to be given to him so that he can enact such legislation much more quickly than these apparently overburdened Ministers?

**Senator S.Y. Mézec:**

Honestly that may not necessarily be helpful in this particular instance because I do not think it is other Ministers that are the issue; it is timetabling behind the scenes and having those who put pen

to paper to draft the law that is proving problematic in getting that time. So whether it was strictly under my remit or another Minister would not necessarily be an issue. It is the case though that we do need enhanced provision for support on housing delivery in G.H.E. and there are discussions at the moment going on about how that can be enhanced so that there can be better working on delivering sites for affordable housing and supporting the agencies that will be on the ground delivering that, which I have recognised for a while now has not been adequate but that progress is, I hope, now being made on that.

[11:00]

**4.11.8 Deputy R.J. Ward:**

I refer back to the question regards educational inequalities. Is it not simply the case that education inequalities arise as much as anything because of the inequalities of funding per pupil and did we not miss an opportunity 2 years ago in not increasing headroom funding at the very beginning of this term of office in the Common Strategic Policy?

**Senator S.Y. Mézec:**

The Deputy will remember that I supported his amendment at the time to deliver that and it is not a secret that there is inequality in funding per pupil in Jersey. That is a consequence of the unique, some might say strange, situation we have in our education model having some comprehensive schools, a grammar school, and a mixture of public and private fee-paying as well, leads to some of those inequalities. That is recognised and that has been part of the terms of reference of the education funding review to look at. As chair of the Education Scrutiny Panel, he may wish to ask the Minister for Education for a further update on that so he can understand how that work is progressing but he is right to raise the issue, it is recognised by us in Government that it is an issue and that a review has been going on to see what progress can be made in addressing that inequality.

**4.11.9 Deputy R.J. Ward:**

Would the Minister not agree that having free healthcare for children is one huge step towards reducing the inequalities and improving the health outcomes for all of the children on this Island long term?

**Senator S.Y. Mézec:**

It is my assessment, and it is the same assessment of the Commissioner for Children, that having access to healthcare for children being determined by their parents' ability to pay for it rather than their need for that healthcare is probably not compliant with the U.N.C.R.C. (United Nations Convention on the Rights of the Child) and I have been pushing for some time to say that access for children should be ideally made free and certainly cheaper and that is why I will support the proposition from Deputy Alves. This is important, not just in a children's rights frame, but understanding that children's healthcare and their access to healthcare should not be based on their parents' ability to pay. There are other things that go alongside that in terms of children's privacy or particularly teenagers going through particular stages in their lives having privacy and the ability to access healthcare independently that we currently do not have because of that and that does need to be addressed.

**The Deputy Bailiff:**

Deputy Gardiner, do you have a final supplementary question for the Minister?

**Deputy I. Gardiner:**

No, thank you.

**4.12 Deputy C.S. Alves of the Minister for Education regarding the appointment of head teachers to oversee two primary schools: (OQ.171/2020)**

Will the Minister advise what financial savings, if any, have been made following the appointment of head teachers to oversee 2 primary schools?

**Senator T.A. Vallois (The Minister for Education):**

I must emphasise that the primary aim of this new initiative is to further improve outcomes for children through formalised collaboration; it is not a cost-cutting measure. Once the models are defined, if there is any reduction in costs, the savings made will not be removed from school budgets; they will remain with the schools to reinvest in delivering the best outcomes for their children. At this stage, no financial savings have been calculated or made. Each new lead head teacher is responsible for defining the model for the partnership they lead before commencement in September, so it is too early to give a definitive answer.

**4.12.1 Deputy C.S. Alves:**

The Minister mentioned that if any savings were made that would not be taken out of school provision, so would that be going into the provision of student resources or staffing in classrooms?

**Senator T.A. Vallois:**

As I stated, each new lead head teacher is responsible for defining the model for the partnership that they lead, so it would be determined on the needs of each of those schools. There may be a requirement for staff or their might be a requirement for further resources, but, like I stated, it is too early to give a definitive answer as yet but I am happy to share that information further when I receive that.

**4.12.2 Deputy R.J. Ward:**

Given that each head teacher in this experiment is responsible for defining the model, how will we define the success or not of the experiment itself?

**Senator T.A. Vallois:**

We are constantly reviewing leadership development and models; the department runs many aspiring leader courses and professional qualifications. In terms of measuring the success or not of the pilot that we will have in place will be dependent on the outcomes for the children in those schools and the success of the leadership for those schools in terms of support for staff and also support for the children.

**4.12.3 Deputy R.J. Ward:**

It is just trying to get a view of how that success will be judged; will it be through level outcomes of the children, will it be via inspection, will it be via the courses decided upon, just so that everyone is clear as to what we are looking for here?

**Senator T.A. Vallois:**

The Deputy is aware that we have a school review framework; I am not clear whereabouts those schools come in that review framework planning. We have of course had to delay some of that review framework but ultimately it will be about the progression, not in terms of set tests or anything like that they take in the year 6 arena, but it will be based predominantly on progression but also well-being of students and the whole school and how they move forward in terms of their success as individuals.

**4.12.4 Deputy M.R. Higgins:**

With all initiatives like that there are costs and can the Minister tell us these new super-heads, the levels that they are going to be remunerated to?

**Senator T.A. Vallois:**



I do not have that definitive answer as of yet. I understand from the Director of Education that, with more responsibility, may require further funding in terms of the responsibilities of these heads, but I do not have a definitive number to provide the Deputy with at this precise moment.

**4.12.5 Deputy M.R. Higgins:**

Will the Minister undertake to provide that information to Members as soon as possible?

**Senator T.A. Vallois:**

As soon as this has been resolved in terms of the lead head teachers defining the model for the partnership that they lead, I am happy to share that information with fellow States Members.

**The Deputy Bailiff:**

Deputy Alves, do you have a final supplementary question for the Minister?

**Deputy C.S. Alves:**

No, thank you.

**4.13 Deputy K.G. Pamplin of the Minister for Health and Social Services regarding the Mental Health Strategy: (OQ.169/2020)**

Will the Minister provide a statement on the progress of updating and enhancing the Mental Health Strategy following the adoption of my amendment to COVID-19 Elimination Strategy P.61/2020?

**The Deputy of St. Ouen (The Minister for Health and Social Services):**

With your permission, my Assistant Minister, Senator Pallett, will take this question.

**Senator S.W. Pallett (Assistant Minister for Health and Social Services - rapporteur):**

I would again like to thank the Deputy for his dedication and support of the Mental Health Service. His amendment was welcomed by the Council of Ministers and resulted in the incorporation of a detailed outline of mental health provision that has been published in the COVID-19 Strategy 2020 document available on the States Assembly website. The amendment to P.61 did not request an updated enhancing of the Mental Health Strategy 2016 to 2020, although as part of my delegated responsibility a refresh of this strategy is included. The Mental Health Care Group and their officers are continuing the process of collecting data, detailed service data, to support the provision of enhanced services going forward. This includes direct service user contact and targeted surveying resulting from the COVID-19. We are on a period of development and aim to report the detail of any change to service delivery to the Assembly within this next coming quarter.

**4.13.1 Deputy K.G. Pamplin:**

I thank the Senator as ever for his comments and, as he knows, in our assessment of mental health services, our review, we pushed very firmly to have somebody with responsibility and we were very glad that he was the person who had that. The point of that amendment, and the point of where he is, is backed up by the statistics I now have in front of me with the conversations I have had with third party charities and the Listening Lounge. There has been such an increase of referrals and people seeking support in the last 2 weeks, and this is only going to continue. Further to Deputy Alves' question earlier today, does he agree with me that we need to see a much greater sense of urgency to support Islanders in the coming months ahead?

**Senator S.W. Pallett:**

I can assure the Deputy that there is an urgency within the service and within third-sector private organisations and charities to provide the level of service that the Island needs. He is aware of the work that the Listening Lounge is doing and they have been integral to ensuring that Islanders have been supported. But we are going currently through a period of transition with both Jersey Talking

Therapies and our own psychology service. That will increase the level of support for Islanders and we will deliver that service in different ways. So there is no underestimation of the level of need or the level of support that is going to be required to get Islanders through these coming months and years.

**Deputy K.G. Pamplin:**

Final supplementary, if I may?

**The Deputy Bailiff:**

We are only allowing final supplementaries when other Members have asked a question, so just your question and a supplementary. Final supplementary is only when other Members have asked questions. Obviously there is a chance to ask further questions when we come to Questions without notice to all Ministers later on today.

**Deputy K.G. Pamplin:**

Sure.

**4.14 Deputy I. Gardiner of the Minister for Economic Development, Tourism, Sport and Culture regarding the cost of heating oil in Jersey: (OQ.175/2020)**

Given that, from January to May 2020, the average Jersey heating oil price per 1,000 litres decreased by approximately 10 pence, whereas in the United Kingdom during the same period there was a decrease of almost 25 pence, will the Minister advise whether any examination has been undertaken of the reasons for this significant difference in price and, if not, why not?

**Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):**

Current prices in Jersey as of 23rd June range from 48.5 pence to 51.62 pence per litre. I do note that prices in the United Kingdom vary considerably based on the delivery window that is required. A random online search showed prices ranging from 28.94 pence per litre to 48.74 pence per litre for delivery in Poole and Dorset area, for delivery ranging from next day, the cheapest prices, to 2 weeks. There are clearly some added costs applicable to local fuel suppliers versus a U.K. counterpart such as lack of scale to the business shopping costs in the U.K. to Jersey and the prevailing requirement that they stock-hold a certain number of days' supply to provide resilience to the local market. I was going to ask the Deputy to supply her research so we could look at that, which she has very kindly done this morning, and I have forwarded that to officials and asked that they carry out some investigation to see if we can get a renewed idea on the price difference. I would say that, since the addition of an additional distributor in Jersey, we have seen more competitive prices and better services with the distribution.

**4.14.1 Deputy I. Gardiner:**

During the years we usually have a very steady difference between the U.K. and Jersey and now it is increased. What can be done to ensure that all Islanders benefit from the drop in international oil prices and not just the local heating oil suppliers?

**Senator L.J. Farnham:**

We have seen a drop across the board in fuel prices and, as I said, the prices we pay over here, as in other markets, do vary largely because of the economies of scale that apply.

[11:15]

That is one of the reasons behind the anti-inflation group that we established with a strategy at the tail end of last year. Competition is a hugely important part of controlling inflation so we need to be very alive to these situations and I have said to the Deputy I have now passed her research on together with the work we have done on the pricing to ask for some guidance on how we proceed.

**4.14.2 Deputy L.B.E. Ash of St. Clement:**

Would the Minister agree with me that we have many pricing difficulties, particularly regarding competition, and that hopefully the new Jersey Island Competition Regulator, replacing the old C.I.C.R.A. (Channel Islands Competition and Regulatory Authorities), will improve this situation?

**Senator L.J. Farnham:**

I do agree with the Deputy. The Jersey Competition Authority will be resourced and based upon and focused upon our local market and will be able to commit more time and effort into dealing with some of the challenging competition issues that we do have.

**4.14.3 Deputy G.P. Southern:**

Will the Minister act in any way, now that oil prices have gone down, to ensure that prices in Jersey, including those of gas, are maintained at the levels appropriate for the falling price of wholesale oil?

**Senator L.J. Farnham:**

We have acted in so much as now I have asked officials to come back to find out exactly the reasoning and rationale for the latest differences and the unexplained increase in the gap during the COVID-19 period. We need to see their answers first before we decide on the next course of action but, like the Deputy, I am committed to ensuring Islanders get the fairest possible deal. I am committed to ensuring these markets are competitive and work properly.

**4.14.4 Deputy G.P. Southern:**

Is the Minister prepared to cap prices in Jersey? Because it is clear to me that competition in a small economy like ours does not work.

**Senator L.J. Farnham:**

It is not that easy; we do not have the power, either as Ministers or an Assembly, to simply cap prices. We refer to the Gas Company Law, for example, that is the piece of work we are conducting now in light of the recent increase in the gas price tariffs. But before we can intervene we have to ask for the rationale behind the reasons that prices are included. We cannot act without understanding that rationale, so we are in the process of trying to understand that rationale.

**Deputy G.P. Southern:**

How long does that take?

**The Deputy Bailiff:**

You have had your second question, Deputy Southern.

**4.14.5 Deputy R.J. Ward:**

Given the Minister's keenness on competition in order to bring down prices, would he act to remove duty or reduce duty on biodiesel that has been developed on the Island so that it is a genuine choice for users who want to use a more environmentally-friendly fuel as we transition towards a less carbon rich economy?

**Senator L.J. Farnham:**

I would like to see as much incentive as possible to drive us to a much more environmentally and sustainable future. That no doubt will be a discussion the Assembly will have later in the year when the Minister for Treasury and Resources delivers the budget I am sure. Given the sentiment that came out during part of the in-committee economic debate that we had, which clearly showed an appetite for States Members to drive the economy in that direction, preferably on biofuel or sustainable other forms of propulsion. So, yes, I am supportive of that move and I would like to see, wherever possible, duties and charges and taxes that encourage that behaviour kept to a minimum.

#### **4.14.6 Deputy R.J. Ward:**

Can I ask the Minister then has his officers looked at the figures from Deputy Gardiner? Perhaps they should also look at a trial of removal of biodiesel duty for particular groups to see whether we can encourage its use and make it more competitive as a choice for Islanders.

#### **Senator L.J. Farnham:**

I will certainly ask them to consider that when they present their findings to myself and other interested Ministers.

#### **4.14.7 Deputy I. Gardiner:**

Increasing profits for oil prices, it is one of several examples that we have seen during the COVID crisis. Would the Minister consider profiteering legislation so businesses that are taking advantage of the COVID crisis to increase profits will be held to account?

#### **Senator L.J. Farnham:**

Like I said previously, it would be important to fully understand the issues we are facing, fully understand the reasons and rationale behind why we suddenly have seen during the COVID period this increase in the gap between prices, which is normally reasonably steady. So the answer is not no, but it is not yes either. I think we need to get all of our facts lined up before we can make those sort of decisions.

#### **4.15 The Connétable of St. Helier of the Minister for Infrastructure regarding the repurposing of the site of the former police station at Rouge Bouillon: (OQ.179/2020)**

Will the Minister explain what progress, if any, is being made with repurposing the site of the former police station, given the need for more space for Rouge Bouillon School and the lack of public amenity space and residents' parking in this part of St. Helier?

#### **Deputy K.C. Lewis (The Minister for Infrastructure):**

The COVID-19 virus has put a temporary halt to the site review works of the former police station. The recast capital programme provides a sum of money that will be made available for review of the competing requirements for the site, which are a combined fire and ambulance station, Rouge Bouillon School extension, affordable housing, key-worker accommodation, amenity space and residents' parking. G.H.E. are working closely with the other stakeholders to ensure that the wider needs of the community are met in the decision and to resolve all the requirements across the available sites in public ownership.

#### **4.15.1 The Connétable of St. Helier:**

The Minister will be aware that this matter has been raised in the States before, not only by me, but by former Deputy Andrew Lewis. It is now several years since questions have been raised about the future use of this site. When does he expect some proposals to be available for discussion with the Parish?

#### **Deputy K.C. Lewis:**

Hopefully as soon as possible. I know the Constable is a member of the Regeneration Steering Group and they are very active in this and it also is being discussed at the Council of Ministers, so as soon as things move forward with the review the Constable will be the first to know.

#### **4.15.2 Deputy L.M.C. Doublet:**

The Minister will probably remember that I have also raised this issue several years ago after I visited Rouge Bouillon School and noted that the nursery and reception, or it might be reception and year one, the classes do not have their own outdoor areas and they are having to share and split the time, which in my mind is not good enough given that early years is so important. While the plans sound

really good, could the Minister make some use of that area and to create some very basic outdoor space for the school, perhaps just with some grass and wildflowers fenced off so that they can have that use of that area sooner rather than later?

**Deputy K.C. Lewis:**

The Deputy will be aware that the area is currently being used by the Jersey Fire Service, so obviously health and safety is paramount. But more than happy to mention that to the team as part of their review.

**Deputy L.M.C. Doublet:**

I would be grateful if the Minister would get back to me on the outcome of those discussions.

**Deputy K.C. Lewis:**

Absolutely.

**4.15.3 Deputy J.M. Maçon of St. Saviour:**

I absolutely echo in the question the Education Department's interest in this site, so just to reiterate that. Can I therefore ask the Minister, from his answers, what discussions, if any, have been had with potential sites for relocating the Jersey Fire Service?

**Deputy K.C. Lewis:**

That is a little wider than what I can at the moment, but there is a possibility that it may be expanded where it is; that it may be moved out. That is very much up in the air at the moment. So basically it is the old police station site, part of which had a former educational use, so, as has been mentioned by States Members at the moment, there is a lot of competing ideas for the use of the site, which of course we will take on board.

**4.15.4 Deputy J.M. Maçon:**

Can I therefore ask for the Minister to go back, speak with his officers, and issue a statement or report on the options that are being considered regarding the site and the neighbouring one for the fire service?

**Deputy K.C. Lewis:**

The fire service is down the road at the moment but I have just read out a list of the competing uses for that site, which is something that we are looking into. It is: combined fire and ambulance station; Rouge Bouillon School extension; affordable housing; key worker accommodation; amenity space; and residents' parking. Those are the ideas that have been put to us by various groups at the moment for that site.

**4.15.5 Deputy R.J. Ward:**

Does the Minister have a timescale for any of the possible projects for repurposing that he had mentioned?

**Deputy K.C. Lewis:**

As I say, the review was underway, which has been interrupted by COVID-19, so obviously a lot of our key staff have been redeployed and we are just getting them back together now to continue their reviews. As soon as things get moving again, I will be more than happy to consult Members on that.

**4.15.6 Deputy R.J. Ward:**

Is there any form of timescale, a year, 2 years, 3 years; would he have a maximum and a minimum time during which he would like to see the repurposing of that site?

**Deputy K.C. Lewis:**

It would depend on what it is eventually used for but hopefully we will have a decision within 2020.

**4.15.7 The Deputy of St. Martin:**

Can I ask the Minister how long the building has been empty?

**Deputy K.C. Lewis:**

A few years now, so since the building of the new police station next to Green Street roundabout. It has been used for training purposes and by other departments on a temporary basis, but it has been empty for a while.

**The Deputy of St. Martin:**

Has the Minister not been briefed on how long the building has been empty?

**Deputy K.C. Lewis:**

As long as the new one has been built. As I say, it has been used on a temporary basis by other departments but it has not been used probably for some time now.

**4.15.8 The Connétable of St. Helier:**

Yes, I do, and I am troubled by several aspects of the Minister's reply, not only the time this is taking, but the fact that we are now talking about competing interests. Does the Minister agree with me that the priority for this site must be the expansion of Rouge Bouillon School and that must be a top priority and the other competing interests, particularly he refers to more housing, more accommodation for key workers, these must surely be at the bottom of the list once the needs of the school are supplied? Does he not agree that amenity space for this densely populated part of St. Helier, and parking, must come second?

**Deputy K.C. Lewis:**

I would not agree at all. This is why we are having the review to find the best use for the area. I have read out a list of competing demands here; I have not said anything, which is a priority, and which does not form a priority. But that will come out as part of the review, which will be done in due course.

**4.16 Deputy R.J. Ward of the Assistant Minister for Education regarding the support available to higher-education students facing financial difficulties during the Covid-19 pandemic: (OQ.181/2020)**

In light of the current difficulties facing those students looking for seasonal work in order to save for university or to pay off overdrafts, what advice, if any, is available for students who may be considering private student loans offered by local finance companies and who risk entering into long-term and expensive debt; and what action, if any, is being considered to address this funding gap?

**Deputy J.M. Maçon (Assistant Minister for Education):**

My advice to anyone considering a loan is to seek independent financial advice, it is not something I or any of my officers are qualified to do. The student finance scheme provides tuition fees and a maintenance amount dependent on household income and it has always been acknowledged that these do not cover 100 per cent of the likely cost of all students.

[11:30]

We have already offered practical and financial assistance in the form of there will be no request for return of any summer grant payment, however this should be used to cover any additional costs as a result of the pandemic. If universities give a reduction in fees in the summer term as a result of disruption caused by COVID-19 this will be shared by students and the Government of Jersey in proportion that the fees were paid in the first instance. The Minister for Social Security has also

changed arrangements around income support for families and also with the assistance of the Deputy, by promoting the issue, through Jersey Post, discounted schemes for repatriation of belongings have also come into play.

**4.16.1 Deputy R.J. Ward:**

I just want to ask the Minister whether he would advise young people to take out loans of what are being offered up to £30,000 at high interest rates in order to study, including loans that are interest only online and at interest rates, which are difficult to calculate, but they are between 14 and 30 per cent. Would the Education Department not be advising against such loans?

**Deputy J.M. Maçon:**

I can only reiterate that I am not qualified to give such advice but I would absolutely advise anyone in that situation to seek a qualified independent financial adviser.

**4.16.2 Deputy G.P. Southern:**

Given the pressure to balance the books, which we are currently under, what consideration has been given to the education grant as a large element of the Education Department?

**Deputy J.M. Maçon:**

Sorry, just for clarification, does the Deputy mean the funding from student finance?

**Deputy G.P. Southern:**

Indeed.

**Deputy J.M. Maçon:**

As the Deputy will know that is made up of 2 elements, one element being the one that covers the fees, the other element being the maintenance component, which is on a sliding scale with different caps. What we have done is we have already extended the summer maintenance component, which not everyone would get, given the circumstances. There is not much else in the way of the order of the scheme, which would allow us to do anything else, so we have worked as much as we can within the legal framework.

**4.16.3 Deputy G.P. Southern:**

The question was: what consideration has been given to any changes in the financing of students, if any?

**Deputy J.M. Maçon:**

The scheme, as mandated by the States, of course is under review, but at the moment there is nothing on the table to suggest that we would reduce the budgets going to student finance.

**4.16.4 Deputy K.F. Morel:**

Does the Assistant Minister agree that the Government's failure to adequately support the Island's students is putting the future prosperity of Jersey at risk through a lack of skills, as young people choose to avoid further education due to the costs and indebtedness that studying entails?

**Deputy J.M. Maçon:**

Two elements on that. Would I like to see more funding towards education in the sense of university funding and vocational courses? Yes, absolutely, I would. Does that lead to a skills gap? Yes, it does. However, given the work that was done in the last term, particularly by my Scrutiny Panel and the now Minister for Education and Minister for Children and Housing, the new student finance grant does not bear out with the statistics of the Deputy's final point, which we have seen hundreds more

go to university with the existence of the current scheme. The Deputy is both right and slightly incorrect in his question.

**Deputy K.F. Morel:**

Thank you to the Assistant Minister for a comprehensive reply.

**4.16.5 Deputy C.S. Alves:**

Can the Assistant Minister advise whether the loan companies for students are given access to schools and colleges to advertise their products?

**Deputy J.M. Maçon:**

I am not aware that that occurs within the Island, but I am happy to go back and seek further clarification, but I do not believe that occurs.

**4.16.6 Deputy R.J. Ward:**

Can I ask the Assistant Minister whether he would get his officers to look and engage with the loan companies that are being offered online in order that they can advise? Because I am very concerned about the high interest rates that young people could be getting themselves into problems with. They are very enticing, the adverts, but they do not give a lot of detail.

**Deputy J.M. Maçon:**

We might be able to give guidance about how to approach loans and what to look for, but I would not want to put my officers in a position whereby they are asked to give financial advice when they are not qualified to do so. But I will ask my officers to seek perhaps some form of F.A.Q. (frequently asked questions) to help guide the students, if that is of help to the Deputy.

**4.17 Deputy K.F. Morel of the Minister for the Environment regarding the protection of wildlife at Les Écréhous: (OQ.177/2020)**

Will the Minister update the Assembly on any work being undertaken to ensure that wildlife at Les Écréhous remains undisturbed by residents and visitors to the region? Will he confirm that where any endangered species are being disturbed, he will take the appropriate action to ensure that these disturbances quickly come to an end?

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

I thank the Deputy for his question, because it gives me an opportunity to report the increase in the number of breeding birds in this colony this year, possibly due to the lack of human action during the period of lockdown, but of course that has led to particular areas of bringing those birds into issues of potential conflict with humans. In order to manage that during the nesting period, May to August, environmental officers have met with the Écréhous Residents' Association and the St. Martin Honorary Police and worked with the ornithology section of the Société. Now, we do have a longstanding code of conduct in this S.S.I (Site of Special Interest), but recently we visited the reef and cordoned off the nesting areas where the nesting terns and Roseate terns are. Roseates are in fact one of the most scarce U.K. seabirds. With the support of the residents, we have done that. We have put out signs and also agreed the key messages. These are important: no dogs on the reef and no drones. Those are strong measures and also we provide co-ordination, support and enforcement and we work with the other parties. The terms of enforcement, we do have a Wildlife Law. It is an offence for people to damage or destroy any nest of a bird while it is in use or being built or obstruct access to that nest, but obviously that is the current law and that is difficult to enforce, particularly obviously we do not have a resident warden and we rely on external reports. But we will have the new law in progress, which is the new Wildlife Law, which will provide stronger measures of protections. Those are the actions.



#### **4.17.1 Deputy K.F. Morel:**

The Minister mentioned that where nests are disturbed, there will be action taken. Could the Minister explain how this is done, as recently there have been reports of nests being disturbed and Roseate terns not returning to those nests? Would a warden not be a better way forward, rather than relying on reports?

#### **Deputy J.H. Young:**

Yes, of course it would. I think a resident warden or at least a summer-only warden, particularly during the period of summer when the breeding birds form their colonies, yes, it would be a good idea, but I am afraid it comes down to resources. I know that Chausey does have a summer warden, but I cannot over-stress the importance of this particular colony. We understand that the one in St. Malo has failed due to rat predations, but this is an important one. Yes, it is on our list of how we can improve resources. We visit there as frequently as we can with the fishing team, but I want to praise the St. Martin Honorary Police and the local residents, who are really helping us in this.

#### **4.17.2 The Deputy of St. Martin:**

I am grateful to the Minister for those words, but will he agree with me that over the years, large areas of the Les Écréhous are committed over to birds and nesting and that we have to work together to find a way forward here for the residents to be able to enjoy their huts and the birds to be able to nest in peace and quiet?

#### **Deputy J.H. Young:**

Yes, I do. I was reading up about these birds. I am not a great expert, but they do form these very, very close colonies and when those colonies are, if you like, affected by human beings, then they defend their nests fiercely by bombing people and so on. But we are a victim of our success here. It is such a beautiful place, we have got the increase in numbers, but I think the only way is to find an accommodation. The way I have said, I cannot see any other way to do it. I suppose we could have a webcam out there where we could watch offenders and follow up that evidence, but at the moment we do not have. That would be a very expensive thing to do. We rely on local devices with local recording.

#### **The Deputy of St. Martin:**

A supplementary, Sir?

#### **The Deputy Bailiff:**

If you do not mind, I would like to bring this question to an end now. Obviously other Members can ask further questions when we get to Questions to Ministers without notice. The reason that I say that is that we can deal with questions 18 and 19 when we come to Questions to Ministers without notice, but question 20 can only be dealt with at all in this session, so I am going to move on to question 20 now, otherwise that question simply will not be asked today and we only have 2 or 3 minutes left of Oral Questions with notice. I am going to move now to question 20, which Deputy Tadier will put to the representative of the Jersey Community Relations Trust, who of course is not a Minister, so cannot be asked questions in the Question Time that follows to all Ministers. Deputy Tadier, question 20, please.

#### **4.18 Deputy M. Tadier of the Representative of the Jersey Community Relations Trust regarding measures to achieve a more diverse States Assembly: (OQ.184/2020)**

Thank you for your consideration in that. I was thinking along the same lines. Has the Jersey Community Relations Trust considered proposing the introduction of quotas to increase the number of women elected as Members of the States Assembly? If not, what other measures have been considered to achieve a more diverse Assembly?

**Deputy L.M.C. Doublet (Representative, Jersey Community Relations Trust):**

I thank Deputy Tadier for the question. This issue had not been specifically considered by J.C.R.T. but the trust has done lots of work in this area, beginning in 2014, I think, when the trust took on some work that had initially been initiated by the Deputy of Grouville. This centred on workshops for women, and I must stress it was for all women of any political colour or background, any women who had an interest in standing for election, and included how to plan an effective campaign, building confidence in speaking to the electorate and developing a working knowledge of the States Assembly. Notably, we did at that time - although I say “we”, I was not the representative at the time - but the trust at that time did open up the seminars to members of other minorities, for example, the Polish and Portuguese community. In 2018, the programme was renewed and J.C.R.T. took part with Women in Politics to host a seminar with Sophie Walker, who was the founding leader of the Women’s Equality Party. There are other events such as drop-ins with sitting politicians to discuss topical issues. We did reach out to all of the sitting women Members and many of them did get involved. We held a mock hustings and again that was open to any women at all. This work will continue and a plan is already being developed for the 2022 election by J.C.R.T., in conjunction with Women in Politics.

**4.18.1 Deputy M. Tadier:**

I appreciate it is the good work that Women in Politics do and it must be so difficult, given the fact that they are not a party themselves, to know which women to promote and where their politics come from, but that notwithstanding, does the Member agree with me that without any kind of structural change in our electoral system, if we just rely on education and public goodwill, it could take centuries before we have parity? Therefore, does the Member agree with me that there is an opportunity when looking at electoral reform that we build equality into the system so that half of the seats that are contested can be only won by women and the other half can only be won by men?

[11:45]

**Deputy L.M.C. Doublet:**

I must stress that the work done by J.C.R.T. and Women in Politics does not and did not promote any particular women, but was neutral and accessible to all women in an equal way, so all women who wanted to stand for election and wanted to access that support. But yes, we did have a discussion about this yesterday and we touched on the electoral system, and I think it is fair to say that the trustees present, there was some agreement that reform of our electoral system is needed because the current system is indeed a barrier to having a diverse Assembly which adequately represents the population, so that large districts would be infinitely better. Can the Deputy just repeat the other part of the question, please?

**Deputy M. Tadier:**

Essentially to do with structuring the seats in an election so that half of the seats would be available for somebody who identifies as a woman and the other half for somebody who identifies as a man.

**Deputy L.M.C. Doublet:**

We did talk about this and we spoke about how this could be done far more easily by the U.K., which does have a party system, and that is because the parties in the U.K. are the gatekeepers, in a sense. But we do have gatekeepers in a similar way in Jersey. We of course have one political party, but the other gatekeepers are all of us, States Members generally. This is something that Professor Sarah Childs raised in her *Good Parliament Report*. One of the things that the trustees wanted all Members to do was to take this work upon themselves and if they are mentoring people and looking towards the next election, which we all know that that happens, but then the trust urges all States Members, current and past, and anybody who is in a position to mentor somebody for these roles to look for

diversity and seek out people who are perhaps a bit different to yourselves and to try to take that on as individuals and as a body, the States Assembly, to increase that diversity in that way.

## **5. Questions to Ministers without notice - The Minister for Social Security**

### **The Deputy Bailiff:**

Apologies to Members who wished to ask questions of Deputy Doublet; we have now reached the end of the 2 hours. We move to Questions to Ministers without notice, for which there is 30 minutes, and the first period are questions to the Minister for Social Security.

### **5.1 Deputy G.P. Southern:**

Will the Minister assure Members that there will be no reduction in front line Social Security services, as there was in the last round of cuts in 2010, which saw some £1.2 million of such services as G.S.T. bonus, Christmas bonus and a freezing of the rental components on income support?

### **Deputy J.A. Martin of St. Helier (The Minister for Social Security):**

I am going to probably disappoint the Deputy. I have gone through everything that Social Security does and I have some very, very tough red lines, but there are things that could be done differently. At the moment I think the things the Deputy has just outlined are quite safe, but again, it goes back to we have to look at what is on the table. We are not collecting half the money that we normally would. I cannot give him a 100 per cent guarantee, but the Deputy knows that I will not be bringing things back that have been to the Assembly a couple of times because this Minister literally knows the mood of the Assembly.

### **5.2 The Connétable of St. Saviour:**

Could the Minister please advise me as to why on the Back to Work scheme if you employ somebody they are not obliged to tell you if they have a conviction?

### **Deputy J.A. Martin:**

There are checks done down at the office for different ... obviously where we are sending people, we will do the checks. I am not sure about the individual and the questions asked by the employer. I can check further into that for the Constable. She makes a very good point. Obviously we would not want to be sending ... there are a complete range of different convictions, past convictions, that may be quite suitable, but I will look into that for the Constable.

### **5.2.1 The Connétable of St. Saviour:**

I do understand that there is sort of something where you cannot just let everybody know, but I have been affected by this very badly and I am very disappointed that I was not informed in the beginning. I would have thought that if it was somebody on probation, the probation officer should have contacted me and spoken to me. I would like the Minister to look into this, please.

### **Deputy J.A. Martin:**

I give the Constable absolute assurance that I will look into this. As I say, I do not know the full details of the case but we can talk about that, absolutely.

### **The Connétable of St. Saviour:**

Thank you very much.

### **5.3 Deputy R.J. Ward:**

May I ask the Minister what her policy priorities are in relation to recovery and what instructions she has given to her officers to implement these priorities?

### **Deputy J.A. Martin:**

I thank the Deputy for his question. As I said to Deputy Southern, we are looking across all we deliver and the policies. It is about keeping people who want to work. We have now got 1,200 people that had not even heard of income support or were actively seeking work before March this year. It is making sure that they are skilled, it could be across skills - I do not know if it is upskilling or downskilling - and just giving people confidence and making sure people are feeling that they are being supported across all the sectors. Again, policy for Social Security is to support people into work, across work and making sure that they feel supported and obviously with good childcare and a good amount of hours. We do not want people to be working too long with younger children and we have these shorter hours' requests for mums, single mums, and working parents.

### **5.3.1 Deputy R.J. Ward:**

We hear all of the time that nothing is off the table and so could the Minister perhaps prioritise one or 2 specifics that are red lines that are certainly not on the table or is everything genuinely there up for change?

### **Deputy J.A. Martin:**

In my department, I have gone through everything we do and I have put my red lines in. Now, these could be picked upon by other Council members, and then when it comes forward it will be picked upon by States Members. They may like something in and something out. I give assurances there will be no benefit cuts this year but we are having more people in the benefit system. We are assessing it as we go. As we open up more areas where people can go back to work, people are falling off of income support ... sorry, going from income support and going from the C.R.E.S.S. (COVID-19 Related Emergency Support Scheme) and back into work, which is great for everybody, but until all the schemes - the C.R.E.S.S., the co-funding payroll scheme - are stopped I do not think we will know the amount of support that is going to be left out there. I am hoping it is a much smaller amount, but who knows.

### **5.4 Deputy G.J. Truscott of St. Brelade:**

I am sure by now the Minister has been fully briefed on the financial position of the Social Security Investment Fund. To better understand the ongoing impact of the pandemic on the medium to long-term viability and sustainability of the funds, will the Minister be calling on an actuarial review of these funds?

### **Deputy J.A. Martin:**

Yes, I thank the Deputy. We have just had an actuarial review. They are now supposed to fall every time we get a new Government Plan. We may need to do that, but all the things that are paid out with deferments and the States grant and deferring the 2 quarters, the £5 million I transferred to Health, we are down about £145 million just coming in from contributions this year and I am expected not to look at anything, but unfortunately this ... some money will be paid back, but again, it will not be in this year. We have to make a judgment, but we can look at that. The actuary's review went forward for the Social Security Fund I think for another 40 to 50 years and it was looking very rosy. It might need to be done. I will ask about that and I will get back to the Deputy, thank you.

### **5.5 Deputy K.F. Morel:**

Aside from the family friendly legislation, which was begun in the previous term, and the response to the COVID-19 crisis, would the Minister please advise the Assembly of any new policies that she has brought in during her time in office or plans to bring in in the last 2 years of her time in office?

### **Deputy J.A. Martin:**

Before COVID we were working on a work-based pension; we are working on other things. We are looking at the massive policy of short-term sick money and long-term sick. There has been a couple of really good reports on these. They are not fit for purpose, they do not keep people in contact with

their employer and they become isolated very quickly. Again, this has all been on the backburner for the last few months. I am not making excuses. I need to reprioritise what I can be doing and what is absolutely practical to get in in the last 2 years of my office. I could come back to the Deputy with a list, in fact. I mean, we are going through that list. I have ruled out some things that will not be done, but I need to make that more wider known and I will get that list out to everybody.

**Deputy K.F. Morel:**

No supplementary. That is helpful.

**5.6 Deputy M. Tadier:**

We are hearing a lot about potential savings or cuts to departmental budgets of up to 20 per cent. Will the Minister give a guarantee which is in line with the current Strategic Plan of Government on income inequality that the worst-off in Jersey society will not be relatively worse off in 2 years' time under this Minister?

**Deputy J.A. Martin:**

I totally understand that is one of the high priorities. I have said I am not cutting any benefits. I have a budget and I am finding more and more people. The most worst-off in our society are the under 5 years normally and that is a much, much bigger debate. Are we going for a minimum wage that is in line with Deputy Southern or are we going for a living wage? These are all questions that are big questions and we need to make a decision. At the moment, I have stopped the consultation on the living wage. I have sent the letter today because I do not think companies are in the right mind. I was listening to the economic debate: everybody seems to visualise a living wage and it is not worth consulting on a wage that is about £1.50 an hour less at this time. I understand where the Deputy is coming from and that is absolutely what everybody wants to do. It is what money do we have circulating in the pot and how many people we have to give it to. These are real questions. They are not very easy answers.

**5.6.1 Deputy M. Tadier:**

Specifically talking about people within Deputy Martin's remit, the Minister's remit, who are on income support, can she guarantee that they will at least be given a cost of living increase in their benefit packages so that in 2 years' time they have not fallen behind relatively in terms of the cost of living?

**Deputy J.A. Martin:**

I thank the Deputy for that very direct question. At the moment, no. As I say, I am assessing the amount of money. It was around about £70 million and we have now got 1,220 more claims - sorry, people - and I am not cutting any benefits, but how much I can put them up is still on the table.

**5.7 Deputy L.M.C. Doublet:**

Can the Minister give a date whereby the 18-week payment for the second parent, which at the moment only the mother gets, the payment that was delayed, when that exactly will be coming in, please, for the second parent?

**Deputy J.A. Martin:**

I thank the Deputy for her question. Yes, because I wanted to bring them both in or it was going to be delayed. The only commitment I did make was to employers. Now it is not 18 weeks. We were looking at 30 weeks overall. Now, that could be ... if it was a single mum, 32 weeks would be for mum. If everything stays the same - I have a team of officers working on this, as I said in the debate 2 weeks ago - I want this legislation before Scrutiny before the last quarter of the year so it can be lodged and it is brought in and it is ready to go in January.

[12:00]

That is my timescale and with a good wind and everything staying where we are, that should be happening.

**5.7.1 Deputy L.M.C. Doublet:**

How committed is the Minister to that date, given that families do need to plan and will she really ensure that that date of the end of January next year is kept to, please?

**Deputy J.A. Martin:**

I am disappointed the Deputy thinks I have no commitment or how much commitment. This Minister brought in a year's leave and I know it is not for me to introduce more money in the middle of a COVID crisis, so I am absolutely committed. I ask weekly for updates where we are with this. The commitment is there, it is being worked on and it can be done. Again, I do not know what is around the corner and I wish I had a crystal ball, but this is very high on my priority because it is not worth having the time when you have to look at your money. I absolutely fully understand people need to plan with the knowledge of what they can expect the Government to support them with.

**5.8 Deputy R.J. Ward:**

What actions will the Minister take during discussions and actions over recovery to ensure her commitment to putting children first is enacted or is this too on the table?

**Deputy J.A. Martin:**

No, there are many ways we can help children, children first, and I note the question from Deputy Tadier earlier to the Minister for Children and Housing. There are bigger debates to be had here. The Children's Commissioner really wants to do away with the 5 and 10-year rule now for people who walk into the Island with children or are here for a few months and have children. Now, I am the Minister who is working within the rules we have. We are putting children first. I gave more money to children in both sets of my uprates and I can still do that for children on income support. We need to find another way for children, possibly in education, working across the board so that we can get to children who are still under the 5 years. It is a bigger picture than just Social Security income support. I know who these children are. They are still children - which was emphasised by the Constable of St. Saviour in a question earlier - that are falling between and we do not know about them until it is very late in the day.

**5.8.1 Deputy R.J. Ward:**

I would just ask the Minister to make a commitment that any negative changes to benefits that would directly affect children would be opposed and therefore not undertaken.

**Deputy J.A. Martin:**

I thank the Deputy. As I say, I have laid my red lines down and that is one of them, the children. If I can support children more I will, and I have no plans to cut any benefits.

**5.9 Deputy K.F. Morel:**

Could the Minister advise the Assembly as to whether the department has undertaken an analysis of whether there would be any savings from the income support budget should a living wage be introduced in Jersey? If so, how much is the value of those savings?

**Deputy J.A. Martin:**

I thank the Deputy. I think we had a written question along these lines. From memory, it was Deputy Southern. It was a really good question. It is about the amount of hours. Not everybody is on this amount of hours because of different children, but I will ask officers. I mean, it could be a general ... obviously there is going to be savings. If someone is doing their 35 hours on the minimum, average

£8, whatever the amount is, to the living wage, which I think is around £10.50 now, it is going to be a saving. But at the end of the day you weigh that up with people who say that they cannot provide jobs. Now, who is saving? We have to do the big, big analysis, but I thank the Deputy for his question and I will see if I can get any outline figures to him and obviously other States Members.

## **6. Questions to Ministers without notice - The Chief Minister**

### **6.1 Deputy K.G. Pamplin:**

Given the importance of the debates looming on this Assembly, can the Chief Minister right here, right now back up his claims to the Scrutiny Panel of the pressure if we do not open the borders on 3rd July, and I paraphrase, that we will lose easyJet and those routes which he claims are at high risk?

#### **Senator J.A.N. Le Fondré (The Chief Minister):**

Sorry, Sir, I did not hear the first point. Was it confirm or clarify and expand on?

#### **The Deputy Bailiff:**

Can you clarify that?

#### **Deputy K.G. Pamplin:**

Yes, to help the Chief Minister, can he right now this moment provide the evidence and clarify his statement of the position he mentioned about easyJet to the Scrutiny Panel?

#### **Senator J.A.N. Le Fondré:**

I can confirm absolutely that my view is that if we were to delay opening the borders from the 3rd, there would be consequences which have the potential to cause us to lose connectivity with the Island. Can I give the Deputy evidence? No, there is obviously not going to be a letter that has been produced by whichever airline we are talking about that says: "If you do not do X on such and such a time, we will not be coming to the Island" because that is not the way it works. What I can say, which is what we have said to Scrutiny, is firstly there have been many communications - I would suspect mainly verbal - between Ports and the operators who come into the Island and Ports then have advised us as to the probabilities of the consequences of certain actions. What I can also apply is the logic. That logic says that if one is dealing with 500 routes, for the sake of argument, that one is trying to open up in the first wave or the second wave of routes that one is trying to operate within the European sphere - which would include the U.K. for these purposes - that if there is one route that says: "We cannot give you certainty that it will be opening up on such and such a date" and even you might like that destination, you might like those individuals, but given the financial pressures that the airlines are operating under, they will give their priorities to where they know they have got certainty. What happens is then there potentially might be consequences. It will not be a matter of: "We will come in on 10th July" or whatever date is there, it will be: "It might be the end of July, it might be the end of August." It will then depend on the profiling that is going on. There is then a risk - hopefully a lower risk, but there is still a risk - of permanent damage to connectivity to the Island as a consequence of that.

#### **6.1.1 Deputy K.G. Pamplin:**

Just so I have got this straight, that there is no evidence that the Chief Minister can provide from either airline that serves this Island that if the borders do not open on 3rd July that those airlines will pull out of this Island?

#### **Senator J.A.N. Le Fondré:**

I think the Deputy misses the point. There will not be evidence one way or another because the Deputy presumably cannot provide me with evidence that a delay to 10th July will not have any consequences. As we have said all the way through, this is about balance of risks. The balance of

risks on this is we have moved away from the issues around COVID-19 because we have those well under control, as we know, and we will shortly be seeing the results cascading down to Members on where we are on cases today, but we then have to take account of the consequences. The balance of the risks means the consequence of doing something versus the consequence of not doing something. If the consequence of not doing something, for example, a delay, is that it could damage the economic well-being of the Island, that then has further consequences. Stats do take account of economic matters in terms of health because if, for example, it was to damage the economy and cause greater risks of people losing jobs, somebody losing their job, that has a mental health consequence on them. It is all in the round, but that is the very likely outcome of delay, based on the advice and information we have been given.

## **6.2 Deputy L.M.C. Doublet:**

Has the Chief Minister had a chance to read the letter that was sent to him from the J.C.R.T. on 16th June, which highlighted some of the inequalities that have arisen as a result of the recent crisis, for example, among young people, women, the older generation and people with disabilities and also issues around race and ethnicity? Is he willing to meet with the trustees to discuss some possible solutions to some of these inequalities that have arisen?

### **Senator J.A.N. Le Fondré:**

The response to the letter, as the Deputy I believe has been advised, is in my tray waiting for me to sign, which will either be today or tomorrow and she will have the full response on that sort of timescale.

### **6.2.1 Deputy L.M.C. Doublet:**

Is the Chief Minister prepared to meet with the trustees to discuss the issues that were raised in the letter?

### **Senator J.A.N. Le Fondré:**

Whether it is myself or, for example, the Constable of St. Ouen who deals with these from the employment perspective, or in conjunction with the Minister for Social Security, who is dealing with diversity as well, I think, and also Deputy Labey, but we will put a meeting together.

### **The Deputy Bailiff:**

Deputy Tadier, you have a point of order?

### **Deputy M. Tadier:**

Yes. It did not need to be read out, it is just I had put my light on, so to speak, at the very beginning and I was just wondering if you had seen it.

### **The Deputy Bailiff:**

I have got you after Deputy Morel, so I am simply asking people to ask questions in the order which I have them on the chat in front of me.

## **6.3 Deputy K.F. Morel:**

Will the Chief Minister advise the Assembly as to the current status of the prison governor? Is he in post? Is he currently working? Is he suspended?

### **Senator J.A.N. Le Fondré:**

As the Deputy should be aware, we do not comment on personnel matters while any process is undergone and that is the position. That has been the public position, firstly reported in the media today, but also as informed to the S.L.C. (Scrutiny Liaison Committee), as the Deputy full well knows, yesterday.



### **6.3.1 Deputy K.F. Morel:**

Would the Chief Minister confirm that he said to me yesterday that the current prison governor is not currently working? If so, would he advise the Assembly as to why?

### **Senator J.A.N. Le Fondré:**

The Deputy should be aware that any potential conversations that take place at the S.L.C. are meant to be confidential. On that basis, I make the same comment I made yesterday, that we do not comment on personnel matters.

### **6.4 Deputy M. Tadier:**

This is to do with borders and travel relating to COVID. Can the Chief Minister confirm whether any consideration has been given to asking the carriers, the airlines and the boats, to test people before they get on at their point of entry? If not, why not?

### **Senator J.A.N. Le Fondré:**

Yes, consideration has been given. I will break it down between ferries, water-based transport, and the airlines. The practicalities with the airlines, which we do continue to explore, is getting somebody tested effectively airside, for the sake of argument, in Gatwick Airport and the logistics just do not work on that front. We have said in the guidance notes that obviously we would accept effectively an appropriate certificate from someone who has been tested 72 hours before travel and that obviously still remains the case. In terms of the ferries, I am not up-to-date on the latest position, but I do know that they were considering firstly whether one could test during the trip to Jersey. The way it was put to me is the practicalities of swab testing on a boat - in other words, putting a swab down somebody's throat, near enough - while the boat was potentially moving relatively unstably through the water was not the best option for all sorts of reasons, including if somebody was not particularly well as a result of the journey anyway. The other one that was being looked at - I do not know the present position - was whether tests could be done, for example, on car drivers while they were waiting in the port in the U.K., for example. My understanding is that the operator was less keen on that position, principally because it would require passengers to arrive one or 2 hours earlier. I do not know what the present update on that position is, so the short answer, they have all been looked at. The practicalities to date are that it is better to do it on arrival at the port in Jersey.

[12:15]

### **6.4.1 Deputy M. Tadier:**

It seems that the practicalities for them are very much being taken into consideration rather than the practicalities for the recipient jurisdiction and the potential health hazard, the risk that we would be taking. Have the carriers not been asked to at least do some form of preliminary test, which may not be 100 per cent efficacious, but, for example, the temperature test on the forehead to determine somebody has a fever? It takes just a moment and would at least be some form of triage which could then perhaps precipitate a secondary test, if necessary. Can the Chief Minister give us an assurance that this will still be looked at?

### **Senator J.A.N. Le Fondré:**

What I will say is that we are looking to try and improve all the way through, to keep improving on the testing processes we have. That means that the testing we have is good and is robust, but can we improve it and make it even more efficient? In terms of the example that the Deputy has alluded to already, for example, on temperature testing, the difficulty on that, as has always been said to me by the medical officers, is that the temperature testing is not sufficiently reliable. It gives an indication, but if someone wanted to try and spoof the system, effectively, essentially one could take ... I do not want to use the brand name, but a tablet which reduces your temperature for a few hours, which is a normal over the counter remedy. Also I think, to go back to the main point, passengers who are

feeling unwell and are showing any symptoms should not be travelling. That is the fundamental principle of all the measures we have got in place, but I am very happy to just really give that reassurance that we do keep pushing and challenging on the technology and as the advice changes, what I have said is the advice to date.

## **6.5 The Deputy of St. Martin:**

Over the current crisis, a large number of our States employees from across all departments have been working from home. How many of those people does the Chief Minister expect to stay working at home once we get back to the new normal?

### **Senator J.A.N. Le Fondré:**

At this stage I cannot give a specific number. It is very likely that those who do have underlying health conditions will still remain operating from home. As my understanding is in terms of the percentage of employees that have not been coming into their posts, it is in the order of around 9 per cent, I think, or 10 per cent. I think there is more on the absenteeism rates.

### **6.5.1 The Deputy of St. Martin:**

Given that reduction in number, does the Chief Minister agree with me that the best place to move when we move to a centralised office block now, given the reduction in number, would be - and the most cost-effective option would be - to move to the Waterfront, to the office building that has most recently been approved?

### **Senator J.A.N. Le Fondré:**

Not necessarily. The point is that there are bids out there at the moment. I know there will be certain Members who are absolutely convinced that that is the only solution that will work, but we have gone out, we are in the middle of a process. I am sure that the Waterfront is one of those sites. We do the evaluation. I am expecting that to come back to me or come back into the system by 31st July and therefore once that has been through the evaluation it will go to Ministers in September. At that point, we will be delighted to be informing Members as to where we are and what the best outcome is. But the outcomes that come through on this is, first, overall cost of the package; second, obviously the return to the States or the public; and third, the best economic impact for the people of St. Helier, because there will be regenerative aspects on St. Helier, particularly the high street, according to the location you put it. Those 3 elements need to be brought together, so it is not a given and we need to know the outcomes, as I said, of the bids when they come through around 31st July.

### **The Deputy Bailiff:**

That concludes the period for asking questions to the Chief Minister without notice. Before we move on to Questions to Ministers without notice, I understand from the Greffier that Senator Gorst has a proposition to make in relation to the rest of today's business.

### **Senator I.J. Gorst:**

I had intended to take it just before lunch, but it seems reasonable to take it now. The proposal is this: that Members will be aware that the Council of Ministers has lodged the safer travel period. The S.L.C. have lodged an Amendment, as has Deputy Ward, so we will need to make the decision to take all of those items early at this current States sitting. I hope that Members will support that, but it strikes me that the most sensible course of action would be to agree that we will not start the safer travel period and the Amendments debate until tomorrow morning and then we could agree to sit and complete all of those items during the course of Wednesday. That would of course mean that we would also be required to agree to take Deputy Labey's airport proposal this afternoon. We could complete that business. If we do complete that business, we can then rise early. If we do not, then we can complete it tomorrow morning and then get on to the safer travel period. I am not sure how

you would like me to make that proposition. Hopefully it stands together and can be taken as I have just explained it.

**The Deputy Bailiff:**

As currently listed on the Consolidated Order Paper, the first item of Public Business is the reappointment of a commissioner for the Jersey Overseas Aid Commission, then we have a number of matters in relation to Deputy Maçon's proposition in relation to the lifting of travel restrictions, many of which, as I understand, will fall away, although Deputy Maçon wishes to address the Assembly in relation to his original proposition. Are you inviting the Assembly to take the proposed airport redevelopment review immediately after the appointment of the new commissioner for J.O.A.C. (Jersey Overseas Aid Commission) or are you simply asking the Assembly to proceed in accordance with what is currently listed? Because as currently listed, P.84 will of course be debated after the proposed airport development review.

**Senator I.J. Gorst:**

As listed, Sir. I stand to listen to Deputy Maçon's view about how he would wish to deal with his item, but I think, as listed, it will give Members time to consider the Amendments and ensure that the debate is not broken up.

**The Deputy Bailiff:**

Your proposal is simply that we proceed as listed, but not take P.84 until tomorrow?

**Senator I.J. Gorst:**

That is correct, Sir. Thank you.

**The Deputy Bailiff:**

Is that seconded? **[Seconded]** Does any Member wish to speak on this proposition? If Members could indicate in general terms in the chat if they are content. Are they content with this proposition?

**Deputy J.H. Young:**

Could I ask what the intentions of the Scrutiny Panel are? We had an email last evening telling us that there were intended to be some Amendments on this substantive debate, subject to this discussion we are having now. Could I ask whether we have any news of that from the Scrutiny Panel, whether they intend to do that today?

**The Deputy Bailiff:**

I think the Amendments have been lodged by the Scrutiny Panel, approved for lodging and lodged and circulated.

**Deputy J.H. Young:**

But they were not included on the Order Paper. That is why I ask.

**The Deputy Bailiff:**

No, the Order Paper was prepared too late in the day for that, but I think it is the intention of the Scrutiny Panel to make the same application as the Council of Ministers so as to ensure that their Amendments can be debated tomorrow.

**Deputy J.H. Young:**

I am grateful to you for clarifying it, because I could not see those either in the States email this morning, unless I have them now. You have clarified, thank you.

**The Deputy Bailiff:**

Yes. Deputy of St. John, do you have a question for Senator Gorst in connection with this matter or in relation to the Questions to Ministers without notice that is to follow this?

**The Deputy of St. John:**

Questions to Ministers to follow.

**The Deputy Bailiff:**

Thank you. Accordingly, the proposition is agreed by Members and we will debate P.84 tomorrow and otherwise we will proceed in accordance with what is listed. Yes, of course the Assembly will need to agree that P.84 be taken, but if it does, then it will be debated tomorrow. So we now move on to ...

**Deputy R.J. Ward:**

Sorry, before we go forward, may I ask a quick question on that point?

**The Deputy Bailiff:**

Yes.

**Deputy R.J. Ward:**

Would it be sensible to agree that those propositions would be taken today so we do not come back for no reason whatsoever? I do not know how this works but it is strange times, I think.

**The Deputy Bailiff:**

What I was going to do at the end of the period of Questions to all Ministers without notice was to deal in one go, as it were, with all the matters on the agenda which need the Assembly's permission to be debated today or tomorrow because that applies not merely to P.84 and the Amendment to it, but also to P.71 itself because the lodging there was slightly late as well. So we will deal with all those issues collectively at the end of the next period of Question Time.

**Senator L.J. Farnham:**

May I ask a question?

**The Deputy Bailiff:**

Yes.

**Senator L.J. Farnham:**

I did understand that Senator Gorst was asking the Assembly to agree that we did take the proposition and take it tomorrow morning. That was all.

**The Deputy Bailiff:**

Yes. The debate on the proposition will be tomorrow, but it may make sense to deal with whether or not we should have that debate at all today in the sense that permission is required of the Assembly for that matter to be debated.

**Senator L.J. Farnham:**

Sorry, I understand Senator Gorst did ask that we do agree to take that debate and take it tomorrow morning. Perhaps the Senator could clarify for Members.

**The Deputy Bailiff:**

Senator Gorst, was it your intention to have the discussion about reducing the lodging period and the like tomorrow morning or this afternoon at some point?

**Senator I.J. Gorst:**

It is entirely my fault for not being clear. I had thought that in making the case, I was rolling it all into one. I am quite happy to, if that was not clear, make the case again. I felt I was making the case on behalf of all Members' propositions that were lodged, Deputy Labey needing to have approval to take it today, which we have agreed, and Ministers and the Amendments having approval to be taken tomorrow. If you feel that a further case is required to be made, then of course I am happy to do so, be that now or after the period of questions without notice.

**The Deputy Bailiff:**

Yes. Let us deal with that issue after the period of questions without notice. We will proceed to questions without notice and the first question without notice is the question that we did not reach in oral questions earlier on today and that was question 18, which the Deputy of St. John will ask of the Minister for External Relations. Deputy of St. John.

**7. Questions to Ministers without notice**

**7.1 The Deputy of St. John:**

Will the Minister advise what plans, if any, are in place to recommence consultation either with the public generally or with the finance industry specifically in relation to the regulation of pensions?

**Senator I.J. Gorst (The Minister for External Relations):**

Under normal circumstances, I would have asked my Assistant Minister to answer this question, because he is the political lead on pensions, but that is of course not possible under this section of Question Time, so I shall do my best.

[12:30]

The Government recognises the importance of regulating pensions effectively and intends to issue one further consultation on the draft legislation itself. They are aiming to producing a draft law in the next few months, in collaboration with both industry and the J.F.S.C. (Jersey Financial Services Commission). The draft law will expand the regulatory scope of the J.F.S.C. to include the regulation of pensions investment business. This is stage one of pensions regulation in Jersey and is aimed at closing off perceived gaps in the regulation of existing pensions business. It is anticipated this consultation will take place in the next quarter and that it will have a shorter period of consultation as both the Government and the J.F.S.C. have consulted on this topic over the past few years. We will also be publishing a summary of responses to the earlier consultation at this time.

**7.1.1 The Deputy of St. John:**

Would the Minister agree that all pension business customers deserve the same protection as investment business customers which would be provided via regulation by the J.F.S.C. rather than via law within the Tax Law, as it is at present?

**Senator I.J. Gorst:**

We support the Deputy's view and that is what my Assistant Minister, the Constable of St. Ouen, will be bringing forward and proposing.

**7.2 Deputy G.P. Southern:**

Will the Minister assure Members that there will be no reduction in front line health services as a result of any staff cuts included in the economic recovery plan as the means of reducing expenditure and will he explain how he intends to safeguard those services during the development of the plan?

**The Deputy of St. Ouen (The Minister for Health and Social Services):**

The Government are considering their recovery plan and indeed what revisions may need to be made to the Government Plan. This will be a comprehensive plan that covers all of the things the Government needs to deliver, including, but not limited to, economic recovery. There are significant

pressures on public finances, particularly in the light of the measures the Assembly has endorsed to protect individuals and businesses during the COVID emergency. Personally, I wish to retain front line health services, but we can also deliver those services differently and so more efficiently and effectively. It is too early in our planning to say anything in detail other than to give an assurance of a clear focus on providing services of a high quality and in a financially sustainable way.

### **7.2.1 Deputy G.P. Southern:**

Again, I make the analogy between what happened in 2010 and what is happening now. In those days they cut £200,000 from the budget and 5 posts went in particular sectors, for example, removing a vacant counsellor post and removing a vacant C.A.M.H.S. (Child and Adolescent Mental Health Service) post. Will the Minister assure Members that we will not see that sort of salami-slicing on this budget?

### **The Deputy of St. Ouen:**

As I said, it is far too early to give any sort of detail. But you must bear in mind that, as a signatory in the budget within the health service, there are significant numbers of staff, which means that people are constantly leaving and posts can be reviewed. We can deliver services more effectively. We can work differently. We are trying to co-ordinate our services with G.P.s (general practitioners), which the Deputy is most interested in and we are trying to bring forward the Jersey Care Model. All these things will inform the way we wish to proceed into the future and that is the answer I can give at this stage.

### **Deputy G.P. Southern:**

Sir, if I may?

### **The Deputy Bailiff:**

You have had a supplementary and there are lots of other Members who wish to ask a question. Deputy Labey, you have a question for the Minister for Treasury and Resources.

### **7.3 Deputy R. Labey:**

Could the Minister for Treasury and Resources, in her capacity as shareholder representative of Ports of Jersey, confirm that the Airport director has left after 18 months in post?

### **Deputy S.J. Pinel (The Minister for Treasury and Resources):**

The short answer is, no, I cannot confirm that. I could find out and get back to the Deputy later but at the moment I cannot confirm that.

### **7.3.1 Deputy R. Labey:**

I would be grateful to the Minister if she were able to do that and perhaps at the same time find out if the ex-director has been retained now as a regulatory consultant and whether she will be working from the U.K. in that role.

### **Deputy S.J. Pinel:**

I will get both answers to the questions the Deputy asked.

### **7.4 Deputy G.J. Truscott:**

I am sure the Minister has read the half-page announcement in last night's *J.E.P.* entitled "Changing Jersey's Healthcare Model by stealth". Would the Minister like to comment on the article, please?

### **The Deputy of St. Ouen:**

I am saddened and disappointed that these 5 individuals have published falsehoods, which I believe are there to pursue an agenda that they wish to put forward. I take issue with many of the statements

that they have made. I believe that many are inaccurate. We will continue to engage with members of the public and, as we bring forward the Jersey Care Model, as I have said before, that has been validated now by work involving PwC. It is being considered by Scrutiny. I have assured Members that there will be a debate in the Chamber at which all these issues can be raised. But I would like to take the opportunity to assure Members that we are not proposing to nationalise G.P.s. There will still be the personal service that G.P.s have given over generations in this Island and we do not want to change that. But we want to improve access to primary care and we want to co-ordinate our health services with primary care practitioners. The recent COVID emergency has allowed us an insight as to how we could do that. Building on that good work, we are in serious discussions with the G.P.s about the way forward and those discussions have to be concluded before any firm proposals come forward.

#### **7.4.1 Deputy G.J. Truscott:**

I had a number of phone calls yesterday from concerned constituents and, put simply, my constituents do not want to lose their doctor of choice. The Minister has already indicated and given his assurances but can he again reiterate and give the Assembly the assurance that no such plans are afoot to nationalise all doctors' practices?

#### **The Deputy of St. Ouen:**

It is simply untrue to say that people will not be able to attend a doctor of their choice. We are not trying to impose an N.H.S. (National Health Service) model, never been the case. I wish to reassure, we recognise what is valuable about our primary care service in Jersey. It is a question of access to the service, rather than those sort of fundamental changes described as nationalising the service.

#### **7.5 Deputy K.F. Morel:**

Would the Minister please advise the Assembly as to who currently has daily operational responsibility for running and managing the prison?

#### **Connétable L. Norman of St. Clement (The Minister for Home Affairs):**

The role of running the prison is the prison governor and in his absence, of course, his management team or his deputy.

#### **7.5.1 Deputy K.F. Morel:**

Would the Minister please advise if I was to go and knock on the door of the office of the prison governor in H.M.P. (Her Majesty's Prison) La Moye, would I be received and would that door be open today now by the prison governor, Nick Cameron?

#### **The Connétable of St. Clement:**

As the Chief Minister said a few moments ago, I will not discuss staff or personnel matters, particularly when it is about a named individual who has been identified.

#### **Deputy K.F. Morel:**

If I may quickly, Sir, just does the Island not have a right to know who is in charge of the prison?

#### **The Deputy Bailiff:**

You have had your supplementary question and your original question.

#### **7.6 Senator K.L. Moore:**

In yesterday's hearing with the Corporate Services Scrutiny Panel the Chief Minister told us that he does not currently have a strategy for dealing with the eventuality that a second wave of the coronavirus might hit the Island. Could I ask the Chief Minister when will he provide us with a

strategy for dealing with such a possibility and, secondly, if he will follow the same strategy that he has employed throughout this first experience?

**Senator J.A.N. Le Fondré (The Chief Minister):**

I think what we said is that we are planning for any potential increase of cases that might occur in the winter months. But the strategy, I would suggest, would probably remain the same in terms of suppress, contain, delay. But what we did also say is that the Emergencies Council will be meeting, I think it is in the week of 20th July and that will be when we bring together the items that we feel we need to consider from the point of view of issues identified, I will say lessons learned, what we need to improve, what we need to consider, what we need to change and that activity will be done in July. It will then take place over those summer months to make sure that when the next Emergencies Council are meeting, which will be in September, we are then in a good place, an even better place in preparation. The other caveat in all that is understanding what is happening in the southern hemisphere as they go through their winter months and are there any issues we need to learn from that? It is not a case of not having a strategy, it is a case of making sure we can improve or do we need to improve based on the latest evidence, the latest research, *et cetera*, on what we have already done?

**7.6.1 Senator K.L. Moore:**

What personal reflection would the Chief Minister share with the Assembly now in terms of an item that he would have liked to have dealt with differently?

**Senator J.A.N. Le Fondré:**

Sorry, Sir, could the Senator just repeat her question?

**Senator K.L. Moore:**

What would the Chief Minister liked to have done differently in hindsight because, of course, we can now enjoy that?

**Senator J.A.N. Le Fondré:**

To date I would not say there is anything significant that I would have done or we, as the team, would have done differently because it has always been based on the evidence and the advice of S.T.A.C., based on the evidence and information available at the time. But what we will need to consider is, as some research has come through in the past few weeks, whether there is anything we need to learn from that. At this stage I think it is too early to say what one might change, what one might consider, other than what we have already alluded to within Scrutiny. But obviously that would be the considerations that will come through, as I said, in the period of July, August and the beginning of September.

**7.7 Deputy L.M.C. Doublet:**

Can the Chief Minister outline when the Emergencies Council will be disbanded? What conditions are they working to in terms of stopping operations from that council and moving back to the Council of Ministers as being the primary decision-making body?

**Senator J.A.N. Le Fondré:**

The point is the Emergencies Council always exists, it is just when it meets less frequently in relation to dealing with a crisis. My view, which was expressed at Scrutiny, is that for health matters and dealing with the health impacts of COVID-19, the Emergencies Council and the competent authorities of the main venues.

[12:45]



But also we are dealing with the economic consequences, it is absolutely clearly the case the Council of Ministers are the decision-making body, whereas the health decisions that we have made for COVID-19 through competent authorities and Emergencies Council are the actual decisions that have been made by individual Ministers under their ministerial powers. Essentially, the Emergencies Council is maintaining a watching brief over the next few weeks and so we will then evaluate the position with the information we have before winter starts. I suspect in terms of the health consequences the Emergencies Council will still monitor things, probably for the rest of the year, unless it is very clear that the health crisis is completely over. We are in a very, very good position, the risks to date are low and the objective of all the testing regimes, and as the technology changes as well, is to maintain that position. But I think it is too early to fully stand down the Emergencies Council, although both the Emergencies Council and other structures are, essentially, going into a sort of watching brief mode.

**Deputy L.M.C. Doublet:**

Supplementary, please, Sir.

**The Deputy Bailiff:**

The adjournment has been proposed. Is it a very short supplementary?

**7.7.1 Deputy L.M.C. Doublet:**

It is. What Amendments would the Chief Minister make at the conclusion of the crisis in terms of adding or removing members from the Emergencies Council in the Emergency Powers Law?

**Senator J.A.N. Le Fondré:**

Again, as I said to, I think, Scrutiny yesterday, the Emergency Powers Law was due for review. I cannot remember if it was this year but obviously it is now going to be next year because of the delays with COVID-19 and we will look at it at that point. I will say that I believe the system has worked, the membership has worked very well. But, of course, each emergency will be different and so it may well be that one needs flexibility, which we kind of do have as to who one brings in and who does not. The crucial thing is that it has got to be able to be flexible, it has also got to be able to move swiftly and under the competent authorities structure that is what has happened under this particular crisis.

## **LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

Thank you. The adjournment has been proposed and seconded and there is no suggestion that we should not adjourn now. Before we do adjourn until 2.15 p.m., I would just like to indicate which names I have got written down to ask questions in this particular session. I do that for 2 reasons, firstly, I may not have got all the names down, as there was a lot going on in the chat. Secondly, as you may know, the names are often wiped during the short adjournments. These are the names I have and the order in which I am going to invite people to ask their questions: Deputy Gardiner for the Minister for Infrastructure, Deputy Pamplin for the same Minister, the Deputy of St. John for the Minister for External Relations, Deputy Truscott for the Chief Minister, Deputy Southern for the Minister for Health and Social Services, the Connétable of St. Lawrence for the Chief Minister, the Connétable of St. Helier for the Minister for Infrastructure, the Deputy of St. Martin for the Minister for the Environment and the Connétable of St. Saviour for the Chief Minister. If I have missed anyone out, then please could you indicate in the chat? Deputy Doublet has just raised if Members are minded to extend the sitting into the evening, could this be proposed now, rather than at the end of the day? I know this is something that since we have moved to this forum is thought to be appropriate to be resolved sooner rather than later, so that individuals can make domestic arrangements if necessary. It may well be that P.71 will take a while. Is there a proposal that we sit

late tonight or are Members content to adjourn at 5.30 p.m. or 5.45 p.m. or thereabouts in the usual way? Deputy Labey.

**Deputy R. Labey:**

Sir, I do not see why we should not be able to finish P.71 by 5.30 p.m. or even sooner. The only thing I would really caution against, and I would be upset if this happened to me, is that I do not believe it is right for a debate not to finish in one session and for it to be held overnight. Some proposers are happy with that, I am not. I always try to gauge at this juncture, the juncture at 5.30 p.m., whether the proposer is happy to finish and can continue in the morning or whether the proposer would prefer his or her proposition to be finished in this session because we all know what nefarious dealings can go on overnight; that is the only thing I would say. I cannot imagine it is going to take more than 2 or 3 hours to do this proposition and the one before it is very, very short indeed with a good wind. But could I just say that if we had to get to 6.30 p.m. to finish or 6.00 p.m., then I think we should do that and then we start fresh in the morning with the proposition on the borders? I am not trying to be difficult here and I understand the family pressure and that but I always feel that it is right to consult the proposer of the debate on that; that is just my feeling.

**The Deputy Bailiff:**

Yes. There are obviously 2 competing views in the chat. Some Members think that it will be appropriate to finish the debate at 5.30 p.m. in any event and others would wish to sit to finish P.71.

**Senator L.J. Farnham:**

If Deputy Labey is minded to make that as a proposition, I am happy to second it.

**Deputy R. Labey:**

I am happy to make that proposition. If they can just tell me, I have not got a very long speech for this one. While it is a technical subject and complicated, the actual proposal for a review is simplicity itself, so I will not be banging on for too long.

**The Deputy Bailiff:**

Instead of having a debate about timing now, shall we leave matters on the footing that Members have heard what has been said and that Members, collectively, wish to finish P.71 by 5.30 p.m. and will do their best to achieve that?

**Deputy R. Labey:**

Yes, Sir, I would be happy with that.

**The Deputy Bailiff:**

If we are content with that then we will leave things there and we will adjourn until 2.15 p.m. The States stands adjourned until 2.15 p.m.

[12:52]

**LUNCHEON ADJOURNMENT**

[14:15]

**The Deputy Bailiff:**

We now resume questions to all Ministers without notice. I understand from the Greffier that the Minister for Treasury and Resources now does have an answer to give to the question that was put by Deputy Labey. Deputy Pinel? Perhaps she is not attending yet. In that case, can I ask Deputy Gardiner to put her question to the Minister for Infrastructure?

**7.8 Deputy I. Gardiner:**

Would the Minister advise what progress has been made in relation to parking for hospital staff before Patriotic Street will be reopened?

**Deputy K.C. Lewis (The Minister for Infrastructure):**

Tomorrow obviously things return to some kind of normality where we will start charging for parking. I have made arrangements that an entire floor should be made available in the not too distant future for the hospital staff, possibly the first and second floors if the demand is there.

**7.8.1 Deputy I. Gardiner:**

Does it mean that from tomorrow the hospital staff will need to pay for their parking if they are needed in the hospital for longer hours than would be expected?

**Deputy K.C. Lewis:**

That is my understanding, yes, except for the Nightingale Wing where provision has been made, I believe.

**Deputy I. Gardiner:**

Can I ask for clarification? What does he mean by Nightingale Wing? Are we talking about the General Hospital in Patriotic Street?

**Deputy K.C. Lewis:**

Patriotic Street will return to normal as of tomorrow but there is still work going on at the Nightingale hospital, which is at Bel Royal.

**7.9 Deputy K.G. Pamplin:**

Following on from the Minister's answer to my question 7 weeks ago about the tender process that he informed the Assembly about and the contract for the work of Orchard House being transferred to Clinique Pinel, can he provide us with an update to that today?

**Deputy K.C. Lewis:**

Not at present. Obviously everything has been delayed by COVID-19 but I will chase that up with the department and see where it is.

**7.9.1 Deputy K.G. Pamplin:**

In the further response to my question 7 weeks ago there was also the completion of the works on the existing facility in Orchard House, at which point he said it was within 2 to 3 weeks of target, which was delayed in April. Can he also provide an update on that?

**Deputy K.C. Lewis:**

That would likewise be delayed by an equivalent amount with COVID, but I will check with the department, possibly later in the afternoon, and I can get back to States Members regarding that.

**7.10 Deputy G.J. Truscott:**

I note that Andium Homes brought forward a number of large building schemes with the aim to help stimulate the economy at this most difficult time. I have no real issue with this initiative and I am supportive of the move. Not least, this initiative will provide more affordable homes and also much needed work for the building industry. Can the Chief Minister indicate how much Government involvement there was in the executive decision-making process at Andium Homes to bring forward this £150 million investment, an investment that is underwritten by the Jersey taxpayer?

**Senator J.A.N. Le Fondré:**

I understood from the announcement that it was essentially projects that were already on the books. Therefore, effectively it was an operational decision, certainly from my recollection. It certainly did not come up, for example, to the Council of Ministers for consideration, but I am fully supportive of the principles, like the Deputy. I think, and I obviously expect it to be, it was a decision that involved quite significantly the Minister for Children and Housing.

**7.10.1 Deputy G.J. Truscott:**

I have been concerned that our arm's length publicly-owned companies appear to have, at times, too much latitude and free rein when it comes to investments and plans for the Island. Will the Chief Minister commit to undertake a review into the working relationship between the Government and the publicly-owned companies in our portfolio with a view to Government taking a more active role in the decision-making process of those bodies?

**Senator J.A.N. Le Fondré:**

That I can comment on. That was on the agenda for the Council of, I think it was either yesterday or Friday. The review of the arm's length organisations and overall property strategy has been approved by the Council of Ministers and is, therefore, commissioned or in the process of being commissioned.

**7.11 Deputy G.P. Southern:**

Earlier I was asking a question about reductions in front line services. The Minister said it was too early to tell what was on the table and what was not. When will he know what is on his table and what is not?

**The Deputy of St. Ouen:**

I think this will become clearer as we come into the autumn and plan around the Government Plan. The economic recovery will be a large feature of the Government Plan and obviously proposals would be developed in time for that.

**7.11.1 Deputy G.P. Southern:**

The Minister, as part of his answer, talked about staffing number levels. Could he indicate how few staff he believes he may need compared to the current staffing levels on which he is operating?

**The Deputy of St. Ouen:**

First of all, I do not believe I referred to staffing levels in my previous answer this morning - well, if I did, I am sorry - but I am not in a position, as I would have indicated this morning, to go into that level of detail, if indeed there needs to be any change to staffing levels.

**7.12 Connétable D.W. Mezbourian of St. Lawrence:**

I did indicate this for the Chief Minister but it may well be for the Minister for External Relations. Between them I am sure they will decide. I understand that the U.K. is likely to introduce a traffic light scheme for foreign travel, negotiated on a reciprocal basis. Green would be for straightforward travel and red would essentially be no travel. The amber part of the system would include some registration requirements, restrictions or quarantine measures. I understand, for instance, that Cyprus, as an example, would require a certificated negative P.C.R. (polymerase chain reaction) test from within the previous 72 hours in order to allow entry. My question to whichever Minister is able to answer is: will we, as a Government, be enabling P.C.R. testing for those travellers who require such certification?

**Senator J.A.N. Le Fondré:**

I take great delight in suggesting that is definitely in the remit of the Minister for External Relations, who I am sure will be delighted to answer the question.

**Senator I.J. Gorst:**

I have been in correspondence with one of the Constable's constituents. I think I replied to an email this morning. It is a very good question and it is not something that we in Government have yet considered, whether we should be providing P.C.R.s in this way. It is a new issue that has now arisen because the private P.C.R. testing regime has indicated that it is going to close from the end of this week. I gave the assurance to the Constable's constituent or parishioner that we would review the situation and undertake to investigate what was possible in regard to allowing, even if it was on a reduced cost basis, private citizens who needed such a test to enable them to travel, to see whether that was possible. I also undertook to review further the issue of whether everyone should treat Jersey in the same way that they were treating the United Kingdom because, of course, here Islanders have been much more successful and managed the way that they have behaved so that the virus has been suppressed. Today, in the last hour we have had the official notification that cases are down to zero and that is a positive thing. We need to maintain that suppression so I also undertook to have further conversations with other countries to see if we could be treated in a different manner. However, it should be noted that we did have those conversations with our French colleagues and because of the French process, which is you can travel with a voluntary isolation, it was felt that there was no need to differentiate.

**The Connétable of St. Lawrence:**

I thank the Minister for his response. I did ask the question on behalf of my parishioner.

**7.13 The Connétable of St. Helier:**

The Minister supports, as I do, the part-time pedestrianisation of Broad Street for reasons of physical distancing and also the regeneration of the street. However, he knows that I have concerns about the loss of the central bus stop and I wonder if he would be willing to have a trial bringing the number 19 back into the town centre, allowing it to unload and load passengers in Library Place near the Le Sueur Obelisk and then returning via Church Street and Mulcaster Street back on to its normal route.

**Deputy K.C. Lewis:**

We have put this suggestion forward to LibertyBus and they have replied. They say they have some difficulties with this, so this is something we are actively working on to alleviate the problem.

**7.13.1 The Connétable of St. Helier:**

I would just be very glad if the Minister would agree at least to trial doing this because I know many people are concerned who want to use the department stores and do not want to walk all the way back to the bus station or up to Savile Street. A town centre bus stop would be extremely useful for them and the area around the Le Sueur Obelisk has plenty of seating and is probably a better place for a bus stop than Broad Street ever was. Does the Minister agree?

**Deputy K.C. Lewis:**

I was just saying, this is something that we have put forward to LibertyBus and is something they are investigating. There are problems with taking a bus around Library Place, Church Street and on to Mulcaster Street, but it is something we are working through with LibertyBus.

**7.14 The Deputy of St. Martin:**

If I could, I would like to return to the issue of nesting birds at the Les Écréhous. This morning, in his answers, the Minister alluded on 2 occasions to damage to nests that birds were sitting on. Does he have any factual evidence that that is actually happening?

[14:30]

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

No. If I said that I am going to have to withdraw that. I think that the evidence that I have had is disturbance and whether that is damage ... as I said earlier, the law gives powers if somebody interferes with a nest or a bird seeking to use a nest, but the evidence I have had is disturbance and that is the situation. I want to correct that point.

#### **7.14.1 The Deputy of St. Martin:**

I thank the Minister for his answer. It may well be me that misinterpreted his use of the words, but can I ask the Minister if he will in future just make sure that anything he acts on is evidence-based and comes from his officers?

#### **Deputy J.H. Young:**

Absolutely, had there been the evidence. We have investigated it and there is not hard enough evidence to act by way of referring papers through for prosecution. That is not so. If we wanted to go that way I think we would have to have video cameras on there and so on to be able to get that evidence. At the moment, I do not have it. But disturbance is serious enough because that could result in birds leaving the nests and obviously with very rare species that is not a thing we want to happen.

#### **7.15 The Connétable of St. Saviour:**

When the virus first hit us we rushed through a lot of laws, which we were told at the time were needed and that they were going to fall away in September. Now we hear that the Law regarding the doctors is possibly going to stay and it is going to be under the control of the Government. Does the Government have any ideas for the other laws that we rushed through temporarily until September, because I did not vote for things to go on for ever? I voted for them to be withdrawn in September and not to continue. If I had have known that we were going to be browbeaten and things were going to change I would not have voted for them to be implemented until September anyway.

#### **Senator J.A.N. Le Fondré:**

I do share the Connétable's concerns in terms of the ways she has expressed them. I would say there are 2 distinctions. One is to give the absolute assurance that all the laws we brought relative to COVID-19, or at least all the ones relevant, have said they will expire on 30th September. That absolutely remains the case and there is nothing we can do about it - "we" being the Government or the Council of Ministers - without the support of the Assembly. In other words, if circumstances were to change and we needed to extend something that was due to expire on 30th September, that would have to be brought back to the Assembly and the argument made at that point. I hope that gives the Connétable the assurance she is seeking. In relation to the doctors - this is my recollection, I hasten to add - that was very much more a contract negotiation. I believe it has been extended for a period of time and obviously beyond that extension is then very much a matter what, if anything, is negotiated. I suspect if it was anything significant it would have to come to the Assembly at some point for some form of endorsement, because I think it would be a significant change and particularly if it was wrapped up into the Jersey Care Model. The Minister has undertaken already that that would be subject to some form of debate within the Assembly.

#### **7.15.1 The Connétable of St. Saviour:**

Could I have a bit of clarification, please? I thought that the doctors were brought under the one umbrella to make it more convenient for what was going on and I am a little bit disturbed, as a lot of my parishioners are, that this may not be happening. So I would like to know for sure that if something does go belly up we are going to vote back on this and we are not going to be given a *fait accompli* that: "We are now looking after the doctors and you are going to have to do as we say." If the Minister could just put my mind at rest, please.

#### **Senator J.A.N. Le Fondré:**

Firstly, we are always in the hands of the Assembly to give that absolute assurance. Secondly, the original measures that took place in March, I think it was, in relation to the doctors were to deal with the crisis. They have worked very well but, as I said, I hope I am giving the assurance to the Connétable that nothing can change to that system without the support of the Assembly.

**The Connétable of St. Saviour:**

Thank you very much, Minister.

**7.16 Deputy M.R. Higgins:**

First of all, I would like to say that I welcome the fact that we have no further active cases of the virus in the Island. However, my question is to do with the number of test results that are outstanding. According to the latest thing we have had, there are now 415, up 202 since yesterday. How long have they been outstanding and when will we get the results?

**The Deputy of St. Ouen:**

It is likely that many of those test results will be through by tomorrow. There has very commonly been delay on a Monday because of lesser weekend working. So it is not unusual to see a large number outstanding on a Monday but they are cleared to a great extent within the day.

**7.17 The Connétable of St. Helier:**

I am not sure if this is for the Chief Minister but he can reroute the question perhaps. I think many Islanders are concerned that the proposed drive-in cinema that was going to happen at the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society) has been ruled out. I wondered whether there was anything that could be done to ask the Bailiff's Panel to reconsider, given that everyone would be in their cars and it is the kind of Jersey entrepreneurship that we should be encouraging at this difficult time.

**Senator J.A.N. Le Fondré:**

I do not think it directly falls under my remit, but I am very happy for either myself or - not that it is his direct responsibility but he has had direct experience in these type of things - to ask the Minister for Infrastructure, but probably wearing a slightly different hat, to look into the matter and work with the Connétable on it.

**7.18 Deputy I. Gardiner:**

Can the Minister confirm or deny that the request from the Prison Governor to place H.M.P. La Moye into full lockdown at the beginning of the pandemic has been refused by the Director General?

**The Connétable of St. Clement:**

I can deny that totally and absolutely. I have to say that the Prison Governor's reaction to COVID and the fact that we have had no cases at the prison whatsoever, that the moves that he put into place, the actions that he took, were fully supported by the Director General of the Justice and Home Affairs Department.

**7.19 Deputy K.G. Pamplin:**

Further to Deputy Higgins' question to the Minister for Health and Social Services, again echoing the great news today of zero active and asymptomatic cases on the Island, can the Minister give a reassurance to the public that testing will continue for the essential workforce, carers and people who work in our health departments, alongside the increased testing at the borders if and when it gets approved?

**The Deputy of St. Ouen:**

Yes, I can give that assurance. It has been a fundamental plank of our policy of opening the borders that that would not be to the detriment of local testing and I have seen that work through and all the proposals for border testing has not meant that we have had to limit our local testing. In fact, the local testing has increased and we have plans to further enhance it.

**7.19.1 Deputy K.G. Pamplin:**

Will he join with me, and I am sure all of us, at this moment in paying tribute to Dr. Muscat for getting us to this point, and everybody involved but particularly Dr. Muscat who really should be thanked on behalf of all of us at this moment, and I am sure you would like the moment to do that?

**The Deputy of St. Ouen:**

I thank the Deputy for that opportunity. I would certainly align myself in commending Dr. Muscat for the guidance and expertise that he has given to enable the Island to navigate this difficult period and our thanks are very much due to him.

**7.20 Deputy K.F. Morel:**

Could the Minister for Infrastructure advise the Assembly as to whether he consulted with retailers before making the decision to reintroduce parking for the multi-storey car parks in town?

**Deputy K.C. Lewis:**

I believe there was quite a bit of work done by officers, not everybody, but it was advertised extensively and a lot of research was done. There are 2 schools of thought on this but basically we need the turnover of cars parked to create more people coming into town. I walked past Sand Street car park when it was free and there was only I think 20 spaces left, so in a car park that size it is not particularly good for retailers. By introducing charging, we are getting a turnover of cars and that will help with business in town.

**7.20.1 Deputy K.F. Morel:**

That is a very interesting answer to the question and I thank the Minister for that, but does he have any concerns? Obviously our retailers in Jersey are extremely hard hit and footfall in town has not increased substantially yet. Is he concerned that this measure could have an adverse effect on attracting Islanders into St. Helier for their shopping?

**Deputy K.C. Lewis:**

I am very concerned about it and I have officers working on it and doing a lot of number crunching. But as I just mentioned, we think the opposite is true, that we need to have charging in place so that there is a regular turnover of vehicles, people come into town, do their shopping and leave again and their cars are not left there indefinitely, taking up the space. Obviously we listen very carefully to people who are isolating and many cars have been there for some time, and I would advise people to check their cars because there will be a few flat batteries after this time. But as I say, we need the turnover of vehicles and the turnover of people coming into town to create business again.

**The Deputy Bailiff:**

Deputy Pinel, do you have a chance now to respond to the question that was posed to you before the short adjournment by Deputy Labey?

**Deputy S.J. Pinel:**

I do, Sir. Thank you very much indeed. The question was asked by Deputy Russell Labey and my apologies to the Assembly for not knowing the answer. I now have what I hope is sufficient information for the Deputy. Inez Bartolo has been in post as Airport Director for some 18 months. She has personal circumstances connected with family in the U.K. and these circumstances were exacerbated by the COVID situation. For that reason, she chose to lock down in the U.K. where she



remains. It was during that lockdown period that she came to the decision, as a result of these family commitments, to resign as Airport Director. She is currently working her 6 months' notice period and remains, therefore, a Ports of Jersey employee until the end of the year. A new Airport Director has been appointed, Robin MacRae, formerly the head of Air Traffic Services, and Ports are delighted to have been able to promote from within and for Robin to have a smooth 6-month handover period with Inez, which will enable him to benefit from Inez's vast regulatory experience. Ports are keen to emphasise that Inez's departure is in no way connected to Deputy Labey's proposition and/or the airport redevelopment. It is purely for personal reasons and in her role she has added great value and the airport has benefited from her experience. I hope that answers Deputy Labey's question.

**Deputy R. Labey:**

Of course I hope that the Minister will convey our best wishes to the outgoing Director and wish her well and thank her for her albeit short service. The Airport Commandant, as it used to be called, used to be a very important position in Jersey, quite revered. Does the Minister think that she should not have been informed of this and the appointment of a new Director?

[14:45]

**Deputy S.J. Pinel:**

Yes, possibly I should have been, but with a quite considerable number of arm's length organisations, for which my Assistant Minister, of course, has delegated responsibility, it is very difficult to keep up with everything and it could be that 18 months ago I was informed. I was informed about the appointment of Mr. MacRae, but it is difficult to keep up with everything and I do apologise to the Deputy for not knowing the answer.

**7.21 The Deputy of St. Martin:**

In the media recently the Minister has been quoted as saying that he has heard of tenants who are having their rent increased by 80 per cent. Does he have any evidence of that?

**Senator S.Y. Mézec (The Minister for Children and Housing):**

I have had multiple people get in touch with me, some over the telephone, some via email, to ask questions and let me know what is happening in their tenancies, partly to ask for advice and partly to ask whether particular actions being undertaken are legal or not. I am aware of one instance where a tenant has been told that come October they have the ability to renew their tenancy if they wish but the rent will be going up substantially, and my calculation is that it is about 80 per cent that they have been offered. That is in private correspondence between myself and a constituent who has informed me of that.

**7.21.1 The Deputy of St. Martin:**

I thank the Minister for his answer. He will, like me, be aware that by law tenants and landlords have to have contracts where rents are agreed and future rents and how they are calculated should also be agreed as well. Will he try to make sure that those arrangements are kept in place?

**Senator S.Y. Mézec:**

When the legislation falls away at the end of September there are inevitably going to be people who had been continuing in their tenancies as periodic tenancies who will have to either re-establish ordinary tenancy agreements that they would have had before or some who may look at moving home and establishing a tenancy elsewhere. I am of the view that there is some extra work that will need to be done to facilitate that being done in the least traumatic way possible, given the economic crisis we are facing, but there is still some more work to do to ensure that that is able to happen and ultimately the Assembly would have to have their say on it as well.

**The Deputy Bailiff:**

The next question is from the Connétable of St. Ouen to the Minister for Planning. The reason I paused in inviting you to put your question, Connétable, is of course the principle that a Minister may not submit a question to another Minister. Are you suggesting that as you are an Assistant Chief Minister and not a Minister you are entitled to put this question?

**The Connétable of St. Ouen:**

I hope you can give me some guidance on that, Sir. I am not entirely sure.

**The Deputy Bailiff:**

Without making a determinative ruling in all cases, I will permit you to ask this question.

**7.22 The Connétable of St. Ouen:**

It is in my role as Parish Constable that I am really asking the question. In terms of the forthcoming debate on the Island Plan, it would be helpful to those of us who are Constables and have submitted sites for consideration if we could get some clear understanding of whether those sites are going to be considered for this debate or whether they are going to be deferred until the full Island Plan after the next election.

**Deputy J.H. Young:**

I will do my best. That is a very big question and I think it is one that the States will want to have a view on. I can advise the Assembly that I have approved the final revised version of the discussion document for in-committee debate and that issue is included as one of the policy issues that I think I will certainly listen to what Members have to say. My point of view is that obviously the current policies remain and if there are schemes in the pipeline I think they are going to have to be dealt with under current policies and justified on their merits. I think those are the sort of issues that we need to talk about in a lot more detail. I cannot give a blanket answer now but assure the Constable that that debate will give us all the opportunity for me and the officers to hear all Members' views on that important question. Housing is a priority in that work.

**7.22.1 The Connétable of St. Ouen:**

Can I thank the Minister for his answer and also thank him for putting that on record for my parishioners who I know will be listening to today's debate?

**Deputy K.C. Lewis:**

I have the response to Deputy Pamplin's question, or would you like me to circulate it by email?

**The Deputy Bailiff:**

Yes, please. Deputy Pamplin, you have a question for somebody, do you?

**Deputy K.C. Lewis:**

No, sorry, it is a response to Deputy Pamplin's question regarding St. Saviour's Hospital.

**The Deputy Bailiff:**

Thank you, Minister. Deputy Pamplin, do you have a final question for a Minister?

**7.23 Deputy K.G. Pamplin:**

I do, and just further to the Minister who just spoke, if he could circulate that by email that would be most appreciated. My question is to the Minister for Health and Social Services. It is following up an article in the *Jersey Evening Post* and correspondence with myself about the delay in the assisted dying jury process that he outlined at the beginning of this year, for obvious reasons. Could he now just update the Assembly on the delay as mentioned in that article?

**The Deputy of St. Ouen:**

Unsurprisingly, COVID has meant that we have been unable to convene a Citizens' Assembly as originally intended and it would not have been the time to start talking about these procedures in any event. But as long as we can maintain a good suppression of the virus I believe we will be able to move towards resuming the programme for considering this question and the next stage is to take advice on the convening of a Citizens' Assembly and I will begin work. Officers have already indicated that they are ready to take that up with me and I will try to arrange a meeting this week to take the work forward. I thank the Deputy for his interest.

**7.23.1 Deputy K.G. Pamplin:**

I thank the Minister for his answer. Could he confirm was the jury selected and are they notified and continue or has that process not happened, just so we are sure on where we are at with it?

**The Deputy of St. Ouen:**

No steps have been taken towards the selection of a jury yet. We were going to engage with a U.K. adviser, as I think has been done with the jury selection around our hospital project, which of course was earlier and did proceed and there was a consultancy company that helped us in the process around jury selection. We need to revert to them.

**The Deputy Bailiff:**

That concludes questions for Ministers without notice. There are no Personal Statements under J. Under K, the Minister for Children and Housing will make a statement regarding Children's Day.

**STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

**8. The Minister for Children and Housing will make a statement regarding Children's Day**

**8.1 Senator S.Y. Mézec (The Minister for Children and Housing):**

As Members will recall, the publication of the 2017 report from the Independent Jersey Care Inquiry was a wake-up call for everyone with responsibility for children in care in Jersey. The report identified individual and systemic failings and gave a voice to all those who suffered abuse. It revealed the true extent to which Jersey's institutions failed our children and their families. The subsequent 2-year review published by the Care Inquiry panel in September 2019 shows progress and future challenges in equal measure in our Government Plan to put children first. Children's Day was one of the recommendations made by a citizens' panel, who are a group of Islanders who have been working with and advising the Government to help deliver this important act of remembrance and celebration. One of the 8 recommendations of the Independent Jersey Care Inquiry was that Jersey should find a way to acknowledge the children and young people who were failed by the Island's childcare system. An independent citizens' panel was commissioned in 2018 to develop proposals to address this recommendation. I would like to pay tribute to the citizens' panel who have been instrumental in forging links with the State to ensure that children and people who have experienced trauma are not forgotten. One of their key recommendations is Jersey's Children's Day, which the citizens' panel say is a wonderful opportunity to both remember the survivors and victims and provide a focus on children and young people living in the Island now. Through this day, the citizens' panel hope people will recognise how vital it is that young people's voices are heard and their opinions valued by us all. The panel also say that they hope this day will inspire children and adults to try new things and think in new ways, leaving a positive footprint for future generations. The focus of Children's Day 2020 in schools and nurseries is centred around regeneration and growth. As a result of the COVID-19 pandemic, the arrangements for the inaugural Children's Day this year have had to be scaled back. Nonetheless, in recognition of the importance of what will become an annual event, the Government of Jersey, working closely with the citizens' panel, have been working on a plan to ensure that 3rd July still goes ahead as a day to remember the lessons of the Independent Jersey Care Inquiry and to celebrate the talents and the potential of the Island's children and young people. All schools and nurseries have been invited to choose a tree, which they will be planting in

their grounds to celebrate and mark Jersey's first Children's Day on 3rd July. Children and young people have also been invited to take part in a creative tree project to celebrate childhood, using the symbols of roots, growth and blossom through various pieces of work such as posters, poems, artwork, models or song. As the Minister for Children and Housing, I am proud to commemorate this important landmark in our Island's history and will continue to work tirelessly with other Ministers, elected States Members and officers to improve any areas where the panel remains concerned. The theme of Children's Day links with the views from children and young people during a recent survey in which they shared their experiences of the COVID-19 lockdown and their hopes for the future. I would again like to express my sincere gratitude to the thousands of children and young people who took part in our survey and may I take this moment to congratulate every single child and young person in Jersey for the way they accepted and adapted to the changes during the coronavirus crisis. In the blink of an eye, their lives were turned upside down and they were asked to follow rules they had never known and live a life they could never have imagined. They stayed indoors without really understanding why they could not go out and see their families and friends, yet they accepted these changes with real resilience, courage, hope and empathy. I am sure my fellow Members will agree just how exceptional our Island's children and young people have been throughout the unprecedented period of disruption. I want to take this opportunity to thank our children and young people for helping to play their part in following the health guidelines and for their patience and understanding during the most serious health issue the Island has ever faced. Thank you to Jersey's children and young people, our unsung heroes.

**The Deputy Bailiff:**

Members now have the opportunity to ask questions of the Minister for up to 15 minutes. Are there any questions for the Minister?

**8.1.1 Deputy M. Tadier:**

I am sure there will be others. Did the Minister give any consideration to making future Children's Days a public holiday in Jersey so that families, especially those that have to work several jobs to survive in Jersey's expensive community, can spend some time with their children on that day and the wider community can also be taught as to the importance of that day?

**Senator S.Y. Mézec:**

It is an interesting suggestion and the Deputy will know that I am somebody who is of the view that we could do with a few more public holidays in Jersey, given that many of our neighbours and other places around the world have more than we do. This, in my view, could well have been a good opportunity for that. But what I have to say is that I have absolutely no intention of dictating the terms under which Children's Day becomes a part of Jersey's calendar. I think that that needs to be a piece of work that is not led by one Minister just deciding what happens and that is why I am led by what the citizens' panel propose. They have not suggested that, certainly in the short term, I think partly on the basis that they think that being able to have children in school provides a place for them to be able to learn and enjoy the things that Children's Day is about and provide that whereas potentially in the early stages of Children's Day in our calendar that might otherwise not have been recognised, so I am led by what they say in this instance.

**8.1.2 Deputy L.M.C. Doublet:**

I want to thank the Minister for actually speaking to children in the statement that he has made.

[15:00]

Does he agree that we should do more of this, and Government in particular should do more of this, and speak directly to children and young people and, in turn, we should be doing more to ensure that the voice of children right from the very beginning - because very young children also should be

given a voice - is heard and that their views and their voice are included in policymaking? How is he going to improve this, please?

**Senator S.Y. Mézec:**

I could not agree more with Deputy Doublet on this and it has been an immense frustration for me during the last few months with distancing and schools not being fully operational that I have not been able to go into schools and meet children and young people face to face and speak to them. I have only just had my first opportunity to do so again when I went to St. John's Primary School on Friday last week. Honestly, I can barely put into words how impressed I was with the way the young people expressed to me how they were feeling and all the things they had been up to recently. It was really uplifting and I would recommend that all of Jersey's politicians, when they can, take time to go and speak to young children, or children of all ages but in particular young children. What they say can be very enlightening. There is some work we have to do as a Government to enshrine opportunities for the voice of young people to be heard. We are working with the Youth Service to deliver the Youth Connect project, which is a little bit like a youth parliament but not exactly like that. We hope it will be a bit more meaningful. There is work to do there, but I wholly endorse what the Deputy has said.

**8.1.3 Deputy L.M.C. Doublet:**

Could the Minister just confirm that he understands that babies and toddlers also can have a voice via their caregivers or via experts? Will he seek to find out ways that he can do that, either via officers in his department or by improving the ways that they are already doing things?

**Senator S.Y. Mézec:**

Absolutely, and I would also want to work with the Children's Commissioner in doing that too. I think we have had a good partnership recently in trying to get the voice of children and young people heard. There are, of course, ways of doing it. It is often not as simple when children are of an age where they are not as able to verbalise how they are feeling, but that absolutely is important especially when making policy decisions. Of course, when we are the point of having a legal requirement for Children's Rights Impact Assessment, having your voice heard is a fundamental children's right too, so we will all have to start considering that too.

**8.1.4 Senator S.C. Ferguson:**

When he visited St. John's School, did the Minister notice how well the children were doing with their coding and general computer programming?

**Senator S.Y. Mézec:**

I confess that that was not a subject that came up and I did not have an opportunity with the young people and the students there to show me what they were doing in terms of the coding work. That is something I know that the Senator is very interested in and I am sure that is something the children there are thriving at, but I am certainly more than happy to learn a bit more than that. It just happened to not be the purpose of that particular visit.

**8.1.5 Senator S.C. Ferguson:**

If you are going to visit a school for one thing, is it not a good idea to include as much as you can?

**Senator S.Y. Mézec:**

Of course it is but sometimes we do not have time to see everything wonderful that is going on in our schools because there are so many wonderful things that are happening there, but I am certainly more than happy to in the future.

**8.1.6 Senator S.C. Ferguson:**

Are you going to go for a Grandparents Day as well as a Children's Day and not be quite so divisive with your children's approach?

**Senator S.Y. Mézec:**

I do not agree that it is divisive. One thing I know from my grandparents is the thing that they love most in the world is their grandchildren and many grandparents, of course, have absolute joy brought to their lives by their grandchildren and are happy to celebrate them and see that they have the best start in life possible. I do not agree that it is divisive, but as Minister for Children and Housing I would want to ensure wherever possible that families are supported to provide a loving upbringing for those children and that will, of course, mean supporting children having good relationships with their grandparents as well.

**8.1.7 Deputy K.G. Pamplin:**

My question to the Minister for Children and Housing is after reading the excellent first annual report of the Children's Commissioner, while obviously there are huge improvements in where we are, there are still concerns, especially about children in care and this is where it all began in terms of the work that we are all doing to improve services. Does he have a reaction to that first report and also pay tribute and also recognise there is still much more to be done for those children in care who, after speaking to myself of late, still want to be heard and listened to?

**Senator S.Y. Mézec:**

Of course it is going to be an ongoing challenge to make sure that we provide the best support we possibly can for those children and young people who are in our care. I think it has been recognised that we have made progress in the last few years. That has been difficult and there is still more that we need to do. I am very sad to say that some of that progress has been disrupted because of the coronavirus crisis and there are things that we would have hoped we could have been further along the line on but it has just not been possible because of the response there has had to be to this crisis. One example of that is the intensive fostering programme is not quite as far as we were hoping it would be and that is a really important way of making sure that those particular children in care who need that intensive service are able to receive it on Island. It is an ongoing challenge but absolutely that has to be our focus. I have met with the Children's Commissioner and with others as well to talk about her annual report and I look forward to carrying on working with her. She often raises important issues to my attention to help us deal with those.

**8.1.8 Deputy K.G. Pamplin:**

I thank the Minister for his answer. Will he also join me in meeting with some young people who have had had C.A.M.H.S. experience and join us in discussing the ongoing issues and concerns that we have with children's mental health and especially the area of C.A.M.H.S.?

**Senator S.Y. Mézec:**

I have recently accepted an invitation from Youthful Minds to meet some of their members, I think in a few weeks. I would have to check my diary to remember exactly when it is, but I have accepted that invitation and am very much looking forward to it. If there are other opportunities to have that dialogue I would be more than happy to take part in those as well.

**8.1.9 Deputy M. Tadier:**

Does the Minister agree with me that if this Assembly allows the Government to pursue an austerity agenda in the next 2 years that that will disproportionately affect children in the Island compared to some other groups of individuals and that we will effectively have learned nothing from the Care Inquiry if we allow that to happen?

**Senator S.Y. Mézec:**

The Care Inquiry was very clear that inequality is a serious contributing factor to children's well-being and their experience through life. It is absolutely fundamental that issues of inequality are dealt with and the Deputy knows that I wholeheartedly agree that it is not possible to deal with those issues while pursuing an austerity agenda and seeing cuts to vital public services. The first part of the Government Plan, which was approved last year, laid the path before us for really important investments in Children's Services and I know that certainly almost all of us probably accept that seeing those investments through is an extremely important thing for children and young people. I, therefore, hope that I can count on the support of colleagues from all parts of the Assembly to make sure that that journey is not disrupted in the future Government Plan.

**8.1.10 Deputy L.M.C. Doublet:**

Could the Minister outline whether he feels that we should still remain committed to putting children first in the face of perhaps some critics of this approach and remind Members why we signed up to that notion in the first place? Does the Minister think that this notion should endure beyond this political term and long into the future?

**Senator S.Y. Mézec:**

Yes, and what I hope we do in this term of office is that we make some of the structural changes to ensure that the putting children first philosophy is an enduring and hopefully permanent part of Jersey's government system and ingrained in our society. That is why achieving systemic change within our government departments is so important. It is why changing the culture is so important and I have seen some positive signs of that happening over the last couple of years. That is why getting the work done on Children's Rights Impact Assessment is so important because many of these things, once we achieve and get them set in law and that sort of thing, will be secure then for years to come, that we will not be able to move away from. But we cannot get complacent because it is complacency and it is a failure to understand these issues that leads to the sorts of abuse that happened in Jersey for far too long, which many people felt too uncomfortable to talk about and in some instances it was actively concealed because it was inconvenient. We must never ever let that happen again.

**8.1.11 Deputy M.R. Higgins:**

Does the Minister think it is right that certain civil servants who were involved in the cover-up of the child abuse and helped in the removal of former Senator Syvret are still employed by the States? Does that give people confidence in the future of our government?

**Senator S.Y. Mézec:**

I would have to have a conversation with Deputy Higgins off the record to find out who he is referring to. I think that those who made serious mistakes in the past, some of which would have been unintentional, some of it would have been intentional and carried out through malice, certainly ought to be addressed.

**PUBLIC BUSINESS**

**9. Reduction of lodging period**

**The Deputy Bailiff:**

That concludes the question time available for this Minister in relation to the statement. Before we commence Public Business, there are certain items listed for consideration that have not been lodged with the requisite time period and therefore the lodging period will need to be reduced in accordance with Standing Order 26(7), which you will recall is an application of a public interest test if they are to be considered at the present meeting. The first item in that category is the proposition of Deputy Labey, P.71, and it is appropriate to determine now whether the lodging period will be reduced. Deputy, do you wish to make that Proposition?

### 9.1 Deputy R. Labey:

Yes, I do, Sir. If I could just remind Members that P.71 would have fulfilled its 4-week proper lodging period tomorrow on 1st July and with the volume of propositions down on the Order Paper I fully expected it to be debated on 1st July, so it is only one day. I make that Proposition.

#### The Deputy Bailiff:

Is that Proposition seconded? [**Seconded**] Does anyone wish to speak on the Proposition? Thank you. Accordingly, I will ask the Greffier to add a vote into the chat channel of the meeting. This is now open and I ask Members to cast their votes. You are voting *pour* if you are in favour of reducing the lodging period and *contre* if you are against the Proposition.

<b>POUR: 43</b>	<b>CONTRE: 0</b>	<b>ABSTAIN: 0</b>
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator S.C. Ferguson		
Senator J.A.N. Le Fondré		
Senator K.L. Moore		
Senator S.Y. Mézec		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. 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 C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Deputy Bailiff:**

The second item is the Proposition lodged by the Council of Ministers entitled A safer travel period, P.84/2020. Chief Minister, this item was not listed for this meeting, so if you wish the Proposition to be debated, firstly under Standing Order 80 you will need to invite the Assembly to agree to suspend Standing Order 32 in order that it may be listed for debate at this meeting and then - and one vote will be sufficient - under Standing Order 26(7) to reduce the minimum lodging period in order that it can be taken at this meeting. Chief Minister, if you wished, you could also make the same Proposition in relation to the 2 Amendments dated today, the Amendment lodged by Deputy Ward and the Amendment lodged by the Scrutiny Liaison Committee, and taking all those matters in that way will mean that the Assembly will be voting once and not 6 times. Chief Minister, are you content to proceed in that way?

**9.2 Senator J.A.N. Le Fondré:**

Absolutely, Sir, thank you, and thank you for the advice.

**The Deputy Bailiff:**

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

**9.2.1 Deputy M. Tadier:**

While it is clearly a matter of public interest as to whether or not and to what extent travel restrictions should be lifted after this long period of isolation and also what safeguards should be put in place, I think on balance the public interest does not lie with reducing the lodging period. I think the public interest lies with a proper period for this Proposition having been lodged so that all parties, and not just within the States, can give it consideration. I think we have all seen how important this issue is. It has been divisive and it has also been very worrying for the public, especially those with vulnerabilities and underlying health issues, who have been in contact. I do not think that it does our public any services when we rush through something which could and should have had perhaps a longer lead-in period than this. So, I think the public interest test has not been made in this case and I think it lies in the default position of a proper lodging period or at least a longer lodging period than this so that proper scrutiny and due diligence can be applied to the Proposition.

**9.2.2 Senator K.L. Moore:**

I am interested to hear the perspective of Deputy Tadier, but slightly do not understand how that would progress in reality as if that were to happen what would happen with the borders this coming week? Unfortunately, and it is a matter of regret, we do find ourselves dealing with this issue in very short order. I am sure the Chief Minister will give further explanation regarding that himself when the time comes, but we at scrutiny have found a method of sorts to discuss this between ourselves and to propose some very relevant and, I hope, pertinent Amendments that will seek to have a proper and thorough debate on the subject. We did, of course, consider asking the Assembly to delay and asking the Council of Ministers to requisition a sitting just later this week so that we could at least achieve the 3 working days, which was the agreed amount of time that we were going to set as an Assembly to debate matters such as this. However, it has not been possible and we were mindful that that would likely have been lost. So, we endeavoured to do our very best in the time allowed. It has not been easy, I can vouch for that in no uncertain terms, but I see that in order to maintain some

sense of clarity, particularly for those businesses and members of the population who really want to know where they stand in relation to the borders, then we really have no other option but to progress today.

**9.2.3 Deputy J.A. Martin:**

It was really interesting to listen to Senator Moore there. I think under the pressure and given I know it is not exactly the same Proposition, but we have known a debate was coming on the borders this week. It is much fairer that it was brought by C.O.M. (Council of Ministers) because this would have rested on a Back-Bencher/Assistant Minister but it was not fair. I do not know where Deputy Tadier thinks this is not ... this will be the biggest decision we need to make and unfortunately we have all worked with the candles burning over the weekend to get this right. I really do appreciate Scrutiny has not been the full working days, but I know they have put time in outside those hours. We need the debate. People need certainty. You vote with the advice. You vote with what you think is best. Is there a right answer? We will find out, but we must have the debate. We start tomorrow like was proposed. The Chief Minister has gone with everything we want, the proper full debate on the Proposition and all the Amendments to come in. We have the debate this week. We know what is going on for the future.

**The Deputy Bailiff:**

If no other Member wishes to speak, I call upon the Chief Minister to reply.

**9.2.4 Senator J.A.N. Le Fondré:**

It does go without saying that, as I said previously, we continue to live in extraordinary times and speed is critical. I was going to say important, but it is actually critical and I will explain why I have changed my definition very briefly in summing up. We have already explained to Members in the 2 briefings we have done last week and this week as to why this is so important and why it is necessary to operate at the speed we are operating at. We also felt it was absolutely right, particularly given Deputy Maçon’s proposals, that it should be a debate with the full backing of Council of Ministers to the Assembly. I do also absolutely agree with the comments made by Senator Moore in relation to the comments by Deputy Tadier. The reason I make the point about changing my definition from it being speed being important to being critical is Members may or may not be aware that in the last hour easyJet have announced - and obviously they are one of the main airlines that come into the Island - that they are closing or potentially closing hubs at Stansted, Southend and Newcastle. The headline I am presently reading suggests they are going to be making 727 pilots redundant and potentially making 5,000 cuts in staff. What I am trying to say is that time here is critical. Certainty is absolutely critical and it is, therefore, absolutely vital and in the public interest that we have this debate and, as proposed by Senator Gorst, that we do it first thing tomorrow morning. I would, therefore, like to maintain the Proposition.

**The Deputy Bailiff:**

I ask the Greffier then, please, to place a vote into the chat channel of the meeting. The voting is now open, and if Members are in favour of suspending Standing Order 32 under Standing Order 80 so that this may be debated at this meeting, and then also under Standing Order 26(7) to reduce the lodging period in relation to the Proposition and the 2 Amendments to it, they will vote *pour*, and if they are against then they will vote *contre*.

<b>POUR: 45</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 1</b>
Senator I.J. Gorst		Deputy M. Tadier (B)		Deputy L.M.C. Doublet (S)
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				

Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
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.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

## 10. Jersey Overseas Aid Commission: re-appointment of Commissioner (P.67/2020)

### The Deputy Bailiff:

Going back to the Consolidated Order Paper, the first item of business is Jersey Overseas Aid Commission: re-appointment of Commissioner, P.67/2020, lodged by the Minister for International Development. I invite the Greffier to read the Proposition. Greffier, I shall read the Proposition if that would make it slightly easier for you. The Greffier has lost Teams. The States are asked to decide whether they are of opinion to appoint Mr. Douglas Melville as a non-States Commissioner

for a further period of 3 years, in accordance with clause 7.4 of the Constitution of the Jersey Overseas Aid Commission, as set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005.

**10.1 Deputy C.F. Labey of Grouville (The Minister for International Development):**

I would like to propose the reappointment of Mr. Doug Melville as non-States Commissioner to Jersey Overseas Aid for a further 3 years. Mr. Melville was first appointed to the board in 2015 and he joined a very diverse commission. As well as his financial and legal qualifications and skillset, he also brings a vast range of experience in overseas aid, including work with the Canadian International Development Agency, the World Bank and the O.E.C.D. (Organisation for Economic Co-operation and Development). It should be noted that all Jersey Overseas Aid non-States Commissioners give their time, and a lot of it, in an honorary capacity. I would, therefore, like to thank Mr. Doug Melville for all his hard work to date and for offering his considerable expertise for another term. I make the Proposition.

**The Deputy Bailiff:**

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

**10.1.1 The Connétable of St. Ouen:**

I would just like to endorse the Minister’s recommendation of Mr. Melville. I have had the pleasure of working with Mr. Melville when he was and continues to be in charge of the Financial Ombudsman. He is a very capable and able person and possesses common sense in spades, and I personally believe he will be a very valuable continuing addition to the Overseas Aid Commission. I would like to endorse his appointment.

[15:30]

**The Deputy Bailiff:**

Does any other Member wish to speak on the Proposition? Accordingly, I call upon the Minister to reply.

**10.1.2 The Deputy of Grouville:**

I would like to thank the Assembly. It is a fairly straightforward Proposition and I am delighted to have Doug Melville back for another 3 years.

**The Deputy Bailiff:**

Accordingly, I will ask the Greffier to add a vote into the chat channel, which has been done. The vote is now open and I ask Members to cast their votes. I ask the Greffier to close the voting.

<b>POUR: 46</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				

Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

## **11. Lifting of travel restrictions: States Assembly approval (P.68/2020)**

### **The Deputy Bailiff:**

The next matter on the Order Paper is the Proposition of Deputy Maçon entitled Lifting of travel restrictions: States Assembly approval, P.68/2020, and I ask the Greffier to read the Proposition.

### **The Deputy Greffier of the States:**

Lifting of travel restrictions: States Assembly approval. The States are asked to decide whether they are of opinion - (a) that the current travel restrictions allowing only those who are undertaking necessary travel to and from Jersey should not be lifted without the prior approval of the States Assembly; (b) that no one should be allowed to travel to Jersey without having first been tested for COVID-19 and providing proof thereof; (c) to request the Council of Ministers to develop a proposed policy for travel to and from Jersey (incorporating a detailed plan of action for implementation and monitoring of the policy) to permit more, safe travel to and from Jersey; and (d) to request the Council of Ministers to distribute the proposed policy to States Members at least 5 days before the debate on any proposition seeking the Assembly's approval of lifting the current travel restrictions.

### **11.1 Deputy J.M. Maçon:**

I left this on the Order Paper in order to retain a right to speak today and address the Assembly. As we know in this situation, this will be a significant decision for the Island and it was coming down the line. I had a concern that this announcement might be made by the Emergencies Council or whatever it is called, which quite rightly under the present circumstances have been making a lot of decisions because these are the times when such a rapid nature has to happen. But given the situation that was arising with the borders, I felt that it was important that this debate was brought to the Assembly in order to give clarity to businesses and especially Islanders. In my report, I stress the importance towards people's mental health and well-being about being able to access travel on and off the Island. Turning towards the Proposition now, in effect the Council of Ministers have accepted my Proposition, maybe not entirely but in essence. They have lodged a policy for debate which States Members have. Obviously, the detail we will debate in due course now, so I would just like to thank the collaborative and co-operative stance from the Council of Ministers and, in particular, the Minister for External Relations for the way that he and other officers have worked in updating me on the progress and, of course, C.O.M. for their decision in wanting this to be lodged as a States debate. So, therefore - and I thank Members for their indulgence - I will be withdrawing my Proposition.

**The Deputy Bailiff:**

Yes, you are entitled to withdraw your Proposition without leave of the Assembly as the Proposition has not yet been moved under Standing Order 69, and that you have done.

**12. Proposed Airport Redevelopment: review (P.71/2020)**

**The Deputy Bailiff:**

The next item is the Proposed Airport Redevelopment: review, P.71/2020, lodged by Deputy Labey. I ask the Greffier to read the Proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion - (a) to request the Minister for Treasury and Resources, as Shareholder Representative, to request Ports of Jersey to undertake and provide to the States Assembly a review of the scale, detail and viability of the £42 million scheme for the redevelopment of Jersey Airport in light of the changed aviation landscape caused by the worldwide coronavirus pandemic; (b) to request the Minister for Treasury and Resources, as Shareholder Representative, to seek commitments from Ports of Jersey that no demolition of the original 1937 terminal takes place until the outcome of such a review has been considered by the States Assembly; and that consideration will be given to the retention and incorporation of the 1937 building as part of any redevelopment; (c) to request the Minister for the Environment to instigate a review of the grant of a permit to demolish the 1937 terminal.

**12.1 Deputy R. Labey:**

This Proposition is not an attack on the independence of Ports of Jersey. It is not an attempt to have the £42 million redevelopment of the airport scrapped. It is not an attempt to circumvent the planning process. It is, however, an expression of the frustration I feel as a States Member at the lack of information provided by Ports of Jersey about whether the redevelopment planned for a pre-pandemic world is appropriate in a post-pandemic environment. I hardly need tell Members that the aviation landscape has changed beyond recognition. Guernsey has delayed a debate on upgrading its airport. Singapore has postponed by 2 years the building of a new Terminal 5, with the country's Transport Minister saying they are doing: "A major, thorough study about aviation and what it will be like in the next 2 years, 3 years, 4 years, post-pandemic." The International Air Transport Association, the I.A.T.A., does not expect aviation to return to 2019 levels until at least 2026. In the light of all this, it must surely be the case that the board of Ports of Jersey has started to question the appropriateness of the airport redevelopment. It would be very strange if it had not. The problem is we do not know

and we are entitled to know for 3 reasons: first, because although Ports of Jersey is an arm's length company it must surely be accountable for its actions. Secondly, because as States Members we are expected by those who elect us to have answers to matters that are in the public interest, and this is certainly a matter of public interest. Thirdly, because Ports of Jersey is wholly owned by the Government of Jersey. As its shareholder, we are entitled under Article 89 of the Company Law to requisition the directors to call a general meeting. I have deliberately chosen not to propose that. Instead, I am simply asking that the shareholder representative, the Minister for Treasury and Resources, requests a review of the redevelopment and that that review is made available to the Assembly. I know some Members feel the airport does need investment. I agree. I want to be excited about that, and I know that other Members feel spending a more modest sum is more appropriate. My Proposition is not about that. It is, as I say, a very reasonable request for a review. That is part (a) of the Proposition. I would like to deal straight away with the response to part (a) by the Minister for Treasury and Resources, which was circulated to all Members at 6.20 p.m. last night. Firstly, she states that the Council of Ministers oppose P.71. I do not believe that is true. I do not believe there is any minute of a Council of Ministers' meeting to back that up and, if I am right, she must withdraw that comment immediately. Out of the 7 paragraphs detailing her opposition to a review, only 2 actually address the question of whether the planned redevelopment will be adjusted to meet any new requirements brought about by the pandemic. Of those 2, the first paragraph says nothing about changes which may happen in aviation, which are already happening in aviation. The second is the only one that mentions the pandemic, but if you look at it closely what it actually says is all in the past tense. I quote: "A review of the proposed plans by international aviation specialists concluded that the plans for the new integrated terminal were the most effective way of meeting future needs of the Island and airlines." Well, the airlines might have something to say about that now with their fleets grounded and their future uncertain, but the Island should certainly have something to say about it, which is the purpose of this debate. It will not have been lost on Members that the Minister or whoever prepared her briefing note is falling back on an old, now out-of-date assessment of the redevelopment, an assessment that took place before 2020. May I say that those 2 meagre paragraphs provide the evidence that Ports of Jersey is not taking seriously the need to look again at its plans, not just in terms of airlines and aircraft and numbers of movements, but in terms of how the building functions for its passengers, passengers who may well be required again to practise physical distancing and endure a whole raft of other measures that were unheard of and unimagined 3 months ago. The reluctance to review is in marked contrast to what is going on all around the world, where airport authorities are grappling with these issues. Why should Jersey be any different? What of the other 5 paragraphs in the Minister's opposition to part (a) of my proposition? They are all taken up with the question of the 1937 terminal, something which I do not cover in part (a). They are a smokescreen to deflect attention from the reluctance by Ports of Jersey to sensibly review the appropriateness of its pre-pandemic scheme. In part (b), I am asking that pending a review nothing is done to harm the 1937 terminal, which is a grade 2 listed building. It is an important and rare survivor of the golden age of travel. It is part of our Island heritage. It is part of our social history. Eighty years ago tomorrow, German troops landed there at the start of the Occupation. It is cherished dearly as part of our heritage and identity, and if Ports had their finger on the pulse on this small Island nation, they would see it as an asset, not an inconvenience. It is an absolute gift. The original terminal is not part of the redevelopment. Indeed, it has to stay until the development is completed, assuming it goes ahead, to act as the arrivals area. But as coronavirus arrived, the redevelopment team was about to demolish the north wing of the 1937 terminal to create a builders' yard, leaving two-thirds of the terminal intact until total demolition, which is scheduled for 2022. It cannot be beyond Ports of Jersey to find another location for a builders' yard. The old Jersey Airlines hangar, a few yards away, is a prime candidate. Ports of Jersey say the old terminal is a hazard and must be removed. A recent report by a leading aviation services company, commissioned by Save Jersey's Heritage, concludes that it is not a hazard and retaining it will not affect the safety or reliability of operations. Therefore, it complies with international regulations. We now have 2 responses also

circulated last night. The first is from the Minister for Treasury and Resources, but presumably compiled at her request by Ports of Jersey. It repeats the history of the long road to securing permission to demolish the 1937 terminal on safety grounds. It tells us nothing new. Crucially, it relies on the opinion of a previous director of civil aviation in 2010, but it avoids the question of whether at that time Jersey Airport provided the Regulator with what is known as an aeronautical study, an alternative to removal of a hazard. I will come to that in a moment and we will see that in my opinion the matter is not as clear cut as Ports would have us believe. But in the meantime and while the whole matter is sorted out once and for all, I hope Members will agree that it seems prudent to seek an assurance from Ports of Jersey that they will stay demolition, especially as retaining the 1937 terminal need not affect any redevelopment, big or small, for the time being.

[15:45]

I have added in this section a request to give consideration - consideration only - to incorporating the original terminal into any new redevelopment. We now know that the Chief Executive of Ports of Jersey has promised the Minister for the Environment that no further work will take place "at this time." The danger is that after this debate demolition work will resume without a satisfactory resolution to the all-important question: is the 1937 terminal a hazard or not? In part (c), I am asking Members to support a request for the Minister for the Environment to go back over the long and involved planning history that led to his predecessor issuing a permit for the demolition of the 1937 terminal. Because in that history and in the new information we have on the building lie, I believe, the answer to the question I posed earlier: is the 1937 terminal a hazard or not? As I have written in the report accompanying this Proposition, international rules governing airports such as Jersey say that when presented with a structure which may be considered a hazard, you should either remove it or conduct what is known as an aeronautical study to prove that, and I am quoting here from the Regulations: "The object would not adversely affect the safety or significantly affect the regularity of operations of aeroplanes." It is not clear if Jersey Airport ever conducted an aeronautical study so it is possible that, when taking his decision, the Minister of the day did so based on information he did not have. The aeronautical study has now been undertaken not by Ports of Jersey but by Save Jersey's Heritage, who commissioned an expert company that Ports of Jersey have themselves used in the past. If its findings are correct, they are material to the planning case. I know from talking to him that the present Minister is concerned about this and it seems proper that he should formally be asked by the Assembly to investigate. In fact, he has started to do so already and, in that sense, the support of the Assembly for what he is doing currently is a formality. What has that preliminary investigation turned up? A letter from the Director of Civil Aviation, the second document circulated last night. I for one am a supporter of the separation of Operator and Regulator, but I am disappointed by the letter which the Regulator has written to the Minister for the Environment. The expert report commissioned by Save Jersey's Heritage runs into 63 pages. The Director of Civil Aviation dismisses it on a single sheet of A4. The expert report is highly detailed and technical. It is unequivocal in its finding that the 1937 terminal can stay. In his letter, the D.C.A. (Director of Civil Aviation) talks in general terms. The letter appears to be mainly about the separation of the runway and the taxiway but does not address directly the question of the 1937 terminal as a hazard. At one point he writes: "The continued development of the airport will reinforce the essential link to the future of tourism on the Island, and the efficient operations of the airport in all weather conditions are fundamental to that success." With the greatest respect to the Regulator, the success of the tourism industry is not his concern. His concern must be that the airport should apply best practice to its operations and comply with these standards. Until he can respond in a detailed way to the expert report that has now appeared, he should reserve his judgment. The D.C.A. concludes his letter with this sentence: "My primary responsibility is that of safety and my view is that, if the obstacle remains, safety will continue and increasingly be compromised in the years ahead." Yet he offers no detailed explanation of those words. It may be that this matter is one for the regulator to take to the Civil Aviation Authority for its opinion, but however it is handled, this Assembly deserves a better



and more detailed response both from D.C.A. and the Ports of Jersey. In closing, I want to talk briefly about how little we as States Members know of the details of Ports of Jersey's £42 million redevelopment. We are reminded in its annual report for 2019 just published that all its activities are funded: "From commercial profits without recourse to the taxpayer." The report explains that the company has £33 million in cash but reveals the Minister for Treasury and Resources last year authorised the company to take on debt of up to £40 million. How will that debt be secured? Will it be on the airport buildings, which are public property? If you think an airport cannot get it wrong at this sort of scale, just take a look at Bournemouth, a £50 million disaster and that was before COVID-19. Is the cost of demolishing the 1937 terminal within the £42 million or on top? Is the cost of demolishing the old Jersey Airlines hangar and relocating the fire station and straightening the alpha taxiway included or extra? What of the planned executive jet hangars, costing an additional £12 million? Crucially, can spending £42 million or more at the airport in these uncertain times be justified and would it reduce the amount which would otherwise be returned by Ports of Jersey to the Minister for Treasury and Resources every year? These are all the questions that can be answered in the review I am calling for. This is a technical subject, but I have steered clear of the technical because it is not for this afternoon's debate. The worst thing that can happen is for 49 amateur aeronautical engineers to get out their slide rules and make determinations themselves on the safety of the one in 7 transitional surface or the kink in the alpha taxiway. Ports of Jersey's approach to aviation compliance needs to be probed. Compliance can be attained with various derogations. Any aviation risk case needs to be articulated by the regulator in a collaborative way, finding ways to comply while mitigating any deemed hazards a risk. It does not follow that the D.C.A. sets a rule and there is no room for manoeuvre. Often there is wiggle room to negotiate based upon acceptable means of compliance. As I say, the approach to compliance needs to be probed here because the public expects it of us. The public expects Ministers to be driving this, insisting on it, and so they should. Where there is a will there is a way. The question is was there a will or would it have got in the way. Doubtless, costs have been incurred, but where was the public consultation before a penny was spent? Where was the openness and transparency and opportunity to challenge, to hear things you may not want to hear, to persuade, to convince at the drawing board stage, not after planning permission was granted? Where was the public planning inquiry or at least a passage through the Planning Committee, both processes which are open and transparent to the public? Where was the aeronautical study of 2014? So many questions. Let us find some answers. Look, let us do it collaboratively, working together, Ports, politicians, people who support the state-of-the-art new airport, and I am one of them, people who are sceptical, and the heritage lobby. This is our airport. It belongs to us. Let us get everyone on side and on board for a smoother flight to a better destination. I make the Proposition.

### **The Deputy Bailiff:**

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

#### **12.1.1 Deputy S.J. Pinel:**

Just to answer one of the proposer's questions, I explained in my email accompanying the comments sent yesterday that due to the lack of time afforded the Council of Ministers yesterday, caused by the extension of the States Members briefing, the Council of Ministers were not able to discuss the Proposition before today when it was brought forward for presentation 2 weeks earlier than previously expected. Therefore, the comments went out in the name of the Minister for Treasury and Resources, at least the first 2 parts of it, not the Council of Ministers. That was just to explain the question that the proposer asked at the start. The Deputy has raised 3 issues for the Assembly to consider within this Proposition. While only 2 are specifically addressed to me as the Minister for Treasury and Resources, I trust Members will forgive me if I stray into the realms of the Minister for the Environment as part of my response. The aviation sector is one of the most heavily regulated industries in the world, for obvious reasons. Accordingly, under the Air and Sea Ports (Incorporation)

(Jersey) Law 2015, approved by this Assembly, the primary object of Ports of Jersey Limited is to: “Provide or ensure the provision of safe, secure and efficient port operations for Jersey, whether by itself or by any other person acting as its subsidiary, agent, employee or subcontractor.” The redevelopment of the airport terminal is being undertaken on essential safety grounds as there is a need for our airport to comply with the requirements of the aerodrome licence and the Civil Aviation Authority Regulations. The Director of Civil Aviation, D.C.A., mentioned in the proposer’s opening remarks, has overall responsibility to ensure the safety of civil aviation in Jersey and its airspace. The determinations of the D.C.A. are based on a detailed understanding of all aspects of U.K. and international regulations and how they should be applied at our airport. Regular safety and security compliance audits are undertaken on behalf of the D.C.A. and the C.A.A. (Civil Aviation Authority). The D.C.A. has provided written instruction on 3 separate occasions that the 1937 building must be removed to ensure the safe operation of Jersey Airport. Since 2010, a programme of removing and repositioning obstacles has been taking place, commencing with the aeroclub, the roundabout and the roadway, all in order to achieve compliance to the regulatory requirement for runway to taxiway separation. The 1937 building and the old aviation hangar - that is hangar 4 - are the only remaining obstacles. Both of these are incorporated into the airport redevelopment project. The 1937 building represents a hazardous obstacle which infringes the one to 7 transitional surface and prevents a proper separation of the alpha taxiway from the runway. The rationale for the decision to permit the demolition to proceed is clearly laid out in the Ministerial Decision signed by the then Minister for Planning and Environment on 17th March 2014. I do not propose to take Members through the full content of that today, other than to say that the D.C.A. has repeated his instruction to remove the obstruction in correspondence only last week, as mentioned by the proposer, a copy of which was attached to the comments sent to Members yesterday. The internal demolition of the 1937 building commenced in early 2018 and confirmation was provided by the Planning Department in October 2018 that the planning consent to demolish the building had been lawfully activated, further confirmed in writing by the Planning Department in March 2019. While I believe the crux of this Proposition lies with part (c), hence my detailed discussion above, the Deputy is right to ask if Ports of Jersey still consider the redevelopment project and associated cost to be viable. The answer, I would suggest to Members, is a resounding yes. As well as addressing the longstanding regulatory issues that were the basis for the D.C.A.’s instructions, one of the key aims of the current development plans is to future proof the airport for many years to come. It is an investment that should be assessed against the next 30 years, rather than through the lens of the reduced number of flights we would experience in the short term. Industry forecasts show the aviation industry going back to close to current levels over the next 18 to 24 months. The future airport project enables the airport to improve the Island’s ability to continue to support and attract airline partners as they invest in new aircraft in the future. It also improves the passenger experience. For example, the project includes the introduction of the new standard of security equipment, including body scanners that reduce the need for body searches. There is simply insufficient room to accommodate this in the current building. A review of the proposed plans by international aviation specialists concluded that the plans for the new integrated terminal were the most effective way of meeting the future needs of the Island and those of the airlines. The redevelopment of our airport is required to ensure the safe, secure and regulatory-compliant operation of our airport. To allow the 1937 building to remain in its current position directly contradicts this important legal responsibility. Taking account of my earlier comments about the continued viability of the project and the overriding safety arguments, this project should continue as planned. The changed aviation landscape because of COVID-19 is a temporary situation and is not an appropriate rationale for a review of the scale, detail and viability of the current scheme.

[16:00]

Passenger numbers are predicted to return to pre-pandemic levels in approximately 24 months, and it could be argued that while the airport is quieter there is an increased rationale to commence the project. It therefore follows that I would urge Members not to support this part of the Proposition.

On the basis that I do not support the review requested in part (a), I do not believe there is a requirement for me to seek such a commitment from the Ports of Jersey as requested under part (b), and this element of the Proposition should also not be supported. However, I can confirm that the Assistant Minister has written to the chief executive of Ports of Jersey requesting that any further work on the 1937 building be halted until the outcome of this debate is known and the Minister for the Environment's consultation with the D.C.A. is completed. The Chief Executive has confirmed that no further work will take place at this time. I urge Members to reject this Proposition.

#### **12.1.2 Connétable R. Vibert of St. Peter:**

In October 2012, the States of Jersey Assembly approved in principle the incorporation of Jersey Airport and Jersey Harbours into a single limited company to be known as Ports of Jersey, wholly owned by the States of Jersey. This became a reality when the States Assembly approved the Air and Sea Ports (Incorporation) (Jersey) Law 2015. The incorporation allowed the airport to operate as a commercial entity independent of state control. P.71 flies in the face of this independence and once again seeks to impose political control over the decisions made by the Board of the Ports of Jersey. This Proposition should not have been lodged as we should not be interfering in the decisions made by that Board, that Board having been approved by the Assembly to run the ports. It is totally wrong that as politicians we once again attempt to impose our will, having made that decision in 2015 to allow the airport to have the freedom to make its own decisions that would allow it to prosper and provide services for the 21st century. I fear that such independence will only lead to further costs to the taxpayer and delays in Ports of Jersey being able to offer passengers the facilities that they deserve. I must thank Deputy Labey for circulating the short paper *Jersey Airport - An Appreciation* because the picture on the cover of that document depicts the 1937 building as it was when the airport opened. If you compare this to the building on the cover of the special aeronautical study, recently produced by Save Jersey's Heritage, and which has heavily influenced his Proposition, you will quickly realise that we are several decades too late to save the actual 1937 building. The majority of the features of that fine 1937 building disappeared in the 1970s and 1980s, and by the end of the 1980s the building was unrecognisable. The fact is that when you compare the photographs of the old building, the 1937 building, with the building today, you will find that the only features that remain are the date plaque, the Jersey crest and a few windows that were originally on the first and second floors of the building. It has been totally remodelled. The fourth floor of the original building was completely removed during work in the 1970s and 1980s. When the new control tower was built, efforts were made to remove some of the 1970s and 1980s additions but retained other features to provide some form of symmetry and to give the building the appearance of an art deco building of the 1930s. It incorporates a few remaining features of the original building, but it is basically a square box ...

#### **The Deputy Bailiff:**

Connétable, you have gone a bit muffled.

#### **The Connétable of St. Peter:**

Sorry, I keep getting that problem. I am not quite sure what it is.

#### **The Deputy Bailiff:**

You are fine again now.

#### **The Connétable of St. Peter:**

When the new control tower was built, efforts were made to remove some of the 1970s and 1980s additions but retained others to provide some form of symmetry and to give the building the appearance of an art deco building of the 1930s. It incorporates a few remaining features of the original building, but it is basically a square box with a wing on either side, these being later additions to the original building. If the architect who designed the 1937 building was around today, would he

recognise this building or even consider that it was his own work? Few features of the original interior survive either. I was able to look during Liberation 75 at pictures of the interior of the building during the Occupation, and it is clear that most of these features have also disappeared. The building also contains asbestos and remains a potential threat to health, particularly to those working within it. It is time to replace this building with something which meets the needs of tourists and other passengers because numbers will recover post-COVID-19, and if they have not recovered by the time the new terminal is scheduled to be completed, our economy would be in serious trouble and we would have far greater problems to consider than the demolition of a building that is no longer fit for purpose. What benefits would the new building bring? Well, there is a trend towards larger aircraft. It is important that we are able to handle these effectively in the future. If we do not, then airlines, particularly post-COVID-19, have many other destinations where they can fly. The new airport will help to encourage passengers to return to Jersey, providing support to the tourism industry going forward. It will also allow new technologies to be used to improve the passenger experience, including a bigger security area, new body scanners to reduce the number of body searches, improve fast bag drop to make the check-in process as slick as possible, and post-COVID-19, in the event of a new pandemic, we will have much better facilities in which to undertake testing of all incoming passengers. The new building would also be significantly more environmentally friendly, with solar panels and lighting, air conditioning and much higher levels of insulation. Also again the risk to both staff and passengers of coming into contact with asbestos will be removed, together with the potential threat of compensation as a result of that exposure. Demolition of the building has received planning permission, so it is unacceptable that we should now attempt to delay or rescind that permission. As a result of permission having been granted, work has commenced and is already well under way. In excess of £6 million has been spent on getting to the current stage. If the building were to be retained, this amount, plus other damages, would have to be repaid to Ports of Jersey, with the taxpayer once again paying the price of the States Assembly changing its mind. The Regulations that led to the original decision were very clear and Ports of Jersey have the document confirming that the building needs to be removed. Also, the technology required to allow safe landing at Jersey Airport without the removal of the hazard does exist but is not in general use. Pre-COVID-19, it would probably have become more generally available in the U.K. in around 4 to 5 years' time. Most aircraft operating today would require retrofitting of the new technology and all pilots have to retrain in order to use it. The costs of introduction of the technology are massive and post-COVID-19 neither airports nor the airlines will have the funds available. We are now many years away from this being a reality. If we force Ports of Jersey to retain the old terminal building, we will also significantly increase development costs as they will be forced to work around the building, producing a less than perfect result which will not meet the needs of either passengers or the Island. This is the type of project that we should be promoting post-COVID-19 and not delaying. If it continues to move forward, this will be a significant boost to the local economy, with local contractors working in partnership with the lead contractor, who does have the experience of building airports. Also, all the subcontractors will be local firms, creating the jobs which are essential for our recovery. I would urge all Members not to support this Proposition for all the reasons I have stated, but also for the overall interests and economy of the Island. Ports of Jersey must be allowed their independence and allowed to operate via the board. If the review is necessary, it should be their decision and not ours. Please do not support this Proposition.

### **12.1.3 Deputy M. Tadier:**

I thought it would be helpful for Members to have some form of cultural input and heritage input early on from the Member of this Assembly that has been delegated some kind of responsibility for arts, culture and heritage. I do not do that because I am an expert, but I think it is incumbent on me to speak on behalf of the heritage community in Jersey, which is a very strong one and whose voice, it has to be said, often has not been represented when it comes to planning matters up until now. I think there has been a disproportionately strong voice for the business community and for pro-

development, even when it has been at the cost of our local heritage. I am disappointed hearing some of the early speeches because it seems to me that Deputy Russell Labey's Proposition is a very moderate one. Personally, I have told him that I would have liked it to have been a bit stronger because my personal view, and I think it is also my ministerial view from a cultural and environmental point of view with those 2 Assistant Ministerial hats on, is that we could be and we should be doing all we can to protect this unique listed building, which is one of a kind in the Island. It does date, as the Deputy has said, from that golden period of the nascent air travel, when airports were being built. Of course, we know before that planes were landing on the beaches at St. Aubin, so a lot has changed. I think it is quite topical at the moment because there have been all sorts of discussions about how we remember history: do we rewrite history? I have to admit in the past in a personal capacity I was perhaps more interested in intangible culture rather than physical culture and buildings, but it has to be said that when you travel around the world, you get to see good examples of how some cities and countries have done things very well and others have not preserved their cultural heritage and their built heritage in a very attractive way. It is possible, of course, to do both. You can have new buildings which sit alongside sensitively very old buildings. So, that is my first area of concern. What Deputy Labey is proposing is very moderate. He is just asking simply that ... he is quite correctly saying there are 2 conflicting reports out there, one of which is being used to rebuild a new airport and completely get rid of the old building, and another one which says: "You know what, it does not need to be demolished for safety reasons and you could quite easily incorporate that." I think it is incumbent on us as States Members and, of course, we will have our own opinions about subjective aesthetics, but it is important that we let somebody independent decide. So that is why he is asking for a review. I do not understand why the Minister would be opposing part (b), for example, because in part (b) we are being told that Jersey Airport, the Ports of Jersey, are not going to knock the building down yet anyway. So I do not see the problem with putting part (b) in to make sure that they do not knock it down until there has been a proper review. What I do want to do is to read some of the comments. Firstly, let me address the Constable of St. Peter. I am a bit disappointed with the Constable of St. Peter. He is quite happy on the one hand to protect Jersey Heritage when that piece of heritage was only erected in 2014, but when we have a classical building here, okay, with some modifications, which is from 1937, he is quite happy for that in his patch to get knocked down. So, slightly disappointed with where he is coming from here. I think it can be saved and we at least deserve to know. Yes, Ports of Jersey is effectively a ... it is not even a private company but it is an arm's length company. We are not interfering here. It is quite legitimate that the States Assembly on behalf of the people of Jersey has a say on such an important building. We cannot say simply because they are private they can do whatever they want. They operate Ports of Jersey on behalf of the people of Jersey. If, for example, they wanted to knock down La Rocque Harbour, would we say: "Oh, well, we cannot interfere with that because they own it now"?

[16:15]

Imagine if they owned, for example, Elizabeth Castle or Gorey Castle. We are not going to say: "Now that it is owned by a quango then they can do whatever they want with it." Of course we would not do that, and I am not comparing the 2. There is obviously grades of listing, but the airport building, like all these others I have cited, is an example of something that has been thought fit to list in Jersey because of its historic importance. Why on earth would we knock something down if there is a good chance, or at least an uncertainty, about the fact that it does not need to be knocked down? That would be completely rash and completely hot-headed. I am going to read a couple of paragraphs, if Members would indulge me, as I said, because the voice of the heritage sector in Jersey is not often heard. I am not going to name the particular group that have put this together for me, but suffice to say that it is natural that I, as an Assistant Minister in this area, would want to take advice and listen to those who do amazing work for our Island. The first point that they say is: "Heritage protection must be taken seriously and is a matter for our international reputation. Jersey's policies

reflect commitment and international conventions to protect our heritage. There is not really an argument about the heritage significance of the building. The listing itself has never been disputed and the circulated report by Elain Harwood of Historic England, who is a very serious and international expert, says it is only one of 9 of the 1930 aerodromes in Britain.” So it is an important building and it is something that people would come to Jersey to see increasingly in the future of course as these things get rarer. That is my addition. Secondly: “Public opinion is strongly in favour of the heritage protection regime. When Statistics Jersey have asked that question in surveys the overwhelming majority of Islanders support the Government’s heritage protection policies and think that they should even be stronger. Look at the enormous membership of the likes of Jersey Heritage, National Trust and Société Jersiaise maybe some 18,000. Heritage is not a marginal interest of specialist groups. Especially when a heritage asset is publicly owned the Government must lead the way.” My intervention there, by the way, is that this is not something simply owned by the airport that they can do what they want with. It is not even a St. Peter asset. It is an Island-wide asset and it is right that we all make the decision on that. Thirdly: “Heritage is the engine of tourism today. Why do people come here? It is not because Jersey looks like everywhere else. It is because of its character embodied in our environment, including historic environment. This building is at first impression a really important symbol of our commitment and character. The building is profoundly symbolic of the importance of tourism to the regeneration of the Island after the Occupation. It was the engine of that economic success; post-war tourism visitor growth was phenomenal, 243,000 in 1950, 620,000 in 1965 and 1.5 million in 1990. We should be really proud of this building and the part it played even apart in this year of Occupation history of its significance that it has played in the history of our Island. So everyone wants the airport to improve and meet modern standards and to support our international connections. That should go without saying, but that can be done in a way that respects our heritage and, as we are seeing in all sorts of ways, heritage is part of that international connection and reputation to the Island. It is crucial to our economy and to the quality of our life in the Island. We do not want the Island to be famous for its indifference to its cultural assets where we are recognised by international experts. We must look again at this before we casually lose such a significant asset.” Now, I am very pleased to be able to read that out because clearly there are people out there, as I have said, who are very knowledgeable about these areas. Sometimes their voices get silenced or diminished, which is unfortunate, because there are people and stronger lobbies out there who perhaps have more vested interests and when money becomes a question their voice can drown out the small, quiet voice that we should be listening to of the people who have invested their time and energy in local heritage conservation. These people do not do it for any self-aggrandisement. They do it because they love the Island and because they want to make and keep the Island special for visitors and for those who live here, wherever we live in the Island. That is one thing we have got in the Island. We have got great coasts and we have got some really important built heritage here, despite it being eroded, I think, and that can be enjoyed by everyone, no matter what their socioeconomic status. I am really disappointed that there is this opportunity here that Deputy Labey is proposing for us to have a reprieve and to think about the way we deal with this important building to find out whether there is a chance to save it, rather than go ahead. If we go ahead and oppose this today effectively we are giving the green light to Ports of Jersey to demolish this building. If we do not do that, and even if one is on the fence, one should give the benefit of the doubt to the independent review and to Deputy Labey and to other campaigners who say: “Hang on a minute. This does not necessarily need to be destroyed because if you destroy it, it will be destroyed for ever.” I do ask Members to listen if not to me then to the lobby and the good, well-researched and considered position of our many national Jersey heritage groups in the Island and please do give Deputy Russell Labey your support today in all parts of the Proposition.

#### **12.1.4 Deputy L.M.C. Doublet:**

I am a bit torn on this one, because I do feel that heritage is very important and preserving the historic built environment is important but I do not like delaying things and deferring decisions. What I

would like to know, and I am not sure if this is a clarification on Deputy Tadier's speech, if he has a responsibility in this area, or whether the Minister for the Environment would be able to speak on this, but it was my understanding that there was an individual employed by the department, I think the title was Historic Planning Officer, whose role it was to advise the department on things like this. Was any advice received in this respect when the planning application was going through and was there controversy about the historic nature of the building? I would be grateful if somebody could clarify that for me because I think it is important that if that advice was given that is highlighted for the Assembly today.

#### **12.1.5 Senator S.C. Ferguson:**

A small comment. A contact I have in the air travel industry has pointed out that the amount of traffic at the airport is apparently insufficient to justify £42 million. Certainly when I was flying it was the second or third busiest airport in the U.K.. It is well down the list now. Also the plans for the developed airport are to increase the distance that the *troisième âge* will have to walk to get to the departure hall and that from the plane to arrivals is difficult for the older generation. Yes, I am all in favour of a re-examination of it, because we have to look at what is good for the customer, not what is good for the organisation. It is what matters to the customers. We should jolly well keep that in mind when we are looking at these things. I am greatly in favour of it being reviewed.

#### **12.1.6 Deputy J.H. Young:**

I was not going to speak because one of the items, (c), is a request to me and I did not want to prejudge and I will not, but I had better give a bit of guidance because of Deputy Doublet's question. I think there are a couple of things that Members should consider when making the decision on item (c). Planning permission was approved by a previous Minister and that was in 2014. That was in the days when Ministers called in decisions for themselves and made decisions directly. That is before we changed the law to bring in independent planning inquiries. The previous Minister was in a position where he had to resolve the conflicting issues of the heritage value and the operational issues affecting the airport. Clearly I have had the opportunity, I had hoped that I could wait until after the States decision on this Proposition and then do the in-depth, but this is a very complicated business. It is not simple. There is a lot of documentation on it. Deputy Doublet asked about what happened in 2014, and I have looked through the Ministerial Decision that was made then and the documentation that is on the website and the report. It is quite clear planning in those days had its own Heritage Officers. The listing of the building is done by the Jersey Heritage Trust. That separation was made a long time ago, so the idea is you have independence there between those that set the values on our important heritage artefacts and those who have the responsibility for advising on where applications come forward. Many of those, of course the majority of them, resolve satisfactorily but here was one with an absolutely clear conflict. The Minister made a decision that he believed that the operational requirements of the airport had override in this exceptional case. So it is an exceptional case in the Island Plan and the Island Plan policies and on that basis, as the law permits and he sets out his reasons, he did so. After that the development commenced and it has been lawfully complied with, as Deputy Pinel as the Minister for Treasury and Resources, said. That point was asked to be clarified; if all the conditions had been met on the permit and so on, and the answer is yes and that has been confirmed in writing and that was done in 2018. Obviously the works have now stopped, stopped before, as I see it, the proposition of Deputy Labey came up. So the works have not been completed. As I understand it Deputy Labey is bringing that Proposition to say that there should be a further review because he has produced evidence that was presented by former Deputy Alistair Layzell and the Jersey Heritage group, who are a very valuable organisation to us and they commissioned an expert report. He said: "Well, I think I would like somebody to look at this independently because we are now 6 years on." Now, I did make a request to our Regulator and you have seen the reply, but there are a lot of technical documents attached to that; a very substantial volume here. I have been asking myself if the States approve this what would happen then? As I see

it potentially there would need to be an independent brought in to look through and the question then would arise according to whether it is a recommendation or not, shall things stay as they are or should there be a modification or even a revocation of that? That would be the recommendation of an independent person. I can say that recommendation under the law, and I have checked it, would not come to me. Under the current Planning Law it comes to the Chief Officer. I am not quite clear where that leads us. If the States approve they ask the Minister to instigate the review. Obviously if that was the States instruction my view would be that I would want to agree to do that. That is not a straightforward matter. I do not want to express a view at the moment but I do believe that the heritage issues were very well known previously, but of course the question is what is the balance? This is the key thing that always happens in planning decisions. What is the balance and the relative weight of these factors? It becomes quite a subtle judgment.

[16:30]

Words “whether”, “should”, “shall”, “will”, “may” all these types of words: “something in future”. In other words, is this an issue for future or is it current? It is trying to establish that and I do not feel competent to go through these huge numbers of papers and take a view. It would have to be an independent investigation. The way I see it is logically and maybe this drives from the 3 parts of the proposition. If the States want the Ports of Jersey to look again at the substance of the project for all the reasons, the business reasons, that the Deputy’s Proposition under (a) set out and the proposer spoke of then it is logical that (c) will also go along. I hope Members will find that comment useful and I think that is the best I can offer at the moment. The heritage is absolutely important and you have seen the reports on that, but there is a lot of complexity to weigh up.

#### **12.1.7 The Connétable of St. Saviour:**

I am going to take a slightly different tack on this. In the early 1960s a Pan American DC-10 came and airlifted over 40 cattle from here to America via Ireland. Later on a Seaboard & Western came with a Super Constellation and they also lifted 45, maybe 50 head of cattle out to America. Both aircraft landed here, both aircraft took off with a full load of animals and both attracted a lot of interest because the aircraft were so huge to have arrived in the Island. What I am trying to say is both aircraft lived to tell the tale, and so did my father who was transporting with the cattle to make sure they arrived safe into New Jersey. All this thing about safety and the building being in the way, I think we have to also consider that these larger aircraft no longer exist really because things are much more shallow, and we do not have as much air traffic coming through and I do not mind what anybody says, we will not go back to the days where we were really because we do not have hotels. Having said that, we must remember that a Pan American aircraft came here in the early 1960s, I know some of us in the Assembly were not even born, but they came and they transported animals out and Seaboard & Western came and they transported animals out with a Super Constellation and everybody is still alive and the airport is still there. I really think we should consider very carefully if we have to demolish this building. I do not think it should go. It is part of our heritage. My family farm was there and it was commandeered in the first place to build the airport. Strangely enough we have just sold the last strip of land to help build Les Quennevais School so it just shows how long we had land up there and I still have got the bell that my great grandparents had for the farm. There is a lot of heritage up there and we have lost so many fabulous things on this Island because “nobody” cared because money was more important. These 2 aircraft made it safely here and back with a load of animals and people on board. I think that has to be taken into consideration.

#### **12.1.8 Senator S.Y. Mézec:**

These sorts of debates end up being really interesting, because many Members can find completely different reasons for reaching the same conclusion. I do not want to touch on some of the subjects that other Members have used as their justifications for either supporting or opposing the proposition. I certainly will not touch on the heritage argument because I just do not feel I am well-informed



enough on that basis. My support for this Proposition is based on democratic considerations. I felt provoked to ask to speak because of just how wrong I thought the Constable of St. Peter was in his speech where he repeatedly suggested that it was inappropriate for us to be interfering in the independence of the Ports of Jersey. I have to tell him and others who might also believe that, that the sovereign decision-making body of the Island of Jersey is not the Board of Directors in some room somewhere making decisions in private. The sovereign decision-making body of the Island of Jersey is the States Assembly elected by the people and it is our decision whether we have a new airport, or if we do have a new airport what it looks like. That is our decision and it is not inappropriate in any sense whatsoever to look at what a Government-owned company plans to do and decide that we would prefer something different or we would prefer more information before signing something off. I do not feel that I, as an elected representative of the people, have had a democratic say in what is a fundamentally big issue for the Island, a very large amount of money going on an institution that is incredibly important for the economic and social well-being of Islanders. The Ports of Jersey as an entity exists to deliver on our strategic ambitions and we have the right to set those strategic ambitions. Those ambitions can legitimately change, either after elections or because of changing landscape out there. I personally have never been convinced that spending £42 million on a new airport was completely necessary. I do not particularly like what has come up as a suggestion. When it comes to the point of the 1937 building I think I had been prepared to stomach getting rid of it on the basis of us being told that it was essential for safety and meeting international standards, but now we hear that that point is contested. If I am to make an informed decision on this I would like to know why it is contested and try to get to the bottom of that. I think the situation that Jersey is in today is very different to when the work started on the airport project for several reasons. For a start, we have since then declared a climate emergency and we have set ambitions on reaching carbon neutrality. That is a subject that many countries around the world are considering very seriously as well and that is inevitably going to have an impact on people's travel habits. I think that ought to be part of our thinking on what sort of airport facility we want. Of course we have also got the coronavirus crisis and everything that has gone alongside that. We are having lots of discussions about the economic boost that we are going to need after this and the Constable of St. Peter referred to this as well, about how this is a project that would be helpful for that. Of course a big project like that would be helpful for economic stimulus, but again it is down to the democratically-elected representatives of the people to decide how we want to facilitate that economic stimulus, where we want the focus to be, and we have got to be careful not to do what happened after the last crisis, which is to overheat parts of the construction industry and so there is a legitimate democratic debate to be had about how we phase some of that work and what we might choose to de-prioritise in order to allow other things to go on. I have a worry that when we have got big projects on the horizon like the hospital project, which is incredibly important and must go ahead, like the prospect of a new Government office and so on as well, but also the desperate need we have for new homes to be built in the Island for people here to live in and have happy lives, I would be worried about what I see as something that is potentially unnecessary, potentially over-extravagant for our needs to end up getting priority and squeezing out some of that capacity we need for housing, which as far as I am concerned is a much more pressing need. I would like to have an ability to have the facts at my disposal to make sensible decisions on that and so when I read Deputy Labey's Proposition, the word that I was using to describe it to my colleagues is that it is a "safe" Proposition in that it seeks to give us more information, it seeks to pause things from going ahead too soon given the completely economic, health and social landscape that we are looking at for our Island and the wider world, and on that basis I think it makes sense. It is our democratic right to say that this project needs a second look, because of where we find ourselves, because of what our priorities are, and so for all of those reasons I will be supporting Deputy Labey's Proposition.

**12.1.9 Senator L.J. Farnham:**

I would like to try to gently bring Members back on to what this should really be about and that is safety. The decisions to demolish buildings at airports are often based around this, because as we know flying and the rules around flying are extremely important. I am quite surprised that in the middle of a medical pandemic when we talk about little else than protecting people Members seem to be drifting away from what this is really about. The 1937 building was and is an iconic piece of architecture and I think we would all like to save it if we could. However, we cannot because we cannot accept the risk it poses to passenger safety at the airport. I have consulted the Director of Civil Aviation and I have spoken to him again today and he is clear and unequivocal that the building must be removed on safety grounds. The majority of the content of the report commissioned by Save Jersey's Heritage relates to flight operations, particularly arrival and approaches to landing. The Director of the D.C.A., if I can refer to him as that, is not particularly concerned with the points raised in this regard. He has stated that the principal safety risk from the position of the building relates to the movement of aircraft on the ground, not approaching aircraft, the movement of aircraft on the ground and the safety of that manoeuvring. The taxiway at Jersey Airport has a kink, has a curve, to the north around the 1937 building bringing aircraft unacceptably close to the runway. The building also means that the apron is not fully visible from the air traffic control tower in low visibility conditions. This is a particular issue in low visibility conditions where aircraft have to wait at key points on the taxiway and apron, creating backlogs and traffic jams and have to take it in turns because the kink brings the aircraft unacceptably close together. Improved technology means that there will be more flights operating in low visibility in the future, so this will be an increasing problem. It cannot be adequately mitigated, sadly, if the building stays in place. The final chapters of the Save Jersey's Heritage report suggest that the taxiway can be straightened without removing the main part of the building. While it could be compliant in theory the edge of the taxiway strip would then be right up against the building, and that is simply not operationally acceptable on a number of grounds, including safety grounds, to the D.C.A. because of the need also for vehicular and emergency vehicle access. No account has been taken of the need for roads around the taxiway that are needed for essential servicing and emergency vehicles. We have got to remember, to put it in its simplest form, we cannot risk aircraft coming too close together. Large lumps of metal with wheels and jets and engines and propellers, full of people, is quite a logistical challenge to manage. We need to plan ahead and we must also be mindful of the fact that technology in aircraft is changing as well. Aircraft are becoming lighter in their build and therefore aircraft will get bigger and they will be able to carry more people with less fuel, be more environmentally friendly and require less length of runway for take-off and landing. Part of the move behind what the airport is proposing is to ensure that we can provide the correct facilities and resources to continue to ensure we have really good strong transport links into the future.

[16:45]

I just want to quickly turn to some points of clarification. The Office of the Director of Civil Aviation has accountability for the safe operation of Jersey Airport, not Ports of Jersey, the D.C.A. The Ports are the operator and they are required to operate within the guidance of the D.C.A. by law. It is inappropriate I think for Ports of Jersey to comment in public on matters relating to safety because that would serve to undermine the role of the Regulator. The Director of Civil Aviation is informed by both the Civil Aviation Authority in the U.K. and the European Union Aviation Safety Agency and they are the experts in these particular fields. Planning permission was given in 2014 following due process. Confirmation that the planning approval was lawfully activated in March 2019 has also been given. The report of Save Jersey's Heritage has been reviewed and considered not to be providing additional information to change the regulator's decision. It is about safety. Of course it will be a great shame to remove the building, but it has to be done in the interests of safety and in the interests of future transport links for this Island.

**Deputy I. Gardiner:**

Sir, I would like to propose a guillotine motion.

**The Deputy Bailiff:**

I will just check the Standing Orders. Thank you very much, so we will come back to you in half an hour.

**Deputy I. Gardiner:**

Thank you.

**12.1.10 The Connétable of St. Helier:**

The public's view of the States today, and I do not know how many Members are aware of this, is fairly infuriated that we have not made a decision about our borders. That is not our fault. That is just the way the story has broken in the media, but what it does tell us is that the Jersey public is incredibly concerned on whichever side of the debate they fall about our borders, about our ports, about St. Helier port and about the airport at St. Peter. These are really important for Islanders, both in terms of our ability to "get off the rock" as we call it, and for people to come here to Jersey. I was somewhat dismayed by some of the speeches certainly in the latter part of this debate that appear to be casting doubt on the ability of the Ports of Jersey to run the show. Not many Members, perhaps only the Constable of St. Clement and I, remember how bad it used to be when the airport in particular was run by a committee. There never seemed to be enough money and we were constantly pouring money into it. We saw very little hope and then when Ports of Jersey was created we were suddenly in a new world of an airport that has got the finances to expand, that it is getting new routes and how pleased we all were I think when we saw the first of those orange planes starting to bring tourists in particular into Jersey from all parts of the United Kingdom who had never come before. We have seen improvements as well at the port, perhaps not as many as you would have hoped, but certainly as a States Member I have not felt the constant need to put one's hand in one's pocket to try to find money for a failing airport. That is down to the work of Ports of Jersey and I do not hold a candle to that particular arm's length body, but nor am I paranoid and nor do I feel that in some way the decision has been taken away from the States of Jersey today. Members will know that I do criticise some of the things that the Ports do. I do not agree with their use of parking in St. Helier. I do not agree with the current state of the Steam Clock site, but I have to say, and I think the Constable of St. Peter will probably endorse this, that as the Constable responsible for the port I have frequent consultation from both the past Chief Executive, who has now gone to prepare the U.K. for Brexit in Dover, and the new Chief Executive, who has made several trips to see me and to explain their plans. I have confidence in what Ports of Jersey are doing. I think they are doing a good job for Jersey, they are making sure that we are able to welcome increasing numbers of tourists, which is important for our economy, they are also making sure that we can get away, that our children can get away to university and that we can get away to see our loved ones and our families. I think we need to give the body that we have set up some credit for what they are doing and I think we need to have some confidence that the scheme that they have for the airport to take it into the 21st century is the right one. Like other speakers, I am sorry that we are losing the heritage buildings and we all wish that could be avoided but we have to be realistic. Safety has to come first, as the Minister has just said. I urge Members not to deprecate the work that the Ports of Jersey are doing and to give them the ability to continue their good work at the airport. Therefore I will not be supporting the Proposition.

**12.1.11 Connétable J. Le Bailly of St. Mary:**

I was going to have a very brief speech, but in fact Senator Farnham has answered all my concerns. I would not support a building of this description just because it is deemed aesthetically special for heritage. Safety has to be paramount and I will go with the Senator's recommendations.

**12.1.12 Connétable M.K. Jackson of St. Brelade:**

I find it alarming that with the greatest respect the Minister for Treasury and Resources in her response received last night indicates that the present global experience is that of a short-term experience with a reduced number of flights. She suggests industry forecasts show the aviation industry growing back to pre-COVID levels over the next 18 to 24 months. I suggest that is pure and utter wishful thinking, without any supporting evidence whatsoever, and tends to raise suspicion over the detail in the remainder of the report and the advice proffered to her. I find it incredibly surprising that the Minister suggests further in her report that changed global landscape because of COVID-19 is not an appropriate rationale for review of the scale, detail and viability of the current scheme. I would contend that in the light of COVID that a review of the project must be undertaken and taking what seems to many to be the adoption of this ostrich-like approach is far from sensible. There is no doubt that the proposed £42 million redevelopment of the airport terminal must be called into question due to the lack of significant income in the last 3 months to the ports. I am surprised that the board have not given the Minister for Treasury and Resources realistic worst-case scenario cashflow projections and also surprised that this information was not given to States Members in the presentation a few days ago. There is no doubt that a degree of upgrading in various areas of the airport is absolutely necessary, but of course the post-pandemic needs will need to be covered by a review. It does seem surprising and regrettable that neither the Minister or indeed the Director of Civil Aviation appear to acknowledge the comprehensive A.S.A.P. (Aeronautical Services and Procedures) aeronautical study on the 1937 terminal building dated March of this year. It may be that it has not been read, but for Members' information it clearly shows in the greatest of detail that the 1937 terminal building does not adversely affect the safety of flight operations at Jersey Airport. Safety is often used as an excuse and while I am no expert I do feel it does merit consideration. Looking at the plans I have in front of me it seems that the removal of the 1937 building and realignment of the taxiway will simply put it at the same distance from the present departure hall as it is from the 1937 building, so there is little to be gained. There is much detail in the report regarding low visibility operations and such and it seems clear that navigation and technology has changed in the last few years and I wonder whether in fact the latest G.P.S. (Global Positioning System) methodology and wide-area augmentation system technology is incorporated in the D.C.A.'s views on the safety issues being discussed. There is indeed some doubt in this report whether the new control tower and indeed St. Peter's Church spire compromise the various regulations but no doubt derogations will have been put in place to deal with those, so if that is the case can it not be done for the 1937 terminal? Many Jersey people are used to our airport and its readily recognisable features of the 1937 Art Deco passenger terminal. I am aware that the Board and the Executive are, apart from one or two, either not resident or possibly only recently and consequently will not understand the empathy that we all have with the building. So many people have worked there or had family connected with it, and it has become part of the fabric of Jersey. Indeed, my father worked there in air traffic control from 1946 and safety aspects of the airport's operations are engrained in my psyche. He was, as it happens, the Air Traffic Controller on duty when the DC3 hit the approach lights in 1963 with accompanying fatalities. I fear that the replacement proposed will simply be a characterless edifice with little to differentiate Jersey from the thousands of other airports in the world. It is regrettable that the architects could not incorporate any of the styles of the 1937 building in their proposals, or if they did it was cunningly disguised. I suggest that, in conclusion, a review as suggested by Deputy Labey is entirely appropriate and indeed necessary at this time and urge Members to support the Proposition.

#### **12.1.13 Deputy D. Johnson of St. Mary:**

I speak on much the same lines as the Constable of St. Brelade. I speak also as a former member of the Economic Affairs Scrutiny Panel, the Ports of Jersey incorporation being the first project it entertained on its formation. The Constable's speech is quite right, that the purpose of the incorporation was to enable a Board to make commercial decisions on its activity and to that extent he is correct. As again said, Senator Mézec has a point in that the States of Jersey are of course the

shareholder and the Board will be expected to carry out its operations in accordance with a strategy determined by the shareholder through its shareholder representative. This brings me on to the central point. At the time of incorporation our final review did criticise the resources available to exercise that shareholder function and that was accepted by the Minister for Treasury and Resources of the day. Further resources were to be made available. Without casting any aspersions on anyone currently involved, I am not satisfied that the shareholder function not just for Ports of Jersey but for States bodies generally is now sufficiently robust to be able to adequately monitor the performance of our States-owned bodies, and that is one reason why I wish to speak, to highlight it. As to the need for review, I would assume that almost automatically the COVID crisis caused the board of Ports of Jersey to reflect and I would be surprised if this has not already been discussed with the Minister for Treasury and Resources. In fact at a States sitting several weeks ago the Chief Minister in response to a question as to further cuts or savings, or however you like to call it, did say that nothing was off the table and everything was on the table. I sought clarification by asking if that statement covered States-owned bodies as well and if I understood the Chief Minister correctly; he said it did. On that basis on the one hand I do not think that by passing part (a) of this Proposition we are saying anything more than has already been committed. On the other, do we need to pass it, given that the Chief Minister has already made a commitment to that effect?

[17:00]

Maybe he would like to comment on that, but either way my real concern, and I do have some sympathy with Senator Mézec on this, is that it is through the Minister for Treasury and Resources that the public have comfort in knowing that the board of Ports of Jersey are acting in accordance with the general public's wishes. I do return to this point, therefore, as to whether the shareholder function is adequately covered in Treasury and I appreciate she is not going to be able to reply on that now but I do flag that as a point for the future. I say I would be interested to know from the Chief Minister or someone else as to whether the commitments required in part (a) of the Proposition has in fact already been given.

#### **12.1.14 The Deputy of St. Martin:**

This project has been already on the go for 10 years now and when the then Deputy Duhamel was Minister for Planning and Environment he had the job in 2014 of making the decision on this project. I have to say to Members, those who were not in the Chamber at the time, that he was a very environmental Minister for Planning and Environment, if I can put it that way; I am sure people will understand. I can assure Members that every option was investigated. The Minister of the day even investigated the possibility of moving the runway further away from the building in order to get the one in 7 and retain the building; that is how hard he looked at it. But at the end of the day he was in possession of all the facts and he could find no alternative but to do what we are doing in proposing to take down the 1937 building. It is a straightforward decision between leaving the building up for the benefits of history and for the pleasure of aesthetics or going along with safety and the rules and regulations of air travel. We need to look to the future and future-proof our air links for the future generations. I want to look to the future and not to the past. If there was ever an opportunity to do that, then it is now. We know we are going to have a short period of time with less air passengers and what we need to do is to get on and use that time to start to redevelop our airport. As with all small island economies, connectivity is everything. As we have seen with the fibre rollout to every home, that virtual connectivity that our Islanders enjoy. The connectivity through the airport and the harbour are also absolutely vital and they are going to be increasingly vital into the future. The projects that Ports have got lined up at both St. Helier and St. Peter have to continue. We are seeing and we will continue to see airlines specifically picking and choosing where they go and never more so than in these days and weeks after COVID. It will not be just the quality and quantity of airports, arrivals and departures, it will be the speed of turnaround and maybe, most importantly, able to fly the right aircraft in here. In the not too distant future we are going to see larger planes, more economic

to run, more environmentally friendly. But we will only see them if we have got the right facilities and infrastructure and if safety of our runway and buildings are of a correct standard. We need to make no mistake, air travel will be back. It has gone away at the moment but it will be back and we need to be ready. We need to be connected like never before. As I said just now, connectivity for small island economies is everything and we cannot get left behind. Moving the taxiway is essential, it is vital and absolutely necessary. The decision to demolish the 1930s building was unfortunate but we have debated this over and over. For 10 years now we have spent £6 million and really we must not and cannot go back. Technology is not going to provide a way to allow us to keep the building and operate the runway and the taxiway as is safe. If we do not solve the physical separation of planes, then we will face the safety issues which are going to give us real problems. For the future of air travel in and out of Jersey and for future connectivity for tourism, for finance, for general members of the public who just want to go away and visit families, very much like they are now in these days of lockdown easing, I ask Members to vote against this Proposition and to support Ports in their attempts to provide current infrastructure which is fit for the future. The Chief Minister earlier today has alluded to easyJet is about lose 5,000 jobs. Airbus have announced today tens of thousands of jobs that are going; they are losing major hubs. We just cannot do anything here now that could put any further doubt in the minds of those airlines that want to fly to our Island. Again, I would just ask Members, do not negotiate on safety. This is too important to have airlines pull away now just because we are considering this Proposition. Finally, I have been critical of Ports in the past. I was not necessarily greatly in favour of incorporation but finally now I accept that they are doing what we wanted and what they said on the tin; they are getting on and they are making improvements to our airport and to our harbour at St. Helier, installing the infrastructures for the future. Let us not hold back on them now, just as they are about to get going. This is not about the past, this is about the future and I would urge Members to vote against.

#### **12.1.15 Senator J.A.N. Le Fondré:**

I am very glad to follow the last speaker, I think he has shortened my speech, which would be a great relief to certain Members. I think what I will start with, which is dealing with what I will call a very great sentimental affection I, like many Members, had with the building. My father spent probably 25 years of his life up there when he was involved or using that building and when he was also based there, when he used to work for British Airways and the predecessors. Then in later life he became president of the Harbours and Airport Committee and was responsible for getting the funding both for the, I think it was, Elizabeth Terminal and the harbour and what is now called the John Le Fondré Departure Hall, which is named after him. In fact they achieved that funding on the same day. The point that was made by, I think, the Constable of St. Helier was the shared challenges that the committees of those days had in trying to prioritise, as we want to today, the difficulties of getting funding for what is the gateway for us for the rest of the world or the way in which many of the goods that we consume on this Island do come into the Island and that was one of the arguments that came through in the corporation. My father passed away in 1996 and that gives an indication of how long ago the last what I call significant investment, other than the air traffic control tower, was made into our very vital infrastructure. Also, I can remember as a child going up there and watching the Concorde doing its roll-by and the arguments as to whether the wheels touched the runway or not, which I believe they did. But that does not preclude the comments I am about to make. I think what I do want to address was in Deputy Labey's opening remarks, I think he had kind of tried to infer was not all around the 1937 building but then went into quite a lot of detail around the 1937 building. He then referred to the previous Regulator. I think what I disagree with him is that he seemed to conveniently ignore the correspondence from the present Regulator dated 19th June of this year, which obviously is in the hands of all Members and I shall refer to that in a minute. But I think where I did agree with the Deputy he said: "It was absolutely not appropriate parameters to be making these kind of decisions", I think was what he implied. I can remember other States Members in my political past talking about the States becoming a planning committee of 49 or in those days 53 Members and

why it was not appropriate or was not always the best way of arriving at decisions but, equally, democracy is incredibly important. What I just think I would like to do and I will try and keep it pretty short, is, number one, just remind Members about what Senator Farnham repeated in his speech not that long ago, when he referred firstly to the report commissioned by Save Jersey's Heritage and just said: "I remind Members that the majority of the content relates to flight operations, particularly arrival and approaches to landing. The C.I. (Channel Islands) Director of Civil Aviation is not concerned with the points raised in this regard. He has stated that the principal safety risk arising from the position of the 1937 building relates to the movement of aircraft on the ground and the safety of manoeuvring." It is certainly my understanding that by far it is a very small element of that report, if any, that addresses the latter aspects. It is also worth repeating, and I will use the exact words shortly, that the Regulator repeated his advice - and that is the current Regulator, not the previous Regulator - after reviewing the latest report, the A.S.A.P. report, from Save Jersey's Heritage. To quote Senator Farnham: "We are on a very slippery slope if we are going to start ignoring the directions of our safety regulators." That, for me, was the crunch item. I think the Deputy of St. Martin has very well outlined all the debates and aspects that have been covered under this very long ongoing saga. In fact I was very recently reminded that a presentation was made to States Members on 22nd January this year and that in that presentation the original cost of the project was in the order of £65 million and obviously that has been reduced to the £42 million that is presently under discussion. It is also my understanding, and as confirmed by the Minister for Treasury and Resources, and I hope this assists the Deputy of St. Mary, that Ports always and all the others keep capital projects under review, even when they have commenced, and particularly during the COVID-19 scenario. But Ports are the principal of this scheme, Ports remain satisfied with and that is what the Minister for Treasury and Resources said earlier. Really I think there is not much more I can add, other than perhaps to the crunch, as it were, but other than to say there has been some additional resource put into the shareholder function within Treasury. But I think I conclude by reminding Members of the exact words of the regulator on 19th June 2020 to the Minister for the Environment and that was circulated very recently to Members and to quote: "My view is that the current non-compliances to international standards needs to be addressed and that the obstacle [by which I take to be the 1937 building] is a hindrance which not only affects safety today but will be increasingly so in the future. My view is that if the obstacle remains, safety will continue and increasingly be compromised in the years ahead." I do not think it can be said more succinctly than that. On that basis, with great reluctance from my perspective but for that very reason I will not be supporting any parts of this Proposition today and I do encourage Members to do the same but thank you to everybody for listening.

#### **12.1.16 Deputy R.E. Le Huelin of St. Peter:**

It appears we have conflicting views on safety from various experts; of course safety is a paramount consideration. This issue is not about killing the airport project but about our heritage and sound business practice. It makes sense and take a very brief check and balance of the proposed development post-COVID, is it still proportionate and appropriate? I think we most likely know the outcome and as all P.L.C.s (Public Limited Companies) will do, they will take stock and reassure their shareholders that post any significant change in circumstances their investment plans are still sound. We have heard from the Minister for Treasury and Resources and the Chief Minister but I have not heard any review of that, or maybe I have missed it, but it has not been drawn to my attention that that review has taken place. From what I have read and from what I have heard it appears the planned removal of the 1937 building is for operational convenience, not necessarily safety. Therefore, I would like to see if that can be saved and made into a spectacular feature to celebrate our Island history. If there were any risk of the C.A.A. or D.A.C. or any other acronym halting operations and stopping flights in the short to near term, my view would be fundamentally different but I have heard nothing to that effect. I have listened to the comments from the Minister for the Environment saying part (c) may be onerous, otherwise I have not been told that this proposition will

cause undue delay. Quite the opposite. It should give reassurance to the Island and the Assembly in the development of our hospital. Therefore, on the basis that it will be a quick review and not out of order and take too long and affect the long-term benefit to the Island and building the airport, I will be supporting Deputy Labey's proposal.

**12.1.17 The Deputy of St. John:**

I have listened to the debate with some interest and although I have not come into the debate to make a contribution, it is becoming increasingly apparent that some of the stuff being put out here is not entirely true and that is probably unparliamentary. When we first came into this Assembly we were given a tour of the airport and some very clear information about the reasons why there was going to be a necessity for changes. Everyone has alluded to the safety element but the reasons for the changes were that the taxiway was too close to the runway. The taxiway was too close because it had to skirt around the old Jersey Airways building and the fire station, for want of a better term. It was not the old terminal that was the real problem. I bore that in mind and then decided to say something and in doing so I decided to get some of my own evidence, outside that that is circulated and very complex evidence that is circulating. I have before me Google Maps and I have a very clear picture of the taxiway that skirts around the old Jersey Airways building and the airport arrivals hall. The arrivals hall itself is large and cumbersome. The old 1937 building has a very small footprint. When you get out the rule and do a circular measurement of the distances from the taxiway, if you straighten the taxiway then there is very little difference.

[17:15]

Now, I am no expert. I have just got Google Maps up here - and thanks very much for Google Maps - but if you look at this pictorially, there is some doubt. I think given that there is new evidence, it is exceedingly important that we have a review of this decision, given the new evidence. That is not to say that we would not go ahead eventually and demolish the 1937 building, but given that there are few ... there is very little heritage evidence in relation to the airport, this would be a really sad event, to get rid of it, if the evidence suggested that we could keep it, making some minor adjustments and renovate it and bring it back to its former glory, which is the way that the Island sees this particular aspect of the airport. With that, I will end my contribution.

**The Deputy Bailiff:**

Deputy Gardiner, a little over half an hour has elapsed since you made your suggestion of a proposal to close the debate. Is that still your proposition?

**Deputy I. Gardiner:**

Yes, I think that the various arguments have been debated and it is time to move to sum it up, so I would propose to close the debate or to vote for everything.

**The Deputy Bailiff:**

Yes, 18 Members have spoken. The criteria in Standing Order 84 have been met. There is no debate allowed on the Proposition to close the debate and if Members adopt the proposition, then we will move to the final speech from Deputy Labey and then a vote. If Members reject the Proposition, then the debate continues. I invite the Greffier to put a vote link in the chat. The Proposition is to close the debate under Standing Order 84. **[Seconded]** It has been seconded, thank you, by Deputy Doublet. The link is now open, so if you are in favour of closing the debate ...

**Senator L.J. Farnham:**

May I ask a question? Just to be clear, Sir, so if we vote to close the debate, then we revert straight back to Deputy Labey for summing up?

**The Deputy Bailiff:**



That is correct. The effect of closing the debate is simply that I invite the proposer of the Proposition to reply to the debate and the Proposition is put to the vote.

**Deputy J.A. Martin:**

Could I just check as well? I had voted, but I was trying to get in. I could not see anybody else who had their name down to speak. Is that correct?

**The Deputy Bailiff:**

Yes, there were 2 people had their names down to speak in the link: 18 people had spoken and there were 2 Members yet to speak. Of course there could have been more people who wished to speak, but there were 2 persons who had identified that they wished to speak and I had indicated that they would be invited to speak in due course. So 18 Members spoke and 2 were unable to before the proposal to close the debate. The vote is now open.

<b>POUR: 37</b>		<b>CONTRE: 9</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Connétable of St. John		
Senator S.C. Ferguson		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy of Grouville		
Senator T.A. Vallois		Deputy K.C. Lewis (S)		
Senator K.L. Moore		Deputy M. Tadier (B)		
Senator S.W. Pallett		Deputy L.B.E. Ash (C)		
Connétable of St. Helier		Deputy M.R. Le Hegarat (H)		
Connétable of St. Clement		Deputy R.J. Ward (H)		
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				
Deputy J.A. Martin (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy K.F. Morel (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				

Deputy I. Gardiner (H)				
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### **The Deputy Greffier of the States:**

Those voting contre: Senator Mézec, Deputy Le Hegarat, Deputy Tadier, Deputy Ash, Deputy Lewis, Deputy Ward, the Deputy of Grouville and the Constable of St. John.

### **The Deputy Bailiff:**

Thank you. I call upon Deputy Labey to reply.

#### **12.1.18 Deputy R. Labey:**

I am sorry that we did not get a chance to hear Deputy Ash in full swing on this one, because I was looking forward to which Winston Churchill quote he would use, because he normally - invariably - does pick one in his speeches. I had a Winston Churchill quote to counter, which is: "A nation that forgets its past has no future", Deputy Ash. We must not forget our past and I am going to come on to that in just a moment. Can I ask Members through you, Sir, please do not fall into this trap that the scaremongers are setting for you? There is nothing that we will do today and there was nothing that will come out of the review I am asking for which will result in anything being unsafe, nothing. It is the Regulator and the Civil Aviation Authority who have the final say, period. There is nothing I can do about that; there is nothing you can do about that. They have the final say. Deputy Lewis, while you are fresh in my mind: we have a dispute about the safety because we have an aeronautical study now compiled by an absolute expert in his field - please take a look at his biography - but we have a dispute because the aeronautical study was not completed in 2014 for the Minister's benefit. Now, if Deputy Lewis was the Minister at the time and found this out later, subsequently, you would be fuming. I would be, as somebody who determines planning applications. I want to be in possession of all the facts and he was not. I think what has happened is this: Ports were not really ever very interested in keeping the 1937 terminal. They were not interested in keeping that and that is their prerogative. I disagree very, very strongly with that. That is what they wrote. In that scenario, I guess they were not going to do anything that might relieve the 1937 building, because having decided it is a bit of an inconvenience in the way it would be cheaper and easier for us to get rid, they were not going to go down the path of an aeronautical study which has contradicted that. So we have had to wait years later and we have it now and we cannot ignore it. There will be nothing that is done here that will be unsafe, but let us honour that new study and let us take another look at it. It is a second chance. It does not have to delay the project, but it is a safety net and we owe it to the 1937 building and we owe it to the public, who still are not on board with this. Look at all those comments on social media about it. They have been left out of the picture. Now it is up to Ports to convince us. Who knows, they have probably got a very good chance of doing it. The new man who is running it, I have never met him, he looks like a really nice man who gives great interviews, and of course the staff of Ports of Jersey, the airport and the harbour, are wonderful, helpful, polite and very good people. This is not personal. One more thing for Deputy Lewis. The idea that we are going to scare off airlines looking to re-route back, to pick up again, the idea that reviewing this is going to scare them off is ludicrous, because all around the world ... I mentioned Singapore, I mentioned Guernsey; Bristol has completely shelved its redevelopment. All around the world airports are doing the sensible thing and taking a look at whether the figures work now that we have had the COVID crisis and do the plans work now that we know; look, this is not going to be the last pandemic we ever have. Somebody was talking about future-proofing, so when we have the next one, is it going to work for that? Has it got everything that we would wish our airport had today? It is not wrong or insulting to ask Ports to look at that. It is not infringing their independence to say: "Hang on a minute, I am just worried that this emperor does not have any clothes on. Could we just take a look and see?" I am not asking for an independent review. Now, what happens with air travel in the next few weeks, I have to point out, in this fluid period, we all want easyJet and B.A. (British Airways) to come back

and so on. That does not affect this debate at all. We have got to plough on and do what we are doing and that does not have an effect on the longer term, this immediate bit, and it will not scare off people asking to re-route and come back here. It is the same airlines, they will think it is the sensible thing to do. Another very important clarification: I am not looking for an independent review. I am asking, as a shareholder, for a simple and quick review by the company itself, Ports of Jersey, about whether the scheme drawn up over the past 4 years is appropriate now. In the words of Senator Ferguson, we have to look at what is good for the customer, and I thank her for her contribution. The Minister for Treasury and Resources repeated much of what Members will have read in her notes circulated last night, and I hope the Assembly will forgive me for not going over that again. I think I covered it enough in my opening speech. She again relies on the edict of the first Director of Civil Aviation in 2010 to take a look at this. Clinging to that edict now, 10 years later, does not reflect the advances in technology in landing aids and they have been very great and embraced by Jersey Airport. The aeronautical study released this year, that document cannot be ignored. It is not appropriate to do so. We have a difference of opinion. Where there is the will, if we want to save the building, we go in for the derogations, for the compliance, the mitigations. I am sorry, but Senator Farnham and others and the Chief Minister, cherry-picking bits from what the Regulator might have said and using them here, please do not fall for that. It is simply not right. I am not issuing the verdict here; I am not making the judgment here. I am asking for the review so that the judgment can be made by professional people. As I said earlier, let us not all try to be amateur expert aeronautical engineers. I am sorry to say the Minister again cited the review of plans by consultants that took place before 2020. I do not know when, but it was well before any sniff of COVID-19 and that is being held up as justification. Things have changed. The Connétable of St. Peter: I am not looking to take political control of Ports of Jersey. Of course Ports must run its affairs but in these extraordinary times it must not be shy about sharing its figures and making its case with us, its shareholders. The pandemic calls for collaboration, a word I have used before. We do not have to be on different sides of this argument. We can be all on the same side of this argument getting the best result for the public, and along with that taking them with us and explaining it. What do they think when they are looking at this? Look at the debate. They are very uncertain about this. This is a chance to give them some certainty. The Constable of St. Peter is so terribly wrong about the architectural merit of the building and there being nothing left. Deputy Doublet made one of the most insightful contributions of the debate. Paraphrasing her, she basically said: "I cannot judge this and I doubt the Constable of St. Peter is an architectural heritage expert either." Was there not somebody at the time who we employ? Yes, there was, Tracey Ingle, Historic Environment Officer, absolutely brilliant at her job, absolutely brilliant. She messaged me now, because I asked her: "What did you say?" She said: "I would have opposed this in the strongest terms, this demolition, opposed it in the strongest terms. There is plenty of merit left in that building." Now, the Constable of St. Peter goes: "Oh, there is nothing left, it has all been changed."

[17:30]

That is what they say about all these buildings that we try to save for our legacy, for our heritage. Look at Hue Street, which was an absolute ruin. They wanted to completely demolish it; it was an absolute ruin. But it was saveable, people are living in it now and it is a lovely little corner with Dumaresq Street and the foot buildings. "This is beyond repair." People who want to preserve historic buildings hear that argument: "There is nothing left of merit, it is beyond repair." They hear that argument the most and you would be surprised, the Constable of St. Peter would be surprised at what you can save. You can save complete ruins, you can restore buildings that you think will have been changed out of all recognition. You can do it and we should do it. That façade, those German officers coming through, in 20 years' time it is going to be the Centenary. What a fantastic celebration we can have there. People will fly to Jersey to see that terminal. It is in our blood, it is part of our history. It has been here all my life. If it has to go because of the C.A.A. and the Regulator, it goes if they say that, but there is a chance here to be sure for our public, for ourselves. There is a

chance to check it and be sure and say: “Hang on a minute, can we arrange some compliance here, pay this off with that and find a solution?” It need not delay the project. It is not due for demolition any minute now. Yes, Graham Dawbarn, the architect of that building, who also was the architect of the iconic 1930s BBC Television Centre, he would certainly recognise his creation. If we did restore it ... and there is plenty left inside that building, otherwise it would not have got a grade II listing. It did not get a Grade I listing because of the alterations and because of what is gone, but it got Grade II because there is enough there to restore it and we could bring it back as much to what originally was as we possibly can and the asbestos can be dealt with. I was very interested to hear what the Constable of Peter had to say but I am afraid I completely disagree with him on the architectural merit, but much of what he says about the new terminal building, I am excited by that, all that stuff. I want it. I spend a lot of time in airports and I would love ours to be state of art when I arrive, but I would also like to keep a piece of our heritage, but what we need to do is we need to hear that all from Ports of Jersey because I have not heard it from them. We have not discussed this much as a Chamber, have we? The Constable of St. Peter is wrong about the new landing technology. Jersey already has G.P.S. landing aids installed. The U.K. is moving rapidly towards a G.P.S.-based system throughout its airspace, starting with the south of the country. It is an important project for the C.A.A., so we have got that. Of course that changes the landscape too, modern technology. I expected compensation to be raised. It is used by any proponent of a scheme that Members dare to challenge. I heard a lot when I asked the Assembly to ditch Gloucester Street as the site for the hospital, and of course much of what had been spent would have been spent anyway. We are not saying there will not be a new airport arrivals hall; there will be. Presumably there can be no greater example of force majeure than a worldwide pandemic, and of course there will almost certainly be a redevelopment of Jersey Airport. To the Constable of St. Saviour, things have changed a bit since the days of her father exporting cattle in a DC7, but she is right to say the traffic is much lower now and will almost certainly continue to be. Her intervention allows me to say that our airport, even with the 1947 terminal in place, can accept the large airliners like it used to. It can. The Airbus 320, in fact, I think easyJet are operating a 320, it comes in and out today. Senator Farnham talked about safety but chose to ignore the new expert report because it is an inconvenient truth for him. He takes the Ports line. That is fine, that is his prerogative, but Members, we do not all have to take that line. We can ask for a review, a second chance, another look, a check and balance. The expert report on the 1937 terminal has been ignored by Ports of Jersey and the regulator and that is not right. It cannot be ignored. Unless someone can produce evidence to the contrary, it is the report that the airport should have done back in 2010 but did not. The fact that it taken 10 years to produce it and now only because a third-party organisation has sponsored it makes it no less important. Ports must not be allowed to ignore it and we have got to give it the respect it deserves because in it is the key to saving a piece of our history. Is that why some people do not want to look at it, because there is the key? Of course, ultimately it has got to be the C.A.A. and the Regulator who decide. I want the chance to put that to people who know more about it than me, to put that case. Senator Farnham attempted to shift the debate from the idea of the 1937 terminal being a hazard to landing aircraft towards the idea that it is a hazard to aircraft taxiing on the ground. The airport has been mitigating this problem for some time, as do other airports. It is no worse than very many airports operating around the world today. In fact, there is a list of those somewhere. I do not want to forget anyone that I should not do. Yes, Senator Farnham said you cannot see the apron from the new tower when there is fog. Yes, we all know that. What has that got to do with the price of fish or the removal of a historic building? Members have referred to the letter from the Director of the C.A.A., but if you unpick the letter, the first paragraph is all about low visibility approaches, in which he predicts an increase of such approaches, but fails to acknowledge that they will increasingly be conducted by more accurate G.P.S. landing aids, which are already installed, as I have said. Look, we are all facing a world change by this pandemic. Bravo to Senator Mézec, who put his finger on it: the world has changed. We all have an interest in how plans made before the virus arrived may need to be modified. We know that the Government Chief Executive is leading a taskforce looking at how the regeneration of

our economy is best achieved. Its recommendations will come through the Council of Ministers to this Assembly. It is important that the Assembly takes a view but it is also important that large capital projects conducted by the arm's-length companies, wholly owned by the Government of Jersey, do not escape proper and transparent scrutiny, that they do not proceed regardless, that we cannot scrutinise because it is interference or trying to take over. No way. As a shareholder, the Assembly is here to hold the companies we own to account. Let us do our job. There is nothing to fear from this. It is going to shed light and thus far our people have not been brought along with this project and it will help them to do so. If at the end of it we are exactly where we are today, I will be the first to champion this airport. If we have been through this process, we have done it, we have come out, if the result is very similar to what we have got today, hurrah. I will be the first to champion. I am not trying to stick a rod in the spokes of this. I commend the Proposition to the House, I maintain it and I ask for the appel.

**Deputy M.R. Higgins:**

Can I have a point of clarification? The proposer mentioned that we have an existing G.P.S. system. I do not believe that we have. We have an instrument landing system, which is totally different to a G.P.S. system. He would be misleading the House, I think, if he said otherwise.

**Deputy R. Labey:**

That is the information I have been given, but I bow to Deputy Higgins' superior knowledge if that is not the case.

**The Deputy Bailiff:**

Thank you. The appel has been called for. I invite the Greffier to place the vote into the chat, which she has done so, and I invite her to open the voting.

<b>POUR: 25</b>	<b>CONTRE: 20</b>	<b>ABSTAIN: 1</b>
Senator S.C. Ferguson	Senator I.J. Gorst	Deputy G.C.U. Guida (L)
Senator T.A. Vallois	Senator L.J. Farnham	
Senator S.Y. Mézec	Senator J.A.N. Le Fondré	
Connétable of St. Lawrence	Senator K.L. Moore	
Connétable of St. Saviour	Senator S.W. Pallett	
Connétable of St. Brelade	Connétable of St. Helier	
Connétable of Trinity	Connétable of St. Clement	
Connétable of St. Martin	Connétable of Grouville	
Deputy J.A. Martin (H)	Connétable of St. John	
Deputy of Grouville	Connétable of St. Peter	
Deputy M. Tadier (B)	Connétable of St. Mary	
Deputy J.M. Maçon (S)	Deputy K.C. Lewis (S)	
Deputy L.M.C. Doublet (S)	Deputy M.R. Higgins (H)	
Deputy R. Labey (H)	Deputy S.J. Pinel (C)	
Deputy G.J. Truscott (B)	Deputy of St. Martin	
Deputy J.H. Young (B)	Deputy of St. Ouen	
Deputy K.F. Morel (L)	Deputy S.M. Wickenden (H)	
Deputy of St. Peter	Deputy of St. Mary	
Deputy of Trinity	Deputy L.B.E. Ash (C)	
Deputy of St. John	Deputy S.M. Ahier (H)	
Deputy M.R. Le Hégarat (H)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		

Deputy I. Gardiner (H)				
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**The Deputy Bailiff:**

Is the adjournment proposed? **[Seconded]** Thank you very much. I think we have already agreed that we will deal with the remainder of the business for this meeting tomorrow morning. Accordingly, the States stands adjourned until 9.30 a.m. tomorrow morning.

**ADJOURNMENT**

[17:43]