

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 25th SEPTEMBER 2009

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

PUBLIC BUSINESS – resumption

1. Draft Annual Business Plan 2010 (P.117/2009): amendment (continued)

The Greffier of the States (in the Chair):

The debate continues on the Amendment of Deputy Southern concerning the £10 million for the town park. The Constable of St. Saviour.

Connétable P.F.M. Hanning of St. Saviour:

Excuse me, Sir, I believe I am conflicted on this as I own a property that borders the park and will be affected.

The Greffier of the States (in the Chair):

So you wish to declare that interest. The Constable of Trinity, I had your name yesterday.

1.1 Connétable J.L.S. Gallichan of Trinity:

I do have concerns with this because basically I think we need more green places and lungs in St. Helier. The problem at the present time that I see is there is a masterplan for the north of St. Helier and, for those who may not realise it, the next Island Plan will be building most of the properties that we wish to build in the next 10 years in St. Helier. Now, this is quite a problem when you see how St. Helier is already built up. I am all in favour of having fine townhouses but if one drives down, say, Queen's Road and you see the fine houses on your right-hand side, unfortunately at the moment these fine townhouses have been turned into 4 or 5 flats. To make a house for a family in St. Helier somehow or other we have to build other properties for these people to have decent accommodation and somewhere pleasant to live. But also we need to have places where, if you are building denser properties in St. Helier, somewhere for people to have recreation, somewhere they can go and sit and enjoy pleasant green lungs. My only concern with the proposition of Deputy Southern is - at the moment we do not really have a plan. We have the North of Town which has not been consulted on yet, and I personally think if this goes through, and it sounds as if it is a possibility, it will not happen as quickly as everyone thinks. This is because we have to have plans in place where housing of good quality accommodation, where you can have families not in little boxes, but in decent houses or flats, where the whole family can enjoy the improvements in town. Ideally I am sure we have all seen the masterplan. We have 53 planning people in the House now, no one will agree on something that is perfect, but there may be items in there which can be brought forward into a plan at the end which is formulated which will improve the quality of those people living in town. Now, I support absolutely the idea of a town park. The only problem with it is, it was proposed for the millennium and now we are in 2009. I am pretty sure I see where the Deputy is coming from on being targeted. Unfortunately I do not think it will be targeted that quickly. If we do pass this today, by the time that all the plans have been arranged for housing and different things through there, it will be 2 or 3 years away anyway. So for those reasons I fully support ... in fact, I support more parks in town, there should be more. I think there are a lot of good things in this North of St. Helier plan and I am sure we all have to consult about it and then decide what we prefer and take the bits we like. I think David Place is wonderful one way. The trouble is do you want to kill town? This is the other thing; you have to be very, very, careful as far as roads that go one way. But some way or other the cars have got to come in on another road to come in to go out, and if you do not have parking for people to come and do their shopping, as people tend to come to town now, you will find more development of more shops out in the countryside. Now, do we want that? We certainly do not want, as we know from the Members in this House, any more green fields taken for building. Well, that causes a problem, if we do not take green fields then we have to come into St. Helier for the regeneration of St. Helier which we all support, but it has to be done in a structured and planned manner. It is just very, very hard to come in and just say well, we will put 10 houses there, 5 houses, there another 5 there and then you find

you have a mishmash of properties which do not blend in with a final plan. I support the idea but unfortunately I will not be supporting Deputy Southern's site.

1.2 Deputy J.G. Reed of St. Ouen:

I am pleased to follow the Constable of Trinity. I can understand the frustration of the Constable of St. Helier and other States Members over the delays in delivering the town park. However, what is currently being proposed in the North of St. Helier Masterplan is, in many ways, far more than originally planned. Do those advocating the development of the town park really want to revert to the original bland proposals and miss the opportunity to be able to consider plans way beyond those originally intended? It seems to me that this is what is being implied if Members accept this amendment. St. Helier residents have been given the chance to determine how they want the whole of this area of town developed, including the town park. So why at this stage in the process consider the park in isolation from the remainder of the plan? Commitments have been made by the Minister for Planning and Environment and, indeed, demonstrated by the development of the Masterplan and the consultation process that follows. The Council of Ministers also have stated that this Assembly will be able to consider the final plan and that the necessary resources will be allocated to enable the development to proceed. I accept that there may be a further delay, but I believe that the benefits far outweigh the current proposal being debated today. As I have already said, the current draft plan is bound to change as residents' views are taken into account. States Members will also have ample opportunity to make their views known during the consultation period. Do Members really want to tie the hands of the Council of Ministers by demanding a town park to be delivered for a set amount without fully considering the bigger picture? I believe we only have one chance to get this right, please let us not waste it.

1.3 Connétable S.A. Yates of St. Martin:

I have been considering the Island Plan Review with considerable optimism for the last year since the Green Paper was issued about this time last year, I took part in the questionnaire, and I have considered the Island Plan Review in relation to the primary St. Martin's Parish - the St. Martin's Parish within the Island Plan Review. We have had the Island Plan Review in draft form delivered last week. I have not finished reading it yet but I believe that at the end of the 3-month period, which will be in January 2010, we will have a different situation to consider because that is the end of the consultation period for the Island Plan Review. I have also been most optimistic and have studied (- is it P.79?) - the proposition for the Jersey Development Company Limited which could be the vehicle to deliver development cash. This is coming up in the end of October, I believe. I am very optimistic that this would be considered by the Members of this Assembly and hoping that they will recognise this as a positive method of pushing the infrastructure of the Island forward on improvement for the community of this Island. I believe that this proposition at the present moment is too early. I believe wholeheartedly that St. Helier needs a town park and maybe several town parks. I perhaps believe that by the end of January that this North of St. Helier Masterplan may be reconsidered and it might be delivered in a slightly different way. I feel that we have the opportunity to create green areas for the residents of St. Helier. Having just visited - through the Housing Department - lodging houses in that area and seeing the number of pokey little one-bedroom flats, 2-bedroom flats, with children under 5, I absolutely concur that recreation areas within the middle of St. Helier are absolutely essential. I believe that at the end of January 2010 the picture will be different. It rather depends on whether members of this Assembly grasp hold of the 2 items coming up. The first one would be the means of delivery of development cash and the second one is the Masterplan, the overall plan for the next 10 years of the Island Plan for this Island because I think at the present moment I cannot support this.

The Greffier of the States (in the Chair):

The défauts on the Deputy of St. Mary and on Senator Maclean to be raised. All those in favour? The défauts are raised. Deputy Power.

1.4 Deputy S. Power of St. Brelade:

The first thing I would like to say is that I am an enthusiastic supporter of the town park project and have been since I first heard of it. I want to comment in some detail on this amendment and the first thing I would like to say is that this amendment looks very simple and appears to be a quick fix, in fact, it is almost seductive. But I would like to remind Members roughly where we are with regard to the town park project. In my view, Deputy Southern's amendment to this part of the Business Plan would appear to be an attempt to almost stop - indeed, I would go so far as to use "wreck" - the process of consultation on the North of St. Helier Masterplan. I think that if this amendment is approved it will deprive States Members of receiving the full facts on the town park, the issues which have prevented its construction to date, the true costs of delivering the park and the benefit of feedback from public consultation. I would say that this amendment is an attempt to essentially hijack the process of the masterplan in this Assembly this morning by stating that the park can be delivered next year by the States agreeing an allocation of £10 million and by stating that the underground car park required for the original scheme would only cost £5 million to £6 million and that it could be funded from the Car Park Trading Account. None of this is true and I am not prepared to give way. The reason that the town park has not been delivered for the last 10 years is that what was proposed could not be afforded. If this amendment is agreed this morning or today the town park project will be stored again for another additional reason, that is my strong view. This whole subject has become now emotionally charged due to unacceptable delays, and I accept that there have been unacceptable delays, but the simple logic is as follows: the original scheme required no development on Gas Place or Talman and that was as Senator Syvret and Deputy Hilton and others wanted, a flat park with underground car parking for 390 cars. This was estimated at the time to cost £33 million. At today's prices that would be somewhere between £35 and £40 million. A full underground car park would also have been extremely difficult to construct and would have affected the water table in the surrounding area, hence the engineering problems and the possible adverse effects on the foundations of surrounding properties. The £5 to £6 million of Deputy Southern's estimate in this amendment would provide less than 100 underground car parking spaces at Gas Place and not the 390 or the 400 that are displaced. I am not giving way to anyone. The Car Park Trading Fund can only contribute if either Minden Street or Green Street replacements form part of the project, otherwise car parking charges across the Island would have to be raised to contribute to the costs of this project. The proposal to develop a multi-storey car park at Ann Court would have, in my opinion, and in the opinion of many, created a 6-storey monster which would have been impossible to stitch on to the back of a row of B.L.I.s (buildings of local interest) and would have been totally unacceptable in planning terms. Any architect that could have designed a multi-storey car park on Ann Court on that Island site the way it was posed, in my view, was a mission impossible. In addition, this scheme could only be afforded if car park charges were raised to meet a funding shortfall of another £20 million and this is unaffordable from a planning perspective. In order to build a town park on Gas Place you must find a home for 390 to 400 cars, that is an indisputable fact and that must be a permanent home. The £10 million talked about here to remediate the ground and build the park can only be spent by first moving the cars off Gas Place. The cost of finding a future home for these cars cannot be divorced from the equation, putting them all under the park is prohibitive and expensive, that is why a solution is being attempted which distributes the parking requirements to partly Ann Court and perhaps another suggestion in Green Street and perhaps some underground car parking on Gas Place. The development of additional housing in St. Helier is vital and I support wholeheartedly the redevelopment of housing on Ann Court, as does the department. The Housing Department is not minded to give up that site. This is not a monolithic project like the Esplanade. It can be separated into 4 separate phases; it can be phased and the town park can be delivered first. If the concern is that housing around the park would dictate the park's use this can be dealt with at the design stage, which is what has not happened yet, and by placing positive obligations on any construction or any developer, and I believe that. I would hate to think that what has been achieved in the draft Island

Plan, what have been some of the aspirations of the North of St. Helier Masterplan, would be hijacked or stalled this morning and for my part I cannot support this amendment.

1.5 Deputy K.C. Lewis of St. Saviour:

I think that everyone in this Assembly today would agree that every single one of us wants a town park. I do not know anyone that does not. It is the route we go to the town park that is the question. This town park has been promised for many years and a few months ago the Minister for Planning and Environment commissioned architects to draw up a blueprint for the regeneration of the North of St. Helier. This blueprint is now out to consultation and Members will know that that does not just include the town park itself but includes rebuilding apartments, et cetera, and the whole of Ann Court and Bath Street all the way up David Place. Although I disagree with a few points on the Masterplan there was some wishful thinking regarding the demolition of Minden Place which I would not approve at all because I think that would jeopardise the Central Market and the Fish Market and I think that the car park is crucial to be left where it is. Also the architects' idea of pulling down De Quetteville Court was just an idea to improve the views up to Victoria College. It was just that, an idea. But for the residents of these apartments to learn this in the media was unforgivable. I have spoken to the Minister for Housing this morning and he assures me there are no plans whatsoever to touch that building and if, in 20 or 30 years there was, the residents would be the first to know. Deputy Duhamel spoke yesterday on the town park and spoke very wisely. Likewise, Deputy Fox an ex policeman, who knows that the park must be overlooked. If the park is not overlooked it is just asking for trouble. Deputy Le Claire mentioned recently that he had to take his son down to the General Hospital - I am very glad his son recovered well - but complained heavily about the unruly behaviour in the park opposite the hospital, in the Parade. If we are not careful the town park will be just that. Millennium Park will go the same way as Millennium Dome, a well intentioned disaster if we follow this proposition and will be a monument to the States inefficiency. If you were to go down to what is going to be the town park today and stand at the end of Bath Street and look east, instead of seeing some limited housing built at the far end you will see a huge turquoise gasometer, which is absolutely hideous to look at, and if you would like to go down there tonight and I recommend anyone listening at home does it, say about 9.30 p.m., stand in the middle of what is going to be the town park with nothing overlooking it whatsoever and just to look around in the dark and say: "Do I feel safe here?" and the answer will be: "No." It will be like Central Park in America, it will be a complete no-go area in the evening. I would like to see a town park; I would also love to see an Ann Court Park, Bath Street and David Place and the whole of the north of St. Helier to be regenerated. Please do not follow this line today and vote against this proposition.

Deputy P.J. Rondel of St. John:

Can I firstly inform the Chamber that in fact I have property, commercial and residential, adjacent in the road just off the site and, therefore, I will not be partaking in the debate as such and I will not vote.

1.6 Deputy D.J.A. Wimberley of St. Mary:

I had better put this away. Yesterday, in the closing speech of the day from Deputy Duhamel, the Assistant Minister for Planning and Environment, and I am grateful to him for speaking early because I think this is something that the relevant Minister should always do in a debate, which is speak early, so that the cards are on the table. He made what appeared to me, what I rather felt was a pre-emptive strike going back into history and I rather feel that the good Deputy was looking down at my wad of papers and thinking Deputy Wimberley has done his research. Now, this is true and he talked about ancient documents and he said: "How far back do you go?" Well, not into the Neolithic but we do have to go back and that is the question, is it not? It is not my fault that some of these documents are almost in the category of ancient history. We have here documents going back to 1997 but that is when this was thought of. That is where the consultation took place. That

is where the energy was generated and that was what was happening at the time. So that is where we must look. We all know that this is the big debate. It is fundamentally about a choice and on the one hand we have Millennium Town Park, voted for and planned for and budgeted for over years. We have heard from one speaker just now that the proposition was seductive and it was going to wreck the process. But I would like to turn that on its head, perhaps we could look at the Hopkins Masterplan as seductive and turning the process on its head. This beautiful glossy document would be very hard to manage because it is A3 instead of - well it is more than A3 so you have to sort of read it ... it is very difficult on the bus, I can assure Members. I do not try to read it on my bike. This Hopkins Masterplan has included within it proposals for this area as well, of course, as for the wider St. Helier and I do think we have to make the distinction, we have to focus in this debate on what Hopkins says about this area. Hopkins has been parachuted in at the last minute, as the Minister for Home Affairs pointed out yesterday, and it is only now going out to consultation. I think the Minister was absolutely right when he drew the attention of Members to the fact that Hopkins had arrived late in the day and was an exercise in producing more options so that this other option, which is the Millennium Town Park, which has been on the table for years, somehow gets muddied and runs into yet another sandbank. I had to smile when the Minister for Treasury and Resources yesterday, talking to this amendment, talked about that Deputy Southern was attempting to fast-track the Millennium Town Park and how the Millennium Town Park must be shunted up a siding while the brand new shiny Masterplan goes out to consultation. It is the Masterplan which is being fast tracked. It is the Masterplan by Hopkins which is the new arrival, it is the upstart, it is the cuckoo in the nest. I will show in this speech that the Hopkins Masterplan is highly selective in its use of information and I ask Members to think why would that be when, after all, they are consultants and presumably their job is to present the options in an unbiased way if it is a planning document as well as being creative and forward thinking. I believe that this debate, this choice that we are facing between the Millennium Town Park on the one hand and the Hopkins Masterplan consultation delay sandbank is a decision we have to take between honour and cynicism. Now, why do I say that, honour and cynicism? I mentioned yesterday the figures in connection with another debate about satisfaction with this government. We know from those figures in 2006, taken by MORI in a correctly done poll, stratified properly, that 45 per cent of our citizens are either fairly or very dissatisfied with the way that we govern the Island. I do submit to Members that that is a serious situation. To put a personal face on that figure, yesterday evening having missed the last bus out to St. Mary I got a taxi ... well that is an interesting reaction but anyway **[Laughter]** ...

Male Speaker:

No lunch next week?

The Deputy of St. Mary:

No lunch next week. I got talking, as one does, we got talking and we looked at the beautiful sunset, it was absolutely gorgeous and we talked about the way he goes golfing in between taxi driving. Then I happened to mention - in between, not at the same time - it is the big one tomorrow, we are talking about the town park and he said ... well he became more attentive, it was not chat any more. He said: "I live in Stopford Road." So I thought: "Crumbs." He said: "We have waited so long." That is what he said: "We have waited so long." Then he went on, he got into freewheel mode, he said: "The whole area would be regenerated [and he used the word "regenerated"]. It would be so good to see this park." Then we got talking about the new plans. I said what did he think about the new plans and he said he had heard about them but what exactly were they? This, of course, is the way things are when people read the *J.E.P. (Jersey Evening Post)* when they are waiting for a fare and then they have to put it down. So: "What are the new plans exactly?" he said, and then I explained housing along the north side of Talman, reducing that to half its width. I explained about the oblong crescent round the other side going all the way round from Oxford Road all the way round the other side enclosing that other space. I cannot say that he was

angry because he was not. I thought: “What was the feeling that this man had when I told him about that?” and I came up with I think that what I sensed from his was a resigned shrug. I have to ask this Assembly, is that the best we can do for our people?

Deputy P.V.F. Le Claire of St. Helier:

Sorry, I did not quite ... a resigned shrug?

The Deputy of St. Mary:

A resigned shrug. Those are the 2 words that I choose to summarise his state of feeling when he heard what the new revised plans were and I really do ask Members to consider whether the best we can do for our people, for the people ...

Senator T.J. Le Main:

On a point of order, could I have a clarification? The issue is it, is not a plan it is a consultation document and the public will have an input into the final one.

The Deputy of St. Mary:

I thank the Senator for his point of order but I was relaying the reactions of one person but in support of a perfectly valid statistic that 45 per cent of the people out there are fairly or very dissatisfied with us. His reaction was exactly typical. It was not anger, there are not thousands of people in the Royal Square baying for this because they have been worn down to a state of resignation and it is not good enough. Now, let us be positive after that miserable bit of what we do to the public. Yesterday we voted and the Deputy of Grouville should pay attention, almost all of us ... it is all right, just having a little chat but I am going to sing her praises, you see. Yesterday we voted almost all of us ... almost all of us for the eastern cycle route and what a good day, what a good feeling there was in the House. I got the impression that it was one of those moments where we all knew we had done the right thing. This was a “right thing” proposition and it went through very, very easily and the reason it was a “right thing” proposition was that it was positive, it was open to the future and it was community-based. That is something that did not come out too much in the debate, and I had made a note, but I did not say what was in my little note but although it was not mentioned in the debate the emphasis on the community was in the Deputy’s comments. She described working with the community to bring this to the point where she had got it to and, if you remember the photo in the paper, it was just so nice with the Deputy of Grouville followed by lots of young people riding along this lane and that symbolises her approach to that proposition. She has been talking to people all the way along to get their agreement and support. She proposed innovative ways of getting it done using the T.A. (Territorial Army), using the business community support, whatever, and that was just such a good moment. Leading on from that, the question is do we back our community? Do we back our community, or do we turn our backs on our community because that is, once again, the choice - honour or cynicism, backing our community or turning our backs on the community? The Minister for Home Affairs in his excellent speech yesterday asked whether we could wonder why there was cynicism about government and he put his finger on why he said we do not keep our promises. That is a very, very fundamental question about the style of government. Beyond a certain point, people just give up and they live their lives isolated from the politics box because the politics box is irrelevant and that is not how it should be. I do love the laidback style of the Minister for Home Affairs, he does not wave his arms around, which I tend to do, but, my goodness, he said the right thing and this is about keeping faith with our public. So, I come to Hopkins. Now, we need to look closely at this. When I got this document, because I am on Environment Scrutiny we have had a briefing and, as is my want, I read it. My remarks will be about the Hopkins Masterplan as they apply to the town park. So before I go into that I would want to echo the words of Deputy Green yesterday and say there is much that is good in this plan in this overall view. There is a focus on the quality of public realm in our urban area in our capital. There are descriptions of pleasant pedestrian routes and of an understanding that people walk through a

town, they do not necessarily just stand there. He talks little details about shifting deliveries away from the peak hour. It is obvious stuff but there it is in black and white and moving parking to the perimeter to free up valuable space for other uses. All well and good, and I have no quarrel with that, it has all gone out to consultation and I have no quarrel with that either. But when Hopkins writes about this plan, this area, this Gas Place car park, or what was the Millennium Town Park there is a strange set of information that has gone missing. It is selective and I have to ask Members why that would be. If you are doing a Masterplan you start with existing physical reality, which they do, they describe it, including the history, for the sake of the Assistant Minister for Planning and Environment. They should start with the background information so that they are up to speed with people's ideas and surveys and studies before, and they should start with a blank sheet of paper as, I believe, someone has said. So I just take 4 areas where Hopkins, in my view, has failed to be inclusive in their information. The first issue is land contamination and on page 6 of the Hopkins North St. Helier Masterplan they list how they went about the brief. They have "givens" and then they have "possibilities" and they have the sentence here: "The development of the brief during the initial stages, March and April 2009, of developing the Masterplan involved reviewing existing reports, planning guidance and consultation with stakeholders." Now, I mention that because they set out and they say: "We have reviewed the existing documents." Well, in my view, their review was partial and I do not think that is appropriate when we are talking about something so important. On page 8 when they are discussing PwC, they do a very brief outline of what they have taken from the PwC report as part of their review of all the documents and under PricewaterhouseCoopers, in the second paragraph on page 8 they say: "An emphasis is made regarding the moral obligation from the States to fully decontaminate the site rather than more limited measures of sealing and capping after treating soft spots." "The emphasis is made regarding moral obligation of the States to fully decontaminate the site", that is what they say PricewaterhouseCooper said. On page 14, where they write in detail about contamination, they write 2 pages on contamination and on the second page they say in their note at the foot of that page: "T.T.S.'s (Transport and Technical Services) response has focused upon the technical issues but there remains the question of moral responsibility as to whether the States as the owner of the site should be fully remediating the land or whether capping of the site for a surface path is an acceptable solution." Now, they have left something out ... sorry, I am just finding my place. I want to compare for Members what Hopkins says about contamination with the document entitled the *Millennium Town Park, a Report for the States of Jersey, March 2000* emanating from the Planning and Environment Committee. This is the summary report of all the consultations; it is basically the pitch for the park. It has a foreword by the then President, Nigel Qu  r  e. I am just comparing for Members the approach of Hopkins with regard to contamination, what Hopkins tells you about contamination, with what this little slim document tells you about contamination: "Site investigations in the area have found that ground water is contaminated. Although there is currently no danger to public health it is something that must be dealt with. Earth on both the sites is known to be severely contaminated as a result of the former gas works and there is a risk that this may result, if it has not already resulted, in off site contamination. The Solicitor General has advised that ..." why is the advice of the Solicitor General not in Hopkins? "The Solicitor General has advised that 'If contamination is caused to adjoining properties at any stage after the public acquire the ownership of the land by contamination on the land, even though that contamination was caused before the land was acquired [which, of course, it was] the public will be liable in damages if the States are or ought to be aware of the potential risk, could reasonably remove it and do not do so. It is, therefore, in the financial interests of the States to remove the contaminated earth at the earliest possible opportunity.'" I am aware that this is a legal opinion which are always open to challenge but it was the official opinion of the then Solicitor General. The issue is migration of contamination. Nobody contests that there is contamination on the site and it sits there. But if it migrates out of the site and affects other people's lives then we may be legally, and we certainly are morally, liable. The point is that whatever solution we adopt, whether it is Hopkins 1, 2, 3, 4, or whether it is the Millennium Town Park, we will have to deal with that

contamination and so it is not relevant to this debate. If anyone drags it up and says this that and the other about it, the point is that it is the same issue. We either deal with it, or we do not. There is a risk in not dealing with it both financial and legal and moral and if we do deal with it then there is a cost. It is not particularly relevant to the debate but it is relevant to Hopkins' approach, why was it not in the document? That may seem a little technical point so I come on to consultation which, of course, is much more important. Members will have had Mike Felton's letter by email where he says: "Where is the consultation on Hopkins?" when the previous plan that we were being asked to choose between has conducted masses of consultation. Hopkins on page 9 lists a large number of stakeholders that they did talk to and consult with. I accept that and it was a creditable attempt by Hopkins in a limited timeframe to talk to the main stakeholders, both official and some few unofficial. But, as Mike Felton points out correctly, where are the original consultees? Where is the public at large? You can say: "Well, they did not have time." But the point is they could have looked at the original consultation and they could have told us what people had said. At the workshop in 1998, I think it was, there were stakeholders and interested parties, over 200 we are told in the EDAW documents, to shape up some ideas and to define the issues, which they did. Then there was consultation in the form of 25,000 inserts in the *J.E.P.*, and intranet and internet consultation as well and we are told by EDAW in their document (just for the record, *Phase 2 Concept Design Options Public Consultation, April 1999*) that there were 605 questionnaires returned plus a further 260 via the internet and the intranet. That is a formidable body of knowledge and opinion and where is it in the Hopkins masterplan? It has been airbrushed out. I go to page 7, the relevant documents of Hopkins. These are the documents that they looked at and took into consideration. I leave out the T.T.S. generated documents which are largely technical but I will, for the benefit of Members and the record, say what documents Hopkins read and looked at: *Tibbalds: the Gas Works Area 1991 Townscape Analysis*; *ARA: Proposed Public Open Space and Underground Car Park, 1997* (which I have here, it is a heavyweight engineering document); *EDAW: Proposed Public Open Space Major Public Consultation Exercise with Ideas from the Public Culminating a Design Solution for the Park*. So it has mentioned PricewaterhouseCoopers and so it goes on. It is mentioned; it is in the list of the documents that they read. They must have collective amnesia in the offices of Hopkins because after reading it they forgot all about it. There is not a word in this huge document about what the public said about the Millennium Town Park. Is that not strange? Because when we come to Ann Court and what the public think about the Ann Court car park we read on page 49 of Hopkins: "There has been intense opposition from local residents to the recent proposals from the States of Jersey Planning and Environment for a multi-storey car park on the Ann Court site ..." and in the second paragraph on page 49: "The residents' arguments against the location of a multi-story car park on Ann Court focused upon the detrimental impact of the sheer numbers of cars which will pass through the area, the antisocial behaviour, noise, nuisance and air quality issues all associated with large car parks." The point is not what the residents around Ann Court feel about having a big car park on Ann Court, the point is that when public opinion, when consultation, supports the view of the Hopkins masterplan team then it goes into the document, then we can read about it, then we know. But when the public consultation, the public opinion is expressed in the direction in which Hopkins does not wish to go then it is airbrushed out. I am sorry, Members, this is not adequate in a major planning document. **[Approbation]** If they had reviewed seriously and remembered what they had read then they would have seen in the *EDAW Phase 2 Concept Options* public consultation document, a chart on page 7, a bar chart which summarises what the public's main issues around the park were. Consultation, synthesis of replies, ranking of park content from questionnaire replies. There you see a summary of the public's desires for the park. It is not stratified, it is not scientific, but 605 plus over 200 replies went into this. The top one is trees. The second one is seating. The third one is toilets, interestingly, and then open grass and so on, but the point is where is this in Hopkins' masterplan? Airbrushed out. It is a selective document. That is how Hopkins treat consultation. They treat it selectively. No wonder the public are disillusioned. Third, a small point but a significant one. There is a map within Hopkins of existing parks. I am sorry; I have not got the

page number. It shows them in green. It is on the right-hand side, if I remember, and it is very useful. Down the left-hand side of this map of St. Helier with all the parks shown in green, they list the areas of the different parks. That is quite useful. How does the Gas Place site compare to Howard Davis Park, Coronation Park? We would like to know, to have a rough idea how it compares because we know in our heads what Howard Davis Park looks like and we know in our heads what Coronation Park looks like, and People's Park. So how big is this park? What are we talking about? Would it not have been useful to have had the area usefully listed on that page with all the others? But they did not. I had to extract the figures, which is 13,000 square metres, by the way, from a great long list of car parks, and I went down and gave myself eyestrain to find the 2 figures, add them together: 13,000 square metres. 13,000 square metres, that is useful. How big is that? So you look up the list. Howard Davis Park is almost exactly double the size. Almost exactly. So what we are talking about is an area half as big as Howard Davis. Now, I am sure that I have read somewhere, but I do not have the reference, that this park is really rather small. So it is not really big enough to be a real town park, so let us make it smaller. I am sure I have read that somewhere. **[Approbation]** But if you look at the figures, it is half the size of Howard Davis. Even if you just put a fence down the middle of Howard Davis, it is a big park with lots of space and trees and grass, which is what people said they wanted. It has even got a toilet. That is, in a way, a small point, but in a way it is not because you are kind of not telling people in an easy way how they could compare and match up what they need to know. My fourth point about Hopkins is the money. Now, this is, of course, exercising the minds of Members. What would you expect in a serious document which costs, no doubt, an arm and a leg, for a project of this size in terms of costs? Well, I submit you would expect a statement of the costs but also of the benefits. How else can we, the States, how else can the public assess whether this is a good thing to do or a bad thing to do? You need to look not only at the costs but also at Hopkins' cost sheets, Hopkins have given them out to Members who attended the presentation. I am not sure that everyone has them, which again is odd, but there you go. If we look at that, they list the financial costs and the financial yields of their options and they list them under development value and development costs. They give, quite correctly, a range of best and worst. They are narrow ranges, which is a little bit worrying but they do give ranges and they say We have listed the development value and the development costs on an indicative basis. They estimate quite crudely, if you like, the value of the residential on a gross to net ratio, 80 per cent, bang. That is the likely development value. I have no quarrel with that. It is a feasibility study, but what of the other benefits?

The Deputy of St. Mary:

What of the benefits to the surrounding area? What of this word "regeneration"? Is it possible to estimate the value of regeneration? Would it help Members to know what that value might be? I had distributed to Members yesterday an extract from PricewaterhouseCoopers' report of 1999 entitled *Millennium Town Park St. Helier Development Options Socio-economic and Environmental Impact Appraisal*. Hopkins have reviewed this document; they have written 2 paragraphs summarising the main points to be taken from this document, but they curiously omitted to mention the socio-economic impact, the financial benefits of the Millennium Town Park. Why would Hopkins want to leave that out? If I can refer Members to the document I had distributed yesterday, I find it, I must say, very astonishing that this is not part of the Hopkins document. On page 17 of PricewaterhouseCoopers, they do an estimate of the uplift in housing value to the surrounding area. You can talk about regeneration. You can say this will have a positive impact on people around about, but PricewaterhouseCoopers put a financial figure on it. I will not quote their technical bit about how they come to the figures, because Members have that and it might be boring, but I just draw Members' attention to, if you like, the bottom line. They say that there are 5,140 local-area households in the area that would be affected by the park, of which 1,400 belong to the States. They list the current average local house price. They say what the additional price rise would be in those values over 20 years and the total. The total is £102 million. The total uplift in the value of the housing directly affected by this park is £102 million. Why have we not got that

figure in the official report? The uplift to States own properties is £28 million and the good Deputy Southern is asking for £10 million. The uplift in States properties, I repeat, is estimated at £28 million, and that is, by the way, for a park with parking underneath. I have to make that quite clear. £102 million, £28 million. For the more technically minded, if you discount that to present values, which people will do, and accountants in the House will surely pull me up if I do not, the net present value of the uplift for all the properties is £70 million and the net present value of the uplift of States-owned properties is £19 million. Still way over the £10 million that this proposition asks for. Then I would take Members to that same document I issued to Members yesterday - it just says page 20 at the bottom - which is the figures for the park without car parking underneath, just to give an idea what happens when you take out the car parking. It is somewhat surprising that so many people do not want to hear the evidence, but anyway, there you go. The uplift in local values, £62 million of a park on its own with no car parking. The uplift to States-owned properties £17 million. Again, the discounted figures of net present value are somewhat less. £62 million, £17 million. Not in Hopkins. How can we evaluate? How can we know what the value of this project is if the only attempt to capture the increase in value has been ignored? So, to summarise Hopkins, the legal aspects of contamination, the consultation which does not fit is nowhere to be found. The consultation which does fit is in the document and the financial uplift benefits to our community are airbrushed out. I ask Members to consider how this can be. How can consultants employed by the States fix the facts like this? I am sorry; it is unacceptable and it should put a question mark in the minds of Members about the whole document. You have to think why you would take such a selective view of the key information consultation, financial appraisal. Why would you take such a selective view if you did not have a predetermined conclusion? So I am sorry; we do have to discount the Hopkins document. I hope I have done enough to demolish its credibility because I really do think it is not a good piece of work insofar as it is focused on this particular proposal, but maybe that was why it was commissioned. It is sad. It is horrible. I do not want to say that. Why do we not just get on with what we said we were going to do? A few points on specific matters because Members have raised them or they no doubt will raise them, just to make sure that we are talking in the right way. The first is area. I have covered that. It is half the area of Howard Davis. It is a big area and we should not forget just how big it is. Timescale is a red herring. It really is. All this talk about delays and complications and we might have to do a little bit more research. There is going to be more research, but we want to get on with it. It is like the adult respite care. It is like the commitment to the eastern cycle route. We have to commit this money if we are going to get anywhere. Fiscal stimulus package: that is a red herring if ever there was one. There are people who are saying: "Well, it is not 3Ts-compliant. It does not quite do this. It does not quite do that." The fact is, if we need to do this, we need to do this. I would refer Members to some of the things that have got through the fiscal stimulus package so far. I would just like to remind Members of the Victoria Avenue resurfacing: £5 million of capital-intensive work. Compare that to the £10 million that is being asked for ...

Connétable M.K. Jackson of St. Brelade:

If the Deputy would just give way, it is £3 million.

The Deputy of St. Mary:

The figure I wrote down on the front page of my copy of the proposition for the eastern cycle route was £4.775 million, if I remember correctly, but maybe that is not right. If it is £3 million, it is £3 million. The point is it is capital-intensive. We have heard from the Minister for Treasury and Resources that ...

The Greffier of the States (in the Chair):

Sorry to stop you, Deputy, but the States are inquorate. There are 27 people in the Chamber but only 26 present. We have to summon other Members.

Male Speaker:

May I raise the défaut on Deputy Le Fondré?

The Greffier of the States (in the Chair):

You now can. Do Members agree to raise the défaut? The Assembly is again quorate. Please continue, Deputy.

The Deputy of St. Mary:

I do hope that Members are also listening out in the tearoom or wherever because that would bump up the numbers to comfort the public. Yes, I was mentioning about the fiscal stimulus package and about Victoria Avenue which is capital-intensive. We do not have, we are told, a strict measure of how many jobs you get per £100,000 on the fiscal stimulus package and it does seem to me slightly odd that that bailout of T.T.S.'s (Transport and Technical Services') budget can get into that. I make that point just to say the fiscal stimulus package is a flexible animal. Let us use it to do something valuable and creative for the community. A further point is somebody mentioned - I think it was Deputy Fox - about London, and he quite correctly pointed out there are lots of pictures in this Hopkins document about London squares. This is not London. **[Approbation]** Pretty Berkeley Square is not the same as Oxford Road. It just is not. We have some other strange comparisons in this debate. We have heard in connection with surveillance and footfall and safety. We have heard some very strange comments in this area, but it is an important point because Hopkins makes a lot about surveillance and about the need for the park to be safe and to have surveillance, and that is why you need to build houses all around it, thus making it rather less of a park. This is a red herring. It really, really is. Again, you can compare the Hopkins approach to the approach of the original 2000 document, which I will do in a minute, but just to go back to what Deputy Fox was saying yesterday, he cited parks in Europe. He said how dangerous they were. There are even, I might suggest, some commons in London that are dangerous. We had from Deputy Lewis that Central Park in New York is dangerous. Well, I am sorry. I know that Jersey is trying to promote its international personality, but to compare Jersey to New York is pushing it a bit far. We were told by the same Deputy, and I just have to say this, that this might be because of the lack of houses surrounding and surveilling the park might become a monument to States inefficiency. I would say that if we do not get on and build a proper park for the residents of St. Helier and for the whole Island, it will be a monument to States procrastination. **[Approbation]** Having looked a little bit at what Hopkins say, they make this big deal about surveillance. Going back to that previous point of what we should compare to, not Central Park, not these dangerous parks in Europe that apparently are everywhere, although I did not see them in Stockholm, but what about our own Howard Davis Park? What about our own Coronation Park? Are they safe places to be? Judging from the number of people who use them, they are. Let us compare to Hopkins' approach to surveillance, the approach of the Planning and Environment Committee's document in 2000. It is so instructive to compare the approaches of these 2 documents, is it not? What the *Millennium Town Park Report for the States of Jersey*, March 2000, says about this issue is, and I am taking this from page 7: "A public park of this size (1 hectare or 3.2 acres) would encourage a critical mass of people in this area. Such people movement would create a self-policing environment that would discourage the antisocial behaviour which has occurred in some municipal parks in the U.K. (United Kingdom) where the park has become isolated from the surrounding area." So that is a very different approach, and they go on to emphasise the importance of having the park open to the surrounding area so that it is transparent and so the people can go through it. In planning jargon, it is permeable. It has to have routes going through it, and of course it would do. So much for surveillance. It is made a lot of in Hopkins and so I dwelt on it a fair bit. Car parking. We are told, and correctly, that the petitioners petitioned for a car park underneath the park. Somebody pointed out to me yesterday evening really the thrust of the petition was: "Do you want a park?" but the underground car park was included and perhaps rightly so. So where is sufficient car parking going to come from? That takes us, of course, to the whole Ann Court saga.

If you believe that we need hundreds and hundreds and hundreds of car parking spaces, then of course you do have a little problem. I believe that yesterday we put this into context when talking about the eastern cycle route, when I mentioned that the number of people cycling into town has gone up from 2 per cent to 8 per cent in the last decade. The statistics show the population is rising but traffic is staying more or less constant. That shows that people are using their cars less. Bus usage is rising. We know this. The facts are on the website, if you can find them. It is quite difficult, but you can find them. Ridership goes up 4 per cent or 7 per cent each year. The position in 1995, 1996 when those signatures were gathered is not the same as the position now. The world has moved on. One benefit from the delay of 12 years is that we can at least take advantage of the fact that the amount of parking we need in town has gone down. This may be a bit startling for some Members to take in, but it is true. The number of cyclists has gone up, so they are not bringing in their cars and that is why you can normally find a space in Pier Road. No problem. Always space in Pier Road. Now, residents' parking is another issue and we are assured that the Hopkins solution ... I think it is option 2; I am not sure which option it is. The option which includes a car park underground at the gas works end, the larger part of the site, would yield 220 car parking spaces, and they put a price on that of around £6 million: 220 car parking spaces. The original ARA document back in 1997 on that same site, 247. So they must have lost some parking spaces to those houses that they are thinking of building around and to their foundations, but never mind: 220. I believe that that is enough for the residents and for the white vans, and they also make the point in Hopkins that there can be double use of many spaces so that when the residents have taken their cars away some commuters can use those same spaces. Now, I personally feel that the question of car parking is a hostage to the future. I personally believe, as Members well know, that this is an unnecessary cost, but I do accept that it may be needed now and that the perception is that it is needed now: a modicum of parking for residents. The thing about some underground parking is that it deals with the remediation issue at the same time because to make a car park, you have to make a hole, and to make the hole you dig out soil, and if it is contaminated you deal with it. The cost of the car park is an add-on and we must look at it as that. It is a plus or not, £6 million. Now a few words about Ann Court and Minden Place, just to kick them into touch. It is a separate issue. I hope that nobody talks about them. The good Constable spotted it, but I am pre-empting anyone going that way, Constable. There is talk in Hopkins of the benefits.

Connétable L Norman of St. Clement:

I wonder if I could ask the Deputy a question of clarification. I wonder does he still believe that we can finish this debate today. [Approbation]

The Deputy of St. Mary:

I do. [Laughter] I may yet be proved wrong, but I do believe that many of the other matters are ones that Members have made up their minds and they are not strategically as important as this, but there you go. That is a separate debate: the question whether to knock down a swimming pool this year or next. Whoa, that was ...

The Greffier of the States (in the Chair):

Let us get on with it.

The Deputy of St. Mary:

Let us get on, yes. There is a question of whether to build underground at Ann Court and knock down Minden Place: yes or no. There are sums in Hopkins' financial calculations. I just think that is a separate issue and as long as we keep to the debate, that is fine, but I just hope nobody raises it later because I think it is not relevant. Now, the cost. The cost. This plan is better. We were told that was the opening line in the presentation of this masterplan to the Environment Scrutiny Panel. We had the Minister. We had his top people, officers, and his opening line was: "This plan is better. I am putting it to you because it is better." The second line was: "It will not cost you

anything.” Funny way around, that: “It is better and it will not cost you anything.” Well, I do not know about how other Members felt and I do not know if that is how they presented it to States Members, but something for nothing and that way around: “It is going to be better and it will not cost you anything.” I just want to ask Members to consider who gains and who loses in this choice that we have to make. I referred to the community. Do we back the community or do we turn our backs on the community? We are getting something for nothing, but I think, as Deputy Tadier pointed out, what is this something? Is it what we want? Is it what the public have told us repeatedly that they want, even though they are getting a bit tired of us? So, on costs, there are some observations that need to be made. We have heard it said: “This is a lot of money. How can we vote it now? These millions have been set aside for years. The proposal that this amendment is putting right is to take the money out.” Well, simply, this amendment is putting that right. This money has been set aside for years. That is the first point about the cost. When Deputy Reed says: “Oh, well, it would be cheaper if we do it the other way”, I know he is trying to hold on to his budget and I can respect that, and Ministers are all under pressure, but I do hope that they will see this as a big-picture matter. Millions. It is indeed millions. Capital projects cost millions. If you look at the list of projects which we are shortly going to probably nod through, there is £4.5 million for a new radio system for our emergency services. There is £5 million, I think, or £4 million for I.C.T. (information and communication technologies) and so it goes on. These are big-ticket items, and this park is no exception. It is an investment, and investments yield their benefits over many, many years. Then we come to the benefits which I have covered, but there is a matter which needs to be addressed about benefits, and I had a discussion with Deputy Le Fondré last night about this. The question is whether it is right for the government to invest to the benefit of some and not to others. The uplift in property values will affect 5,000-odd householders, so what about everybody else and is there a way of somehow getting some revenue back out of that capital gain? That is a question the House has not addressed, capital gain and how we could somehow recover that, but the point is that by spending this £10 million, we will generate a benefit of £100 million. By spending money on the hospital, that means that any of us, any of the public can be mended when they have an accident. That is how it works, and if you do not have any accidents in your life or you do not need to use the hospital in an expensive way, then you have been subsidised by everybody else. That is how it works. If someone has no children, then they do not benefit from the education system. They still pay for it. That is just part of the rough and tumble. It is part of the way that it works. So here we are deciding whether to do something which will not only benefit the whole Island but which will bring a specific benefit, a huge benefit, to a large number of people. The proposer showed that the cost for the park and remediation would be £7 million. I would suggest to Members again remediation is something we have to do anyway. How we take that moral issue is one thing, but whatever the cost we are either going to encourage or not, so it is not going to make a difference to the debate. Now, drawing to a close, I am going to take Members back to the original process that led up to the Millennium Town Park. When I read the ancient documents of EDAW and the summary of the Millennium Town Park, the feelings of happiness and drive and positively jumps off the page. Yes, this wonderful thing is going to happen. I just quote from the foreword and it is like from a different era. We have to recapture that when we are deciding, when we are voting on this. This is from the foreword: “Two years ago, the Planning and Environment Committee was asked to identify the best use for the gas works site.” It is ancient history: “The public of Jersey wanted a town park worthy of marking the dawn of the new millennium in the Island. The States had agreed in the 1987 Island Plan to provide a car park on the site. The Planning and Environment Committee has fully researched and identified the most cost-effective option available for this land and has painstakingly consulted both the public and many technical experts.” Without a doubt, it is, in short, a scheme of vision for future generations of Islanders to enjoy. There was a kind of positive oomph there, and if you read the EDAW documents of the public consultation, they are just buzzing with energy and hope. So I do say that this debate is about whether we commit to that pledge given so many years ago. We should get on with it. Members should remember that the new proposals of Hopkins are the upstart. This is the old

proposal. This is the one that we need to get on with. It is about keeping faith with the public. Finally, I want to say some words briefly about why I, as a country Deputy, should bother to make a big speech about the Millennium Park. It is so, so important for people in the countryside, for my constituents, that this park happens. It is so important. The Constable of Trinity has spoken about the need to protect our green fields, and amen to that. The corollary of that is that we have to invest in our town, and the Constable is nodding. We have to provide that same greenery and all its benefits. Why do people yearn to live in the countryside? Why do most of us live in the countryside? Because there is a benefit of green surroundings. I urge all the country Constables and Deputies to search their consciences when they come to vote on this. Every day when I go home, I just give thanks when I am going through the last few hundred yards up to my house in the north of St. Mary's. It is so beautiful. I urge all the country Constables and Deputies to get behind this for the sake of a united Island. I want also people to put their views on the line in this debate. I want to know why anyone could want to vote against. We have heard it 3 times already: "I support the idea, but ...". I almost would like a ruling from the Chair that that repetition of the word "but" be banned [**Approbation**] from this debate because I have heard it too many times. I remind us all here of the people who will benefit from this: the local people who live near, the local people who will go to work through the park, the elderly sitting in the sun, the children playing. Why do Members think that this has such massive public support? The feel-good of doing this thing would ripple through the whole Island. I was really moved yesterday by the speech of the Constable of St. John which was much, much shorter than mine. [**Approbation**] He said: "I used to live in town. I now live in the country. I am voting for this." I do say that my role in the House is somewhat to bring the facts, to bring the evidence. I do have slightly less constituency work than my fellow Deputies in town. I do have constituency work but not as much, and I am able to research things in depth and I do. I hope that I have laid some gremlins to rest. I hope I have deconstructed the Hopkins masterplan and shown that it is a partial selective document in which we should place very little faith. Ultimately, we have to decide whether this is one Island or whether it is divided between the lucky ones and the ones who live in town. Please, please vote for this.

1.7 Deputy J.A.N. Le Fondré of St. Lawrence:

I think I had better follow up on some of the points that have been raised in the debate since yesterday. It feels a very long time. I have to say I do admire the Deputy of St. Mary's passion on some of these things. On the face of it, this is the point: it is a fantastic proposition. What deserves more support than the town park project that has been delayed for 9 years? Why has it taken so long? There are 2 very simple factors. One is parking and the other one is cost. Sorry, that is what it is coming down to. The relevance of the parking, the town park site is a large car park in the north-east of town. We should know that. But it needs to be replaced. That is why there have been talks of underground parking or aboveground parking or wherever, at Ann Court, for example. The problem every time has been cost. The cost of most of the schemes that we have had thus far would make the cavern pale into insignificance. Depending how you count it, the price tag thus far could be as much as £40 million to £50 million. It is certainly between £30 million and £40 million. That is after the remediation, the alternative options for parking, the opportunity costs for lost income, the ongoing maintenance costs and obviously replacement land value issues on housing and sites if you have to replace, for example, the Ann Court housing site elsewhere. That is a lot of money, and that is an understatement. The Minister for Planning and Environment in conjunction with both T.T.S. and Property Holdings has produced an alternative. Thus far, the indications are they could produce either at very little cost or possibly even make a return. Deputy Duhamel made some observations on that. That could impact on the level, if we go that way, of housing around the sites. What do you want to get out of it? That is the present choice: schemes that could potentially cost very little or could cost up to £40 million to £50 million. Where does that leave us today? I have to say, in my view, today is not the day to vote on the funding because we need to decide what scheme we want. You either have the expensive scheme or a revised scheme or variations thereof. Now, the masterplan has gone out for consultation and the Minister

for Planning and Environment has confirmed it is going to come back to this Assembly for debate. So there may well be other options that come out of that consultation, but that is the purpose of it and that consultation, in my view, does need to take account of the costs. I am sorry to keep coming back to costs all the time, but we are in different times at the moment. To me, that is when you make the decision when that masterplan comes back in an amended form. You decide the scheme, and then part of that debate is how you are going to fund it, but it is completely disingenuous to say we can do this now. I do have to say I was quite disappointed with the Minister for Home Affairs. I agree with him he wants to get on with it. We all do. But there is of course and there have to be other priorities or there appear to be other priorities, and that is the choice or dilemma we make. That, in theory, is what we are about. Do I keep pushing down a road that I know at the end is a great black hole of unaffordable project there? For example - and I am going to put the Minister for Home Affairs on the spot, to an extent - given his enthusiasm for the scheme, would he be prepared, for example, to give up any hope for the new police station and more on top because those are the types of numbers we are talking and that is the choice of priorities. I can see him shaking his head. He thinks that is the reality, folks. I am going to come back to Deputy Southern in a minute on a couple of numbers, but that is the consequence; we have to talk. Bang on cue. I am glad the Deputy just waved that piece of paper at me because I went and dug out a copy of that earlier this morning. The Deputy, for example, has referred to £5 million to £6 million being the cost for the parking, which is option 4, page 1, Gas Place car park, yes, between £5.5 million to £6.5 million. Quite a number of debates ago, I think the Deputy called me a fishmonger or something. It was along the lines of being able to slice elements out of propositions and match them to make my argument. I cannot remember the phraseology, but I shall return the compliment to the Deputy today. What that line says is Gas Place, 220 spaces, and it is, worst-case scenario, £6 million, okay? Now, the number of spaces we need to replace the parking at Gas Place car park, just Gas Place car park, not Talman, is 390 spaces. So, secondly, this is for semi-basement parking, and it says that on the sheet. This is not for underground car parking. The inference from the proposition that we are talking today is to do, I think it is the full town park scheme. The inference is the original ...

Deputy G.P. Southern of St. Helier:

On a point of order Hopkins did not say anything about. We have got a plan in front of us, the Hopkins plan, and they can do it on the ...

Deputy J.A.N. Le Fondré:

If I can read from page 4 of his report, he says: "And the full town park agreed by the States over a decade ago will not have been completed."

Deputy G.P. Southern:

The full town park in its place.

Deputy J.A.N. Le Fondré:

I am sorry, the full town park to me is the original proposition, and the original proposition came with underground car parking.

The Greffier of the States (in the Chair):

Well, we are not debating the report, as you know, Deputy.

Deputy J.A.N. Le Fondré:

But that is the inference of where we are going. So that is the choice. If you are going underground and one wants a green park on top, then I checked up the figures today. The original cost of a single layer of underground parking with a green park on top was in the order of £33 million. It has been uplifted to approximately £38 million in today's prices. Those are the types of numbers. I think it was £6 million the Deputy is quoting, and in addition, that number, in terms of

being taken out of context, does not cover things like contingencies, remediation, which is, on the very least, 3 lines above it, professional fees, et cetera, et cetera.

Deputy G.P. Southern:

A point of clarification, Sir?

The Greffier of the States (in the Chair):

If the Deputy is giving way.

Deputy J.A.N. Le Fondré:

No, I am not giving way. The principle of having semi-basement parking then leads you on to having the housing because that then shields having the semi-basement parking around the edges. My inference from the report is that we are talking about going back. That is what a lot of people would be talking about is the original schemes, and the original schemes were underground parking. Now, the Deputy of St. Mary ... and we did discuss this last night. I have to say I remain unconvinced. We talked about the uplift in property values of up to £100 million, I think it was, and about £28 million in States properties. That is great. Interestingly enough, and I will probably get my pronunciation wrong, but it is hedonic pricing of car parking, and it is to do with hedonism. Hedonism also ties into the Greek god of wine and all that sort of stuff which is the first time I ever saw a reference to that sort of activity in a PricewaterhouseCoopers report. I suppose accountants do have a sense of humour at various times. It is all very well saying there will be vast quantities of uplift in value in that area. How do we tap into it to fund the park? Great. Wonderful numbers, but they are irrelevant to the funding issue and, I am sorry, it does not equate to cash, and as far as I am concerned, cash is the currency for today. A lot of it comes down to cash, so if you ignore cash, that is why we get the problems we are facing ahead of us. I think that is probably enough of those sorts of comments. We have built a hospital. That is an essential service. This ultimately is a very, very worthy project but is ultimately nice to have, but we all support it because we think it is good for a sector of the town and for regeneration and all that type of stuff. What I am trying to say is it comes down to the funding, as far as I am concerned. That is what frustrates me. The people who keep saying: "Get on with it" but ignore the huge costs associated with the project. So I am sorry, Deputy Southern and I are going to disagree on the numbers, but in terms of numbers getting weighed down in the debate, they need to be substantiated on those types of variations, unless the Deputy has access to a far better team of Q.S.s (quantity surveyors) and engineers than I do. I would like their names. The numbers have been taken out of context, as far as I am concerned. Now, it does require a priority decision from States Members given the funding difficulties ahead, and we are facing an era ahead of us of less income than expenditure. Again, Deputy Duhamel is correct. We have to find smarter ways of delivering the public benefit and, I have to say, without increasing the tax burden. If the money does not come from the taxpayer directly, it has to come from the private sector, and that is what the proposals of the masterplan are, but that, I think, is a debate for when that comes back to this Assembly. As far as I am concerned, based on the numbers that I have seen a number of times, the £10 million that we are talking about achieves nothing. If the new proposal is selected, we do not need it. If the original scheme is adopted, then it will not be enough. As far as I am concerned, you cannot sort out the town park without sorting out the parking, and this does not fund the scheme, and that is what has always been the problem. I will briefly touch on the other comments about using the money from the fiscal stimulus package, about it being timely targeted, et cetera, et cetera. There have been some comments in the Council of Ministers report and I endorse them. It is not very timely and it requires the contamination, for example, remediation does require specialist input from the U.K. It is not an appropriate project for that pot of money. So, in summary, it is great politics but it does not solve the problem and it does not deliver the solution. I think we should reject this amendment until we get to the point of debating the scheme.

The Deputy of St. Mary:

Point of order, Sir, and it is definitely a point of order. "It is great politics." That has really got me angry. This is not great politics.

The Greffier of the States (in the Chair):

Deputy, I do not think it is a point of order.

The Deputy of St. Mary:

Does it not come under impugning Members' motives rather than saying this is about whether ...

The Greffier of the States (in the Chair):

It is politics, Deputy, unfortunately. It is politics, I think. Does any other Member wish to speak?
Senator Routier.

1.8 Senator P.F. Routier:

There are times when we are having debates when speeches change the course of a debate and the way that people think about the way they are going to react to the debate and the way they are going to vote. We have had, I have to say, a speech which has helped me decide which way I am going to vote because yesterday at the early part of the debate I was going to support the proposition, but when I heard the comments and the very, very good speech from Deputy Duhamel [Approbation], I thought his explanation of the North of Town plan, the masterplan, was first class. I think he has opened my eyes to what was in that masterplan, and I went home last night and I reviewed it again. There are options within there which I have to say when I first looked at it originally I was a bit concerned about some of the buildings that were being suggested on the very narrow bit of the land, and from what the Deputy was saying yesterday, I had misinterpreted my first look at it. At the first look at it, I thought it was going to decrease the size quite considerably, but now looking at where those buildings which could help with the façades on the southern side, it does not detract from the park as much as I thought it did originally. So I do believe that the masterplan is of value to achieving what I believe will be a very, very good town park. So, as I said, overnight I looked at that and I think we should recognise the town masterplan, not only the town park bits but also the other areas around the north of the town will be invigorated by what is in that masterplan. I have to say some of the comments that were made by the Deputy of St. Mary in his very, very long speech were totally extraordinary. The way he talked about the lucky ones living in the country and the poor relations living in town, I was astounded by that. It is a pleasure and a joy to live in town. [Approbation] I have lived here all my life. I would hate to live in St. Mary's out on the north coast. [Laughter] I think it might drive you mad, living out there, but seriously, I do think we would be doing a disservice not only to the population of the Island but to the residents of St. Helier if we do not really consider what is in the masterplan, and we should be doing a disservice to the public about not being prepared to consider not spending £10 million because what we are suggesting here is spending £10 million. This amendment wants us to spend £10 million when there is another option on the table not to spend £10 million, but still achieve a very valuable, viable town open space which will make that area of the town much better than it currently is. Living in town is a joy and I recommend it to anybody. I will not be supporting this amendment.

1.9 The Connétable of St. Brelade:

First of all, I would like to thank my Assistant Minister for laying out the case for the department earlier on. He has been representing me on the North of Town Masterplan meetings. Transport and Technical Services and its predecessor, Public Services, have been involved with the town park project since its inception in the late 1990s. While other departments initially took the lead, my department has provided an ongoing input with respect to car parking, traffic issues and the design and maintenance of the proposed park. T.T.S. fully support the principle of a town park and have continued to provide support to the administering committees and ministries who have been

responsible for taking the project forward over the years. However, we at T.T.S. have always recognised that there are 2 key issues that need to be resolved before the park can be delivered. They are where to relocate the existing parking to and how to provide the funding to relocate the cars and to build the Millennium Park. These 2 issues have delayed each and every scheme that has been put forward to date. In 2007, T.T.S. agreed to take the lead on the town park scheme and to develop proposals for an early delivery of the town park, with the final solution being considered by the Council of Ministers in September 2008. The scheme put forward included the construction of a park on the full footprint of the Gas Place and Talman sites and a new car park on the Ann Court site to take the place of the displaced cars at Gas Place and Minden Place, as proposed at the time. This scheme was not progressed due to insufficient funding being available. Following the Council of Ministers meeting, Planning were asked to bring forward a North of Town Masterplan which included the town park and Ann Court sites. T.T.S. have fed into this master planning process and again provided input with regard to car parking, contaminated ground, remediation and traffic network issues. I have to say I think that move to a masterplan was stimulated by Deputy Martin's proposal at the time to put over-55 housing on the Ann Court site. T.T.S. fully support the North of Town Masterplan proposals put forward by P. and E. (Planning and Environment) and consider they finally resolved the car parking and funding issues which have delayed the delivery of the town park project for the last 10 years. In addition to resolving these 2 key issues, these proposals will deliver much needed improvements to the architecture and infrastructure on 4 key sites in St. Helier and, if adopted, will finally deliver the much needed town park. I think I must remark on one or 2 comments that were made in speeches earlier. I would say that the Hopkins plan is a high-level plan and cannot, by its nature, go into the sort of detail which some Members are wishing to pull out of it. That will come later in the consultation process. I think there have been spurious comments regarding value uplift which clearly is not going to have an effect on the build of the town park now because we need the cash to do it. Those values will not come until much later. In terms of the decontamination issue, yes, there are legal issues which the Deputy of St. Mary referred to, and clearly we take legal advice and make responsible decisions based on that. Decontamination is an issue. It is an issue depending on how far you go down and unfortunately there are quite a few unknowns about it in terms of costing. Advice is taken from companies who deal with this, who have to deal with ex-gas works sites throughout the U.K. They have considerable experience and we take their knowledge on board and have applied that knowledge to the proposals that have been put forward. I was first elected in 2005 and have come into this stalemate situation. I have taken a fairly detached view. I respect the Members of the town park group, the millennium group, if you like, and have come to realise in the past year or so, having become involved and seen more detail in Transport and Technical Services, that the original plans just do not work. Like it or not, they do not work. They do not stack up financially. I think we have moved ahead and we all want some results. There is absolutely no doubt about that. I think we are unanimous in that, but what about the detail? I think personally the town park group need not to be intransigent. I detect intransigence and I am just coming from the outside and in a wish and a desire to see satisfaction for the residents of the area, and I think there has to be a little bit of give on both sides so that we do achieve something tangible. I am a bit disappointed. Deputy Wimberley spoke for an hour and 10 minutes, I think, and I am not sure if I heard him mention the Town Residents' Rejuvenation Association. Maybe he did. I do not know, but I missed it. I did attend a meeting at the Town Hall in February after the Ann Court car park proposals were put forward. These were as a result of the previous Council of Ministers' direction. The department came up with, I think, 5 different designs for that, and the Town Residents' Rejuvenation Association got together and they expressed their voice at that Town Hall meeting quite clearly that that was not going to be acceptable. So, in conjunction with Deputy Martin's proposition, what do we do next? Well, the logical thing seemed to be for these empty sites to go to the North of Town Masterplan which is exactly what has been done. The Minister for Planning and Environment has achieved that. Now, like it or not that is what we have and I think this is the logical way forward to

...

Deputy S. Pitman of St. Helier:

Point of order. May I just point out that the Town Park Group do not approve the current Masterplan?

The Connétable of St. Brelade:

Indeed, I thank the Deputy for that observation. In fact, I was going to make the very same point and I am pleased that they do because I think that is the logical route. The North Town Masterplan has been designed to satisfy their requirements and the requirements of everyone and it is almost a negotiating document which is going to achieve a result which is satisfactory to most, probably not to all, but I do not think any solution ever will be. I was pleased to see that the Town Residents' Rejuvenation Association, I think in the paper last night, wrote a letter to the effect they were supportive of the masterplan and surely this is the right route to go down. I do not think that the Deputy's proposal, while well meaning, is going to achieve what we want. This is the regrettable part about it and many Members have spoken quite logically and in the direction which points to the fact that we want a result. Now, if this is not going to achieve a result, what will it do? Will it just lodge £10 million in a corner somewhere until such time as we find the rest? Quite clearly, in this economic situation I suspect that probably will not happen and that really does worry me. So I think the logical way forward, in my view, has to be to go with the Town Plan which we have agreed to. We are going to consult on it. It is out for consultation. Let us have input on that and see what comes of it. I am also concerned, just to conclude, that we are not providing the public with good value for money. My department has gone through the exercises of producing these various plans, numerous studies, I seem to have files of studies on the whole subject and we are not achieving anything out of these expensive studies. This is not good value. We have to proceed in a way which is achievable. Let us get on with it and I suggest that the best way to do that is to reject this amendment and follow the North Town Masterplan route, consult on it, take advice and let us get on with it.

1.10 Deputy E.J. Noel of St. Lawrence:

This is not about delivering the original Town Plan. It is about how we fund the town park and, simply, the £10 million proposed will not do it. I believe Deputy Duhamel said it all yesterday. It may be possible for us to have our cake and eat it but whatever happens it should not be funded out of the fiscal stimulus pot. This clearly does not meet the 3Ts. We must consult with the residents of the north of town. Personally, I would wish to have any green areas that are created to have suitable backdrops, perhaps not as densely developed as currently set out in the North of Town Masterplan but let us grasp the chance to have a town park and other improvements that will add the best value to the Island as a whole. And in best value, I do not just mean in money terms but to create greater benefits which can be achieved if we joined up our development of the town as a whole. If this amendment is successful, £10 million worth of fiscal stimulus projects would be lost, possibly including proposals from Durrell, from Hospice and some from the Health and Social Services Department where we hope to be successful in our bids to provide better facilities for our elderly and our young people needing care. I will not be party to the removal of this essential funding. The Deputy of St. Mary asked: "Do we back our community?" If this amendment is adopted, then do we? I think not.

Deputy M. Tadier of St. Brelade:

I have a point of order. Unless some birds have accidentally come into the Chamber, I believe I heard somebody's BlackBerry or mobile phone.

The Greffier of the States (in the Chair):

I think it was Deputy Dupre.

Deputy A.T. Dupre of St. Clement:

I have confessed.

Deputy M. Tadier:

I am glad because I thought it was someone else.

The Greffier of the States (in the Chair):

You are wrong, Deputy. [Laughter] Does any other Member wish to speak?

1.11 Deputy T.M. Pitman of St. Helier:

That was a nice sigh when I spoke. I am not known for long speeches and I can hold a glass as well. I think in this debate it is really important that we do not make Senator Ozouf the villain of the piece because at the end of the day, whether we disagree with his politics or whatever, in this instance he is doing his job as he sees it as Minister for Treasury and Resources and I think we have to recognise that. I was going to say that the Senator is a really slick operator but I do not mean that in a disrespectful way. He is very good at what he does and puts across, but one criticism I would have on what he says is when he falls into the trap that lot of modern politicians seem to do and we have the words like re-privatisation, and I spoke to a couple of other Members and a few members of the public and they really hate that sort of jargon from any of us. I think the key to this in winning people over is that whatever your opinion is, let us just have it in layman's terms and transparency, I suppose. But I think, really, in this instance it is down for other Members in the House to send the message to Senator Ozouf because he is in a difficult position fighting his corner, as he obviously has to. But in this instance we want him not to just see the bigger picture as he obviously feels he must but the bigger, bigger picture, if that makes any sense. I do not think it is quite as bad as saying it is the least worst option or whatever we normally fall into. But I think it is up to us to take that lead. But I will come on to that a bit later. I am glad the Deputy of St. Mary spoke because he talked about value and that is one of the things I wish to talk about. I will not talk as long about value but it was really important, what he said, and certainly the huge amount of statistics and research that the Deputy of St. Mary does. I mean, we should not lose sight of all that because he is really inspiring in the research he carries out although I, too, would urge him to try and condense it sometimes. But I was thinking, you know, Members know I am not really one for using quotes at all, not ever, unless Deputy Le Hérisier prompts me and he is not here today. But I really felt about this, thinking about value, it is a quote from a gentleman in the 1960s when he tried to explain about cost and value and it might seem a weird analogy to use here but he is talking about guns, arms, or school books. On the surface of it, it is very attractive to go down the route of setting up a company to sell arms. Really huge short-term profits. Not that I know much about it, I point out to people, but school books, not much in that, is there, in terms of profit. But the point the gentleman was making is when you look at that more closely and you substitute just cost for value and you know the value of something and by putting that money into something like school books, what you are doing for the community long term is thousand-fold, I can see that link to something like the town park. By looking at the bigger, bigger picture, which I think would come out of supporting this amendment we are, really, focusing on value and as the Deputy of St. Mary, as the green conscience of the States regularly prompts us, we would be looking at value to the community, the way we live with the environment, and that is what I think we have to try and do. It is very tempting to be drawn into the North of Town Masterplan and I was on that steering group and I have to say although there are some very good things in it, unfortunately the one bit that is ... I would like to use a term that Deputy Green used the other day talking about hospitals that kind of started with the word "crock" but I know I would get into trouble. The sad thing is with this plan, the really flawed part of it, is the park itself. Yes, there is lots of real merit in that plan but there is also a lot that I am afraid is illusion. Sure, it is not deliberately done. Maybe it is. But you have to think what people really wanted 15 years ago, as someone pointed out, was a park. One other Member said to me that one reason this has to be supported was because we were in the Last Chance Saloon. I know what they meant by that because having sat through all the steering group meetings, if we do not support this now I can tell you that the town park in the original intent will probably never happen. Even if we reject this, what we will have eventually ... it is not going to

happen in 2 years, 5 years. I would say it will be so far down the road that probably even Deputy Maçon will have a beard and it will probably be grey, to be quite honest; and it will not be a park. It will be, I am afraid, a glorified town square which is all well and good. We can all look out the windows here and the Royal Square is very lovely, very attractive, but I do not think you would take your kids there to make a day of it, to be quite honest. During much of the meetings, we have seen a lot of superimposed images to impress us and it is very well done. They would superimpose the outline of the park on to impressive squares in London and various places in Europe and tell us about the huge size. But when I thought about it, it is funny that the huge size they kept showing us was the park unadorned. They did not show us what it would be with the creeping encroachments, erosion, call it what you will, that townhouses would have on it. So I feel quite misled as part of that group in that way. I am not going to rubbish that process because, as I said, there are some really good things, little cuts and linking up certain areas and trying to make some other greenery in the town. I am not going to rubbish that at all because I think it is very positive. But the reality is the town park aspect of the plan is, in my view, unworkable. If we hand this over to developers as well I think it would not just be a tragedy, I think it would be a betrayal, to be quite honest. We talked about or heard about ... one issue I must come back to with the meetings because there was an inaccuracy. Deputy Duhamel said about the Constable of St. Helier that he had not participated. Well, I was there I think at all but one of the meetings and he did certainly come to initial meetings. He did speak strongly against building on the park because he felt it was totally against what people had asked for and what had been agreed and the people who signed the petition and he was quite clear on that and as a St. Helier Deputy, I know that 2 of the meetings he could not make because of prior commitments. So I think that has to be put on the record. I think, as we all know about the Constable of St. Helier, he is a brilliant example of any Constable of doing what he thinks is best for the community. He grasps any chance that he can. As I said, value. I think we have to support this amendment because it is about trust and I think, as Senator Le Marquand said in an excellent speech, it is about keeping promises. Now, as a town Deputy again, I have a huge amount of constituent work and it is funny, I was chatting to another Member yesterday who just said that he had one case. I sort of sighed because just the other day I picked up 7 in one day and I am not moaning about that. Because although it is very long and it is very frustrating often in constituent work, it is certainly an adventure. It is one area where you get the real reward when you finally can help someone, and I have been very lucky. I have been able to help most of the people that I have become involved with and that is a big contrast to what I feel as a States Member sometimes because although I am what you might say a minority view Member at the moment in the House, I still view myself as part of whatever decisions are made and when they are made wrongly. Because of that I do feel this, for once, is a chance where we can keep our promises and feel good about ourselves and do the right thing because, honestly, we have let down the public a lot with decisions. They have not been for the best and this has gone on for so many, many years. It is a chance, in my view, to prove ourselves, just for once. Yesterday when the debate started I was quite hopeful people would keep personalities out of it, and I think that we have strayed from that a bit today. It should be about the issue. The park does not belong to any one of us. It belongs to the people. It should be about ordinary people. It does not matter who brings forward what. Senator Syvret is not in the Chamber but Deputy Hilton is. Now, I would suggest 2 very different political people. I think Senator Syvret proposed this park, Deputy Hilton certainly pushed for it for a very, very long time. You do not hear either of them trying to claim it for their own. They want it because it is desperately needed and they know this ... I mean, I hope I am not pre-empting her, I do not think she has spoken, Deputy Hilton, but she did say she was supporting this the other day. They are supporting this because they know it will kick start a process which has just been allowed to drift. It has been put on the back burner. Now monies have been re-prioritised. Will we ever get them back? I have nothing against masterplans but pie in the sky I am against. There are many ways of delivering some of the benefits that we keep hearing we cannot have unless we go with this masterplan. We could greatly improve our transport service. Why not? Why not? We could listen to Deputy of St. Mary because he does come up with some very good things. I think after 15 years

and so many debates now is that time to commit, and if enough of us give that message then whatever Senator Ozouf, as Minister for Treasury and Resources' feelings, he can act and not feel at all down to him because I think he does feel a bit put upon as Minister for Treasury and Resources, and I am sure he is not over sensitive and I do not mean that in a rude way. I am sure he is not too sensitive. He does his job. But in many ways this weight comes down to him as Minister for Treasury and Resources. As I say, I have different views but it is not all down to Senator Ozouf. It is down to us to make him see that we want that bigger picture. We want to grasp the nettle for once and act. I have been disappointed with some of the comments about social issues linked to this, and in this area I think Senator Le Marquand's speech was truly excellent. It is one of the reasons I think I really get on with the Senator, because we share a lot of views in that area and he spoke very, very well even if quietly. He is a quiet man but he says a lot. Does the town park have to be overlooked? Where does all this nonsense come from? I think I can speak with some authority on social issues. I tell you, with townhouses which will be big, expensive townhouses and do not let anyone tell you otherwise, what they will do is negate and stop a lot of community use because quickly it will be no ball games, no music, no young people, no children. Is that what we want? I am afraid red herrings about Central Park ... I am sorry, but I think Deputy Lewis has been watching too many of his own films that he used to show. We are not America, yet. Yet. We are in the States, but we are not in the States, Deputy Lewis. We will be in a state if we do not support this. But I would really ask here when talking about Members help Senator Ozouf ... I can look around and, say, pick people at random. Deputy Tadier, Deputy Jeune out at St. Brelade, Deputy Hill of St. Martin. Wherever you are, please vote ... well, certainly 9 of the St. Helier Deputies who know that this is desperately, desperately needed and cannot be allowed to drift any longer. Please support us and the people who live in St. Helier who have waited a long time for it. This will benefit everyone and not just those people. I think, as I say, with this amendment we have the chance to do the right thing and if there is one voice you want to listen to and it is not mine, that is okay but then listen to Senator Le Marquand because I think he really hit a lot of nails on heads, as did the Deputy of St. Mary, to be fair. I will finish with a quote and, again, I cannot put a name to it but someone else once said, and it is back in the 1960s, that words without actions are meaningless and words without action are worthless. Now is the chance and the time that we have to go beyond fine words because how many of us have stood here, sat here so often and heard all the platitudes about why we must support this but however etcetera. People are really worn down by that. As Mr. Obama said, we have to become a "can-do government" because I am afraid all too often in this House we look at reasons why we cannot do something. This is not a perfect situation, but how many things within the States and government, the problems we face are perfect? None, or they would not be problems. I really urge Members, and I am going to end there as I do not want to grow a beard or a bigger beard, support this. It can kick start a process that will have real value, real social value, real economic value. Do not be swayed by the red herrings and please, please, no one sink to use words like "wrecking" because I think that really did the person who said it no good at all. I did speak to him and I hope he did not mean it in that context. Yes, we all have different views but, for once, let us all work together for the long-term good of the people. Let us vote for this park. Get it started and we may even manage to stick to the 2012 timescale, which I think former Senator Walker promised people. It is time to keep our promises.

Deputy K.C. Lewis:

May I propose the adjournment?

The Greffier of the States (in the Chair):

You can but you are an hour early. [Laughter]

Deputy K.C. Lewis:

Sorry, it was the speeches. It sounded like 2 hours.

The Greffier of the States (in the Chair):

It may seem like it.

1.12 Deputy J.A. Hilton of St. Helier:

Deputy Lewis is getting beyond himself I think. Firstly, I would just like to start by saying a big thank you to the Deputy of St. Mary for the speech that he gave. Some people might have considered it was a little bit heavy on detail. I do not because I think he laid out very clearly the history **[Approbation]** surrounding the whole saga of the town park. So I am not going to go over that. I have been involved in the whole project since the 1990s, since we collected the 16,000-odd signatures for the petitions. I have been involved from the very early days right through to most recently. One of the reasons ... I stood, really, on 2 platforms when I came into the States in 2002. Firstly, was to see the town park delivered. As I said, I had been involved by that time for about 5 years in the whole thing and it really was not moving ahead. So that was one of the reasons I came in. The second reason was because I came in on a law and order platform which I felt very strongly about and still do. I started ... I was voted on the Environment and Public Services Committee which was great and the then president, Maurice Dubras, gave me responsibility for trying to push this project along. It has been extremely difficult to do over the years but I did my best on that committee, tried to always maintain a high profile around the whole project over the intervening years. When Ministerial government came in, Senator Walker did take on board the petition and the fact that so many people wanted this park delivered. He did take that on board and it did become a priority objective for the new Council of Ministers in 2005 and, indeed, it did make the Strategic Plan which was absolutely fantastic news and I really, really believed we were making headway. It has been a long, long haul over the past few years, it really has, and I think somebody, I think it was the Deputy of St. Mary, who spoke about the public being disillusioned with government and various other things and I sat here thinking: "I understand exactly what he means because that is exactly how I feel at this present time." **[Approbation]** I feel that the Council of Ministers have, unfortunately, lost touch with the public **[Approbation]** and this has happened so many times. The Council of Ministers is made up of some very, very good people and I hope ... I mean, I am friends with all of them and they all have many good things about them but I think sometimes they do lose touch with what the ordinary person wants and expects the government to deliver and we fail miserably, and I despair sometimes, I just absolutely despair. 16,000 people in the late 1990s said: "We want a green park. We do not want houses on the north end of it. We do not want houses on the south end of it. **[Approbation]** We want a green park where the elderly can go and sit, children can go and kick a ball around." Not like ... we have Springfield where they are not allowed to kick a ball there because football pitches have to be kept so pristine that children are not allowed to kick footballs around at certain times of the year, which is absolutely ridiculous considering the limited amount of space that they have in the north of St. Helier. As I said, Senator Walker did take it on board and the Council of Ministers for 2005. Indeed, they asked me to set up a group in, I think it was, 2007 to carry the project forward which I did with other Members including 4 members of the Millennium Town Park Group so that the lay members were involved, those people who have been involved over the last 10 years. We did carry the project forward and I worked very closely with senior officers at T.T.S. (Transport and Technical Services) in trying to deliver a scheme that would solve the problem of where do you put the cars, because the original petition was that we would address the issue of residents' parking and shoppers' parking. It is vitally important that we protect parking for those businesses in town. It went along and then it came to a point and I could not believe ... I think it was the 2009 Business Plan when the money was put in and it went through without a single comment from any Member in this House when it came to deciding capital projects. Nobody said anything and I sat here on tenterhooks thinking ... I was expecting Deputy Duhamel to stand up and say something but I think he missed his cue and I was watching him and I thought: "He has missed it. Great. We have the money. So we have the money, we have the site and we are getting somewhere. Fantastic." So the scheme was worked up. People were not happy with that scheme but it was what we had at the time and I thought: "Okay,

we will go out to consultation on the scheme.” I did not agree with an 800 multi-storey car park on the Ann Court site but I did feel that we could have addressed some of the issues through the planning process. It all went by the board. I know why it went by the board. I know what happened and why it was all scuppered. I suppose I could say the Council of Ministers were looking for that little chink in the armour. They saw the chink and I will give it to Senator Ozouf, he recognises when he sees a chink and he saw his chink and he took advantage of it. I am not blaming him for that because, quite rightly, he has his ideas about how things should be delivered and I have mine. I believe that Council of Ministers know the cost of everything and the value of absolutely nothing. **[Approbation]** The Council of Ministers do not want to deliver a town park if it is going to cost any money at all. They want it delivered, basically, by the private developer and to do that means we have to build on it. The site is not particularly big now. When I saw the Hopkins masterplan I just thought it is just ridiculous. It is just too small. So that was the little chink and that is when it all started to go wrong, and I really have not said very much this year about the town park because, to be honest, I knew then, I thought we had lost it. It is going to be gone. We are all going to be caught up in all these different projects and plans and everybody is going to get so totally confused by all the detail that it is going to be lost. We are just going to lose sight of what we were trying to deliver. I think that is exactly what happened. Senator Perchard popped up at that meeting that happened at the Town Hall in February, on the phone to Senator Cohen. Senator Cohen says he will deliver a North of St. Helier Masterplan: “Oh, whoopee. Great. Let us go along with that”, and that is exactly what happened. Promises were made: “This will be delivered within 3 months.” March, April, May ... it should have been delivered at the end of May. Of course it was not. I knew it would not be. I thought: “Here we are. Another delay.” And so we are where we are with the North of St. Helier Masterplan. One question I would like to ask ... I mean, we are going to go out to consultation on the North of St. Helier Masterplan and there are some options in here. Option 1 and 2 show absolutely no development on the town park site. So I am wondering what the Council of Ministers are going to do if the public come back and say: “We think there are some very, very good ideas in here but we do not want development on the town park site.” The terms of reference that were agreed in 2007 when I was asked to chair that group by the Council of Ministers, and these were things that the town park group had fought for all along. The vision was David Place, down the side. Yes, okay. You have a big gas holder there. Through my role as chair of the group I had spoken to the gas company. The gas company were very, very keen to move. So the vision was straight down the side to see right the way through to St. Saviour’s Road to have a green lung right the way through and, obviously, now I feel totally dejected about the whole thing, to be honest. Somebody called me while I was away on holiday in August when the Draft Business Plan was published and said to me: “The money has been taken.” I thought: “Am I surprised? No, not really.” Bitterly disappointed and I felt betrayed, as well. Having been asked to chair this group and been asked to do these things, naïvely I thought that the group was of some importance to the Council of Ministers. They did not even bother to discuss it with me prior to pulling the money. It was just pulled. What I would have liked to have seen is for that money to have stay in there. We have had sort of little underlying threats in the past couple of days, directed I think at my Minister, Senator Le Marquand: “How would you like to lose the police station?” “How would you like to lose this at the prison?” “What?” You know: “What is all this about?” At the end of the day, we are a democracy. We have all been voted democratically **[Approbation]** and it is our opportunity to send a very, very strong message to the Council of Ministers to say: “No, we are not happy with this. Reinstate the money. Let us have the consultation around the North of St. Helier Masterplan. Let us have that. Let us do that.” We have to. If they have spent the money we might as well go ahead and do it. But it is just so, so disappointing for me. There was just a couple of remarks I wanted to make. The Constable of St. Brelade, Minister for Transport and Technical Services, made much of the article that appeared in the *Jersey Evening Post* yesterday from the Town Residents’ Rejuvenation Group. Who is this group? Who are they made up of? I have not seen any evidence that they are made up of a particular number of people. How many meetings do they have? Who do they invite to their

meetings? Who do they represent? I am not too sure about that, that any town resident in that area can support, which I think they were supporting, option 4 which delivers housing on the north of the town site and housing on the south of the gas base site is beyond me. How can they possibly have the best interests of the people, the children, the elderly, who live in that part of St. Helier. They cannot possibly have their best interests at heart. There is not, really, much more I can say about the whole thing. It has gone on too long. All I would ask, Members, is please do not lose sight of what the original petition asked for which was a green park over the whole site. Do not be misled by ... no I am not saying he is misleading you. Deputy Le Fondré made a comment about Deputy Southern's amendment and I think he was splitting hairs because he was talking about the costs involved in delivering the original ... well, we are not talking about that. So I think he was splitting hairs there. So do not be swayed by that. I have lost my train of thought but, yes, get back to what the original petition said. It was a green park over the entire site. The Deputy of St. Mary spoke about the 800 responses they had to the original consultation that happened all those years ago and what people wanted and what people want is trees, seating, grass and a loo. **[Approbation]** All they want is somewhere where kids can let off a bit of steam and just enjoy what St. Helier has got going for it. I live in St. Helier. I have lived in St. Helier for decades. I love living in St. Helier. I will fight all I can to make the environment in St. Helier a better place for the people who live in it. **[Approbation]** There is just one final thing. A letter appeared in the paper and I think Deputy Duhamel might have alluded to this yesterday. A letter appeared in the paper this week from a gentleman whose name I will not mention. But he talked about how his scheme was going to deliver the town park for nothing, at no cost to the States. I just want Members to be very clear that I have been involved with this particular person since I was on the Environment and Public Services Committee in 2003. I have had several meetings with him and, certainly, when the group was set up in 2007 by the Council of Ministers that I chaired, I thought: "Right, I need to go out and make sure that whatever this gentleman is offering that we fully investigate it and anybody else who comes to me, any developer." Only one other developer contacted me about the scheme but they realised because of pollution problems and because the terms of reference that the Council of Ministers had agreed in 2007 was no development on this site, private developers realised there was not the money in the scheme for them so they were not interested. But this particular person that I am talking about who says he could have delivered it, despite repeated attempts by myself and the then Assistant Minister for Transport and Technical Services because the Minister believed he was conflicted and, indeed, he was, despite our best efforts to engage him with the Treasury Department, so he could explain his scheme and how it worked financially because all the people who had been involved in the town park scheme could not understand how it stacked up, how he said he was going to deliver this and somehow hand it back to us at no extra cost. It did not make sense. Despite all that, he never ever came up with the answer. He did not meet with Treasury officials so we never ever got to the bottom of that financial side of it. So do not be persuaded because there will be Members here who were new Members who were elected in 2008 who will be thinking: "Oh, this sounds good. There was a scheme." There was not. My understanding is he expected the States to underwrite it. So please do not be swayed by that argument. Please, please, listen to what the public have said, what the public have consistently said, which is a green park without development on it and please support this amendment. **[Approbation]**

1.13 Senator T.J. Le Main:

Excellent speech from Deputy Hilton. No, there is no "but" at all. I respect and value everything that ... certainly over the years I have been working with the Deputy have been some of the best times of my life in politics in as much as she has a great insight in people and the values of life and I think she is a great asset and a great friend of mine, although **[Laughter]** ... I am not going to repeat what has been said by a lot of people because I think we need to move on. I am certainly not going to repeat the excellent contributions from Deputy Duhamel, Constable of Trinity, Deputy Power and Constable Jackson. May I say that as a Deputy of St. Helier for 15 years, I have always

given since the 1990s a commitment to realising open spaces, a park, getting rid of large commercial vehicles in front of peoples' windows you see in St. Helier **[Approbation]** and making the quality of life much better. I still give that commitment. I have kept out of the arguments over Ann Court simply because of the concern of the residents of around Ann Court and other districts. These residents were given assurances by this Assembly that a North of St. Helier Masterplan be done and the residents of St. Helier and the public in general were going to take part in the consultation process. This is being done but now this House is being asked to go back on its word and its promises to the St. Helier residents. As I say, I reiterate my total support of the parishioners of St. Helier and to the people of this Island over the provision of this town park. Even to go to admit that, in my view, I would like to see the original scheme as proposed without any building on the outskirts. That is my view. But currently, at this present time, I am not prepared to override the promise that this Assembly made, and which I was party to that decision, to the residents that a North of St. Helier Masterplan not be overridden, and I want to allow the residents an input with a consultation. I want to hear their views. I want to hear not only the views of those living north of St. Helier but it is important we listen to the views of those we made that promise. I fully concur with Senator Le Marquand on the benefits of the creation of a park. It will bring social health benefits. I could not agree more. I am 100 per cent on board. As I say, I am 100 per cent on board on improving the town areas with residents' parking, the regeneration and the fun we had ... not fun, over Broad Street when the taxi drivers and the rows that were going on behind the scenes at Planning over that. As I say, I want to make St. Helier a far better place in certain areas and a quality of life for residents. If we decide to go the way that Deputy Southern and others today then there will be a lot of residents very upset. The masterplan, as Senator Routier quite rightly said, has a great value in the new town provision, not only in a new town park but to the residents like Mrs Story and her co-residents. So as I say, I am committed, totally committed and, in fact, I would go as far as to say to Members of this Assembly, as highlighted by Deputy Hilton, that if the masterplan is allowed to be fully consulted on by the general public then when it comes back I am fully committed to trying to persuade my co-Ministers in replacing the monies that have been taken out of the Island Plan. I make that commitment and that is what I will do. I will try to persuade them that if the masterplan comes back, and I have made no decisions on the issues on the masterplan ... currently at the moment I am still minded to seek the whole issue without any development is the proper way. But I think to override a States' decision where in the middle of consultation with residents who are relying on our promise would be a retrograde step. For that reason, I will not be supporting the amendment but I will work very hard to achieve what is required by most of the Members of the Assembly but at the present time I think it is the wrong time to take on this amendment.

1.14 Senator J.L. Perchard:

I am inspired to say a few words after Senator Le Main's contribution. I think Senator Le Main has put his finger on a problem that the States has, perhaps a pothole the States has fallen into during this debate. He has implied that it is one or the other. Either you support the masterplan or you support Deputy Southern. Of course, that is not true and I look forward to Senator Le Main changing his mind because he said he is enthusiastically supporting the principle of a green park. It is not one or the other. The 2 go perfectly in tandem. But we can support Deputy Southern and we can support the principle of the masterplan. **[Approbation]** It is just that we will be giving Hopkins the instruction that the Minister for Planning and Environment, the Minister for Treasury and Resources and my good friend Ministers in front of me should have given them 6 months ago **[Approbation]** and that is 19,000 people, and this States Assembly, wants a green park. Why Hopkins was not given that instruction, why Hopkins were told: "Enter the political world. Make it commercial. Let us have a bit of green here and there." Because I thought they were master planners and not accountants but, I guess, if you pay enough they will deliver what you want. We must support Deputy Southern's amendment here. It makes common sense. It also gives an instruction to the Council of Ministers that you cannot wriggle any more. We need this green park.

[Approbation] Okay, it may be that it does not wash its face, to use a term that the Minister for Economic Development uses. But what if it does not? The people that enjoy this green park have paid for it. We have paid for it. We are stashing, squirreling money away while our kids play on pavements and in backyards at the Odeon. It does not make sense. No, I have had enough of this procrastination and Senator Le Main, I think you have as well and your loyalty ...

The Greffier of the States (in the Chair):

Through the Chair, please.

Senator J.L. Perchard:

Senator Le Main's loyalty to his fellow Ministers is misplaced here. That is why Senator Le Marquand has stood out heads and shoulders above the rest of the Council of Ministers **[Approbation]** and I will never forget the strength that he has shown in his speech yesterday. Members support Deputy Southern. Support the masterplan in principle but do not allow it to stagnate for another decade in our imagination **[Approbation]**.

1.15 Senator S. Syvret:

When listening to the debate yesterday a phrase went through my mind when listening to the proponents of the destruction of the town park, because that is what it is and I will explain why that is so. Looking at the Hopkins masterplan which, as Deputy Wimberley so thoroughly and expertly described, is not worthy of the description of a masterplan given so much serious information is omitted from it, a phrase kept coming into my mind about this part of town, this part of St. Helier and that was "doing a waterfront". We all know what we have done with the waterfront. We have made an utter nightmare. It is a mess. It is a toxic waste dump. It is a poorly planned, mish-mash of hideous, cheap, nasty carbuncles with the odd bit of public open space like paving and the odd patch of grass and the odd bit of public art included in it down there. But generally speaking, when you look at the Waterfront, which is the product of exactly the thinking and the ideology and the approach that we are seeing advocated today by the Council of Ministers, when you look at the Waterfront and the catastrophic mess and the blunder that so much of it is, exactly that thinking, that kind of ideological approach, that kind of: "Well, let the States just kind of have the land passed to the private sector and, you know, let them do it all." That thinking has produced the Waterfront. It is a mess and if we allow that thinking to be brought into the north of St. Helier it too will become a catastrophic mess. There can be no doubt about that. I have to say that this debate has been one of those that characterises the States on its less good days. It is obviously a case of very strongly held positions on either side of this debate but I was struck by ... in fact, I just so happened to be looking at some quotes on intellect and intelligence and I came across one that seems entirely apposite yesterday from John Kenneth Galbraith: "We all agree that pessimism is the mark of a superior intellect." I was struck by the crack in my melancholic reveries that of all the speeches that we heard yesterday and, indeed, today that oppose Deputy Southern's amendment, all of them, not one of them, was intellectually robust. Not one. Not one of them was potent, was rational, that took into account accurately all of the prior States decisions, all of the volumes of prior research, the thinking that went into it, the community grassroots response that drove all of those ideas forward. None of it. On the contrary, the arguments we have heard put against Deputy Southern's amendment were extremely weak. Weak, defensive and poorly informed. For example, how many speakers have we heard say pretty much as Senator Le Main just said: "Oh, well, we have to respect the wishes of the people now and we want to consult with the people and we want to do this and take it back out to the community", and so on and so forth. What a shallow and intellectually feeble argument. This project came from the grassroots of the community. It had a petition of, I think, 16,000 or 17,000 people that supported it. It has been consulted upon numerous occasions in detail, properly, fully informed forums such as the meetings that took place at the Town Hall. The public have been consulted on this in every which way you would care to imagine and, indeed, so much of the public are committed to it that it was the people

of Jersey who originated the proposal because the States did not decide to do it spontaneously. It was the petition that drove forward the decision. So let no Member vote against Deputy Southern's proposition and doing so honestly and seriously believing somehow you are doing what the public want and you are going to engage them more because you are not. What we are doing is simply procrastinating and destroying the project. I will explain why that is so. I listened to Deputy Duhamel's speech yesterday. I did listen to it all because in my mind I had tried to predict exactly what he would say and a lot of it was, in fact, what I thought was word for word absolutely accurate. The Deputy said several times in his speech: "We all want the same thing. We all want the same thing. We all believe in a green park in St. Helier. We all want to achieve this. We are all on the same side but there are different ways of doing it." But that is simply not accurate. We are not all on the same side because what is being proposed are different things. Those of us who are supporting Deputy Southern's amendment are supporting the original, much researched, much consulted upon publicly supported concept of an open, large green space in that part of town. That is what we are supporting. What those who are opposing Deputy Southern's amendment are supporting is the destruction of that project, of that scheme, and its replacement with a different scheme which consists of a lot of pocket parks which will become gentrified with this expensive town housing built around it which, as somebody remarked yesterday, will end up having "No Ball Games Allowed" signs on them and the police for ever being called because there are children playing outside and making noise outside of some of these three-quarters of a million pound townhouses or something of that nature. It is absolute nonsense. Senator Le Marquand made a fantastic speech yesterday and I echo the words very much of Senator Perchard. The fact that Senator Le Marquand can stand head and shoulders above the rest of the Council of Ministers and have the requisite backbone and integrity to stand alone if need be among his colleagues to do what is right **[Approbation]** is eminently essential and Senator Le Marquand's position is an example to newer Members of how the States Assembly used to be many years ago. It used to be much more genuinely than it is today an Assembly of independent thinkers. People genuinely were independent and would make their own minds up on the basis of the facts and the evidence. Too much, these days, I am afraid we see "follow my leader" thinking. Not enough independent thought, not enough courage. Fortunately, Senator Le Marquand, I think, is perhaps taking us back in that direction with his speech yesterday. **[Approbation]** But the scheme that is being proposed by the North of St. Helier Masterplan and the Council of Ministers is not the town park. It is not the town park. If Members wish to support what it is the Council of Ministers is seeking to do, fine, support it. But do not kid yourself, at least have the integrity to honestly face up to the fact that you have voted that you do not want the town park and you want some kind of different little hotchpotch of complex schemes, which brings me on to another very important point made by Senator Le Marquand when he spoke yesterday. Senator Le Marquand pointed out that the more and more complexity you introduce into these plans and proposals, the less and less likely it becomes you will achieve them. The more complex, the more unrealistic, like a house of cards, delivery and the building of it becomes virtually impossible and not securable. So those Members who say: "We need to move on this and we need to stop messing around. So let us go down the masterplan route", I am afraid would be voting for a course of action that would, indeed, frankly probably never ever deliver anything of any meaningful significance. **[Approbation]** Deputy Duhamel mentioned previous attempts to carpetbag the town park site. He mentioned his trust proposal that he brought forward a couple of years ago. That would have been an absolute nightmare, too, because you would have, at a stroke, taken all democratic control and accountability out of these decisions and placed it in the hands of the trust. Because once you set up a trust and have it running you no longer have control over it. That, indeed, is one of the key features of a trust and it was simply a complete nonsense. Indeed, I remember being surprised at the time given how hopelessly defective both the plan itself was which would have produced a park with kind of raised grass banks with large concrete entrances stuck out of it rather like a part of a nuclear waste dump at Cap de La Hague. Not only was the scheme itself a nightmare but also, as was ably pointed out by Deputy Hilton who has done an awful lot of work on this over the years,

for all of the talk of a free lunch, of “we can get it for nothing”, which we are hearing in this argument today, when you went down to it, it did not stack up. When you went below the surface and looked at the reality behind it, it simply did not work. Would this scheme work even if we wanted to go down the path of the Council of Ministers? At a time of global economic meltdown, of huge economic problems, and we are going to expect the necessary investment that has to be made into this part of our community, this neglected part of our community, we are going to wash our hands of doing that, shouldering that responsibility, and just wait for the private sector to come along and do something instead. Frankly, the money is not going to be there for years if it ever comes back. But again, it simply is not going to happen. The notion that there was a free lunch is very, very naïve unless, up until yesterday, possibly, we were talking about States lunches, a very naïve view which I would have expected better off, frankly, some of the Members of the Council of Ministers. I was struck, also, by the lack of a “can do” attitude on the part of many of the speakers. People have said: “Well, you know, there is this problem and that problem and what do we do about this? What do we do about that?” The States have had this debate several times already and it is time for us to just grasp the nettle and implement the plans and the schemes and the agreements that we have made, the commitments we have made to the people of Jersey in the past. That area of town is the poorest, the most densely populated and the most neglected and most run down area you will find anywhere in the Channel Islands, and indeed so poor is it, so densely populated, it would not be out of place in a large country in a city area. There are families there, large numbers of elderly people, all kinds of people living in our community, and we have utterly, utterly neglected that part of our town over the decades. Instead, we have done things like take £25 million worth of taxpayers’ money and used it to build a yacht marina where the Island’s millionaires will keep their gin palaces. But here we have a scheme where we are asking for some kind of similar investment to create a lasting, permanent, real open town park, green lung, in the poorest part of town, and we cannot do it. We cannot do it. Well, I am sorry, but we can do it. It simply is not credible that in the contacts I have had from the public, I can tell you it literally is not credible for Members to attempt to argue that the States of Jersey could not do this; just could not do it, even if they wanted to. Yes, they could. If the States wanted to do this, were serious about it, we could be pressing on with this and delivering this scheme. It is worth bearing in mind, when I originally began to research this whole subject many, many, many years ago, I was struck by the fact that the States of Jersey had never created a park in town. Westmont, the Lower Path, People’s Path, Ray Gardens, Howard Davis Park: all of these from benefactors. All were given to the community by fine, upstanding people a long time ago, who genuinely understood and appreciated the importance of giving something back to the community. Now, we have got those parks which are treasured now and a vital part of the quality environment of our town. Now we have an opportunity; finally, the States after about 2 centuries has an opportunity to press ahead and deliver its project, the project that the people of this community wanted, a park in town, in the most densely populated and poor part of the community. I return to the points made by the Deputy of St. Mary. He explained, and I know some people do not like long speeches, but I thought it was a very good speech because he had done his research. He had not glibly taken documents at face value, or just taken assertions as fact. He had gone back to all of the documentation, all of the prior work and researched it thoroughly and comprehensively; and he reminded us that all of that research, that thought, that consultation, has been largely cast aside when the plans were disfavoured by the Council of Ministers. Indeed, a lot of it not even, very conveniently, mentioned or referred to. But one of the crucial pieces of information that the Deputy of St. Mary reminded us of is the PricewaterhouseCoopers’ study about the economic benefits, the financial benefits, of investing in the park in that area, and simply the financial benefits that flow from it. That area of town needs regeneration; certainly it does, and I have heard in favour of the Council of Ministers’ position suggest that, well, you know, building on bits and pieces of the land around there would be that economic regeneration, would be that stimulus. But I am afraid again that shows thinking that has not researched the issue thoroughly. The creation of the park in that area would suddenly vastly improve the quality and value of that part of town. This is always a clearly understood fact, a

clearly understood part of the thinking behind the scheme. If the States could get on and make the park there, then the fact that there are ugly buildings adjacent to it, the old gas works, some buildings that are modern but have got particularly not very nice frontages and so on, all of those things would naturally, spontaneously, over a period of 10, 15 or 20 years evolve. They would be redeveloped; they would change. The private sector and the marketplace would dictate that that urban regeneration would happen spontaneously **[Approbation]** once the States of Jersey had put the seed, the fertiliser, in the area of creating the town park. It is beneficial financially; it is beneficial economically; it is beneficial from a health perspective for the people. It is of benefit for them psychologically; it is of benefit in terms of great social welfare and cohesion, that area, and all it is going to take to deliver is for this Assembly to stick to its oft-repeated promise, its commitment it has made to the people of Jersey to get on with this scheme. Frankly, I feel it would be a stain on the reputation of the Assembly if Deputy Southern's proposition was defeated today, especially defeated on the basis of such a weak, poor, ill-researched and ill-thought-out set of arguments. **[Approbation]**

1.16 Senator T.A. Le Sueur:

This debate was always going to be an emotional one, and my job as Chief Minister is to temper emotion with reality. Not to ignore the emotions and the feelings of all Members of this House and the feelings of members of the town residents who signed our petition many years ago, but also the reality of the Business Plan and the situation in which we are. To me, having tried to remove some of the emotional arguments, there remain 2 simple questions to answer. The first question is the proposed park, and I take Deputy Southern's point, that it does not include underground parking; it is the revised park. Is that proposed park the right solution, and if so, is this fiscal stimulus the right funding route and is £10 million enough? Maybe that is 3 questions, but I will try and make it into 2. All those questions need to be addressed, so I will take the first one. Is the proposed park the right solution? Well, certainly in 1997, given a choice between a rather ugly car park, as Senator Syvret rightly says, and a green lung in St. Helier, the option was crystal clear. Yes, that was the right choice. But of course, if we are going to make that choice it means that those cars have got to go somewhere else, and finally, when we had a couple of Ministers in 2005, we did set up a steering group under Deputy Hilton which worked very hard and was very near to achieving that solution of removing the car park from Gas Place and finding an alternative place for that parking elsewhere. That place of course was Ann Court, and that created a second problem, and I think for all of us, the sudden realisation that Ann Court was not the right solution but that it was a catalyst. It was a catalyst to looking at the area for the first time, perhaps, as a whole; and so we saw the birth of the immortal town masterplan. Now, that plan has been presented as a consultation document, and already there has been a variety of views on it. My objective here is that we should consult on that plan, refine it, improve it and then, if and only if we are happy, to proceed. We spoke earlier in the week about consultation and of public engagement, and I am determined that in this important area we should put that into practice. It is quite clear to me that residents of this town want a park; in fact, not just residents in town, I think probably the whole Island would like to see a park there. They also want a decent, vibrant living environment in which to live. As I say, there are a variety of views. We saw in last night's *Evening Post*, how the ...I am not sure what they called it, Jersey St. Helier Residents' Association, whatever, they would like to see something like the masterplan. Others will have different views, and that is quite right; and the consultation hopefully will flush out all those different views. But I am happy to listen to people like the members of that association who live in the area and really are the ones affected by these proposals. We must talk to them, we must understand their needs and their aspirations, and then if necessary we amend the masterplan. It is not set in stone. It is there as a stimulus for the ideal solution. Speaking personally, I have questions about aspects of that masterplan. I am sure others do to. We have heard quite a few comments about the housing, particularly on the Talman site, about the Minden Place car park. There will be other views to be expressed, I hope, as well, and I want to know what the town residents think. We have heard what Senator Routier thinks as a town

resident; we have heard what Deputy Hilton thinks, and we have heard from other town residents. But I really want to hear from a lot more town residents before we decide. If at the end of the day they reject those proposals in favour of the original scheme, then the Council of Ministers will respect that decision. But if they endorse regeneration in some form or other of the Hopkins' plan, then we shall act accordingly. I said there were 2 questions. The second question is a more mundane one about funding and whether the fiscal stimulus is the right approach. I think Senator Ozouf yesterday indicated that anything in the fiscal stimulus had to be temporary, targeted and timely. Now, as far as temporary is concerned I could argue, but not very forcefully, because although it is a one-off; there are ongoing revenue costs, but it is a one-off. Targeted, well it may be, although I am not sure how many landscape contractors are out of work at the moment. But I would not want to push that one too far. But as far as timely is concerned, there we do really have a difficulty, because until we have found a solution to moving those cars, we cannot commence work on the town park, and that remains a fundamental stumbling block. So, under the fiscal stimulus rules it has to meet all 3Ts, not just one or 2 of them, and because it does not meet the timely one, then to me a fiscal stimulus would not be the answer. Even if it was, I think Deputy Le Fondré has outlined it clearly that the £10 million is unlikely to be sufficient, in fact will not be sufficient, to deliver what was originally intended. But, as I say, I do not want to focus on the financials; I want to focus on the people of St. Helier. I am as disappointed as anybody that the town park has not yet been delivered. I ask myself, and I ask Members, why have we failed to deliver this town park? I believe we have failed because we have not made connections. There are linkages in producing a town park between the open space, the parking, the housing and the people and the money, and all too often we fail to make those connections. But I think finally this year we are starting to make those connections. We saw the connection between Green Park and car parking when we began discussing Ann Court. We see the linkages with housing as we develop the masterplan. What we now have a chance to do, is to see the picture in the round. It is only when we make those linkages that we do deliver a town park. We can talk for ever, we can vote £10 million tomorrow, but until those linkages are established it will remain £10 million sitting in the drawer. I do not want that. I want to make sure that those linkages are established. So, I say to Members, let us consult. Let us ask the people of the town what they would like to see. Then let us decide and then let us see what we need to spend and where we spend it from. My impetus at the moment is to get the consultation and get those linkages, and then we can get on with delivering a town park. At this stage, just voting for this proposition does not do that. Much as I appreciate people's desire to signal a desire to deliver that town park, voting with this proposition does not do that. Sadly, I cannot support this proposition. I suggest it is probably a sensible time now, unless someone can speak for 30 seconds, to propose the adjournment.

The Greffier of the States (in the Chair):

There are 2 people waiting to speak, Senator Maclean and Senator Ferguson. Have they prepared more than 30 seconds worth? Senator Ferguson, to make use of the minute and a half.

1.17 Senator S.C. Ferguson:

I would just refer Members back to the proposition. We are not deciding on a town park. We are merely talking about the funding mechanism. I am faced with the decision of whether to deprive industry of the support needed in an economic depression or whether to tuck it into a bank to wait while plans are finalised. Our discussions with industry indicate there are areas where they need support, to support jobs for all Islanders. The current amendments in the Business Plan could cost us some additional £20 million to £30 million. I was elected to dissuade government spending. This particular amendment merely adds to the burden. We are facing a structural deficit in 2012, and we are carrying on in a totally profligate manner. The town park design is not the substance of this debate, whatever everybody thinks. This is about the proper use of taxpayers' money: all taxpayers, not just those in St. Helier. I urge Members to reject this amendment.

Senator T.A. Le Sueur:

I congratulate the Minister on speaking for a minute and a half and I propose the adjournment.

LUNCHEON ADJOURNMENT PROPOSED

The Greffier of the States (in the Chair):

Yes, very well. Spot on time. The Assembly will adjourn until 2.15 p.m. as agreed yesterday.

LUNCHEON ADJOURNMENT

The Greffier of the States (in the Chair):

For the second day in a row the Assembly has reconvened and there are not sufficient Members here for us to start. I will ask the ushers to summon Members. I will allow 30 more seconds before asking the Greffier to call the roll. Very well. It is seen that the debate resumes. I have seen Senator Maclean.

PUBLIC BUSINESS - resumption

1.18 Senator A.J.H. Maclean:

It is always a pleasure to speak immediately after lunch: the graveyard shift, I am reliably informed. This has been not surprisingly a highly emotive debate. It has been a long debate. In fact, there have been some long speeches. There have been some very good speeches. Very rarely in my experience do you get good long speeches, but that is another matter perhaps altogether. I should add that there have been some very passionate speeches. I have to say that from behind me Senator Perchard made a particularly impassioned speech, albeit quite short; so impassioned that most of it was down the back of my neck. **[Laughter]** But in all seriousness, Deputy Hilton I thought also spoke with great passion. **[Approbation]** She has a great deal of history as she told the Assembly. I think many of us ... **[Laughter]** She has a great deal of history with regard to this matter, I was going to go on to say, and her passion came out very clearly in her speech. The only element of the speech which I was disappointed about was the way in which perhaps she dismissed the Residents' Association, so much so that I went home, because I had glanced briefly at the newspaper last night, but I had not read it in too much detail. So, I read it again over lunch: "The Residents' Group backs housing on town park." I see that Deputy Southern also has a newspaper. No doubt in his summing up he will find some contrary view to put forward. Nevertheless, the Residents' Group has a voice, and I did feel that the Deputy rather dismissed them slightly easily without giving them due weight. They made some very good points, I thought, in this article. They talked about how the proposal is a proposal of compromise, and I think that is an important point to bear in mind. It is about compromise to a certain degree. It is about delivering a solution which, I think, there is little doubt that all Members in this Assembly share, the view that there should be appropriate town park, appropriate open spaces and appropriate facilities in town for residents. I do not think there is a single Member in this House who does not think that that is what should happen. It is quite simply the method to get to that end gain, which is the important aspect. I, probably as much as Deputy Southern and some of the other St. Helier Deputies, appreciate this. I was, after all, a Deputy in St. Helier, and I can remember very clearly the need, the desire and the requirement for open spaces, the town park and so on. I also have to say that I can remember from those days the frustrations felt by many at the significant delays which Deputy Hilton herself referred to, in getting to what had been promised many years ago. But I do not think there has ever been a lack of desire in terms of delivering the town park. There really have been 2 areas that have been a problem. One has been the parking, the solving of the parking issue, and linked to that, the funding: the funding of the project. Both of those are issues that do need to have suitable resolution attached to them. It is pretty clear to me that the solution that has been suggested, or options that have been presented by Hopkins in the masterplan, do offer an option, particularly in the current economic climate that we are facing, of delivering a town park. It may not be the perfect town

park, but then again it is a town park in theory that should be delivered at close to no cost to the public; and this is a point that I think all Members in this Assembly at this current time need to bear in time very, very clearly. We need to ensure that we have sufficient funding to be able to deliver and discharge the obligations upon us, and to spend money unnecessarily when then there is an option available to get it funded partly or in total from the private sector, is something we would be very remiss to overlook. We have to remember, in my opinion, and I appreciate once again the views of the Deputies of St. Helier and their representing their constituents, but in this Assembly we represent the whole Island, and I think it is the views of the whole Island that have to be taken into consideration as well. We have to ensure that the decisions we make are good decisions. There have been comments made by various Members about broken promises. There are ... an equally bad problem that exists is the perception from the public that there are bad decisions taken, and bad decision-making, lack of evidence-based decision making, is something that we really cannot afford to deliver. Where there is an option as there is now to deliver a better option, possibly, then we need to, in my opinion, go through that said process for the benefit of all of the Island. I am not going to speak for any longer really on this subject. I think many Members have spoken and covered all the factual issues about the cost of this particular proposition, the potential cost of the park itself ranging up to something close to £40 million if there is no funding found for it. The issues of the stimulus funding ...

The Deputy of St. Mary:

Would the Minister ...

Senator A.J.H. Maclean:

No, I will not. I am about to finish, and I think with all due respect, Deputy, you have had considerable time to air your views.

The Deputy of St. Mary:

To test factual inaccuracies.

Senator A.J.H. Maclean

Nevertheless, there were comments. The Deputy standing up has reminded me. He talked about uplift in value around the park to property values should the development go ahead. Well, you know, that may well be the case, but an uplift in values, even if they are properties owned by the States of Jersey, does not put money in the pocket that can be spent. It may look very good on paper, but it is not necessarily going to help us to pay our bills, fulfil our obligations as we would need to do. It is a paper exercise. I was, before the interruption, just briefly mentioning the stimulus funding. This project, and it has been mentioned by other Members, does not fit the bill as far as stimulus funding is concerned, and that frankly is a very key and important point. We have a limited amount of funding available to use for stimulus purposes, and it is appropriate that it is delivered in the way in which it was intended, which is to fulfil the 3Ts, and Members are perfectly aware of that. I have little else to say on this matter. I am supportive of the principle of a town park. I am supportive of facilities in town for St. Helier residents, but I think Members must bear in mind that we represent the entire Island. I am aware that 16,000 people have signed a petition with regard to the town park, but I think the counterbalance to that is that 70,000 people or so have not signed a petition representing a town park. There are 2 sides of the story. The point I am making is there are 2 sides to every story. We need to find the appropriate mechanism in order to deliver what we should rightly deliver in town, which are appropriate facilities and a town park is one of those. But this is not, in my opinion, the way to do it.

1.19 Senator B.E. Shenton:

Yesterday we had a short debate about how were we going to get through this Business Plan, and I turned to my colleague Senator Perchard and suggested that maybe we kidnap the Deputy of St. Mary and hold him until the Business Plan had finished. But I must admit I was glad that we did

not, because he did make a very good speech this morning, and hats off to him for doing his research and pointing out a few very important issues. The thing about consultation is that you can use consultation to get whatever answer you want at the end of the day, depending on how you frame the questions. Now, since yesterday's debate when we passed the very important money for the carers and the health carers now, not in the future, but now, I received some emails from people working in Social Services to say what a massive difference the decision of this House yesterday will make on the lives of people today. **[Approbation]** I was very pleased with the attitude of this House, and I was pleased with the attitude of the Council of Ministers that changed their minds and saw that this was an area we needed to invest in now. However, I was disappointed that 2 Members abstained from that vote. Senator Ozouf, well I do not think he would support anything with my name on, to be honest with you; and Deputy Jeune, who I was surprised at because in her speech she said that she ...

The Greffier of the States (in the Chair):

Well, Senator, let us get back to the town park and not ...

Senator B.E. Shenton:

No, it is relevant, Sir. Deputy Jeune, who said that she agreed with the principle, but felt that we needed to have a longer term plan in place, and perhaps we could help them in 2011 or 2012, when we have put all the framework together. When I was putting the proposition together I went round to see people that are struggling today, and the town park that we have to deliver. We have already let down the people that have grown up **[Approbation]** since the idea was first mooted, and what this Assembly is saying, basically, and I will probably get pulled up for unparliamentary language, is: "Stuff those generations. We will provide something for tomorrow's. Today's people that live in the town and are struggling for space and freedom to get out there and are living in poor conditions, we do not worry about them, because we have not got the masterplan in place." I worked a few years ago with a marketing director that was paid very well. Unfortunately he never did any marketing. All he ever used to produce were marketing strategies and marketing plans, and eventually he did get the sack. But that is all we do as a House. The Minister for Planning and Environment is not here unfortunately, but I stood on the platform with him 4 years ago, and he was going to deliver a world class financial sector on the Waterfront, a town park. He was going to redevelop J.C.G. (Jersey College for Girls), he was going to stop St. Saviour's hospital falling into disrepair, and he was going to do something about Plémont. None of these have been achieved because we have not done enough planning. We need to do more planning. Let us not achieve anything; let us just do planning. It is utterly ridiculous to keep putting this off. We have to support this. We have to stop these financial sleights of hands that operate within Treasury. I have great concerns about the pandemic funding that we are putting in place, which I think is to cover a shortfall at Health, because when I was Minister for Health and Social Services I seem to remember putting all the pandemic funding in place, and now we need another £5 million. So, it beggars belief why we need that, and we will have to have a look at that very, very carefully in case it is another sleight of hand, because rather than coming to us and saying: "Well, Health is £4 million short", we are going to do it this way. So, I ask Members to have a look at that pandemic funding very clearly. But we have to start delivering for today's generation, and we have to support Deputy Southern on this, and we certainly have to stop the practice of: "Let us not support people because who is bringing the proposition." If you are in this Assembly as an independent, act as an independent, and do your job. **[Approbation]**

The Greffier of the States (in the Chair):

I call on Deputy Southern to reply. Well, Deputy Gorst, you know the rules. You have been here a long time. You were not very quick, but I will allow it just this once. Deputy, I will allow Deputy Gorst. He was a bit slow on his feet ...

1.20 Deputy I.J. Gorst of St. Clement:

It never ceases to amaze me how 2 individuals or 2 States Members can look from different angles in relation to a particular problem that needs solving and reach totally different conclusions. We have heard today a Member refer to the North of Town Masterplan as the cuckoo in the nest, because in their opinion it has arrived on our desks or in relation to St. Helier too late in the day. It may indeed have arrived late in the day. We have also heard during the course of this debate, that we as an Assembly and the States as Government are not necessarily good at long-term planning, and I think that if we are honest the North of Town Masterplan has arrived late in the day, but the reality is it should have been undertaken a number of years ago. We have also heard that we have been invited to look at the big picture, and I would reiterate that invitation to Members. We must look at the big picture, and to my mind, the big picture is regeneration as a whole for the whole of the north of St. Helier. What this proposition does, and I understand the sentiments and the reasons that have been brought today, to my mind unfortunately picks out the town park solely and says this is the plan that we had in our mind for a number of years. This is the plan we must now stay with, despite the fact that we now have on the table a regeneration plan for the whole of that area, something we should have had years ago. I believe that the debate before us today and the decision before us today are about vision. It is about vision for the future. Are we serious about trying to transform this area of St. Helier? I believe that probably each of us can answer yes to that question, and if we are answering yes to that question, in my mind we quite simply then have to run with the continuation of the masterplan. It has been mentioned that the Minister for Planning and Environment brought to this House a masterplan for the Esplanade area and the Esplanade Quarter. Members, if I recall correctly, supported that plan and felt that it was going to transform St. Helier. As I said at the time, I had and continue to have doubts about that plan, but what I, when I see the North of Town Masterplan, believe in all sincerity is that this is the area that we as an Assembly must be concentrating on, because this is an area which will truly transform the lives of the people living in our town community, and not, I am afraid to say, the Esplanade Quarter. It has been a difficult debate, but I ask that Members not support this amendment. They wait for the master planning process to come to fruition. We have heard that that might still mean that there is no development on the proposed town park area, but we must, I believe, allow that piece of work to continue, and to once and for all finally commit ourselves to the whole of that area, to seeing that area, that part of St. Helier being transformed into an area that we can all be proud of, and not just one green space within that area.

The Greffier of the States (in the Chair):

Now I call on Deputy Southern to reply.

1.21 Deputy G.P. Southern:

I will start with the previous speaker, and I will try and be brief in my summing up; try. It has been a very good debate, a very strong debate, a very factual debate, in addition to being an emotional one, and I will try to do justice in my summing up to the quality of that debate. But the previous speaker talked about vision, his vision. Well, I have vision: a vision for a town park, a large green friendly space, **[Approbation]** and it is just a vision; I cannot see it, because I can see row and row and row and row of cars parked. That is what we have got; we have got a wasteland there. We made a commitment: this House made a commitment, a promise **[Approbation]** nearly 15 years ago now to bring about a Millennium Town Park on that site, and that has to have been subject to delay after delay. It is a promise waiting to be fulfilled. The Deputy of St. Mary used a word we rarely hear in this Chamber; he used the word "honour" in his speech. **[Approbation]** The time has come to honour that promise. If Members wish to give back a modicum of respect to the words "politics" and "politicians" on this Island **[Approbation]**, they should and must vote for the town park today. The choice is, after all, between action today and delay going on for who knows how long while we debate the so-called masterplan and the various aspects of it. But as somebody, Senator Perchard I think, pointed out earlier, it is not a case of either/or. What is before you is

lifted from the Hopkins Masterplan effectively, and provides a different funding mechanism to deliver what has been widely consulted on, petitioned by 16,000 people and promised for so long **[Approbation]**, that large green open space. It will regenerate the entire area, and the excuse that we need to build on some of this green space in order to make the park safe, is a red herring. As the 2000 report stated, a public park of this size would encourage a critical mass of people in the area. Such people movement would create a self-policing environment and discourage anti-social behaviour which occurs in some municipal parks. The size is critical, but the Deputy for Crime Prevention knows that you do not have to build and have windows on a park to make it safer. You have proper lighting; you have lines of vision, so that people are observed all the way through the park, and people are aware of being observed. So, the safety issue is not a relevant one. The fact is that the residents around this area, some 13,000 of them, I think, within minutes' walking distance of this area have been let down. Today, again, we have a letter in the *Post* and it expresses entirely what a lot of my voters in that area suggest: "Once again the residents of St. Helier have been betrayed," he says. "The proposal to build houses around the perimeter of the park promised for a town park is an outrage. Greedy developers and Hopkins will be the only ones to benefit." Does this person not realise that the whole idea of a park was to inject a green lung into the area, so that the 13,000 people already crammed into this space can enjoy an open space? The housing will only add to the crowding. It has been factual, although some of the facts have been somewhat dubious. We have been told early on, first thing yesterday, by the Minister for Treasury and Resources, that this would cost millions more than I am suggesting. But, hang on, not, I was suggesting: Hopkins was suggesting. Equally, Deputy Le Fondré reinforced that and said, what was it, £33 million, £40 million by today's, to build an underground car-park. No, that is not the proposition. The proposition effectively is that contained in Hopkins and it refers to clearly this is their quantity surveyors, their estimate; not mine. I did not make this up on the back of a fag packet. The public park: between £6.9 million and £7.3 million which contains remediation of £2.8 million; parking for some 220 cars. All right, it does not completely solve the parking problem but then nothing has yet. Hopkins may well - when we have discussed it and it gets in place - have the solutions to the rest of the parking, but 220 spaces: minimum cost £5.5 million; maximum cost £6.6 million, part underground, including remediation. So this can be afforded and those are the costs. We are not talking about £30 million so the project will grind to a halt. We have asked to pause while we consult on the overall North of Town Masterplan; the Hopkins Plan. May I remind Members that we have widely consulted on the town park and the answer that came up was a large, green open space with some parking and that is what we are going to supply if we do this now. I am also told that the 3Ts have not been met and therefore we should not be using this fiscal stimulus money at all. I go back to the 3 s then. Timely: action should - should; not must - should start immediately to have an impact as quickly as possible. Try and impact as quickly as possible. I remind Members that until 6 months ago, the Council of Ministers themselves had £7.5 million in that pot ready to go, ready to act in 2010 to deliver a park by the end of 2011 for 2012. So what is the difference? The difference is I am saying: "Hang on, £7.5 million probably was not enough, £10 million might be." Let us put it in the pot and let us get on with that which was the plan until 6 months ago, so it can be timely; it will be timely, ideally, within the next 6 to 9 months. If we vote this money through we are saying: "Get on with it." Targeted: policies should hit the intended targets whether it is to support activity and employment on the Island, support the most adversely affected by downturn, or implement projects which have intrinsic benefit. What better example of intrinsic benefit could one ask for than this particular town park? Will it support activity? Yes, it will and it is admitted that some of that money will go through legally to a foreign company: £2.8 million only of that £7 million. The rest will be activity, work, and stimulus on this Island. Then it should be: Temporary. Well absolutely no argument with that and almost none, even from the Chief Minister. So there we have it: a large green space that this House can deliver thereby fulfilling its promise, its commitment some 15 years old. Put some faith and some trust back in politics on this Island and vote for this proposition. I call for the appel.

The Greffier of the States (in the Chair):

The appel is called for on the proposition of Deputy Southern relating to the town park. If all Members are in the designated seats the Greffier will open the voting.

POUR: 23	CONTRE: 22	ABSTAIN: 0
Senator S. Syvret	Senator T.A. Le Sueur	
Senator B.E. Shenton	Senator P.F. Routier	
Senator J.L. Perchard	Senator P.F.C. Ozouf	
Senator A. Breckon	Senator T.J. Le Main	
Senator A.J.D. Maclean	Senator S.C. Ferguson	
Senator B.I. Le Marquand	Connétable of Trinity	
Connétable of St. Helier	Connétable of St. Brelade	
Connétable of St. John	Connétable of St. Clement	
Connétable of St. Lawrence	Connétable of St. Peter	
Deputy of St. Martin	Deputy R.C. Duhamel (S)	
Deputy R.G. Le Hérisier (S)	Deputy J.B. Fox (H)	
Deputy G.P. Southern (H)	Deputy of St. Ouen	
Deputy of Grouville	Deputy of St. Peter	
Deputy J.A. Hilton (H)	Deputy J.A.N. Le Fondré (L)	
Deputy P.V.F. Le Claire (H)	Deputy of Trinity	
Deputy S. Pitman (H)	Deputy S.S.P.A. Power (B)	
Deputy M. Tadier (B)	Deputy K.C. Lewis (S)	
Deputy of St. Mary	Deputy I.J. Gorst (C)	
Deputy T.M. Pitman (H)	Deputy A.E. Jeune (B)	
Deputy M.R. Higgins (H)	Deputy A.T. Dupré (C)	
Deputy A.K.F. Green (H)	Deputy E.J. Noel (L)	
Deputy D. De Sousa (H)	Deputy T.A. Vallois (S)	
Deputy J.M. Maçon (S)		

Senator A.J.H. Maclean:

If I may, I think my papers on my button must have ... [**Members: Oh!**] I think that the Deputy of St. John will appreciate the position I find myself in.

The Greffier of the States (in the Chair):

Senator, the buttons have lights and Members are big enough to look at the lights.

Senator S. Syvret:

Could I just congratulate Deputy Southern on the amount of hard work he put into this. This is so important to the community. [**Approbation**]

2. Draft Annual Business Plan 2010 (P.117/2009): fifth amendment (P.117/2009 Amd.(5)) (paragraph 2)

The Greffier of the States (in the Chair):

The next item is one which I hope can be dealt with very swiftly because it is the second part of the amendment of the Deputy of Grouville relating to the eastern cycle track. I think effectively this is consequential on the decision taken yesterday; I do hope it will not lead to - I was going to say, unnecessary debate, possibly even any debate - but I should in the interests formally propose it and vote on it, and I ask the Greffier to read part 2 of the Fifth Amendment.

The Deputy Greffier of the States:

Page 3, paragraph (d), after the words “withdrawn from the consolidated fund”, insert the words: “except that the following new item shall be added to Summary Table D under the heading ‘Major

Equipment, Building and Civil Engineering Works' T&TS Eastern Cycle Track Proposed Allocation: £500,000.”

The Greffier of the States (in the Chair):

Do you wish to briefly propose the amendment, Deputy?

2.1 Deputy C.F. Labey of Grouville:

Yes, I would just like to propose it. It is basically the other side of the entry. We agreed to debit the Car Park Trading Fund yesterday and this is the other side of the entry allocating it to the Major Equipment Building and Civil Engineering Works specifically for the initiation of the eastern cycle track.

The Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment? The Constable of St. Brelade, briefly now.

2.1.1 The Connétable of St. Brelade:

Briefly, yes, indeed, I did not speak on this section of the proposal in the last bit because it was not to do with funding. Now the funding issue has clearly been resolved, so I would point out that I clearly support the development of a cycle route in the east of the Island as one component of the Sustainable Transport Plan which I shall be launching next Tuesday and I look forward to seeing as many Members there as possible. The western route was developed over many years and one in the east of the Island from Gorey to town would be a major asset to facilitate both walking and cycling. £500,000 is an estimate only as a construction cost for the first phase from Gorey to Grouville School. The total cost could be around £5 million without land purchase and I think Members need to be aware of that. I am concerned that costs could escalate if land purchase is required and consider that the States should not buy at any cost. There may be options, however, for leasing if a landowner is supportive of the principle but wanting to retain ownership. I have yet to meet Deputy Labey on site but, of course, am happy to do so and I look forward to meeting with her and her team and my department in the near future to progress the project so that cyclists in the east are in a position to take advantage of a section of track as soon as possible. I think it is inevitably going to be a piecemeal development. The whole thing cannot happen quickly but I pledge my support to the concept. I think we need to work within the framework of the new Island Plan to ensure that where possible we can achieve each section of the track to ensure that the whole arrives as soon as it possibly can. Thank you.

2.1.2 Deputy P.V.F. Le Claire:

Just to follow that, I have already asked the Constable of St. Helier to put it on the agenda for Deputies' meetings this Wednesday that we look at extending from St. Helier as well at the earliest opportunity, and he has agreed to put it on the agenda, so I would like to congratulate once again the proposer and also congratulate the Minister for taking a proactive stance in accepting the States decision.

The Greffier of the States (in the Chair):

Do you wish to reply at all, Deputy?

2.1.3 The Deputy of Grouville:

Yes, just briefly to thank the Minister very much for his remarks. I do understand why he was a little hesitant to fully support the initiative yesterday. I think he meant £500,000 not £5 million when he was stating how much it would cost. This is £500,000 for the initial stage and hopefully by starting it we will be able to draw on the benefit of winter work programmes, summer work programmes of visiting regiments and planning gains along the way. I would like to take up Deputy Le Claire's proposal because I do believe the St. Helier budget does have some funding in

it for a cycle network, so if it can start from St. Helier and we can start one in the east of the Island as well, then so much the better. I would like to thank everybody who spoke yesterday as well and supported this project because I think it is going to be a wonderful community facility. Thank you.
[Approbation]

The Greffier of the States (in the Chair):

I put the amendment; those Members in favour of adopting it, kindly show? Any against? The amendment is adopted.

3. Draft Annual Business Plan 2010 (P.117/2009): ninth amendment (P.117/2009 Amd.(9))

The Greffier of the States (in the Chair):

We come now to the Ninth Amendment in the name of Deputy Fox relating to Bellozanne and I will ask the Greffier to read that amendment.

The Deputy Greffier of the States:

Page 3, paragraph (d), after the words “withdrawn from the consolidated fund”, insert the words: “except that the following item shall be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ T&TS Bellozanne Sewage Treatment Works odour control Proposed Allocation £1 million with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £35,587,000.”

3.1 Deputy J.B. Fox:

I have mixed emotions right at this moment because I am, if you like, a conduit for the residents and the people that work down in the Bellozanne and First Tower areas and to other residents where the smell permeates from the sewerage works at Bellozanne. It does not quite reach Bonne Nuit though I gather that Bonne Nuit has its own little problems there as well. I think the reason that I am very frustrated is the fact that I thought that after a lot of work being done in 2006 that we were on our way to a solution, but we are not. Just to remind our newer Members of the Assembly, as we have had an election in between, this sewerage works is originally 50 years old and there have been improvements made bit by bit, piecemeal by piecemeal, as the demands require and the amount of sewerage from increased population, et cetera, in the Island has demanded that additions are made. Unfortunately, the work progress, like many other things that T.T.S. have responsibility for, do not keep up with appropriate standards and the residents and workers down in this area have been suffering for years and years through terrible smells that are causing considerable unpleasantness. This resulted in 2 residents, Mrs. Judy Beaumont and Mrs. Julie O’Shea, to set up a petition. But this was not an ordinary petition. This was not a petition of just collecting signatures; this was that they went around to each resident, so most of the signatures of the 434 that they collected represent a household, not just an individual. They told their stories, and often it took 10 to 15 minutes on each doorstep to hear the stories, and they compiled the petition. They first of all went to Deputy Southern, who lives down the road, and he advised them as to the correct procedure and suggested that they get one of the Deputies in No. 3 District, and I was approached. At that point in time, the petition was not quite completed and they wanted just to finish it off, so I then brought it to the States in P.34/2006 and this was in March 2006. The States considered it: 50 to one majority agreed that this was an important proposition that needed to be acted upon and at that time, although the cost was not known, it was felt that it could be up to £3 million. Therefore, it was asked for a sum of £3 million to be allocated, which at that time was thought might not be available until 2012. But because of the States determination and from the excellent speeches that 18 Members made with regard to the suffering of the residents - and I have put the *Hansard Reports* in so people will have had the chance to read them - it was passed, as I say. In March that year, some 3 months later, I happened to be representing my Minister for Education, Sport and Culture at the Council of Ministers and unbeknown to me the subject of Bellozanne was being

discussed. The importance of bringing forward the progress of work was agreed and public services were tasked to allocate £1.5 million in 2009 and £1.5 million in 2010 to carry out the appropriate works and research into precisely what would resolve the problem. In 2008 Transport and Technical Services spent £500,000 in making some improvements, some of which were using pellets which did reduce at times some of the smell that was emanating but still came out as rotten cabbages. I understand at the moment that these pellets are not obtainable and therefore there are times when the smells are as bad as they originally were. Then this year's 2010 Budget is being discussed and the Council of Ministers decided to withdraw the capital allocation totalling £1.5 million within the Transport and Technical Services budget and they took it from this vote to fund phase 2 of the Bellozanne odour control. I, nor any of our other Deputies, have been told of this and it was only because of suspicion and information from residents and workers in the area that it was brought to our attention. I looked through the Draft Business Plan, could find no reference to phase 2, so further inquiries revealed the aforementioned facts. The Council of Ministers in their comments refer to that they oppose my amendment because it proposes an increase to the capital expenditure in 2010 without identifying equivalent savings. Well I am sorry, Council of Ministers, you left me with no other choice. I represent the people in No. 3 and 4 Districts, along with 3 other Deputies, in the Bellozanne and First Tower areas. We had done and gone through all the processes to improve the quality of life to such a large group of people and, as far as I am concerned, I did not propose increases. I am proposing that you reinstate that which you took away without any consultation, without any reference to the Deputies or anybody else residing or working in the area. That is the reason that I have brought this amendment today. I did not think that it was appropriate for the Council of Ministers to make this change without it being brought to the States and to me. I checked with the 2 original petitioners and they confirmed - which is in your document here - that especially during the afternoons, evenings and at night, and certain climate and weather conditions, the smell is equally as bad as it was when the petition was first made. I therefore am asking the States today to reaffirm the importance of the necessity of these works to be completed without due delay. I have no doubt that someone will bring up that because of the financial climate - and I understand that - that it could be postponed to next year or the year after. But from the pre-meetings that we have had with the Chief Minister and Minister for Treasury and Resources, the situation for the future is looking more bleak than what we are experiencing at this moment in time. Finally, I would ask that can we honestly expect all these residents and workers in their area to continue to have to endure and suffer what they have. I had a mother that rang me up to say: "We had my son's birthday party with groups of friends coming around. On the afternoon in question the smell was so bad that we had another parent who volunteered to move the whole party to their house." I think you have to agree, this one will not wait and we need to reinstate it. I understand the pressures, but I want the States to reaffirm, please, for the benefit of all the residents and workers of the area. That is all I am going to say at this moment in time.

The Greffier of the States (in the Chair):

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

3.1.1 The Connétable of St. Brelade:

I fully support the intent of Deputy Fox's amendment to resolve the odour-control issues at Bellozanne. I know of the difficulties facing the residents at Bellozanne and my department has taken corrective action by investing some £500,000 on odour-control facilities for the most odorous areas within the treatment works. This work is, as yet, incomplete and the department are working with the contractor involved to ensure that this element of improvements to the sewerage works gets concluded as soon as possible. There has been a noticeable reduction in odours and fewer complaints have been received. When we are satisfied with the performance of the new installation, a further odour-monitoring study will be carried out. If the odour continues to cause nuisance, a request for further capital funding will be submitted as part of the 2011 business

planning process. The reality is that the department, unfortunately, has to juggle with priorities. Odours from the Bellozanne site come from several possible sources, including the sludge digester area and the sludge-thickening plant. Not very savoury-sounding elements but one of the unfortunate facts of sewerage work is that these things have to be dealt with. A more effective use of this capital would be to invest in these areas and resolve a significant source of odour, provide a replacement to an aged asset and reduce the health and safety risks which we have inevitably with this ageing plant. I do have difficulty with the wording of the proposition in that I would prefer to deal with the odour issues in a logical way and deal with the sludge areas and digester plants first. The sludge area is effectively an open area and is the worst culprit for producing the smells we have down there now. Odour control involves the capping of settlement tanks and receiving tanks and we have undertaken the capping of 2 of these. We have undertaken the capping of the inlet works and various pipework which leads to these elements and that has provided enhancement. There are also filters which have been placed on these tanks. So my officers tell me that the next area, as I mentioned, are these other elements and I would far rather divert additional funds were I to receive them to those areas rather than be tied to the suggestion of the Deputy, who suggested it should be applied to odour-control areas only. As you are no doubt aware, T.T.S. face an ongoing shortage of capital investment and the current infrastructure allocation is prioritised on maintaining critical infrastructure within this 50 year-old ageing plant. The best solution to this problem is to deliver the Liquid Waste Strategy and provide our Island with up-to-date and well-maintained assets. The Liquid Waste Strategy will address the issues relating to the sewerage works, focussing on process improvements, obviously including odour control for all new plant, operational improvements and enhancing the condition of the liquid waste equipment. I will be bringing the new strategy to the House for Members' acceptance in 2010. While I would be happy to receive £1 million extra to my budget, one thing that I realise is that the Minister for Treasury and Resources is not going to give it to me for nothing and there inevitably has to be an offset. Now where will that offset be? My budget has been trimmed left, right and centre to try and accommodate the needs of the savings imposed on this Island by the economic situation which is going to confront us next year and the year after, so we have to trim off somewhere. What comes next? Do we reduce funding on the playing fields because we are putting more money into Bellozanne? Do we close parks? Do we stop maintenance? Do we stop cleaning? That is my issue. I do not feel that we can just continually put prices up. We are putting prices up where we feel we can but there is a limit to what the public will accept. I think all States departments have to be seen to be making savings. I do not differ with the Deputy at all but we have prioritised in a way we think will best conclude the issues down at Bellozanne as quickly as we can within the resources available. On that basis, I feel that I cannot support the Deputy's amendment. I will be therefore, regrettably, voting against it on that basis. Thank you.

3.1.2 Deputy D.J. De Sousa of St. Helier:

First of all, can I say, the House this afternoon has made one very, very good decision; let us make this another one. This, like the previous issue, has been going on for far, far too long. In my view this amendment is a no-brainer. I have heard this said so many times by Members in my short few months in the House. I, like most people here, have family and friends that live in this area. I go and visit family regularly and when the weather is good, they cannot open their windows or doors, they cannot sit outside and have a barbeque. My daughter also goes to a school in the vicinity as well. I am sure the Deputy of St. Mary will speak and put the environmental side to this but we do have to think about the quality of life and wellbeing of the residents in this area. I will be backing this and I beg you all to back it.

3.1.3 Deputy A.K.F. Green of St. Helier:

The Minister says that he supports this proposition but will be voting against it **[Interruption]** ... well, I suppose it is another one of those "buts", and then gives us a whole list of possible solutions. Deputy Fox's proposition does not pretend to give them the solution but to give him the money to

look for the solution. That is what it says: "To do something about the smell" which is quite obnoxious. "We have run out of pellets." "Oh, that does not matter because it is only the people of First Tower, it is only the people of Pomme d'Or Farm, only the people of Clos St. André and the few people that live in the village and the workers that work there." This is unacceptable. A promise was made by this Assembly to do something about this. The smell is so obnoxious, as other Members have said, that for days on end people cannot open their windows. Not just for one day, but for days on end, sometimes the whole summer. Some of you need to go down there and smell it. You do not have to go up Bellozanne Valley. I was at First Tower along the seafront last Tuesday morning very early and the stench was quite objectionable there. It seems to me, and I regret to say this, that we are rapidly approaching in T.T.S. with a similar problem to that we find in Health. We are sticking our heads in the sand to many of the problems. It is really unacceptable that the people of St. Helier, yet again, have to put up with the problems of the Island while T.T.S. sit in total denial: denial that Bellozanne pours out noxious fumes; denial that they are burning plastic and tyres; denial that on occasions T.T.S. discharge raw sewerage into St. Aubin's Bay and denial that there are unacceptable levels of heavy metals on the reclamation site. This is a scandal, this is going to come up and bite us all soon and we must do something about it. I think it is an absolute scandal that a private Member had to bring this forward. The Minister should have been fighting his case for this one. We are presented with glossy reports, pretty pictures, there are some diagrams but what are T.T.S. doing about the residents' problems today? Nothing. It is time for a bit more honesty, or some honesty. It is time to cut the froth, cut the spin and get the job done.

[Approbation]

3.1.4 The Deputy of St. John:

Being a biker and coming down Mont Cochon at 7.30 a.m. in the morning on a calm day as we have had many this week, as soon as I turn into the road above Biles Fields (St. Andrew's Road) the stench hits you and I think: "My golly, this reminds me." It takes me back somewhat, it is so obnoxious. Having lived near a dump - or several dumps - in Mont Mado in my younger years, for many years I recognised the smell of an open dump. This is really not dissimilar, so much so your clothes get to smell of it, your bed linen, everything; it is obnoxious. Having been a plumber and used to working with sewerage, to this day I still cannot get used to the odour. I can always tell when I am out in the country where, because of financial cost people have to - or do, illegally, I suppose we would call it - pump out their soakaways on their land because they cannot afford the £100 a load or thereabouts to get rid of the effluent. I can tell when I am passing those places if I am on foot or on my bike or scooter, what is happening. But these people really have no alternative because of the costs and the double taxation that goes on. I note the Minister for T.T.S.'s comments. Over the years with all the cuts within T.T.S. - previously Public Services - the Ministers for Treasury and Resources today and in the past have always paid lip service to this particular department. Always paid lip service. This department is responsible for our infrastructure that cannot be seen in a lot of cases and because it cannot be seen, little is done. I think you all know my views on main drains and everything else, but I have an awful lot of sympathy with the people of Bellozanne and also the people, at the moment around the La Collette area with the smell from the waste that is being reprocessed down there, as I did with the people of St. Mary when it was up at Crabbé. We voted monies to cover that area at La Collette and the work has still not been done. We have voted monies to deal with the smell at Bellozanne and the work is still not completed. I have seen the documentation to do with the Liquid Waste Strategy, but that is some time away. That is still some time away. The poor people, and the children at the school at the top of the hill at Haute Vallée. I think it is a shame on our society, a rich little Island like this - and it is a rich little Island compared to other places in the world - that we still have Third World standards when it comes to our waste treatment. Let me correct that, not waste treatment because we do treat our waste, but the ways and means have been available in the good years and we did absolutely nothing about it. We could have covered this area, as we could have ... very recently the Connétable of St. John had the Minister down at Bonne Nuit because of the odour that

we are getting from our small plant in Bonne Nuit which is a beauty spot. I did tell the Public Services of the day that Bonne Nuit was absolutely the wrong place to put a satellite station. I believe I was the last President of the Committee of the day, but I still could not get it across. We had other areas in St. John we could have put a satellite station which would have not been so intrusive given that I am aware of various odours that come from satellite plants and would not have been so problematic. Yet, the officers and the Committee of the day had their way and now the people who use Bonne Nuit have to put up with this smell.

The Greffier of the States (in the Chair):

Let us get back to Bellozanne.

The Deputy of St. John:

That is where I coming to, Sir. I do understand where the proposer of this amendment is coming from because I believe that over the years we have been paying lip service only via the Treasury and the various budgets that have gone forward to Public Services, now T.T.S., and the needs that have been required. But it will not finish with this one because whatever we do at Bellozanne will have also to be done at Bonne Nuit and also have to be done at La Collette over the plant that currently recovers green waste. But all I can say, I am supporting this because historically we have not done enough. I have raised this over the last 15 years in this House on a number of occasions; not the odour problem but other problems that were waiting, just waiting for us around the corner to hit us in the face. Now because of times of recession we are saying it cannot happen and particularly that we have had this stimulus package put together by the Minister for Treasury and Resources, why was this and other areas not looked at as making sure that it would happen? This is part and parcel as far as I am concerned of the quality of living for the people of the Island. Not people coming into the Island; the people of this Island, those several thousand people that live down in the area of Bellozanne and also the areas down around Green Street and the like. I know the smells and they are atrocious when you are living with them day in, day out. I can remember putting on a suit when we had these problems up in Mont Mado, and you would go out with a young lady and you would put your suit on and she would move away. It was not because she did not fancy me [Laughter] it was because of the odour emitting from your clothes. But really these are the problems that arise. It is totally unfair in 2009 going on 2010 that we have not resolved this. I am talking about in the 1960s, so nearly 40-odd years ago, and we just cannot resolve this problem. I think the proposer is absolutely right to bring this forward. I will definitely support it.

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

I am pleased to follow the 2 previous speakers, particular Deputy Green, who made some valid points. But one of his points I believe was wrong because ...

The Greffier of the States (in the Chair):

I am sorry, Constable, the States are inquorate. They have become quorate again, you may continue.

The Connétable of St. Lawrence:

To reiterate, Deputy Green was wrong on one of the points that he made because it is not only St. Helier residents who suffer. The sickening stench of sewerage is no respecter of Parish boundaries. St. Lawrence is also affected and also anyone and everyone driving, walking or cycling through the area that is affected by this sickening stench. It is sickening, we all know it. We all know it. When I visited India and smelt open sewers outside slums, they smelt no worse than Bellozanne's sewerage treatment works. No worse; raw sewerage. The sickening stench of sewerage in this Island is scandalous. I think that word has been used already, not only in this debate, not only on this amendment, but on others. It is indeed scandalous that Deputy Fox has had to bring this and I urge the Minister to reprioritise and stop the stench. I go back to my words used at the start of the debate in response to when the Chief Minister made the proposition, and we must adopt, not only a

“let us do” attitude, we must adopt a “we will do” attitude. We will do these things. We will not just talk about them. We will not bring them to the House, vote on them, have them approved and then stealthily, or almost by stealth, remove the money to deal with what we have already approved. I supported the Deputy when he brought his proposition - it seems like a long time ago; I cannot remember when it was - and I will support him again today. It is not just a St. Helier or a St. Lawrence issue, it is an Island issue. We have already been reminded by - I think it was Senator Maclean - that we are here to speak for and represent everyone in this Island. So although I am here for the residents of St. Lawrence, today, most definitely, I am supporting Islanders as a whole and I urge the Minister to find the money because I hope the States will get behind the Deputy and support this. We must not only stop the drop, we must stop the stench. **[Approbation]** Thank you.

3.1.6 Senator P.F.C. Ozouf:

I am pleased to follow the Constable of St. Lawrence because she spoke about a “can do” attitude. I like to think that I am somebody that is a “can do” person that wants to find solutions and I want to try and find solutions. But I am worried - I am worried - that while I respect all of those Members who have spoken in favour of this I, like Deputy Fox, represented St. Helier No. 3. I, like the Deputy of St. John, want to do something with the liquid waste strategy in dealing with the unfairness and dealing with all of these issues but what I am hearing from Members is simply: “Spend more money.” I have not heard anybody, apart from, I acknowledge, the Constable of St. Lawrence has said: “Find an alternative priority” but she has not come forward with another option of a capital programme or savings to cut and this is the impossible position that Ministers are in. I said in the last couple of days that I would be the financial conscience of the Assembly, that I needed to be, because all the debates that I am hearing are effectively very passionate cases for spending money but I am afraid that that is only half of the argument. The other half of the argument is where does the money come from. I am going to ask Members, those of them that are in their seats, to refer back to page 50 of the Business Plan. I do not want to lecture Members but I want Members, if I may, to look at page 50. I would like them just to consider the facts that the forecasts that are before us - and they are the best forecasts that we have for 2010, 2011 and 2012 - are showing next year a £10 million deficit, a £17 million deficit in 2011 and an £8 million in 2012. That is from the column of figures that is the fourth row from the bottom. Then as a result of the economic downturn there is a revision which is nothing to do with profligate States spending or anything to do locally in terms of economic performance, it is due to the global downturn and a fall in our tax revenues; we are now forecasting a deficit of a further 41, 53 and 48. Our best case, I do not know whether or not it is going to happen, but there is a strong possibility that it will. Those 2 reasons come forward. Effectively we have 3 bank accounts: we have a Strategic Reserve, we have a Stabilisation Fund and we have a current account. The current account as a result of that first line will be empty by 2012. That third line, the Stabilisation Fund, will be empty by 2012. Where do Members think the money is coming from? I agree that there are priorities. I agree that we should be improving and catching up on maintenance. We are investing and page 97 of the plan indicates just the fact that this Strategic Plan is putting money into infrastructure and capital maintenance and all of the things that we have been talking about but I am afraid there are priorities and I am afraid the Minister for Treasury and Resources is going to say to the States that we have to come to our senses. We are living at this rate beyond our means. All governments have to reconcile both sides of the argument and all of the comments that I am hearing from Members indicate that they are only interested in spending and not in the slightest bit interested in dealing with the consequences. There will come a time where the public will wake up to what we are doing and say: “Enough is enough; you are living beyond our means.” That is exactly what I am sorry to say to Deputy Fox: there are priorities, there are difficulties, we will deal with the issue of liquid waste but I am afraid we cannot deal with it in this plan.

3.1.7 Deputy M.R. Higgins of St. Helier:

As a resident of this area for 31 years I can vouch for the smell. I live on St. Aubin's Road and not at Clos St. Andre or at Pomme d'Or Farm and you can imagine what the smell is in those locations for those residents. It is bad enough where I live. The Minister for Transport and Technical Services, during the Ann Court debate at the Town Hall, was honest enough to state, when he was asked the question whether he would want to see a multi-storey car park within a few feet of his back door, to say no. I hope that he will be honest and I hope all Members will also be honest enough to admit that they would not want to live under similar conditions and that they would not want to wait a year or years for this matter to be resolved. I am sure that if it was on their doorstep they would not tolerate it. We are told that the economic conditions mean that the money will have to come from somewhere and I accept that may well be the case but is it right to condemn any citizens of this Island to put up with these smells and living conditions? If we are really concerned for the health and welfare of our citizens we must fund this work not merely sympathise with them. As far as I am concerned, I have just listened to the Minister for Treasury and Resources talking about priorities, yes, I accept we are going to have to prioritise an awful lot of things but it comes down to the health and welfare of our citizens. That comes before resurfacing roads so I am sorry, priorities, yes. This has gone on for long enough and therefore we must fund this project. I hope the House will support this amendment.

3.1.8 Deputy T.M. Pitman:

I have to say even in the short time I have been in the States I have heard some really farfetched and impressive excuses but the one from the Deputy of St. John for not getting a date earlier, that your suit smells, that is classic. I congratulate him on his inventiveness. Face up to it, Deputy, you are not a film star. I lived in St. Helier No. 3 in smelling distance of this for many years until moving and I can say that neither the proposer nor Deputy Green are exaggerating in any way whatsoever and I did not live next door to the site like some people. I hope I am not pre-empting things by saying this because I have not spoken to our new chairman, Comrade Senator Maclean, but the J.D.A. (Jersey Democratic Alliance) will be supporting this wholeheartedly because it is just so essential. As Deputy Higgins has said, you cannot and should not be condemning people to live like this. The stench on some days, even where I lived, was truly awful. It certainly also should not have been left, as another Member said, I think, to a Back-Bencher to bring this forward. It should not have been neglected for so long so, as I say, we will be supporting Deputy Fox 100 per cent. We also have after all 3 schools in that area. The impact of that has got to be very unpleasant for their days. Also acknowledging that hindsight is, of course, a wonderful thing, but the fact is if we had not wasted so much money in the recent years with the incinerator far oversize, far too much money, completely over the top and indeed the issue of the contract, then I would have a lot more sympathy for what is being said by the Ministers now. Senator Ozouf is in a difficult position but I am sorry, sometimes karma catches up with you. We have got to support Deputy Fox on this on behalf of all the St. Helier residents and, as I said, it is not just going to be about Bellozanne it is about La Collette as well and I am sure, as the Deputy of St. John said, other areas. This is something that has an impact on ordinary living and I have to agree with Deputy Higgins, it is far more important than resurfacing roads, unless that is an absolute safety issue but generally stuff like this has just got to come first. So, well done to Deputy Fox for bringing it. I will be supporting him.

3.1.9 Deputy A.T. Dupré:

I would just like to point out that many, many, many years ago when I was a little girl we lived in Tower Road. The problem started in those days. I cannot believe that, however many years ago this was, that we are still going through this. Can we please get it sorted? Thank you.

3.1.10 Deputy F.J. Hill of St. Martin:

I find it hard that we are not getting a lot of reaction from the Executive side and in particular the absence of the Minister for Health and Social Services and the Assistant who should be here

banging the drum for health and saying why this amendment should be supported. I have no difficulty. I know Deputy Fox is not one of those who does support amendments for other people, but I will be supporting this amendment, not for Deputy Fox, but for the people in the area, because that is what we should be doing. I would hope that certainly we will get the Executive to really justify why they cannot support it and in particular the people who really should be banging the drum, the Minister for Health and Social Services and the Assistant. I certainly will be supporting the amendment.

3.1.11 Senator T.A. Le Sueur:

The Council of Ministers here is between a rock and a hard place. We began earlier this year discussing a Strategic Plan in which we said that we have to live within our means and we had to find savings to match increased spending. Earlier this year the Council of Ministers had to put forward a capital programme for the next 5 years and we had to make some difficult choices.

The Greffier of the States (in the Chair):

Sorry, Chief Minister, the States are inquorate. If the usher could summon Members from the ante-room. Very well, you may continue, Chief Minister.

Senator T.A. Le Sueur:

We were determined to endeavour to live within our means and we were determined to deliver those services which were of such a high priority that we could not avoid them. I have looked back over the minutes and other details contained in Deputy Fox's comprehensive report and I looked back at last year's Business Plan where we did indeed allocate to the Minister for Transport and Technical Services a budget for infrastructure works totalling £18 or £19 million over the next 4 years, including £1 million - it was £1.5 million at the time and £500,000 has been spent - for odour treatment at Bellozanne. That is an indicative programme and of course priorities come and go. I would be quite prepared to concede that odour treatment at Bellozanne is a high priority. What I cannot ascertain is what else in the capital programme is of a lower priority and should be withdrawn. It would have been helpful had Deputy Fox been able to identify such a project but I accept that he may not be in possession of all the facts in order to get an appropriate decision. The Minister for Transport and Technical Services, as I say, has a rolling budget for infrastructure works and he has to prioritise what the department does within that budget. I have a tremendous sympathy for the Minister because he has got a whole load of problems within his budget and he has a very difficult juggling act to do to be able to deliver all those competing priorities. Nonetheless he does and his department and his officers do and I pay tribute to the work of the officers in T.T.S. It is not the most pleasant of places to work sometimes in terms of the environment of roads and sewers and rubbish. They do a very good job but they have to match conflicting priorities and, having dealt with part of the odour treatment, they have a plan for dealing with the rest of it. They have a plan to act responsibly to deal with the odour treatment and to live within their budget. I would like to encourage them to maintain that principle and to maintain their drive to deal with the odour which is at Bellozanne. I think all of us around the room seem to have some claim to the presence of Bellozanne. I lived there for 20-odd years before I got married, opposite Deputy Noel in fact, and it seems as though half the House was around there at some stage or other. So we all know about the smell and we are all determined to try to eradicate it but it is something which T.T.S. are addressing and I believe that they are addressing it in a sensible and logical way. What we are doing here inevitably is adding to the deficit that the States face and sometimes I accept it may be necessary to add to that deficit but we have to do that in clear understanding that, in order to get parity, if we cannot make a compensatory saving elsewhere we will have to make alternative revenue raising measures. We seem to be in the mood for saying there is no such thing as a free lunch this week, but there is no such thing as a free £1 million for odour treatment either. What we are doing here is solving today's problem; we have not solved tomorrow's problem. I sympathise with Members - we are in a difficult position here - who want to

try to help the residents particularly of the Bellozanne area with that smell. We also have a wider responsibility to act responsibly in the interests of the long term future of the Island. Those do conflict but as far as I am concerned I have to look at the broader picture and therefore, much as I sympathise with the needs of Deputy Fox and the people of Bellozanne, I have to regrettably oppose this particular amendment with no compensatory savings.

3.1.12 Senator J.L. Perchard:

I notice the Assistant Minister is not in the Chamber. Perhaps he will come back and answer a question, because unfortunately the Minister has spoken. Just grazing through the report of Deputy Fox, I want to remind you and I will quote from it. This is from the last time Deputy Fox brought a similar proposition to the House. It was in 2006: “The States are asked to decide whether they are of the opinion to request the Minister for Transport and Technical Services (a) to undertake an assessment of the sewerage works and (b) to identify the sources of smell and (c) prepare a full engineering appraisal for it.” In that debate Deputy Lewis of St. Saviour said, and I quote: “To have a large valley with a large sewerage plant in it that vents into a residential area is very bad planning indeed.” But this was not so much planned for as it evolved and, as has been said in this House many times, we are where we are. It is time we did the right thing by the residents of Bellozanne and the longer we leave it the more expensive it will become. I will be supporting this proposition. **[Approbation]** I invite the Assistant Minister back into the Chamber to answer a question which I would like to put. If Members turn to the annex to the Business Plan, the bottom of page 217, the Minister referred to this in his speech earlier to Members. It is about works completed during 2008 with regard to odour control: “Some of the work was completed during 2008. Following this work Transport and Technical Services are undertaking a new survey of the Bellozanne sewerage works smells and this work will recommend what is undertaken in phase 2.” It also goes on to say: “Phase one has shown significant improvements to the area and that smells have diminished.” That may well be the case and I would like to put this in perspective. Are Deputy Green and Deputy Fox talking about 2006/2007 smells or are the smells emanating now? Perhaps the Assistant Minister will advise the House as to whether the complaints are still coming in from residents or has the 2008 works made a difference? I am not inclined to support this, but I am inclined to ask the Minister and his Assistant Minister to re-prioritise their budget because I think Deputy Higgins is absolutely right. Who makes the budgetary decisions at Transport and Technical Services as to how we allocate the £46 million that he has at his disposal? Is it the Minister? Who makes these decisions? Does the Minister and his Assistant Minister really think another half an inch of tarmac on Victoria Avenue is more important **[Approbation]** than trying to put the residents of this area, of Bellozanne and First Tower, at ease from this stench? If it is, I have got to question his judgment. I know the Minister has spoken. I look forward to the Assistant Minister coming to tell us why he has changed his mind and telling us about his judgment and his Minister’s judgment.

3.1.13 Deputy J.M. Maçon of St. Saviour :

Taking a vein from Senator Perchard, he is quite right. I am sympathetic towards the Minister for Treasury and Resources and the Chief Minister **[Approbation]** and what they have said because they are quite right, we do need to find savings. However, I may be young but there are past decisions, the steam clock, a hat stand, a flying banana. In this annex I have no doubt there are things that have been snuck in here which are not necessary, which will be put in for what some believe is the glory of Jersey but the thing is, as has been raised, we do need to solve fundamental problems issues which should have been dealt with a long time ago, and the smell at Bellozanne is one which should have been done a long time ago and I will be supporting this amendment. In addition to it, I would hope that the Chief Minister and the Minister for Treasury and Resources do keep a very hawkish eye over what the other Ministers are doing because I have no doubt there are other things that have been snuck in here by the departments which are not necessary, such as an extra inch of tarmac on Victoria Avenue. Thank you.

3.1.14 Deputy M. Tadier:

Three French words for you: eau de toilette. You do not even have to be a French speaker to understand what that means and depending where you live in Jersey that will perhaps have different meanings for you: eau de toilette or odour from the toilets. Which one is it? A friend of mine left Jersey many years ago for various reasons, but he came up with a nice tourism caption that could be used to attract tourists to Jersey or indeed it could be a sign so when you come into the harbour or at the airport you have a big sign saying: “Smelly old Jersey. Welcome to smelly old Jersey” and is this the kind of message that we want to be giving out? He lives in Thailand now, which can have problems with odour as most developing countries have but, as the good Constable of St. Lawrence said, these are usually problems that we associate with developing countries or third world countries, not leading offshore finance centres which profess to be very rich but are very poor when it comes to social provision. That is what we have got here. I really do not know where to start but let us pursue this idea about tourism and promoting tourists to Jersey. We all agree that diversity is important. Tourists, whether they come here for business or for leisure, are certainly a welcome part into the Island. We certainly could not live without the input and the restaurants that they provide and the whole infrastructure. So it would be nice to say, would it not, that we cannot guarantee you sunshine and we cannot guarantee you value for money, we cannot even guarantee that it is not going to rain on the Battle of Flowers these days, but we can guarantee you a stink-free holiday. Imagine that. Imagine all the businessmen coming through the airport, driving up to our new financial centre at the Waterfront and not having to wind up their windows or not looking at the taxi driver in an accusatory fashion because they have just been wafted by a great stench of effluent. Imagine if we could do that for the price of £1 million. Surely that is worth the investment in Jersey, this nation which we have recently formed which we are trying to promote internationally. Would it not be great if we could just get rid of the stink? Why cannot we do that? Really I suspect it is an endemic problem which is in the system that we have. Basically, we are always told that the system is so good, Jersey has a low tax, low spend system. I suspect it has a low tax for some people and it has a high spend. Often we who are not on the extreme Right in neo-liberal terms are accused of being tax and spend but in fact I would say it is this Council of Ministers which is tax and waste and they are taxing but they are taxing perhaps the wrong people. We know that the taxes are going up but they are going up for the ordinary working man and woman and that they are simply being squandered so we can waste money on capital projects which cost over £100 million which do not need to be done. That incinerator plant that was unnecessary could have been done for half the price and I think there is a broad consensus in the House of different political views that already know that. So we have wasted perhaps £50 million more than we needed to. We were arguing earlier about the allocation of £10 million. That is £10 million, of course, which we would have had and been able to give over for the town park if it had not been wasted on the euro fiasco. Earlier the Chief Minister mentioned that this is not a free £1 million. We do not have a free £1 million to give away, but it is not a free £1 million, that is correct. The £1 million has already been paid for. It has been paid for by the taxpayers, many of whom live in the area which we are talking about. They have paid their taxes over the years but we know that this is still a problem. So is it really too much to ask that these people in the area, not just in the area, for everyone who has to pass through the area, is given a stink-free ride into work? We know that the Business Plan is to support the Council of Ministers Strategic Plan. It is not my Strategic Plan, it is the Council of Ministers, which has been endorsed by the majority of the House. Let us look at how this £1 million would support the key objectives in the Strategic Plan. Number one, support the Island community through the economic downturn. I think we are all suffering from the economic downturn. It will be one less thing to have to put up with if we could travel into work in the mornings without a smell. So you are supporting the local community that way. Number 2, maintain a strong environmentally sustainable and diverse economy. It is very important that we make tourists and business welcome to Jersey and I think if they have to suffer a stench when they get here they are just going to go back to their own countries and say: “Well, I went to Jersey, but to be honest Guernsey stinks a bit less” and I am talking about the physical

smell. That is what they be saying. I recommend that you maybe go to Guernsey because they seem to know how to look after their ...

The Connétable of St. Brelade:

On a point of clarification, just to point out that Guernsey do not have a sewerage plant. They pump it all out to sea.

Deputy M. Tadier:

You could say go to the Isle of Man then, if we are to be pedantic. **[Laughter]** I must be honest, when I was in Guernsey last I did not have any problems with smelling sewerage in the air. I did not go swimming. So obviously this is a problem which is endemic to tax havens because they do not have enough money to pay for social infrastructure. Jersey cannot deal with its own sewerage; Guernsey has to pour sewerage out into the sea so obviously there is an issue there, both islands under-investing in social structure, probably because they both have tax regimes which are pernicious and that do not take into account what people ... I am just trying to rile Senator Le Main into speaking. **[Laughter]** Perhaps after Senator Le Main has spoken we can hear from the Minister for Housing.

The Greffier of the States (in the Chair):

It is up to Members who wants to speak, Deputy. Please continue with your speech.

Deputy M. Tadier:

Thank you, Sir. As I said, it would be good to hear from the Minister for Housing after Senator Le Main has spoken. **[Laughter]** Let us continue. Reform the public service to improve efficiency. I do not think our staff will be very efficient if they are having to put up with smells. If some people are very susceptible to them they may be getting headaches. Other people it just really disgusts them and it does not do much for their state of mind. Point 4, to ensure sustainable public finances. Again, we are not going to have public finances in a healthy state if we do not have a healthy economy. I really can go on. I will just go on one more. Limit population growth: well, that is one point that it will help, certainly I think it will limit population growth. Provide for the ageing population. We will provide them a nice smelly atmosphere. I mean, I can go on but I think Members get the point. We never have the money for a town park, we never have money for tuition fees. We are struggling to find money for imaginative ideas which are desirable, the creation of allotments. We do not have enough money to keep the bus station open at night or to pay someone to go there. We do not have enough money to sort out parking issues all over the Island. I know any time I try and sort out the longstanding parking issues in Les Quennevais Park I am told it would be nice to do but we cannot replace that sign, we cannot paint it again because we do not have the money. So, if we are such a prosperous Island where is all this money going to? Into some kind of black hole presumably but we all know that it is being burnt in silly projects like the incinerator. Also the underlying problem. We have already seen frustration. We have heard a very good speech from Deputy Hilton who I would not say in any way is a radical. She is not a Leftist or whatever you want to call her but we know that she hit the nail on the head when she said that the Council of Ministers has, with perhaps one or 2 exceptions, lost touch with the people of Jersey and I think it is because now it is time to say that the system that we have been following, this neo-liberal system of low tax and high wastage of money, is simply not sustainable. We cannot go on playing the game on the terms of the Council of Ministers. Where do these ideas come from that all spending has to be matched by savings? Those are not our terms; those are the terms which have been imposed and the people who hold the purse strings can always find the money when they want to. They can hide it here, they can magically come out with a few million here to support projects that they need to, but when it is anything that Back-Benchers bring there is never the money to do it. This is something which has been neglected for a long time. We should be able to expect to have a bit of green grass, we should be able to expect to have a cycle path, which we

have, we should be able to expect to have a stink-free environment. We are not a third world country. Let us simply back this. It is £1 million, but then again that is not much for Jersey, is it?

3.1.15 The Deputy of St. Mary:

I shall be brief. **[Approbation]** Thank you, thank you. No, I am not joking. Sir, this proposition is quite simply about justice which is a line that has not quite been taken up by others and I implore Members to beware of treating this as a proposition about the people of the area. We have heard moving speeches about St. Lawrence, about District No. 3, people who are suffering directly from this smell, and the report mentions the petition of 450-odd signatures and that petition lists the horrors of the smell and also the report of Deputy Fox reports on their update. He asked the 2 petitioners to give him an update. But it is not just about the people of the area and the reason I say this is that this is an Island problem which we all contribute to and that has not been mentioned. I was amused when the Chief Minister said that everybody seems to have a connection with Bellozanne. What he meant when he said it was that everybody has a relative who has lived near Bellozanne or: "I once had a cottage that was in Bellozanne" or: "I once lived near Bellozanne" but of course Members all know that our connection to Bellozanne is much more direct. I remember once giving a radio interview on Radio Norfolk about sewerage, long, long ago, and it was kind of dodgy to talk about sewerage because where does it come from, but that is the point, is it not? It is not Deputy Fox's little issue. **[Laughter]** Exactly. It is not a question for the Deputies of the area or for the Constable of St. Lawrence. What is happening, to go up one level of generality now, is that the residents around that area who suffer the smell are bearing the consequences of what we all do. So it is right and proper that the taxpayer supports the residents of the area. That is all I am saying. That is a matter of justice. Somebody said we will put the sewerage works in Trinity or put it ... It has to be somewhere, unless we adopt the Guernsey solution, of which dear Deputy Tadier was completely unaware, of pumping it to sea which is not correct, not a good way of doing it. So that is my first point: it is a matter of justice and we all contribute and it is an Island-wide problem, it is not just Bellozanne. The report quotes the Minister as saying the level of smell will be better than ever. Well, that made me smile. You have to smile unless, of course, you are the person smelling the smell. As I have said, the point is that the smell is metaphorically speaking from the whole Island, focused on one area who pay the price for what we do and that is not fair. Now, moving away from the anal and the ridiculous, the Minister referred to the liquid waste strategy and there are a couple of points to be made about that. It is funny, is it not, toilet humour and so on? But I suppose Members need a break. The liquid waste strategy. Can I suggest, firstly as a minor point, that when this odour control goes through and something is done that any solution is, of course, transferable to any future infrastructure, obviously if that is possible, so that we have a solution that when the liquid waste strategy comes on board we can apply the same technology to whatever is put in later. My second point, which is much more important, is this idea of later, later, and we get it in the comments, we have had from the Minister: "Deputy Fox is rushing, he is trying to get it done quickly." Mañana. The liquid waste strategy I know from my work on Environment Scrutiny, will need a funding stream worked out, and we have heard from the Minister for Treasury and Resources that if we do this project we will have to cut something. Well, I am sorry, the issue is that there will have to be a funding stream for sewerage in the Island. The liquid waste strategy will have to fund itself in some way and that will take a little bit of time to put together but it is inevitable. So it is nothing to do with cuts; it is everything to do with finding a new funding stream and there will have to be peer review because it is a big strategy with lots of noughts in it and lots of pumping stations in it too and we will have to do a peer review and that has already been agreed by the Minister. So, we are looking at a year at least and then if you vote against this you are voting for a year of continued misery or more, of course, until the whole strategy gets put in place, gets enacted. So that is the point about funding and later, later. The final point is commitment. Once again, and I was struck by the figures in the report, 50 to one this House voted to do something about it, 50 to one in May 2006. The Council of Ministers immediately took note of the

House's view and said £3 million for this and here we are, 2009, £500,000 has been spent. The other £2.5 million ...? All the good Deputy Fox is asking for is that that commitment be honoured.

3.1.16 Deputy K.C. Lewis:

I would like to start by thanking Deputy Fox for not insisting this comes out of the Car Park Trading Fund. I see we have the original proposition here which was 2006 and I was quite surprised to hear, coming round the corner here, through the speakers that Senator Perchard was quoting me. Looking at what Senator Perchard has to say I am not surprised he is quoting me but I have always been in favour of capping the plant at Bellozanne. It is very, very unfortunate that the valley does run from north to south and there is always a down draught coming down and, depending on temperature and the wind direction, the smell can be very bad in the First Tower area. I did a tour a few days ago with Deputy Fox and I have taken several other States Members down there to see the work that we have done thus far. It has made a considerable difference to the odours in the First Tower area but there is more work to be done and, as the Minister has pointed out, we would like a little more leeway because we could really do with a sludge digester which is causing a lot of the problems but we do have severe budget constraints. Having said that, it is totally unfair to the people of First Tower that they should have to put up with these smells so the other half does need doing and I will support the proposition, and will somebody give me a job if I get fired. Thank you. [Approbation]

3.1.17 Senator P.F. Routier:

This piece of work should have been done years ago. The States have already agreed that the work should be done. I do go down Bellozanne Valley on a regular basis and the smell is awful. I have to say I felt for some technical reason something had not been done, but it was just a lack of the funding that is required to get this done. I think we should be voting this money for it to happen. It may be that this is going against what the Council of Ministers have decided, but I think it is something that we should be doing and I will be supporting the proposition.

3.1.18 Deputy A.E. Jeune of St. Brelade:

I would like to raise an issue within the comments that are associated to this amendment I read from Transport and Technical Services when the performance issues are resolved, this is the performance issues to do with the new installation, if I have understood it correctly, Transport and Technical Services are confident that it will show further improvement and this work will be completed by November 2009. Perhaps in his summing-up the proposer can clarify whether he is aware of this or whether he is aware that this is going to be delayed because I think if it is going to go through then if it is expected to be on time do we really need to be putting this £1 million to this situation? Thank you.

The Greffier of the States (in the Chair):

I call on Deputy Fox to reply.

3.1.19 Deputy J.B. Fox:

I have been busily writing down and I thought with all the discussions, the way we have been going this week, that we would be here for most of the afternoon. In fact, it is interesting that 18 people have spoken and in 2006 18 people spoke. So that is very interesting, is it not? Three people are opposed at this moment. I just want to pick up some salient points, if I may. To answer the last question first, as it is most fresh in my mind. Much work has been done with the £500,000 but there is still a long way to go and that is why the £1 million is being asked for, which if you note it was budgeted for £1.5 million for 2009 and £1.5 million for 2010. There was £500,000 spent, I am told, in 2008, which is where some of the improvements were made. There has not been £1.5 million spent in 2009 and phase 2 for 2010 is the one which also has been taken out of the budget by the Council of Ministers. So, in total we are asking for half the money that it was originally thought might be needed but we have never, that is the residents or my fellow colleagues, the

Deputies, or anybody else, ever specified to T.T.S. what we think should be done. All we have asked them for is to find a solution to the problem and if they say that it needs a sewerage digester to do that then so be it. It is an engineering solution to a problem that they recognise and they say that it can be done within this £1 million that we are asking for. I think in summary, in simple terms the Chief Minister was talking about priorities. I recognise all the Chief Minister's priorities but I think this one affecting a huge area and people is a huge priority. We started off a programme, it has been recognised for years and countless Members of the States, both today and in yesteryear, have either lived down there, passed through there and recognise that this is no bull, this is fact. It is causing huge problems to the quality of life to the residents and the workers down there and this, in a nutshell, is what it is all about. From a priorities point of view, I think that I was expected by the Chief Minister and the Council of Ministers to identify areas where I think that savings should come from. I am sorry, all I am asking for is for them to put back the £1 million that they have taken out of T.T.S.'s budget [**Approbation**] for the savings at this time. I do not sit on the Council of Ministers. Apart from being on the P.P.C. (Privileges and Procedures Committee) I do not have the privilege of the Council of Ministers of seeing their agendas or their notes and I am not a mind reader. Most of the stuff that is being discussed will be on a B agenda, which we never see, so I cannot be expected as a Back-Bencher to be able to fulfil. I am sure that if I ever went to each individual Minister in turn and asked them where I could obtain £1 million ... if we look at the Deputy of St. John's recent questions, he talks about the supply of water within States departments, he talks about the lighting of Victoria College, and in the future there is going to be discussion for environmental taxes, but again we are talking about the future. I do not know when it is going to come up, the taxation. We promised no additional taxes to 2012 if we maintained the 3 per cent for G.S.T. (Goods and Services Tax) except I understood later that it was in the environment taxes. I have been asking for years when we had the committee system for taxes on fuel and things like that to be ring-fenced so that they would go for the purpose that they were intended to. If we have environment taxes it would be nice if they were ring-fenced to cover areas such as this and transport. I know that Senator Le Main is intending to put in such proposals but I have not seen them yet. So I have to work on what is now. I hope that people do not mind but it is clear from the people that are speaking that they have got every sympathy with the residents and workers of the area. This is not for me; I am a conduit, that is all. I represented 4 Deputies in No. 3 District in 2006 and I hope I still represent 4 Deputies in No. 4 District in 2009 but I hope that common sense will prevail. I know it will go over budget because it is being taken out but I am sure the Council of Ministers will recognise that this is an important social aspect that needs to be resolved and needs to be resolved now. So, if you do not mind, unless anybody has any particular thing that I have missed, I would like to leave it to be summed up now, knowing full well we have still got the last work to be done, and ask for the appel. Thank you, Sir.

The Greffier of the States (in the Chair):

The appel is called for on the amendment of Deputy Fox, the Ninth Amendment, and if Members are in their designated seats I will ask the Greffier to open the voting.

POUR: 31		CONTRE: 9		ABSTAIN: 1
Senator S. Syvret		Senator T.A. Le Sueur		Connétable of St. Brelade
Senator P.F. Routier		Senator P.F.C. Ozouf		
Senator T.J. Le Main		Senator S.C. Ferguson		
Senator J.L. Perchard		Senator B.I. Le Marquand		
Senator A. Breckon		Deputy of St. Ouen		
Connétable of St. Helier		Deputy of Trinity		
Connétable of Trinity		Deputy I.J. Gorst (C)		
Connétable of St. Saviour		Deputy A.E. Jeune (B)		
Connétable of St. Peter		Deputy E.J. Noel (L)		
Connétable of St. Lawrence				
Deputy R.C. Duhamel (S)				

Deputy of St. Martin				
Deputy R.G. Le Hérisssier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy P.V.F. Le Claire (H)				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy T.A. Vallois (S)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

4. Draft Annual Business Plan 2010 (P.117/2009) sixteenth amendment (P.117/2009 Amd.(16)) (paragraph 6)

The Greffier of the States (in the Chair):

We come finally under this paragraph to the last amendment which is in the name of the Education and Home Affairs Scrutiny Panel. It is paragraph 6 of the Sixteenth Amendment. I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

On page 2, paragraph (d), after the words “the consolidated fund” insert the words “except that in Summary Table D page 97 there be inserted the following item: T&R (with ESC) Demolition of Fort Regent Swimming Pool, proposed allocation £500,000 with an increase in the amount to be restored from the consolidated fund from £34,587,000 to £35,087,000.”

The Greffier of the States (in the Chair):

I would point out to Members there are some consequential amendments obviously to the total being withdrawn from the consolidated fund which I calculate has gone up to £47 million, I think, so far. Deputy Le Hérisssier.

4.1 Deputy R.G. Le Hérisssier of St. Saviour (Chairman, Education and Home Affairs Scrutiny Panel):

You may wonder why a Scrutiny Panel is bringing this forward and also in view of the fact that our report has yet to be published but we hope to publish it by the end of October. Our fear is that we might miss the cycle and while we have been doing this work, and it looks like a lot of the apparently forlorn projects, buried projects and so forth, they have had their day today and who knows, despite the scepticism of my good friend the Connétable here, we might have ours as well. It is a very strange position for us to be in. I was hoping that the Assistant Minister in charge of Jersey Property Holdings would be bringing this proposition and not myself but I am looking to one of these very forensic analyses of why he cannot do this, although perhaps there will indeed be a conversion on the road, so to speak. We are bringing it forward because we looked at Fort Regent, we looked at what we had concluded thus far and we needed something upon which to hang, quite frankly, a debate which would move things forward. We talked, as I said, about a lot of forgotten,

buried, shunted aside projects today and this is another one, I am afraid, and it is another one which exemplifies what the much admired and adored and erudite Deputy of St. Mary has been talking about - that sometimes you have to invest to save. We know that the Fort is deteriorating fast outside of the work done by E.S.C. (Education, Sport and Culture) there and I should add they are doing excellent work there and in a way that has obscured the real issues, quite frankly. Its success has obscured what is happening or not happening there. That is the sad fact. They are doing excellent work there but it was a great disappointment to the panel. Like a lot of the cases that have been argued here today, we met a lot of people who were very, very emotionally engaged and, rather like the West Park Pavilion debates in which the then Deputy Breckon used to star as one of the forgotten dancers, we have had many tales, right from Deputy Vallois who has a memory which is still functioning **[Laughter]** to other people whose memories have been less than precise. We have had many tales about what they did at Fort Regent and once we had heard those tales we were able to move forward and put aside who Deputy Breckon had or had not danced with at West Park Pavilion. What became obvious was the great love and attachment that there is for the Fort and the desperate feeling there is that, aside of the excellent work that is being done by E.S.C., the whole thing is falling in desuetude and basically the momentum has gone outside of that. It has attached itself to everything: the café, the ramparts and so forth. We had reports from all those areas where people were desperately sad and, of course, the swimming pool. There is no doubt, and it will be one of the arguments in the scrutiny report, there was a major, fatal decision taken when the responsibility for competitive swimming was allegedly moved to the Aquasplash but in fact it was moved to Les Quennevais and that decision we all know - and we have looked at the figures and they will be quoted in the report - spelt the death knell for the broader facilities that the Fort was then, even at that point, still offering. We have had a lot of debate about whether it was the cable car that was to prove the final coup de grace, so speak, but in fact it was probably the movement of the swimming pool and then they worked on each other as issues. What saddened us, it became more and more apparent and if people see the swimming pool there it is in a really bad state and I know it will create some problems for Property Holdings in terms of both security, the asbestos, youngsters getting into the site; there are all sorts of issues that are building up and that they are having to contend with. So a lot of people focused on that area as a possible area where there might be a new hotel but a moderately priced hotel, for example, for sports teams. A hotel that would help revive some of the conference work at the Fort, although we have some qualifications about that which will be in our report, and we did question the Property Holdings Department in late May and the Assistant Minister Deputy Le Fondré, he said it would be £500,000 or £1 million to demolish. We immediately went to £500,000 because clearly there was a slight degree of error, or possibility of error there of 100 per cent in the figures we were given. That is why we went, and we now find ourselves with the Council of Ministers' comments that it has gone up to £750,000 but that is why we chose, because we have the Deputy's word here, admittedly heavily qualified by his Director, where, for example, Deputy Le Fondré mentioned a range of demolition costs between £500,000 and £1 million. Well, he actually mentioned one or the other and we instantly went, obviously, for the first one. "We are not absolutely certain what it may be" said the Director at that point, and he, I notice, has gone for a compromise. The sad thing is it is rather like the debate that has occurred. When we questioned it, we were told: "Look, Property Holdings have got an absolutely fixed programme of capital." £20 million they have devoted to capital projects and while it was in our role, and will be Senator Ferguson and her panel's role to look into this £20 million, it was argued to us that it was absolutely inviolable and that there was a heavy emphasis within that £20 million on health and safety related projects. But the point remains that somebody in a dark room, or 2 people in a dark room, or 3, they have decided there is this £20 million and nowhere does the Fort appear. That is the sad thing. Nowhere. The Fort never even appeared in the fiscal stimulus, and we said, and our consultant has said, and that will be attached to the report, that ... and that is why I am not going to give the kind of super analysis that Deputy Wimberley gave of consulting reports I have now, and we met many, many more reports in the Fort's study, they have been analysed but in a more generic level because, in a way, the reports on the Fort, they

are all discrete. They do not integrate with each other. They do not interlock with each other and they do different things, some do heritage for example, some are very sports and leisure oriented, depending on who commissioned the report. But we could not get a clear picture there so there was little purpose in analysing the reports and saying: "Which report was best?" because ultimately our consultants said: "Look, the big picture approach has really not worked. For 20 years odd or whatever, you have been commissioning reports. They have all got nowhere." It is much worse, much worse than the town park and so forth. They have literally just disappeared. One or 2, despite what I have just said, there was one by Roger Quinn and Associates which was much praised, done in about 1997, 1998, but generally speaking, not generally speaking, specifically speaking they were never followed up, and part of it was there were no political champions in the States. Part of it was because E.S.C. ran ahead with their development of their portion of the Fort, as I said, have done a very good job in that regard. But things like heritage and what we were told was if only there had been some small ones put forward, even at this stage our consultant walked up there, noticed the absence of proper signage and all these sorts of things. That is even in the absence of a super, super lift which, as you know, was the centrepiece of the much loved and departed Senator Vibert's proposal, which of course was one of these famously principled debates where we had a great time discussing principles but no money was ever attached to it. That was his view and that is why we were desperately disappointed that nothing was put forward for the fiscal stimulus by Property Holdings. We will analyse it in much more detail when the report comes out but there is a governance vacuum for the Fort. Property Holdings run the show but they are a landlord in a fairly traditional sense although Deputy Le Fondré may wish to elaborate. They are a landlord in a traditional sense. They have got this great plan about centralising States office accommodation plus they are moving ahead in a very elaborate Rolls Royce way about health and safety considerations which is soaking up an enormous amount of their budget, in their Legionella campaign, for example, and the result is it has been totally forgotten, totally squeezed out and the intention of this is not so that the Scrutiny Panel will mastermind the demolition of the swimming pool. It is that we will bring to your attention that you have on your hands a much worse, a much worse situation than the ones that have been discussed today. You have an immensely fine facility with immense potential which is dying on its feet bar that major exception, bar the good work which is embraced within that of the concerts, which have thrived this year I should add, but basically you have something dying on its feet and it is going to cost an immense fortune. If any of you have walked around and have seen the dereliction, have seen the gardens falling down, have seen the areas that have to be roped off, you will be amazed. As I have said, if you have seen the pool and the absolute sense of dereliction and unsafeness, so to speak, around the pool, you will be amazed. Somebody has to get a handle on this. As far as we are aware it is Jersey Property Holdings because they are the landlord and they have to take the initiative and get the parties together, and get this moving. The biggest blot on the landscape, a symbolic blot is the pool. I move the amendment.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Deputy Green.

4.1.1 Deputy A.K.F. Green:

The Minister for Treasury and Resources will be relieved this is one that I will not be supporting. I would just like to correct the Deputy on a couple of things. He implied that the Fort was dying on its feet. It is not dying on its feet. There are many, many of thousands of people that use the Fort every day. We could improve it and we want to improve it but it is not dying on its feet. Get up there, see all the different sports associations that are meeting up there, see all the different people that are doing their aerobics or whatever it is. It is very, very much alive. On first consideration, this amendment does have merit. After all, at some time this building will have to be demolished. There is no doubt about that but we are midstream with 2 different reviews. We have got the review being carried out by the Scrutiny Panel and also I know there is a lot of work going on with

Property Holdings, who have some imaginative ideas which will come forward in the near future I hope. Is this the right time to spend £500,000, £1 million - £750,000 is a figure that I had come up with - of taxpayers' money when neither review is complete? I think that we will probably end up selling the site to a contractor as part of the development of the Fort. I might be wrong but that is my view, and I think we should let the contractor get on and do that work as and when that contract is awarded. The other consideration, and maybe I am being a little naïve, but the other consideration, and it is unfortunate the Minister for Planning and Environment is not here, is that I believe upstanding buildings or buildings that are still there have some planning rights. Therefore it would be much easier for a contractor to come up with an acceptable planning solution perhaps within the same footprint of an existing building, and that would be at no cost to us. Well, not strictly at no cost to us because obviously when a contractor makes a bid for the site, they will take into consideration that they need to demolish whatever is there. We will not have to find the money upfront. In short, this structure will have to go soon. It is not the right time. We do not have a coherent plan and we should wait for that.

4.1.2 Deputy A.T. Dupré:

I totally agree with what Deputy Le Hérissier has been saying. This is quite true that the swimming pool at Fort Regent has now got to the stage where it has been allowed to deteriorate beyond repair, and is probably a health and safety issue. I personally feel extremely sad about all this as it was my late father-in-law, Jurat Clarrie Dupré, who fought tooth and nail to get the pool built in the first place. We missed the opportunity to spend money on the pool when it required updating and it is now too late. I agree that the pool building needs to be demolished. We need to tread carefully as we will need to build on it in the future. I will not be going with the amendment.

4.1.3 Deputy P.V.F. Le Claire:

I spoke to Senator Ozouf about this building a few years ago and he said he thought it was one of the ugliest buildings in the Island I believe. I do not know whether or not he will be pleased with it. we do not vote this or not. I do not know if he still feels the same as his former self. I personally did not like it when it went up. I certainly did like the pool. I remember when we debated the pool and the transfer into the Waterfront development and the efforts of Senator Syvret notably, and I, less notably, undertook to try to make people aware of what was happening. It was all futility again. I remember asking at the time how much the swimming pool was losing because that was a premise to get rid of it, and it was tabled that the pool was losing £110,000 a year. That was the answer that was tabled at the time in my questions, £110,000 a year, it was costing the States. It turned out that £93,000 of that was the money for the lifeguards. Really the pool was not costing that much at all. As we thought, Senator Syvret and I, and I think the Constable of St. Helier said at the time, although it was later pulled, the Waterfront swimming pool did not achieve what people told us it would achieve when we signed the covenant to not build another swimming pool within 10 miles of St. Helier. It was something ridiculous. I have got the lease that the Waterfront agreement was to make sure that there was not going to be any competition within St. Helier for a public swimming pool and to give the Waterfront, CTP Limited, the opportunity to cash in on the deal that they were cashing in on, with the £10 million that we helped them to cash it in with. The swimming pool has not delivered to the public. I have asked before what the ratio would have been and should have been, and were not there any get out clauses for that swimming pool, and now we are left with no public swimming pool of any note. We have got the building on the hill and now it is in a dilapidated state. We have got this motion now, and it is quite sensible, the approach from Deputy Green that we should let the contractor come in and pull it down, because the madness is now becoming sensible, and the madness of Fort Regent is that the States dismantled the cable cars at a reduction of 350,000 visitors a year at that time, and never replaced the link back into town. 350,000 visitors a year were lost when the cable cars came out and they have never replaced it because the big I's and the big money and the big opportunity is always: what can you do with Fort Regent? The States, if they let it run down, can be saved from themselves and the taxpayer can be

saved if somebody comes in and takes it off our hands for nothing, and gets rid of the pool, and tidies up the gardens, and makes an absolute killing out of this huge piece of real estate overlooking this town of ours because there is a real real estate opportunity for people with the right ideas and the right money in the near term, let alone the long term, if they want to come in and if they want to develop it, and if they are given the green light, they can go with it. This madness that has been hanging over our heads, and I have said it for years that we have not got the money to install lifts at Fort Regent. We have not got the this to do that at Fort Regent. We have not got the that to do this at Fort Regent. You could not get up there from the lifts in the car park if you were disabled. I remember once I had a short term disability where I could not tackle steps and I found I had to walk around and around and around and around up the exit road of the car park to get into Fort Regent because of the removal of the access points. What Deputy Le Hérisier is doing is bringing our focus back, thank God, on to Fort Regent and our responsibility to the public of the huge Island asset. It is our responsibility to tear it down responsibly. It is our responsibility to make sure the waste and the issues regarding the asbestos and everything else in there, whatever is in there, are handled in a proper fashion. We have at the moment an ongoing criminal investigation at the Waterfront at La Collette because of the practices, I am told, of some operational issues down there. If we back the Scrutiny Panel's decision to bring this proposition today, to take £500,000 and dismantle this building, then we will be doing our duty to the public in making sure that the issues of Fort Regent are not left on the backburner for some real estate kingpin to walk in and save ourselves from the States, ourselves from ourselves. Everybody said to me for year upon year upon year: "You know, if it does not make sense, then look to the money." One of the people in the media recently, I could name who it was but I will not, was brave enough to say what everybody else has been saying quietly for years: "Leave it go down a little bit longer and then the best thing to do is to gift it to somebody and they will come in and save us from it." It is the oldest trick in the book. I was up at Fort Regent recently before December 2008 with the Durrell team looking at the back area where the cable cars used to come in at the gardens, which used to be maintained 2 or 3 times a week absolutely fantastically by the Education, Sport and Culture Department's under the predecessor. They have become so dilapidated, it is absolutely unbelievable now. Some of the areas of Fort Regent ... the only benefits apart from the sporting facilities out of the back end of this historic fort, you know really just benefit the civil servants in their cars. We have got issues in relation to the Sea Cadets, and we have got issues relating to responsibly managing our buildings. I am sorry, Deputy Le Fondré is a very nice chap but the answer he gave me this week about the States having real structural concerns about St. James and the issue about taking it down, I wanted to go home, don my hard hat and my boots, grab my chisel and my hammer and my goggles and go down there and do it myself in half an hour because I am certain that is all it would take. Look at Girls' College. That is responsible management of property that belongs to the public. I hear the new Deputies, Deputy Dupré and Deputy Jeune, admonishing me for the statements I am making but look at the property and the management of that property. I may be mistaken; I am certainly hearing it from that direction. Look at the property, the tuts and the: "Really." I used to get it from the Constable of St. Lawrence, not this one, the previous **[Laughter]** lady incumbent. We do not manage our property anywhere near sufficiently. We have got scaffolding around St. James to protect the public from falling masonry, et cetera, absolutely shameful. We have an opportunity to take back our responsibility and opportunity of a future for Fort Regent for Islanders, not for saviour developers, and if we accept the responsibility and the £500,000 that is going to be required, I think secretly the Minister for Treasury and Resources will be quite pleased to see the building gone, in his heart of hearts, but I understand his fiscal responsibilities. I would say it is time we accepted our fiscal responsibilities and our management of our buildings, and we looked to the opportunities that Fort Regent could develop. If we had a cleared site and if we bid for that cleared site and if we opened up the course of opportunity for those people that would come in and develop, not sell them the land, we do not want to sell them the land, not lease it for 150 years either. There is no need for that, trust me. I have spoken to some of the biggest developers in the Island and they have told me that as well. They do not need to buy the land. They do not need the

150 year leases. They are interested in the business, and we can get the business. I might be ignored this afternoon. I was ignored when I told people moving the pool was a mistake, so I am not going to be surprised if I am ignored this afternoon, but I am glad I am going to be on record for saying it. I would like to thank Deputy Le Hérissier and his panel, especially Deputy Le Hérissier and his panel, for championing once again Fort Regent because it is an Island asset that is shamefully mismanaged and poorly maintained. This is the right thing to do. Deputy Le Fondré, I am sorry, you are not cutting the mustard in my view. I do not see it. I do not feel it and I certainly am not convinced by the actions of the Property Holdings Department to this stage. Unless something radical is going to change, I have serious grave concerns. I look at the Girls' College building and the smashed windows in that building and the vandalism that is occurring there, and it just beggars belief because in any other community, they would have put tenants in that would have managed that property, kept it safe. They would have allowed artists in there to have art studios, music rooms, opportunities to develop their skills at low rents to make sure they were guardians of the property. All of these things that they do in the U.K. not so many miles away from us are lost on us because the reality is the underlying, unwritten subtext is it is a real estate goldmine.

4.1.4 Senator P.F. Routier:

The previous speaker has outlined the amount of work which does need to happen at Fort Regent. I mean, Fort Regent is a gem. Many of us have used it, I certainly have and it is something which we should be trying to develop. In fact, I know it only too well. In fact, this particular building we are considering funding the demolition of, I see it every day of my life. I look out my window of my lounge and there it is. I look at it sitting in my garden in the sunshine and there it is, and I think: "Would it not have been marvellous if that was gone?" **[Interruption]** I heard it said but however I think the wise words of Deputy Green about the way we should approach this is certainly the way we should go. If a proposition was to have been brought forward which was to spend some money on something positive, for instance the access to Fort Regent, I would be more inclined to support that. All I can see that this £500,000 is going to achieve is I am going to have a better view from my garden, and I do not really see that that is of much real benefit to the Island. I would like to think £500,000 could be spent much better in improving Fort Regent in some other way. So I will not supporting this as much as I would love to see it demolished.

4.1.5 The Deputy of St. Mary:

Once again I promise to be brief but you need not sound relieved because it is becoming a habit. Just a couple of points, firstly I think we all should be grateful to Deputy Le Hérissier for bringing this amendment into this committee because, my goodness, the value of the Fort is something that we need to focus on and people have obviously mentioned that. There does seem to be a curious difference of opinion between Deputy Green's: "It is flourishing and lots and lots of people use it", and Deputy Le Hérissier's: "It is falling apart on its feet." I hope the Scrutiny Panel's report is going to decide which it is and obviously recommend a good way forward. I must say I do agree with the comments of the Council of Ministers, their second point, demolishing the Fort, that would be a step too far **[Laughter]**: "Demolishing the pool will not act as a catalyst for further development of Fort Regent." and I would welcome the comments that are proposed on that because I personally agree with that. I cannot see how demolishing the pool at this stage would act as a catalyst for anything else to happen. That is the point on the actual amendment. On Property Services ... I am glad I am speaking before Deputy Le Fondré because I assume he will reply in some sense to this debate. My query with this amendment is should Property Services be spending their too small maintenance budget on saving saveable properties. Should they not be spending their money on saving saveable properties or on demolishing one of their properties, and it seems to me fairly obvious that they should be trying to save properties that can be saved. That raises a question, and I speak with some diffidence because obviously I am not a property expert by any means, but I just want to ask the question and maybe we can get an answer. It just seems to me in a rational budgeting setup where Property Holdings was properly funded, they would demolish this

swimming pool in a phased way, in a way which takes into account the capacity of the demolition industry so they do not overload it at one point in the year and it is underloaded at another point. They would fit it in. They would take account of the safety issues, including the cost of keeping safe. That is how it seems a rational system would work. You would have a properly funded Property Holdings. They would maintain, they would demolish as they could fit it in with the cycle, and the problem I have is that maybe they just cannot, that they have to have dollops of money to do anything at all, and it really bothers me. We know that they are systemically underfunded. Our property portfolio is vastly underfunded and we have a real problem, and that is a problem going back for years, and we are now reaping the consequences. But on this amendment I am not convinced and I just hope, well, I do not hope, I just wonder whether the proposer can convince me but at the moment unless there is an urgent safety issue, I cannot see myself voting for this.

4.1.6 The Deputy of St. John:

Well, here we go again putting figures out into the public domain as to the costs of demolition. I have just rung up a demolition contractor to find out what the cost would be. **[Laughter]** I have just rung up a demolition contractor. “No, not at all.” He was not even aware that the Fort could be demolished, sorry the swimming pool at the Fort could be demolished. He was not even aware. What do we do? We put the figures on the airwaves so everybody knows the baseline, between £500,000 and £1 million. Well, what are we doing? I tell you, this is absolutely crazy. We have done it over the years time and time again. Furthermore this is nice to have. This is not important. It is important, yes, in the long term but not in the short term. I am sorry, Deputy Le Hérissier, you should have waited until your report was out and get some comments ... sorry, Sir, through the Chair. To do these things, as we have already been told by the Minister for Treasury and Resources, these things have to be paid for. Nice to have. I was around in 1973 when this was being built. I was a young Centenier, and I can remember Sir Robert Le Masurier who, unlike Bailiffs of today, would attend the function in his old beat up Mini Traveller, drove up to the Fort and the young Centenier, not me, a colleague of mine, did not know who the Bailiff was and sent him to park up near South Hill. He did not arrive in a black limousine to open the new swimming pool so as he passed me, because I was doing traffic duty at the junction of South Hill and the Fort, I said to Bob - excuse the expression but I knew him well - and I said: “Bob, what are you doing walking?” He said: “Well, some Centenier does not know who I am.” He took it all in good part so when he got to the opening to cut the ribbon, he explained that he was 10 minutes late and he apologised to all and sundry, and gave the reason to great applause that this member of the Honorary Police was doing his duty. When it was being designed, I can recall there were certain structural elements of it being done by Jersey Steel which another one of our Centeniers was responsible for, and I thought “We have got something here for a lifetime.” Yet within 25 to 30 years we are talking about demolishing, it has been closed for 5 to 7 years, I do not know; it was in my time in the House it has been closed. It is a shame that because we do not maintain our properties, and it is through lack of maintenance that we have closed that pool and somebody thought that we were going to be better off by getting into bed with a private company down on the Waterfront. Those were the arguments we were given in this Chamber. That was the right way forward and the promises made to Jersey Tigers and all the other swimming groups on this Island that they would be looked after whether it would be the new pool at St. Anne’s, sorry, Haute Vallée or the pool at Beeches that they could be using, and we now find that the pool at Beeches has also been closed or being closed, and it goes on. We just do not, and this came up in the earlier debate about looking after our infrastructure, time and time again we have built, 20 years later - housing is a prime example of this - 20-25 years down the road, build, demolish. We have done it with those properties recently, those houses at Le Squez. I can recall my company working on the development at Ann Street. Those were demolished. Elysées Estate, those have been demolished and this is the States, through lack of maintenance, continually we are building and demolishing within 25, 30 years. If that was a private development you would just finish paying for the

development. You would not be demolishing it, I can assure you, it would just be washing its face. This is absolutely ridiculous. I am not going to say much more, time is ticking on but this is a nice to have, it is not a necessity over the next 12 months or 3 years.

Senator S. Syvret:

Could I, just through the Chair, perhaps ask the mover of this amendment whether he would consider withdrawing it? I can see us spending a tremendous amount of time on this. I honestly do not think it has got any chance of going through. I will not be supporting it. I just think this is one of those issues where I think the Deputy was right to raise it. He has made his point. He has discharged his duty, but I really think we ought to focus on the more important issues.

The Greffier of the States (in the Chair):

A matter for you, Deputy.

Deputy R.G. Le Hérisier:

I prefer that the debate run another 10 to 15 minutes and then we will get the flavour of it and I will consult the panel.

4.1.7 Senator A. Breckon:

Just a couple of points. Deputy Le Claire mentioned the lease and what happened with a provision, and I am not sure, I think we are subsidising somebody now to the tune of £300,000 a year, I think, for the Waterfront where it is a little bit different to where we were. Somebody mentioned a developer. What would a developer do? He would let it fall down and just leave it a bit longer and then say: “Well, it has to come down”, and that would be the trick to get really sometimes what they wanted. Deputy Green said: “No doubt it will have to be demolished.” So if it has to be then it will probably cost more if we wait. I wondered whether Senator Routier should pay if he is going to improve his view and maybe he should make a contribution. But cannot we turn this positive because if we are going to have a site then perhaps we should do something with it. A young lady about 9 or 10 years old recently suggested there should be an ice skating rink or something there. I think what has happened in the U.K., they now have an arena that is built that will do a variety of things. You can have ice on there, you can use it for show jumping, you could have it for a pop concert or something like that, and why do we not think instead of extinguishing the site, we are going to create one, and get commercially minded about it and that then adds to the caterers and the other concessions at the Fort, and we get people up there because naturally it is a fort and it is not the easiest place to get to. But again there have been 99 discussions about cable cars, either losing the old ones or creating new ones. I think there are lots of possibilities but if Members just think: “Well, we are going to knock it down and leave the site”, then probably that is wrong. Somebody needs to get proactive and think: “Well, we are going to have a site where we could create an amenity for the public that they want and that they will use” like ice skating which has been popular. Senator Ozouf, if you remember, when Economic Development a couple of times had sponsored this, once I think it was in the Parade and another one was down on the Waterfront on top of the car park, and it is a popular facility for 6 or 8 weeks and with that flows other things. If it was for 5 or 6 months of the year, as I say there could be concerts, there could be all sorts of things in a multipurpose arena. Although it is to knock it down, I would ask Members to keep an open mind about the possibilities that there could well be for that site for entertainment on a commercial basis and it would cost us nothing. It would cost us nothing. We would get the value back and the community facility would be there. That is the way I will be looking at it and if Deputy Le Hérisier does continue then I will certainly support it, and just to say, it was not me at West Park, it was Senator Le Main. [Laughter]

4.1.8 Senator P.F.C. Ozouf:

Very, very briefly. I was not going to say anything on this particular debate because I think the debate is had. All I was going to say to Members is it is now 4.57 p.m. It would be very helpful

from the Treasury's point of view if we could try and deal with all the financial matters before 5.30 p.m. so then we will not be able to deal with and delay the budget for a week and therefore sit on 15th December. If we could deal with the financial matters, then we could progress the budget. That is all I wanted to say to Members but if they want to do that, they need to exercise some restraint in the next half hour and get on with the business.

4.1.9 The Deputy of St. Ouen:

Just very briefly, just to assure Members that I am aiming to progress this matter. I am thankful for the panel for their enthusiasm in this area and I await their report.

The Greffier of the States (in the Chair):

Deputy Le Hérissier, do you have any thoughts yet?

Deputy R.G. Le Hérissier:

Yes, I have consulted the panel, not in unanimity, but we are prepared, probably the majority will pull it. The only thing I would say is I would like to have a few minutes. There has been a lot said about Jersey Property Holdings and it might be worth it if Deputy Le Fondré can give us a 5 minute summary of their position?

The Greffier of the States (in the Chair):

If you are not withdrawing, we must continue. Deputy Le Fondré.

4.1.10 Deputy J.A.N. Le Fondré:

I am grateful for the opportunity. I used to have a very short speech and then a couple of points were made which made it a degree longer. What I will say is obviously I do not support the proposition. I did find the contents of the actual report a little bit tenuous because I thought 3 lines to spend £500,000 was ... I wanted a bit more justification on that front. What I would like to address, I think there was 2 comments, one is the Deputy of St. Mary, I basically agree with him in terms of spend and priorities and phasing things in to achieve the most benefit. The subject I would like to pick on, I am afraid, is the health and safety side and the comment was made about Rolls Royce. The reason I sat up slightly abruptly and would like to speak on it is because I know there is a perception around that health and safety is a Rolls Royce issue, and everybody waves health and safety around, and to an extent we are saying that is where our priority is. What I would like to do is spend about 4 or 5 minutes explaining why, and it is relevant because it is relevant to why we do not think this is a priority and that our money should be spent elsewhere. The difficulty is, and what I will say is it is not about children with conkers and things like that, or in fact I read a lovely one, trapeze artists being required to wear hard hats and things like that, and all that goes to demonstrate is that the health and safety executives in the U.K. do have a sense of humour because those are examples that are kept on their web site page as a myth. What we have done in Property Holdings is in 2008, a firm called Drake and Kennemeyer, who are a U.K. firm specialising in the whole area, reviewed the entire States' portfolio. That is about 400 buildings. That does include Fort Regent and their report is around, that is the one - I cannot remember if I have referred to it in the past or not - but it is 10,000 lines on a spreadsheet. It is about 1,000 pages if you print it. It details in a lot of detail the risks, the nature of the risks, and the rough amount to correct them. What I would like to do, and I am going to demonstrate why we do not think health and safety is a joke, and sorry, if somebody had thought to tell me pre-politics that I would stand up and say that, I would have laughed with them as well. What I have done is I have got examples out and listen to the fines: "Fall from a ladder: employee fell from a ladder while dismantling racking in an office. The employer was fined in the end £20,000. Unsupervised child, no injury. An employee brought a child into a factory where he worked and ultimately the company was fined £10,000." I will skip over the details of the meat processing plants, but the proper guarding equipment was not there and £95,000 was the fine. "Trainee falls to death 18 metres into a sewerage tank." I presume it was empty. The company was fined £50,000. "A radioactive source was removed from a radiotherapy

machine in a hospital, £250,000. A fire fighter slipped into a portable grain dryer on a farm. Failure to carry out a proper risk assessment.” That was only £2,000. “Health and Safety Executive is urging hospitals to ensure that where electrical equipment is used in a damp environment, that suitable equipment isolators are used.” That is like ...

The Greffier of the States (in the Chair):

I must interrupt you; I am really struggling to see the link between this and demolishing Fort Regent.

Deputy J.A.N. Le Fondré:

The point was made that we say that we have other priorities and the quote that was said is that health and safety is the priority, and that health and safety were treating it with a Rolls Royce attitude.

The Greffier of the States (in the Chair):

This is of course new money, so it would not need reprioritisation.

Deputy J.A.N. Le Fondré:

It is still, if the new money is there. There are other priorities.

The Greffier of the States (in the Chair):

It is stated for this purpose, Deputy, not for something else.

Deputy J.A.N. Le Fondré:

The other comment that was made is that Fort Regent was not included on our report of priorities within the Drake and Kennemeyer. Is that acceptable to carry on? I will skip swiftly. I will talk about health again and you have a couple of 90 year-old patients either being severely injured or dying and one is, for example, a wheelchair that had not had foot rests on it for about 3 years and the brakes tested, and it went backwards out the ambulance.

Female Speaker:

I am sorry but what has this got to do with pulling down of the Fort Regent?

Deputy J.A.N. Le Fondré:

Asbestos testing.

Deputy P.V.F. Le Claire:

How much was the cost of the lady who broke her hip at St. James?

Deputy J.A.N. Le Fondré:

Can I just carry on? It would be quicker to allow me to finish. “Construction issues, on the National Assembly building in Wales, fine for £200,000. A gas main blowing up, £15 million.” More importantly, Legionella disease. There is an incident which is relevant because some of our instances on health and safety are to do with Legionella testing. There is a council in the U.K. called Barrow, where the architect and the council were taken to court because something in the order of over 100 people were diagnosed with Legionella and I think over 7 people died. The failure of that was due to the lack of maintenance of the air conditioning units in the local arts centre. I am stopping there for obvious reasons because obviously it is the details. The reasons therefore we would argue that health and safety is a priority is that the legislation that we have is very similar to the U.K. Nowadays if you have a fatality, it is £500,000. The issue also then comes down to how the courts work, and what the courts work for is the controlling mind and also whether there is knowledge or whether money has been reallocated in the wrong way, and that, for example, happened in the train crash in the U.K. where the argument was that management had cut

the funding to the points, and there were huge fines levelled at that point as well. That is the end of the health and safety briefing. But the point is in terms of priorities of money, £750,000 or £500,000 to demolish a building that does not need to be demolished would be far better spent on sorting out the huge and many millions of pounds of problems that we have identified and which are in the capital budgets going forward. I hope that clarifies why when we came to Scrutiny to talk about Fort Regent, we said we had far greater priorities, that sorting out what is a nice to have. I hope that clarifies matters when people talk about Rolls Royce issues on health and safety. What I will also say to wrap up is that as far as I am concerned, the existence of the pool is not frustrating **[Interruption]** ... it is not me, it is over there. The point is the existence of the pool is not frustrating future planning of the site. If we can get an overall plan for the Fort, it is obviously more advantageous to keep the building there until we have got that plan because it gives you more flexibility and a greater ability to get value out of it. I think I will stop there. I hope you know the mood of the Assembly, but I did want to address the point about Rolls Royce health and safety matters, and that is the relevance of the matters.

Deputy R.G. Le Hérisier:

Thank you. I thank the Assistant Minister for his words. I think we will withdraw. I would just like to make a couple of statements. I said both things, I said parts of the Fort were dying but the Active Card side, the health side is prospering mightily. It is doing very, very well but it is so sad it is doing it in the context of a dying building around it. It is doing a wonderful job, and I would really like to emphasise that. I thank you, Sir, and I thank the House. I should also add the committee is likely to bring a proposition forward when the report is laid in front of the House.

The Greffier of the States (in the Chair):

Are Members content to grant leave for the amendment to be withdrawn? Very well, that is granted. That concludes debate on the amendments on paragraph (d).

5. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (d) - as amended

The Greffier of the States (in the Chair):

Does anyone wish to speak on paragraph (d) as amended in relation to the capital programmes? The Deputy of St. Mary.

5.1 The Deputy of St. Mary:

Very briefly, I have a couple of questions for the Minister and I hope that he will be able to reply. If Members go to page 97, Summary Table D, there is £924,000 allocated to T&R ... Property Holdings actually. H.D., that is Howard Farm Building and Incinerator Works, I think I am right in saying I have looked in the detail and cannot find, so I would like an explanation of that. The other thing I want to query is there are £4,000 in the note under the table: "Less contributions from property disposal receipts for £4 million." I thought some of these property disposals are subject to amendments in a later part of this debate so I just wanted a comment on that, and whether this pre-empts those discussions, for instance, Library Place and I believe there are a number of other ... D'Hautree School, and whether that has an impact on that part of this summary.

5.2 Senator A. Breckon:

Just to declare an interest because I have an amendment which touches on that. The other question I had is that it talks about a contribution from earmarked social housing capital receipts of £10 million, and my question is is that still achievable?

5.3 The Deputy of St. John:

I have several comments. The demolition of the top floor of the 1937 building at the airport.

The Greffier of the States (in the Chair):

We are not doing that now, that is the next paragraph.

The Deputy of St. John:

Sorry, yes. The TETRA radios at the States Police, I have a few concerns here given that the ... I know it is a replacement but it does not seem that long ago that in fact the TETRA radio system, which was an experimental system before being introduced elsewhere, was going to be put in place. It seems only like yesterday and on my time on Home Affairs it was always of concern, as we were the guinea pigs on this particular system that this in fact would last considerably longer than we appear to be having it. We need another £4-odd million odd to carry out this work. I was wondering if we could not get another year or 2 out of what we have already got.

5.4 Deputy M. Tadier:

Just some general observations. I think, again, we have done some very good things in this part. We have all decided we are going get rid of a stink in Jersey, and we have done lots of other good things, but the thing that struck me here is again the piecemeal nature of everything and that Members who have brought these propositions, whether it be Deputy Southern to get the £10 million that was stolen from us by the Council of Ministers back so that we could have a proper consultation process, or whether it be that Deputy Fox of St. Helier to clear the stench. These things have had to be brought piecemeal and I do not think that they are things that the Deputies wanted to do particularly but they would have preferred not to be in this position in the first place. I would suggest to Members, but also to Members in their capacity as members of the public if that is not a contradiction, but also to the public at large, we would always be in this situation until we elect a new government which displays proper leadership. Leadership which I might suggest has been shown uniquely in the Council of Ministers by Senator Le Marquand, the Minister for Home Affairs, and also leadership which I believe has been demonstrated by some very good speeches such as that of Deputy Hilton, and there are other Members who are willing to put their head above the parapet, to break ranks and until we have a Council of Ministers which is like Senator Le Marquand, which is willing to get away from this group thing, which has dominated Jersey politics I believe in some way since 1945, even though we have heard that there have always been individuals and mavericks who are willing to go against the grain, we will always end up in this mess where we have to come back and we have to rectify something afterwards. It is a shame I did not get a chance to speak on the Fort Regent issue. I believe Deputy Le Hérissier did a good job. It is good that it was put on the agenda but this is just another one of those things. It will come back again in 10 years' time, I believe, and we will think: "Now it is going to cost 10 times as much to demolish the swimming pool. Why did we not do it 10 years ago?" It is because there was not the vision. There has not been a political champion for it and so I would really congratulate the Deputies who have brought amendments, especially those ones who have been fortunate enough to win. I would also congratulate the Members who voted to support these things which were necessary, but these things should not have been necessary in the first place. They should have been done a long time ago. I have been told by Deputy Dupre to get on with it so I will finish.
[Laughter]

5.5 Deputy D.J. De Sousa:

Just quickly, at the bottom in the note, I noticed: "Less contributions from property disposal receipts (Property Holdings of £4 million)." Is this from the proposed disposal in the Business Plan of properties that have not been debated yet that are in the amendments?

5.6 Deputy T.A. Vallois:

I just want to mention with regards to this whole debate for this particular paragraph. I believe this particular debate has shown how there is a problem with the way our processes are carried out. If I for one, would have had a response from all the Ministers when we had the presentation for the

Annual Business Plan as to exactly what their priorities are and why they are prioritising like that, I do not think I would have been put in as difficult a position as I have been put in today. I did ask the question on how they came to those priorities and it was dismissed by the Chief Minister, and I believe that that is just not the way to lead this House.

5.7 Deputy J.A.N. Le Fondré:

The 2 queries on property matters which I thought I could quickly answer, the Deputy of St. Mary asked in relation to Howard Davis Farm. Basically the sum of money relates to what I will call the animal carcass incinerator which is on site already, which is to do with obviously the dead bodies of horses and cows mainly, and in particular was regarded as urgent a year or so ago, I think, in relation to the threat of blue tongue when there was a threat that if it got on to the Island, one might have to destroy a number of cows infected with it and also to do with other enabling works around and on the site. In relation to Deputy De Sousa, she has asked about the £4 million. What that is, is that over a period of time, in fact for 5 years from now and also for the previous, I think, it is either 2 or 3 years, Property Holdings have had an increasing allocation, and it is now up to £4 million and will stay at £4 million for the next 5 years, to fund the capital programme. Basically what that means is we have take surplus properties, which have previously been approved by the States, sell them for the best value we can get to fund the other capital items in there.

Deputy T.A. Vallois:

Sorry, my question was does that £4 million includes the ones that are in this Business Plan or not?

Deputy J.A.N. Le Fondré:

It is a yes and a no. I suppose, yes, if we manage to sell them next year, but it also includes properties that were improved last year that we might be in the process of selling now, and so, for example, I think there is one sale that went through in January which was improved, for example, in the 2006 plan. So it is an average of an amount going through for the capital programme.

5.8 Deputy J.M. Maçon:

Just bringing Members' attention to the Chief Minister's Department, Corporate I.C.T., can the rapporteur for the Chief Minister please explain the £4.5 million on this function because I have many concerns about the I.T. (information technology) function as it is?

5.9 Senator B.I. Le Marquand:

Very briefly, just to answer the question from the Deputy of St. John. The TETRA radio system is a very important system which gives confidential communications between the various different agencies. We can only act on advice on this and the advice that we have is that we are getting to the point where it needs to be changed. If we put it off to 2011, inevitably there becomes a risk of the system crashing and failing and so on, and indeed if we did that would be already 18 months ahead. So the advice I have received, best advice available, is that we do now urgently need to change it. We are also seeking to do some minor upgradings in relation to this although this is still being negotiated to a degree with various different users, particularly the Connétable because of the overall cost of the system.

5.10 Deputy T.M. Pitman:

Very, very quickly. I have to say it is a shame to hear Deputy Tadier being told to hurry up and get on with it from another Member who, I have to say, rarely if ever contributes anything to the debate apart from nodding. Everyone should speak. Why criticise if you hardly ever say anything? Nevertheless in agreeing with everything that Deputy Tadier said, I would add only the further point, and I think this is what he was getting at essentially, and that is until we get a true commitment to real inclusive government, not just words, we will always have these piecemeal draws on the finances so that is what we have got to work towards, that inclusive government and this whole process will become a whole lot easier.

The Greffier of the States (in the Chair):

I call on the Minister to reply.

5.11 Senator P.F.C. Ozouf:

Deputy Le Fondré has answered the question on the Howard Davis Farm building. I would draw Members' attention to the annex where on page 220, there is a detailed explanation of both that question that was asked in addition to all the other allocations. There is a more detailed explanation if Members have the chance to read it of all the capital items that are in the plan. The capital receipts, it is not ... I think the question has already been asked, but no, the properties that are sold are not directly linked to the £4 million. It was a target that was set and I will be absolutely straight with Members, I do not particularly like the concept of the capital disposals being introduced in some of the ways of revenue expenditure that we have done, but anyway those are the targets and we will come to property disposals later. The TETRA programme which the Minister for Home Affairs has quite rightly said is coming to the end of its life; that is subject to ongoing review in terms of the total cost of the programme. That is being looked at in detail and we will of course come to agreement I hope in relation to TETRA and also the ongoing revenue expenditure allocations. To Senator Breckon, whether or not the £10 million ... I am happy to give way.

The Deputy of St. John:

Senator, I do have concerns on the TETRA given only 3 years ago, as I have said, when I was on the Home Affairs Committee of the day, nothing was ever flagged up. I knew we were an experimental system. It was the newest system out and it tested here a few years back before putting it in other parts of the U.K., but I do have concerns that it is nice to have and when you are all looking at this later on with the Minister ...

The Greffier of the States (in the Chair):

Sounds like another speech.

The Deputy of St. John:

I am just getting to the question. When you are looking at this with the Minister and your department, will you please make sure it is just not a nice to have at that time, and make sure that it is for 2011 or whenever, and not necessarily for 2010?

Senator P.F.C. Ozouf:

There is a strange nature which was in answer I was going to give to Deputy Tadier in relation to the capital programme, and he criticises the Council of Ministers but that is fair enough. We are allocating a cash amount for TETRA and it may or may not be spent in 2010 because we are allocating the cash. We are very prudent in the way that the States of Jersey allocates cash. We only allocate capital programmes when the cash is there and the Deputy can be rest assured that that project is going to be vigorously looked at by the new Minister and all the other parties. There are other agencies involved in terms of Harbours and the other emergency services that sit outside Home Affairs, and it will be vigorously looked at. Of course, that expenditure will only be sanctioned if there is absolute certainty and absolutely the case that it has ended its useful life. I do not think it is right to say that it was just 3 years old. It is quite a lot longer than that but I am happy to say we will brief Members at the appropriate time before that programme is started if they wish. To Senator Breckon's question which I started: yes, the £10 million is achievable I am advised by the Minister for Housing. It is part of a 10-year plan that is also subject to some assistance from fiscal stimulus funding to ensure that Housing can continue to deliver their improvements of their social housing project. I will say to Deputy Tadier that privatisation is always difficult, and of course the Council of Ministers will come forward with a programme but it is, of course, this Assembly, that decides what that prioritisation ultimately is. This is the job of the Assembly. It is a long and tortuous task and we have had an interesting debate. Some good debates and some bad debates but, at the end of the day, it is this Assembly who decides on

prioritisation of capital. All the Council of Ministers does is bring forward a proposed programme, and so I would say to him that he can be critical but he has the opportunity of changing it and changes have been made. I also take on board the comments of Deputy Vallois. Clearly if we are not engaging Back-Benchers, and if we are not engaging the Scrutiny Panels in terms of the process that leads to the programme, then we must improve, and I would look forward to working with her and other Members who do show a real interest when Ministers are showing their programmes and do ask testing questions, which, I think, a decision maker is better for the interventions that she makes. I would say generally to also a number of the questions that have been raised, particularly in relation to maintenance. I regard this capital programme as a catch up. I regard the failure of the States in the last 10, 20 years to deal with maintenance as a problem and, certainly, when Property Holdings were set up and Property Holdings received the maintenance budgets from different departments there were examples - and I am not going to name names because it is going to be a difficult and potentially explosive thing for me to do on the floor of the Assembly - there were departments that were not entirely fulsome in their transfer of the maintenance budgets and Property Holdings has been faced with a very difficult situation of having to add more money into maintenance budgets, which were deficient first of all, and then were not transferred in the right way. I see a few knowledgeable Members, a variety of Members of the Assembly, knowing exactly what I am talking about. It is fair to say that when those budgets were transferred they were reduced and other money went to provide, nevertheless, essential frontline services, but Property Holdings has had a problem. I would say to Deputy Maçon the £4.5 million in terms of I.T. is essential. I.T. systems are at the heart of what the States of Jersey organisation does both in terms of financial management, but also in terms of improving the interface of customer services, et cetera. I.T. systems and the I.T. department within the Chief Minister's Department is also undergoing close scrutiny in terms of its expenditure, but I am afraid to say that we need to be realistic about the amount of investment that is required in order to keep our I.T. systems up to date. It is exactly the same situation, that it could be said that total amounts of investment in I.T. systems has not been sufficient, but if he wants assurance that the matters are being in detail and microscopically analysed then they are. That is also a matter for the Public Accounts Committee and for Corporate Affairs to ask questions and to scrutinise if they will. I think he wishes me to give way.

Deputy J.M. Maçon:

Yes, I am thankful to the Minister's response. I just briefly want to say that I am grateful that there will be greater scrutiny because I believe that the H.R. (human resources) programme that was bought is not functioning particularly well and I hope that any I.T. systems brought in will be given much greater scrutiny.

Senator P.F.C. Ozouf:

It is up to this Assembly and for Ministers to set policy and we expect our officials to implement that policy properly. Where there are deficiencies, there has been a very useful report by the Comptroller and Auditor General, there were further reviews going on about I.T. and data matters, and they will get the appropriate scrutiny that he is asking for. Members have been circulated with a revised programme. It is more than was in the original proposition. Members are now being asked to agree a programme of a revised Table D of a total amount of capital expenditure, including the capital revenue items, of £46.87 million, together with the net contributions that remain unchanged. The Council of Ministers and I will take away this revised increased capital programme. There will, of course, have to be consequences and other changes put in place to deliver it, but we will certainly take the will of the Assembly in terms of delivering this capital programme and bring forward then the measures of how we are going to deal with the funding of it. So I make the proposition.

The Greffier of the States (in the Chair):

Paragraph (d) as amended. The appel is called for. Paragraph (d) as amended by the 3 amendments: the town park, the eastern cycle track, and the Bellozanne treatment. The Greffier will open the voting.

POUR: 41	CONTRE: 0	ABSTAIN: 0
Senator S. Syvret		
Senator P.F. Routier		
Senator P.F.C. Ozouf		
Senator T.J. Le Main		
Senator B.E. Shenton		
Senator J.L. Perchard		
Senator A. Breckon		
Senator A.J.D. Maclean		
Senator B.I. Le Marquand		
Connétable of Trinity		
Connétable of St. Brelade		
Connétable of St. Saviour		
Connétable of St. Clement		
Connétable of St. Peter		
Connétable of St. Lawrence		
Deputy R.C. Duhamel (S)		
Deputy of St. Martin		
Deputy R.G. Le Hérisssier (S)		
Deputy J.B. Fox (H)		
Deputy of St. Ouen		
Deputy of Grouville		
Deputy J.A. Hilton (H)		
Deputy P.V.F. Le Claire (H)		
Deputy J.A.N. Le Fondré (L)		
Deputy of Trinity		
Deputy S.S.P.A. Power (B)		
Deputy S. Pitman (H)		
Deputy K.C. Lewis (S)		
Deputy I.J. Gorst (C)		
Deputy of St. John		
Deputy M. Tadier (B)		
Deputy A.E. Jeune (B)		
Deputy of St. Mary		
Deputy T.M. Pitman (H)		
Deputy A.T. Dupré (C)		
Deputy E.J. Noel (L)		
Deputy T.A. Vallois (S)		
Deputy M.R. Higgins (H)		
Deputy A.K.F. Green (H)		
Deputy D. De Sousa (H)		
Deputy J.M. Maçon (S)		

6. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (e)

The Greffier of the States (in the Chair):

Do you wish to propose paragraph (e)?

Senator P.F.C. Ozouf:

I would like to try, Sir.

The Greffier of the States (in the Chair):

I will ask the Greffier to read paragraph (e).

The Deputy Greffier of the States:

(e) To approve each of the capital projects and the recommended programme of capital for each States trading operation as set out in Part Three of the report, Summary Table E, page 98, that require funds to be drawn from the trading funds in 2010.

6.1 Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

In the same way that the Assembly has considered the revenue expenditure of the 4 trading operations, the Public Finance Laws requires the Assembly to approve the capital expenditure of these trading organisations. They are slightly different to the capital programme of Ministerial departments, is that trading operations are funded from their own trading funds ... rather, the amounts are taken from their own trading funds rather than the consolidated funds. The total is clear on page 98. I will do my best to answer any questions Members have, but also Senator Routier, who will not be in the Assembly I think when we sit next because he may be out of the Island, is here to answer any of the questions of the Airport and the Harbours trading operations. I make the proposition.

The Greffier of the States (in the Chair):

Is paragraph (e) seconded? [**Seconded**] There are no amendments, so if any Member wishes to speak on paragraph (e).

6.1.1 The Deputy of St. John:

The demolition of the top floor of the 1937 building at the airport; surely this can wait. This is yet again similar to the bathing pool, it is nice to have, and we would be making a saving of just under £1 million. Could I have details of the refit of the Duke of Normandy given that we have just spent £300,000-odd? In fact, we have spent £309,950, and a couple of pence, on a refit of the Norman Le Brocq and most of that money was spent off-Island, if not all of it. A lot of that work could have been undertaken on Island and therefore local companies would have been paying tax on this. I appreciate the Duke of Normandy is a somewhat larger vessel, but is any of this work going to be carried out on-Island and thereby having input into our local tax system by local companies? The warehousing on the New North Quay, could I have more information on this, please, because there is the sum of £200,000 and I think if you could give us a little bit more information it would be very useful because, once again, are these things nice to have or can they wait another year or 2? Thank you very much.

6.1.2 The Connétable of St. Brelade:

I think on behalf of the ministry I would like to clarify that the St. Aubin's Fort pier remedial is the St. Aubin's north pier remedial, not the Fort.

6.1.3 Deputy A.K.F. Green:

A question on the reconfiguration of the St. Helier Marina, £1.8 million. When we spend that money how will that increase our income ... how much will it increase our income by, and could this not wait at a time like this?

6.1.4 Deputy D.J. de Sousa:

Following on from that, because I had highlighted that as well, but also the Elizabeth Trailer Park reconfiguration as well.

6.1.5 Senator P.F. Routier:

Unless there are any others who were going to ask about Harbours and Airports, but certainly I am happy to go on to those. With regard to the 1937 buildings; no, this cannot wait. The Director of

Civil Aviation who regulates the airport has identified that the building encroaches on to the runway and we need to move that building as soon as we possibly can. It has been licensed temporarily with a mediation, an agreement, that it will be moved as soon as possible and now that we have the new tower in place the eye line from the control tower, the top of the 1937 building does need to be removed. The tower has been planned and designed in a way that expects that the top of the 1937 building will be removed otherwise we would have to have had a tower which is even higher. Also, the 1937 building is riddled with asbestos, and it is exposed asbestos, which does need to be removed. So it does need to happen immediately. With regard to the refits of the Duke of Normandy, any work that is able to be done in Jersey will be done in Jersey. We will be doing out utmost to make sure that anybody who has the facilities to do that work will be given that opportunity and we will be doing whatever we can to ensure that that work is done within Jersey. With regard to the warehouse on the New North Quay, I do not know if people have looked at it recently, but there is an operator for freight which operates from the end of the New North Quay and is operating from containers. All it does is open up containers, puts the stock into the containers, and locks up the containers. It is a third operator, which is trying to do business in Jersey and does not have the facilities to carry out their business effectively, so we are partnering with them to provide them with a purpose-built warehouse to ensure that they can provide their services. With regard to St. Aubin's Fort pier remediation, it is the Fort pier certainly. We need to do some work on the harbour itself. That is a part of the fiscal stimulus package money ... we hope to have that money from the fiscal stimulus package to do the work on St. Aubin's pier itself, the harbour itself, but there is a small - in comparative terms compared to the work that is going to happen on the harbour - £170,000 which is for the Fort pier itself which, we are told, for heritage reasons and also for safety reasons, we need to ensure that that is put in good order as soon as possible. With regard to the reconfiguration of the marinas, there is a very good business case, which has been supporting this, to have a payback to enable extra income to be gathered from the additional berths and the different sizing of berths and generally upgrading of the berthing facilities. Sorry, the Deputy of St. John is waving at me, so I am not quite sure what he is trying to indicate to me.

The Deputy of St. John:

I was trying to indicate to the Assistant Minister the pylons are perished and need replacing.

Senator P.F. Routier:

So the pen he was waving was a pylon. Certainly there is some remedial work which needs to be done to some of the pontoons which already exist, some of the pontoons do need to be replaced, and we do pride ourselves on having a 5-star marina, and we do need to ensure that we have a top class marina. One of the things which occurred to me during the debates we have had over the last day or so about spending, spending and spending, we need to make some money now, and this is an opportunity for us to make some money so we are able to spend it; so I would encourage anybody to support the focus on the redevelopment of the marina so we can make some money for the Island.

The Deputy of St. Mary:

May I ask a point of clarification? The Minister said that there was a good business case with a payback time. Could he tell the House what the payback period is?

Senator P.F. Routier:

I have not got that detail with me, but certainly I know it is a 16 per cent return. I have got a sneaky feeling it is about a 5-year payback, something along those lines but, I am sorry, I have not got that detail with me.

6.1.6 Deputy M.R. Higgins:

If I could also ask a point of clarification too on some of the points the Senator has made. First of all, the airport, you are talking about pulling down the airport terminal. What about the hangar because that is also impinging on the airport itself and falls within the one in 7 rule? So it seems strange you are knocking down one but not knocking down the other. Secondly, as far as the Elizabeth Trailer Park is concerned, I know there have been objections from residents in the area. Has this gone through Planning and been approved because I do not think they are aware that it has?

6.1.7 Senator P.F. Routier:

Did I cover the bit about the marina and the payback? You are happy with that. With regard to the points which Deputy Higgins just raised in regard to the hangar, if you look on the budget lines for regulatory and compliance safeguarding there is a figure of £2 million and within that figure is the amount for removing of the hangar; that is covered within that figure. There is also other amounts in there for all the regulatory items because that is considered to be a regulatory item to remove the hangar, so that is covered. With regard to the Elizabeth Trailer Park, I do not know if anybody has travelled on any of the ferries recently and experienced the congestion which is within the harbour. There is a desperate need to reconfigure the way people are queuing and the way the trailers are parked and that all needs to happen as soon as it possibly can, so the money which is put aside for that is to improve the facilities for people coming on and off the ferries.

Deputy M.R. Higgins:

Can the Minister say whether it has gone through Planning and been approved?

Senator P.F. Routier:

I am unaware of that. We need to get the funding in place before the application is made. I hope that has covered all the questions and I hope people can support that.

The Greffier of the States (in the Chair):

On paragraph (e), do you wish to reply further, Minister for Treasury and Resources?

Senator P.F.C. Ozouf:

I think all the questions have been answered.

The Greffier of the States (in the Chair):

The appel is called for on paragraph (e) relating to the capital of the trading operations, and I will ask the Greffier to open the voting.

POUR: 38		CONTRE: 2		ABSTAIN: 1
Senator S. Syvret		Deputy A.K.F. Green (H)		Deputy M.R. Higgins (H)
Senator P.F. Routier		Deputy J.M. Maçon (S)		
Senator P.F.C. Ozouf				
Senator T.J. Le Main				
Senator B.E. Shenton				
Senator A. Breckon				
Senator A.J.D. Maclean				
Senator B.I. Le Marquand				
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. Brelade				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Deputy R.C. Duhamel (S)				

Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy D. De Sousa (H)				

The Greffier of the States (in the Chair):

How does the Assembly wish to proceed? It is 5.40 p.m. We have still a long way to go.

Senator P.F.C. Ozouf

I think it is unrealistic that we carry on and I would propose the adjournment. Have we resolved the issue of when we are going to meet again?

The Greffier of the States (in the Chair):

The Assembly I think did agree yesterday that the Assembly, just to clarify, would continue this meeting to conclude the Business Plan on Monday, 5th October. I assume the assumption is if that were not completed that day the meeting would continue on Tuesday, 6th October, and the next meeting, as has happened on previous occasions with questions and the normal preliminary business, would start when the first meeting is finished.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Greffier of the States (in the Chair):

It does raise one issue that needs to be therefore addressed because the Greffe will need to issue the Order Paper for the meeting of 6th October next week and I think the Assembly should therefore just formalise - I do not think we need to look further ahead than 6th October - if the list of business on the purple sheet is to go ahead as proposed for 6th October. Senior member of P.P.C. present, did you have any observations on this matter?

7. Deputy J.B. Fox:

Yes, I have been given a list to add. P.119. It is an amendment for wheel clamping.

The Greffier of the States (in the Chair):

Two amendments I think.

Deputy J.B. Fox:

There is another one for P.119, Amendment 2, again for wheel clamping, one for the Minister for T.T.S. and the other one for Deputy Tadier, and to move P.79 to 20th October.

The Greffier of the States (in the Chair):

Property regeneration, very well.

Deputy J.B. Fox:

Do you want me to cover the other ones, or can we leave them?

The Greffier of the States (in the Chair):

No, I think we can leave those for now. Senator Syvret, you have given me notice you wished to withdraw the proposition on child abuse for now and possibly come back later?

Senator S. Syvret:

Yes, Sir. It falls off the listing in any event because the 6-month lodging period has been consumed and because of the amendment that was put to it I have had to revisit the whole question. In my view, it was a wrecking amendment, so I am going to probably redraft the proposition and lodge it afresh.

The Greffier of the States (in the Chair):

Thank you, Senator.

The Deputy of St. Mary:

May I ask for clarification on written questions and how that fits into the new schedule?

The Greffier of the States (in the Chair):

All the schedules effectively remain the same. We assume this meeting will finish on Monday, 5th October, and the meeting will start normally on Tuesday, 6th October, and so the normal deadlines for next Monday and Thursday will apply.

The Deputy of St. John:

I believe I heard the Minister for Treasury and Resources say that he needed certain items finished today re the budget. By us not finishing today's agenda is it going to affect the budget date?

Senator P.F.C. Ozouf:

I need to discuss this with officials. The difficulty is the time that the Assembly sits. The budget is not just simply the Minister for Treasury and Resources' decision, it needs to be consulted upon with the Council of Ministers, and then it is simply a timing of exactly how we can deal with matters. So I will advise the Assembly, but I suspect that we are now in delay territory. I was going to say one thing in relation to P.135, which was Deputy Southern's proposition in relation to Millennium Town Park funding, but would it be in order to put that at the bottom of the list of the current sitting so that we may then deal with all of the issues concerning financial matters which link to the stabilisation fund and any funding so that we are very clear then of exactly what resources are required from different accounts? I would like, if I may, to make that proposition because it seems a logical follow on from the Business Plan.

The Greffier of the States (in the Chair):

That seems a logical suggestion. Are Members content to bring P.135 forward from 6th October, so it is effectively dealt with on 5th October? Very well, the Assembly stands adjourned until 9.30 a.m. on Monday, 5th October.

ADJOURNMENT