

# JOHN TERRY LTD

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Deputy J.A.N. Le Fondré  
Scrutiny Office  
States Greffe  
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5 March 2015

Dear Deputy Le Fondré,

## **Corporate Services Scrutiny Panel: Jersey International Finance Centre Review**

John Terry Limited, one of Jersey's oldest family companies (John Terry was my great-great grandfather) traded as Agricultural merchants in the island for 100 years until 1975 when the demise of the "bridge" system in the 1960s finally rendered its activities obsolete. Since then, the company has rented out its remaining property at 8, 9 Esplanade - 8, 10, 12 Commercial Street but following a lengthy period of delay and inaction at the Planning and Environment Department including an eleventh hour bid by the Historic Buildings Department to have our application refused, the then Minister for Planning and the Environment approved our plan and issued a permit to develop the site on 13 August 2012, over 5 years after our first approach to the Department.

It is with that background and with an overt declaration of vested interest as well as from the point of view of Jersey tax-paying citizens that we object in the strongest possible terms and on numerous different levels to the plans currently proposed for Esplanade Square.

Our own development plus that of Le Masuriers (J1), The Co-Operative Society, the one at 5-6 Esplanade and the many others heading west along the Esplanade and its environs to the part-let Dandara building at number 66 are poised to provide in excess of 750,000 square feet of fresh office accommodation in the immediate short term. It is estimated that there is an additional area of 180,000 square feet of available, unoccupied existing space on the market. All professionals and knowledgeable commentators in the office accommodation industry are of the opinion that this level of supply amply satisfies current demand and, unless many of the tenants for this new space are to be newcomers to the island, substantial areas of existing but less modern facilities will be released on to the market as the new facilities are taken up. If some of those vacated units are consumed, then further quantities of inferior space will become available and so on. In the existing business climate, quite different from that which prevailed before 2008, it is impossible to know from where we shall discover the extra demand.

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If, contrary to professional opinion, it is argued that ample demand will recur in the near future, we feel sure that property owners, developers and entrepreneurs will react swiftly to provide what the market needs. It is not the role of government to perform that function (especially when it is not needed) nor is it possible for government to attempt to do so in the same manner as a private company or individual.

Whilst the States Development Company parades its notional independence and separation from the government, it also promoted its new offering by way of a brochure featuring a foreword by the Chief Minister and wholehearted approbation from the former Treasury Minister. Presumably glowing tributes from these two politicians of influence will also be available to John Terry Limited's and the other private developers' literature on request.

We private companies have been obliged to pay or borrow to acquire our property. How much was paid or borrowed to acquire the Esplanade Quarter land? If we were lenders approached by the States Of Jersey Development Company we would be reassured by both the name of the company and by the presence of the former Treasury Minister in the company's brochure. Perhaps the Chief Minister will be willing to lend the security of the States of Jersey's financial substance to John Terry Limited's appeals for funding for its project as well.

The Development Company should be facilitating, advising and assisting private developers to acquire this land on terms favourable to the public and encouraging them to proceed with schemes that the market is demanding. We doubt there would be any takers at the present time which seems to be the reason why they have elected to proceed themselves.

The proposal for Esplanade Square is not a social or community development and for the States to become involved at all in private development is by definition not "fair" to private citizens who must approach the matter from a wholly disadvantaged comparative position. What is next for the States Development Company? Are they to open a corner shop, a restaurant or a garage on States land where they perceive a demand?

If the development proceeds, what effect will it have on other Esplanade sites and those in the St. Helier Town Centre itself? It is likely that any demand will be assuaged by this monstrous building and other schemes will stall, indeed an atmosphere of confusion and uncertainty has already entered the market for both developers and potential tenants. The deep and narrow footprints of those on the Esplanade render them unsuitable for most modern applications other than office accommodation. Indeed, the area was identified many years ago as the one where modern office development should be sited.

In respect of the plans themselves, we stand bemused at any number of fundamental planning aspects. First of all, how does this proposal sit within the Masterplan? Are we to assume that the development approach will now be piecemeal and, if so, can the applicant demonstrate how he can produce the original plan in this fashion? If the Masterplan is to be revised it would seem appropriate, in the spirit of the Environment Minister's July 2012 stated desire for "Community Engagement in the Planning Process", that a Public Enquiry be initiated.

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If we are, after all, to adhere to the Hopkins Masterplan, at least in so far as it affects this section, it would be beholden upon us to at any rate respect one of its fundamental design principles, that of pedestrian connectivity. Many gaps in this plan are car park ramps and therefore, pedestrian barriers. Where is the diagonal desire line linking Castle Street to the Waterfront? Where are the views towards the Waterfront which encourage the pedestrian flow?

The determination of this block was presumably to be considered in conjunction with the simultaneous provision of a 525 space underground public car park. The land referred to for the temporary car park has not been properly identified on the drawings and, in any event, has it been established that the Waterfront can cope with enormously increased traffic flows? Despite its lack of definition, has the car park area been accounted for within the application fee?

In addition, Block 4 is referred to as a 6 storey building when the plantroom screening clearly makes it 7 storey. Indeed, the presence of roof plant in this way conflicts with the May 2008 Ministerial Supplementary Planning Guidance Document and the Hopkins Plan itself suggested a “green” roof. Does the entire design of Block 4 convey a Jersey relevance, architecturally, and does it fit its context?

The proposed position of Block 4 places it extremely adjacent to the site boundary affording limited opportunity for landscaping at such a critical corner. Furthermore, from the position of one who was obliged to navigate a course through the corridors of the capricious Historic Buildings Department, we are astonished to note that a large section of the historic sea wall is to be relocated and, ultimately, lost in its current form.

Perhaps most perversely of all in this bewildering situation, our local States Development Company, in the middle of the worst economic recession to hit the island, intends to employ its entire team from outside Jersey, diverting even more home resources away from the vital local industries which are already struggling to replenish our Treasury coffers.

Whatever flaws we may have identified within the design itself and the general process, the key observations to table in respect of the Terms of Reference of your review are that firstly, the States of Jersey should not be involving themselves in speculative “private” development of any sort, secondly, it is quite impossible to be certain of a profit with the sketchy reassurances and assumptions we have been given and thirdly, if demand does exist, the private sector will instantly step into action to meet it at no risk to our treasury – on the contrary, a successful private outcome will stimulate healthy tax returns for the island.

Yours sincerely,

**Mick Millar**  
Secretary/Director