

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 1st FEBRUARY 2021

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[9:33]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would of course welcome His Excellency the Lieutenant Governor to the virtual Chamber this morning.

PUBLIC BUSINESS

2. Reduction of lodging period

The Bailiff:

Members will recall of course that we are adhering to the time limits that the Assembly has agreed and before we start Public Business however a decision needs to be made in the usual way about the reduction of the minimum lodging period in respect of all the amendments listed. The main proposition has of course been lodged for a sufficient period and the permission of the Assembly is not needed. Therefore the first amendment has been lodged by the Connétable of St. Helier. Connétable, do you wish to make the proposition under Standing Order 26(7) that the lodging period be reduced to allow this matter to be debated at this sitting?

2.1 Connétable A.S. Crowcroft of St. Helier:

Yes, please, Sir.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak on that? No Member wishes to speak. Then if any Member proposes to vote against we can have a proper vote taken. Otherwise we will do it on the standing vote. If anyone wishes to vote against could they just indicate in the chat now? I will take that as a standing vote and the amendment can be dealt with at this point. Next is an amendment to that amendment lodged by Deputy Doublet. Do you wish to make the proposition to be taken today, Deputy?

2.2 Deputy L.M.C. Doublet of St. Saviour:

I do, Sir.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak? I will take that once again on a standing vote. If anyone would indicate they wish to vote against it please do so in the chat. In which case that is taken today on a standing vote. The last amendment before us is the amendment proposed by the Future Hospital Review Panel. Senator Moore, do you wish to make that proposition?

2.3 Senator K.L. Moore:

Yes, please, Sir.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak. Then I will take that on a standing vote. If anyone wishes to indicate a vote against please do so in the chat. That also may be taken on a standing vote.

3. Our Hospital: Preferred Access Route (P.167/2021) - as amended (P.167/2021 Amd.Amd)

The only item for debate today is the proposition lodged by the Council of Ministers entitled Our Hospital: Preferred Access Route, P.167, and I ask the Greffier to read ... Senator Farnham, do you accept the amendment of the Connétable of St. Helier?

Senator L.J. Farnham:

Yes, I do, Sir.

The Bailiff:

Would you accept that if amended by the amendment from Deputy Doublet?

Senator L.J. Farnham:

Yes, Sir.

The Bailiff:

Connétable of St. Helier, just so that we can read the right document the right way, do you accept the amendment of Deputy Doublet?

The Connétable of St. Helier:

Yes, Sir.

The Bailiff:

Unless Members wish to indicate a view to the contrary we can then read the proposition as amended by the amendment of the Connétable of St. Helier and the amendment to the amendment by Deputy Doublet.

The Greffier of the States:

The States are asked to decide whether they are of opinion – to approve Westmount Road, as a 2-way roadway with areas for active modes of travel, such as walking and cycling, as the preferred primary access option for a new hospital at Overdale and to request the Council of Ministers – (a) to minimise any reduction in the green space and tree planting in People’s Park and Westmount Road and their environs, and any other Parish land impacted by highway improvements in relation to the new hospital project, replacing any green areas that are lost and any lost trees in consultation with the Parish of St. Helier and Jersey Trees for Life; (b) to relocate and replace any existing community facilities that are impacted by the development of the new hospital access roads, in agreement with the Parish of St. Helier; and (c) to replace any parking facilities that are lost due to the development of the new hospital access roads at a location to be agreed with the Parish of St. Helier.

The Bailiff:

Looking at the chat, I see that Deputy Young you would like to indicate a conflict of interest.

Deputy J.H. Young of St. Brelade:

Yes, I would. Obviously as Minister for the Environment throughout the Council of Minister’s considerations of the hospital project I have withdrawn and taken no part in that discussion. I think this matter today requires me to do the same because ultimately the termination of a planning application, should it arise, under Article 12 would fall to myself as Minister to deal with. So formally, I am advising the Assembly and the public that I am going to withdraw from the sitting today.

The Bailiff:

Thank you very much, Deputy. I am sure the Assembly understands that position.

3.1 Senator L.J. Farnham (Deputy Chief Minister - *rapporteur*):

I would like to start by thanking Members present today for attending this requisitioned sitting of the States. I would just like to provide a short explanation as to why I, together with 16 other colleagues, asked the Assembly to convene to consider and hopefully approve, in principle, the primary access route to our new hospital at Overdale.

[9:45]

For more than 8 years, the States have grappled with this challenging issue and expended considerable sums of taxpayers' money but so far have failed at all attempts to deliver the new hospital. The Our Hospital Political Oversight Group was established in 2019 with a brief to deliver and build a fully operational hospital by 2026. Thus setting an ambitious but achievable target for success. The timeline is vitally important because it is determined by our ageing and decaying health estate and the unsustainable cost of maintaining that estate past 2026. We now, more than ever, require momentum to drive the project forward and to keep it on schedule. There has been a process of ongoing dialogue with Scrutiny and, given the critical nature of the project timeline, I wrote to Senator Moore, the chair of the panel, on 29th December asking if she would consider supporting a States sitting on either 19th January or 26th January, which would have respected the proposition's 6-week lodging period. Senator Moore declined and insisted upon the scheduled sitting on 9th February for the debate. This was accepted by the political oversight group members, notwithstanding the potential for negative impact on the project. Nearly a month later, on 26th January, we received the Scrutiny Panel's amendment which effectively, if accepted or approved by this Assembly, would cause further delay to the project. By return, we requested urgent sight of their adviser's report. Senator Moore informed us that the report would be shared on Friday, 5th February. On 27th January I wrote again to Senator Moore setting out our concerns with the amendment and informing her that a requisition had been submitted for a States sitting today and requesting once again that she share her adviser's draft report with the political oversight group and all States Members as soon as possible. The report was distributed to Members on Friday, for which I thank Senator Moore and the panel. Of course, in calling the Assembly today, I make no criticism of Scrutiny, it is a vital part of our parliamentary system. I make no criticism of Senator Moore or the panel members who have a difficult job and who we hold in high regard. During the preferred site debate in November the Council of Ministers were requested by the Assembly to delay the purchase of land or property and present for approval: "A report on alternative access strategies designed to maximise sustainable modes of travel to and from the new hospital and to minimise the impact on homes, leisure facilities and the surrounding environment of the access interventions currently proposed." The Council of Ministers had already made a commitment to these concepts, which was clearly articulated in our report accompanying P.123, the preferred site report. It states: "Our shared vision is of a hospital which integrates physical and mental healthcare services. A hospital that is contemporary, innovative in design, and complements the natural and built-up environment in which it is set. A hospital that can offer and attract to the very best clinicians and healthcare staff, who can bring with them excellent ways of working to contribute to positive health and well-being outcomes for future generations of Islanders. This additional requirement to come back to the Assembly effectively brought vital elements of the project to a halt, putting additional pressure on the timeline as a consequence. In line with the Assembly's request, the report and proposition we are debating today was duly lodged in December last year and, as a reminder for Members, we are asking the States today whether they are of the opinion to approve Westmount Road as a 2-way road, with areas for active modes of travel, such as walking and cycling, as the preferred primary access option for a new hospital at Overdale. We are asking the States to agree the principle today - not the detail - as requested by the Connétable of St. Helier's amendment, which was approved by the Assembly. 71 permutations for access in and out of Overdale are included in P.167; 38 different criteria were applied to them. The criteria were designed after consultation with the citizens' panel, the healthcare workers panel and our partners, Arup, and out of blue light emergency services, particularly the ambulance team. The key criteria included the overall timetable of the project, the number of

pedestrian, cycle and vehicle potential conflicts, the blue light resilience, certainty of journey time for patients and visitors and staff, the schools affected, the environmental impact, the carbon impact, displaced homes, the master plan impact, of course the impact for all medical and front line health workers, the affordability, the overall cost of the project and the future logistics of maintenance and operating costs. One option consistently came out on top and that was option 7, which we are asking Members to approve in principle here today. Option 7 affects the fewest homes and impacts on the smallest amount of households. It requires the lowest number of land or building purchases. Scrutiny advisers, K2, have stated in their report that: "Overall we have found no reason why option 7 should not be considered the most appropriate vehicular route for the hospital." They also state that option 6 was a close second. Option 6, to remind Members, was the do-nothing option, which basically maintained the current access to Overdale. That was a close second. I undertake to ensure that the project team will continue to look at this option during the next phase of the work. Option 6 did score lower than option 7 on a number of criteria and would require us to compromise on, among other things, user safety and response times to emergencies, which could impact upon the health of patients. Congestion throughout St. Helier could also be a result and, of course, the hospital design could be impacted as well as the future maintenance costs. Making Westmount one way, as suggested by some, will not work. It means all traffic exiting Overdale will either go down Tower Road, ambulance and buses cannot make the left turn into Bellozanne Road so would have to go past First Tower Primary School or out new Haute Vallée Secondary School on to Queens' Road. A one-way route reduces access to the hospital. It would mean slower ambulance response times from the north and from the west of the Island. If I may, I would like to talk briefly to the amendments, although we will be coming back to those later. While we are pleased to accept the amendment of the Constable of St. Helier and the amendment of Deputy Doublet, and I thank them both for their engagement with the project and we have worked very closely with the Constable of St. Helier throughout, and he has quite rightly held our feet to the fire at every opportunity to ensure we find the right answer, which is what we are determined to do. However, we cannot accept the second amendment to P.167 due to the serious impacts it will have on timescale and costs. Taking timescale first, the amendment potentially adds another 12 to 15 months into the project timeline, which puts us beyond the crucial target date for vacating the current deteriorating hospital by 2026. This is because the amendment requires design work that will be equivalent in detail to a planning application, which takes several months to prepare. Due to the delay incurred by the requirement to bring this proposition to the Assembly today, the road and hospital and now in this same planning application cycle, so a further delay of the road delays and to the hospital itself is likely. Workstreams planned to take place concurrently would not be able to begin, for example, the purchase of land and properties. The decant of services currently housed at Overdale and plan to move to Les Quennevais and the demolition of the buildings currently onsite cannot also take place. In addition, a 6-week lodging period will need to be added to the timeline as well no doubt. And, no doubt, another Scrutiny review. This will delay the planning application and take us into the election period or purdah, as we know it, when no major decisions can be made. The planning approval targets there was before the 2022 election. It will now likely be May 2022 although I still hope, if we approve the proposition today, we could get back to the timeline. But if we do accept the Scrutiny Panel's amendment it will be at least the summer of 2022, if not much later in the year. I would just like to talk briefly to the allegations of environmental desecration, which have been made by many opposers to the scheme. I can understand their concern, as the uncertainty of further delay can leads to misinterpretation and false assumption, which is why we must approve the proposition today so further detailed design and planning can begin immediately. One of the reasons we recommended Overdale was to protect the People's Park and do Members really think that we would therefore sit back and allow the desecration of the park or any of the surrounding area? Of course we would not. Under no circumstances would I or, I am sure, any other Member of the Assembly or those involved in the planning stages or the planning approval would allow the destruction of Westmount or the destruction of trees or of People's Park itself, as being claimed by some. That simply would not happen and we would not support that.

I can absolutely reassure Members that any remodelling necessary would seek to improve the safety of the area, improve access to Overdale, enhance community and recreational space and if any trees were impacted, and some will be impacted, they would certainly be relocated or replaced. Progress of the new hospital, or lack of it, was a key election issue and many of us here today promised the electorate that it would be a priority of this Assembly and I am sure none of us want to once again let the people of Jersey down by failing to deliver on this vital project. In a landmark decision last November, Members agreed Overdale as a site for our new hospital. We must now create the very best possible access for the best possible hospital and, to that end, I present this proposition to the Assembly.

The Bailiff:

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

3.2 Our Hospital: Preferred Access Route (P.167/2020) – second amendment (P.167/2020. Amd.(2))

The Bailiff:

Then we come on to the amendment lodged by the Future Hospital Review Panel and I ask the Greffier to read that amendment.

The Greffier of the States:

Page 2 – After the words “at Overdale” insert the words “, with a report to be presented to the States by the Assembly’s meeting on 2nd March 2021 setting out the matters detailed below, and a subsequent proposition to be lodged seeking the Assembly’s approval of the preliminary outline design of the preferred option prior to any engineering works being undertaken – (i) a preliminary design of the preferred option, to include a horizontal layout drawing of the highway with proposed widths at a scale of 1:500 with junctions to include Pierson Road and St. Aubin’s Road, land ownership constraints and the existing highway layout as background, and a second drawing to show vertical cross-sectional information (such as views along the highway) at key points to indicate the extent of the new roadworks and proposed highway in comparison with the existing Westmount Road in terms of height and width and land ownership; (ii) all accesses for all means of transport, including all vehicle accesses and all walking and cycling accesses and access routes; (iii) all third-party land required for the implementation of the preferred option; (iv) the impact on houses, schools and other existing structures as a result of creating the new route; (v) the impact on the surrounding ecology and environment; (vi) the scope of engineering works and any anticipated disruption; (vii) timescales for the work to be undertaken; (viii) the anticipated cost and budget for the work; and (ix) the visual impact at key locations on the proposed route (via computer generated imagery).”

3.2.1 Senator K.L. Moore (Chair, Future Hospital Review Panel):

First, I would like to record my apologies to the Assembly for inadvertently causing Members to have to sit today.

[10:00]

The Scrutiny Panel was very surprised by the requisition of this sitting following our amendment to P.167. That P.167 was lodged just before Christmas and tabled for debate on 9th February therefore the panel set about its work to consider the proposition, along with its advisers, in an already challenging timescale. I do not however apologise for bringing this amendment. It is an important part of the political process and reflects the findings of our advisers and the reports that we produced. We are not trying to cause additional delay. We are simply trying to ensure that this Assembly and the public are better informed and heard with regard to this important project. Everybody agrees that we need to improve the quality of our hospital service and its environment. However, it is of also vital importance that we, as an Island, and all who will use that hospital for now and into the future

are content that the process has been achieved through the best possible circumstances. It is important to say at the outset that I hope Members have had an opportunity to read the reports that we sent on Friday. We are sorry that they were not distributed earlier however we had to scramble last week to complete them due to the requisition of this sitting, and I thank those who stepped up to ensure that that work of Scrutiny was done within the suddenly restricted timeframe that we faced. Due to the time restriction, they have not been through the usual process. It is very disappointing that the Deputy Chief Minister, as the political lead of the hospital project, has sought to deploy such tactics. As Members are aware, Scrutiny is an objective process and we have sought the advice of respected advisers in this field in order to assist us. We have engaged with Senator Farnham and his team throughout this term. Yes, we have asked robust questions but have most certainly been engaged, as have our advisers, who have great experience in hospital building. Their input and insight has been greatly appreciated and I thank them for their work. Scrutiny can be described as a critical friend. One of the reasons for that description is that people usually listen to their friends, even when they have to deliver a message that is not necessarily welcomed. It must be said in this forum that it is deeply disappointing that rather than listening to our advice this Government has sought to criticise Scrutiny, and indeed Senator Farnham has even described our comments as very disingenuous in media interviews. That allegation is shameful and I absolutely refute it. I hope that the Senator will have the good grace to apologise and indeed I must say I welcome the tone of his opening speech this morning. I hope that the rest of this sitting will continue in such a tone. In a briefing on Friday, Members were shown a picture of a potential new junction that would modify the Pierson Road approach to Westmount Road. This, we were told, was featured in a report on 17th November. That image actually appears in the report on P.123, which was of course lodged on 6th October. It was not published with the commentary that appeared on it when presented to States Members in the private meeting last Friday. Senator Farnham seems to have suggested to the media that due to the publication of that image we already have what we are asking for in this amendment. That image does not meet the requirements that the amendment is seeking. The panel and our advisers feel that Members require simple illustrations to provide a greater understanding in relation to the impact that this road-widening project will have upon the important townscape, and particularly to its environment. As lay people, we simply have to keep asking ourselves: what is a reasonable expectation in the circumstances? Although the Deputy Chief Minister and the Our Hospital team have tried to communicate the facts as they see it over the weekend, they have in fact made the case for supporting this amendment. By means of example, on Channel 103 on Friday Senator Farnham described how the road might offer the potential to increase the size of People's Park by creating arches underneath the road. He has also made the suggestion in the fact sheet that has been supplied to quash what is described as misinformation that has been circulating. In the *J.E.P. (Jersey Evening Post)* on Saturday the project director was quoted to say that the road's visual impact on the People's Park would be very similar to what it is currently. No mention of arches. Surely arches and all that would entail would be considered a visual impact. So which version is correct? Is this not why we should be allowed to see some drawings to understand what we are committing the Island to before giving our green light to progressing towards the environmental and heritage damage as well as the spend involved in this project. I would like Senator Farnham to confirm in his speech whether he or any member of the Our Hospital Political Oversight Group, is aware of the existence of any drawings, schematic or artistic impression, of the proposed road, which has not yet been made publicly available? The messaging is inconsistent with regards trees and the environment. Senator Farnham declared in an interview on BBC "Spotlight" that the intention is that not a single tree will be affected. However, if Members look at the grid on page 27 of our report it is clear that option 7 identifies in the Government's own documents 2,355 square metres of tree canopy will be lost. As the Société have expressed in their very helpful paper circulated on Saturday, since the departure of the mines and quarries Westmount has become a greener backdrop to the town. A green backdrop in an urban environment that is precious and deserves protection. In response to the president of the Société, Senator Farnham declared: "Under no circumstances would I or, I am sure, any other States Member

or those involved in the planning stages allow the desecration of Westmount or the destruction of trees.” So I must repeat, why did the Government documents, in relation to the proposed access route, declare that 2,355 square metres of tree canopy will be lost? The Senator went further in his email and suggested that the road is expected to be no wider than 7 metres. That was the first time such a description has been given. The general impression given by P.167 is that the road will be 12 metres wide. Why cannot or will not the project team provide States Members with an illustration prior to us giving our consent? In the eyes of the Scrutiny Panel, and our advisers, this is a reasonable request and indeed should be expected in any similar process. Some additional detail was provided to Members on Friday in that private briefing by the project director, however that was not a public meeting and, as one Member said at the time, it is hard to understand why such a description could not have been shared with Members and the public some months ago. Members have received a large number of emails on this topic. The emails are from a wide cross-section of our community, from all corners of the Island. Some will claim today that all those correspondents are misinformed. Well if they are misinformed whose fault is that? Why is it that public engagement will only begin in earnest once this debate has been concluded? Again, the process of the Our Hospital team is doing things in the wrong order. They should not have put the public or the Assembly in this position where we face a stark threat: “Accept this now or risk losing the contractor” and other such claims that we will no doubt hear today. Let us stick to the facts and let us consider this with the common sense that the Island hopes to see. First, let us think about why P.167 was published. The Government could have just continued the planning process without seeking the views of the Assembly again. But if we think back to that debate on the site selection we recall the amendment of the Constable of St. Helier. It was a simple request, heartily supported by us as the representatives of our constituents. It asked that: “Prior to the acquisition of land or properties require to facilitate access to the preferred site for Jersey’s new hospital to present to the Assembly for approval a report on alternative access strategies designed to maximise sustainable modes of travel to and from the new hospital and to minimise the impact on homes, leisure facilities and the surrounding environment of the access interventions currently proposed.” So does the proposition before us meet the intentions of that amendment that we agreed just over 2 months ago? As our advisers point out in the executive summary, there is no definition of “sustainability” and therefore expected outputs are not delivered by the new access arrangements. The advisers also identified that the extent of traffic management for the works programme for construction is not yet known. The cost of the travel plans is also unknown at this time. There is much talk of a bus service bringing people from existing car parks and Town up to Overdale Hospital but no calculation of the cost that future governments will have to bear to see that happen. Not forgetting the debt that they will have to repay over the next 40 years to pay for the hospital project itself. As representatives of the people, we have to play the role of an intelligent client. I hope that Members will ask themselves what they would expect to see prior to agreeing works on their own homes, then reflect whether what is being asked of them today is reasonable. Then consider that this is £15 million of someone else’s money that they are budgeting for. One local architect pointed out to me last week that the Transport and Technical Services Department has the software to produce 3D drawings of road proposals within a matter of hours; this area of the Island, having been recorded by the Digimap service. Therefore this amendment is not placing an unreasonable request nor is it unaffordable or even time consuming. It could be done in a matter of hours using existing software. We have written to T.T.S. (Transport and Technical Services) to ask them to do this but we have not yet received a response. As the advisers note in the Scrutiny report, they have met with T.T.S. who explained that they have had only minimal input with the Our Hospital team so far. Senator Farnham has said that it would be too costly to provide such drawings prior to this debate and the money will only be spent once the Assembly has agreed the route. So why then have surveyors and engineers been seen conducting their work and even drilling below the ground for the past few weeks in the Westmount area? Have they been doing that work for free? Perhaps Senator Farnham can tell us in his speech. Finally, there is the planning process. We have learnt in the past couple of weeks that rather than making 2 planning applications the access

and hospital will form one single planning application, as Senator Farnham has again reiterated today. That to us does appear sensible. What we are not suggesting is that this Assembly act as a planning inspector. We are not asking for that level of detail however whatever is put together as a result of this amendment being adopted would indeed assist in the preparation for that planning process, much as a domestic application would as well. Indeed I look forward to the findings of the independent planning inspector. They will have a lot to consider. In a meeting with officials, Arup and the design and delivery partners, our advisers note in the report on page 17 when they asked: “How does option 7 contravene the planning policies?” they were told specific policies relating to ecology, siting and for use of agricultural fields. It will indeed be interesting to see what a planning inspector makes of this application when the time comes. This amendment is about being awarded an opportunity to see and to understand how this project is now going to be acceptable through the planning process when it previously was not. If I may quote from the executive summary of the site selection report, P.123, in summary both sites require upgrades to the existing highways network however Overdale requires extensive and more costly engineering works to improve vehicular access to the site. People’s Park is much better placed to enable pedestrian and cycling access. The loss of existing residential properties at Overdale will be a cause for concern. Overdale also poses a greater challenge in relation to the policies of the Island Plan. We have known that this was not going to be a straightforward process since Members agreed it on 17th November. Given the comments to our advisers, there is no doubt that this road will have an impact on the townscape, the environment and the traffic in this area. In proposing this amendment we simply ask that drawings are shared with us and the public so that a decision can be taken with understanding and with confidence. It is clear from the correspondence we have all received this weekend that the public are frustrated and despairing about this project.

[10:15]

They do not feel engaged in the process and they have more questions and concerns than they see answers. It is a great shame given that, in the main, one thing we all do agree on is we need to improve our hospital facilities. Sadly, the aggression and the avoidance that is being deployed only gives the sense that something is being hidden from view. Asking for an illustration of this road, its impact on the townscape and the People’s Park is reasonable. It is affordable and it will not take a great deal of time. As the Government are now so keen to requisition sittings at the drop of a hat, they then might even have to call a sitting to ask for our views again prior to 2nd March, once we have been provided the images to calm the concerns of both States Members and the public. I propose the amendment.

The Bailiff:

Thank you very much, Senator. Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment, please indicate in the chat in the normal way?

3.2.2 Deputy L.B.E. Ash of St. Clement:

Before I start I would just like to welcome Jersey’s newest party to the Assembly, which adds a slightly different dimension to the debate. I think parties are the way ahead and well done to them for grasping the mettle. I am sure when COVID is not occupying so many minds we will see another. It will be interesting to observe today if they live up to their name and help progress the new hospital or attempt to block the road, so to speak, and instantly risk being dubbed the “Regress Party”. Such are the vagaries of political life. Some have compared the whole hospital saga to a soap opera. While it is tempting to view Senator Moore and the Chief Minister as better dressed versions of Jack and Vera Duckworth bickering away one must remember that soap plots are fairly fast-moving. This most certainly has not been. We have staggered from one failure to another with the stench of political interference and entrenchment oozing from every pore of the taxpayer and their wasted money. When we first sat down at our Risk Committee to outline the main risks I stopped the

conversation around the myriad of risks that a project of this kind possesses. I pointed out the number one risk, that everyone instantly accepted was true and placed it at number one. It was this. That the biggest financial risk to this project is that we went all the way round again, all through the extensive and expensive process, only to find the States once again could not find agreement on what should be a common cause. As a consequence we had lost further millions without a spade being placed in the ground or a brick laid, which to my mind then, and now, would be quite unacceptable, and this is what this amendment most certainly has the capability of achieving. Secondly, we also had to accept that because of all that had gone before us the site that we selected would be unpopular, as everyone now has their particular favourite, be it People's Park, Warwick Farm, St. Saviour or indeed possibly the Écréhous. I stress, we could not win but our job was to find a site using the best methodology and then make sure a hospital is finally delivered. That in many ways is why Members will have received the emails they have over the weekend. How many said: "What about Warwick Farm? What about St. Saviour?" Not so much about the road, but the fact it is not at their favoured site. The road is merely where many have chosen to stage their battle. Thirdly, that for all the noise that would be generated by some the vast majority of Island residents have had enough and they want this long-running saga ended right here, right now, and we today have the opportunity to go a long way to doing that. Let me address the noise that has been taking place over the last few days. Few on the Island could have missed it. There are those who are potentially being displaced by this, people that I have enormous sympathy for and I am sure the entire Assembly does, with whose lives are suddenly changed and right from the time Overdale was selected, as a political oversight group we have stated our desire that such people were treated fairly in terms of financial compensation or, in the case of the bowling club, found an alternative home. Highly regrettable though this action is, it is necessary. If they were being moved for shiny, highly-priced apartments I would consider it an outrage, but of course this action is not for that purpose. It is, lest anyone forgets today, to deliver a hospital fit for the 21st century. On the other hand, I have no sympathy whatsoever for those who take to Facebook delighting in spreading half-truth and no truth at all rumours. One lady was good enough to reply to my email to her that detailed the facts and she said: "Why have the Government not told us all this?" The answer I gave was that the majority of it of course we have, but there is little capital in social and mainstream media publishing the hospital plan that says they will keep damage of People's Park to a minimum when they can go with, according to my sources, half of People's Park is being torn up and the other half used as a scrap metal yard. As Mark Twain remarked, a lie can travel halfway around the world while the truth is putting on its shoes. Much fuel has been added to this Facebook frenzy by those who should know better. I was especially disappointed when a former luminary of this Chamber wrote a remarkable letter to the *J.E.P.* throwing allegations and assertions around like a pub brawl at closing time. I think it is only right that I reinforce the fact that the access road was always part of the plan, down in black and white and budgeted for. I say this because in the last few weeks this has been portrayed as hasty and ill thought out. It was not. We did not just sit there and think: "Oh, no, we have forgotten the road." Constable Crowcroft, after all, brought his amendment on the day we approved the hospital, so Members must have been aware of the road. Were they not? Where had they been? Surely on a project as big as this they would have read the plan, seen what was budgeted for, perhaps even wandered up there. After all, we did, as a P.O.G. (political oversight group) before we decided on our recommendation, some of us several times, and we saw the difficulties and the solution, as indeed I am sure many Members did. However, Senator Moore stated in a recent email that she had become aware that a number of Members somewhat regret their vote in relation to the site now they know there are problems about the road, presumably. Well, the road was out there when the hospital was voted on. It was not conjured up, and how many spoke out against the site because of it in that main debate? I can give you a clue, together with an interesting fact. It was the same number as the times Stirling Moss won the world's drivers' championships. It was also the same as the number of people, who with the exception of Deputy Farnham, now Senator Farnham, spoke in the entire debate on the hospital site. Zero, nought, nada, zip, diddly squat. Put it in whatever language you wish to, not one man or woman spoke as to why because of the road

difficulties they were going to oppose the site, yet here we have an amendment on the road that will potentially cost the taxpayer millions. Some would have you believe, as a gentleman suggested to me in an email, that we make these decisions drinking sherry in a room. Sadly that is not true, or if it is no one provided me with any. In fact, not only as politicians have we not been enjoying the delights of a Harveys Bristol Cream or, in Deputy Huelin's case, a Barbadillo Versos 1891 Amontillado, we have been asking questions, plenty of them, the most recent of which came when we discussed this amendment. We had already discussed various costs, which no doubt the Minister for Treasury and Resources will avail you of later, but these new worst-case stats seemed enormous, figures of 30 per cent higher. We are fortunate in having the Constable of Trinity with us, who is familiar with the construction world, but for someone like myself who spent much of his life in foreign exchange and futures markets it was a bit of a mystery, one that I solved, as I know many in the Assembly would have solved, by asking what exactly causes that and I shall now give you a rundown of just a few of the things that will cause that. A review, and based on the current cycle of reviews this could well take up to 5 months. Purdah, because if we have another lengthy delay we will run into purdah. There could not possibly be a sign-off and all that then will go with it, a fresh Assembly that will further delay this while they look into the feasibility of Overdale as a project. The design will have to be paused while the review period completes, planning will have to be delayed and wait to submit until the review completes. An outline business case can proceed but a full business case will need to wait. The land assembly with people waiting as to what they should do with their houses or fields will again have to be further delayed, indeed put on hold until negotiations can take place. Decant engineering works will not take place, demolition engineering works will not take place; the award of the build contract pushes back to summer 2022 and may even place it in jeopardy. In closing, I urge the Assembly to reject this amendment and let this road be a huge step forward for the healthcare of every single Islander, young or old, and become a pathway to the entirely new era of Jersey medicine in a facility for the 21st century.

3.2.3 Deputy I. Gardiner of St. Helier:

Good morning all. As a Deputy of the District and member of the Future Hospital Review Panel I have looked back through the process and I would like to share with Members a reflection on how I got to my decision and also how we got to this current amendment. I would like to ask Members to put their prepared speeches aside for 2 minutes and answer in their heart with full conscience the following questions. This is, by the way, the process that I have done for myself. My questions and my answers, but everybody please answer from their heart, do we agree that we need a new hospital? Yes. Do we agree that we need a road to the hospital? Yes. Do we need the road to allow us to run a sustainable transport policy? Yes. Are you convinced and confident that access from Westmount is the better access than through the valley from Inner Road? Yes. Are you convinced and confident we need a super-highway new road? No. Are you convinced that option 6, do nothing, is unviable? No. Do you know how much exactly or approximately it will cost? No. Do you know of any other short-term, medium-term, or long-term environmental impacts? No. Do you know visual impacts? No. Are you convinced that the public have received enough information and fully support this road? No. Members, we have been asked to vote without knowledge of the full facts and without a definite plan or map. I am not able to claim this decision base presented that is the current plan is the bad one. I cannot tell that the current plan is the bad one, but I also cannot tell and be convinced that the current plan is the good one based on the evidence that is presented. I would like to share with Members we had a Parish meeting back in October where the residents and us as Deputies asked to present visuals.

[10:30]

Only 10 days ago I personally asked for diagrams, the visual impact cannot be accessed without diagrams and the answer was no. Finally, I am really grateful for Senator Farnham who last Friday had a private briefing with the Members and I heard more details. I know that also the Senator joined

the walk of the road and had a conversation with the residents and personally I assume if this debate would be on 9th February, like it was planned, they probably would have had time to present information as it has been requested and put all facts, deal with confusion and answer all questions, I hope, but here we are today and today decisions should be made based on the information that we have before us. The Scrutiny amendment is asking for clarification and for providing more details. It does not stop the project as work I know, and we all know, is underway. It was ongoing during January and if somebody drove on Westmount Road they will have seen the drilling. All the information that Scrutiny has requested will need to be presented to planning, so no work will be wasted or unnecessary. It was great to hear during Senator Farnham's speech that option 6 will be considered as well. We need to decide what is really needed. It should be somewhere maybe between a brand new overpass and highway and improvements to the existing road. The Public Accounts Committee, as you know I am the chair, will look back and examine decisions taken in the past and decision-making processes, when we look back so we can have the benefit of hindsight. I do not want anyone who does not support this Scrutiny amendment, when potentially it will come before P.A.C. (Public Accounts Committee) at some point in the future, as a complete failure and waste of money to reply: "Yes, we know, but it is looking back. We did not know at the time." Deputy Ash in his speech suggested that the hospital political oversight group has selected the site using the best methodology, and I am not questioning the site, but what I do question is the methodology. If Members had time to read our Scrutiny, 2 reports, both reports identify the process has been poor and has not followed best practice. One example about the road, which was not the best practice to present 71 routes but it would be best practice to present analysis that will be clear and in deeper detail for 3, 4, 5 and 7 routes, for less routes. The last point, all States Members will fail to take the public with us on this. The public want to get on and think that this amendment is not stopping people to get on. Definitely as Deputy of this District I did not hear from anybody, not a single parishioner has contacted me asking me to support the amended proposition. My constituents, without any exception, have asked me to make an evidence-based, informed decision and like many other people do not want a project of this huge cost involved to be passed by this Assembly without all Members knowing and having access to all relevant facts and with at least some graphic representation of the visual impact the proposed road will have. The argument that it will take more resources and tax to keep the public fully informed, I think it will take the same amount of resources and time to deal with the public objections. We need to work together. We need to bring the public back on board. It is in the public interest to make sure that facts are made public. What is more, they know as an Assembly it is important that we will not lose public confidence, that we are making good decisions and I hope that all Members will vote with their conscience and support us with requested information, support the amendment.

3.2.4 Senator J.A.N. Le Fondré:

I would like to step back and remind Members of why we are where we are and what I hope we are all trying to achieve, and why I think there is a risk of being side-tracked by a whole range of issues that are not of direct relevance to the proposition. The main proposition that we are debating was the amendment as at present. As we have heard from Senator Farnham, the reason that we are here is in response to an amendment that was lodged and is around sustainable transport as well as the impact on homes and leisure facilities and the surrounding environment. Do not forget the alternative option at the time, and I do not want to open up a debate on sites for fairly obvious reasons, was People's Park, but the impact on that was severe and on Lower Park and on Victoria Park, so the benefits of Overdale - and this is about the access road to Overdale - meant very little impact on People's Park, but the price of that was the improvement of the road. I would also remind Members this is the least impact on the number of homes. There is some impact, as we know, that need to be acquired but certainly if one looks back in the past at the likes of Gloucester Street, and I believe also some of the alternative sites, this route that is being proposed has the least impact on the number of homes that need to be acquired. Going back to the suitability of the proposals that have been made, we should

go to look at what the proposer of that particular amendment said. He reinforced the whole point: “In fact I support the choice of Overdale. I have for a long time. Indeed, I took my lead from the quotation where they said about the higher costs of Overdale over People’s Park and it will be outweighed by its contribution to the long-term health and care outcomes of Islanders over its lifetime.” I think that is a really important remark. The proposer went on to say: “I would say again I am very impressed with the way that the Council of Ministers has found an access route that does not destroy the woods below Overdale and those are going to be really important for the patients in the hospital and their visitors and indeed for people who choose to walk or cycle up through the woods to get to the hospital. I think the environment around the hospital is a really important part of what will make it a success.” Indeed, the proposer started his summing up speech by saying he must impress upon - and a Member here is referred to -and on the Council of Ministers: “There is no desire on my part, no intention to delay the project.” In his report he concluded with the following words: “I believe that the Council of Ministers prior to its acquisition of land or properties required to facilitate access to the preferred site should present a report to the States on alternative access strategies designed to maximise sustainable modes of travel to and from the new hospital and to minimise the impact on homes, leisure facilities and the surrounding environment of the access interventions currently proposed” and that is what we have done. There was no request for drawings or cross-sections or scale of 1:500 and so on. It was a report on alternative strategies. Basically, I would just remind Members of the main proposition, which obviously this amendment is seeking to amend, which was to approve Westmount Road as a 2-way roadway with areas for active modes of travel such as walking and cycling as the preferred primary access option for a new hospital at Overdale. It does not go into the shape, design or anything. It is the in-principle decision and that really is my view of where we should be. We have done what was asked and I really want to commend the team for the speed at which that was turned around, because do not forget there were also homeowners who were ready to proceed in selling their houses to us certainly before Christmas and indeed one had already bought their new home. The longer this delay continues the greater the uncertainty for them. When we started the particular stage of the journey, and my recollection was it probably kicked off in about 2010, so we have been going at it for quite a long time, we have had all sorts of delays and efforts to try to find a solution. Really part of the politics having people jumping to alternatives for political expediency and for other reasons, so having had the previous site rejected twice by 2 different Planning Ministers and then rescinded by this Assembly I set a challenge and that would be to be contractually committed by the end of this Assembly. The timetable is tight, and I was clear on that, but I was also clear that if we work together then it was achievable, and above all I stressed the importance of engaging with stakeholders, Scrutiny, States Members and the public. Under the guidance of the political oversight group I would suggest we have done exactly that, ensuring a whole range of views are taken into consideration and that Islanders have had their opportunity to contribute to the site selection process. In overview, we have achieved the assembling of a superb team, we have established the citizens’ panel, we evaluated a huge number of sites and we brought that down to 5, we selected a delivery partner and this Assembly has agreed the site and we have announced the decant plans as well as a host of other matters. But now we face getting mired into inordinate detail when that request is at the wrong stage, I would suggest. It risks turning this Assembly into a planning committee of 49 or perhaps even worse, a roadways engineering committee. As we have said, that is what was needed at the planning application stage after all of the community engagement and the design and all that sort of stuff. Whether it has been confusion or misinformation, I want to talk about the impact on People’s Park by this proposed route. It says that there has been concern - I have seen them on the emails as have other Members - that People’s Park will be destroyed by the new access route. We have been very clear, and Senator Farnham was very clear in his opening speech, that throughout that small areas of land might be needed for the road to improve safety but this would be kept to a minimum. The political oversight group fully understand the value Islanders place on People’s Park and it was removed from the final list precisely because of that. The P.O.G. would not support a design that has a major impact on the park and the

aim is not to disturb lots and lots of trees. For that reason we have accepted and propose in the main proposition Connétable Crowcroft's amendment and Deputy Doublet's amendment to his amendment, and we are going to work with the Parish. We have been working with the Parish to minimise the impact on trees and green space, replacing amenities and parking spaces. The parking spaces on the edge of the park will be needed but the line of trees on the grass at that stage will be retained, and that is in the original proposition, P.123. If any trees did have to be removed they would be replaced; that is the crucial thing. That is a principle that we have absolutely undertaken. I think it is again worth mentioning and reminding Members that the advisers of the Scrutiny Panel do state in their report - and yes they do have a caveat - but they do say: "Overall we found no reason why option 7 should not be considered the most appropriate vehicle route to the hospital." They also state that option 6, doing nothing, was a close second and we have also committed and been very clear - why would we not - that the project team will continue to look at that option during the next phase of work. Obviously because of COVID it is fairly clear that the panel advisers have not been able to visit the Island to do their piece of work. They have absolutely said it has been done on Google Earth and I am not clear that they have worked in Jersey previously, so I am not also clear of their experience with building hospitals, but that may not be directly relevant to this debate. The point is they obviously have been constrained through COVID as to what they can do, and we have to bear that in mind when we are assessing matters. I think we also need to reiterate that the realigned road, if that is where we go, is not just required for the construction period. That is another myth that has been gaining ground. It is necessary for safe and easy access to the hospital in future for blue light services and the public. All of the options were appraised against certain criteria. They have been developed and prioritised following consultation and engagement with the Jersey Ambulance Service, a panel of health and community services staff, established and engaged with the Our Hospital project and the Our Hospital citizens' panel as well as officers from Infrastructure, Housing and the Environment. It is very clear that ambulances and buses cannot easily make the hairpin turn without crossing the other carriageway and that is the fundamental issue we are trying to grapple with. We always knew that Overdale has issues in terms of access but we have a solution for that. For all the reasons previously set out, unfortunately this Scrutiny amendment will wreck all of the ambitions of achieving something within the time of this Assembly and it is not just about asking for some simple drawings.

[10:45]

These are going to be drawings to an engineering level that will come but that is as part of the planning process and in fact that process has been effectively set down in law and approved by this Assembly, so we are asking for the wrong level of detail at the wrong time and, as I have said, it is changing this Assembly into a 49-member planning committee. Some will argue that further delay does not matter, given the project has already taken so long. They are wrong. From 2025 or 2026, a mental blank briefly, the costs of maintaining the hospital begin to escalate and it is something like £10 million a year for at least 5 years. The impact of this amendment, because of all the uncertainty and the sheer drag it produces, will potentially add an extra 30 per cent to the overall costs, not just the build cost, but the total projected cost if everything was spent and that is huge and that might just kill the project, and I am not exaggerating. The overall health of Islanders will suffer not because of our dedicated staff, but because of the facilities it provides that will let our staff down. I want to refer Members to the letter from the group medical director, which has been circulated already, and he summarises in that letter some of the needs that this project encapsulates. He talks about the need to co-locate acute mental and physical health facilities if we are ever going to address the lack of parity of esteem that currently exists for these 2 facets of our present health care system. He talks about the sheer risk of further delay. He talks about the significant infection control risk that the current estate creates, which can never be mitigated to the extent that a new facility can achieve. He talks about the reputational damage of further delay and our ability to attract the highly-skilled workforce we need and all the rest. I would emphasise that is from the heart. It is not just about the health of Islanders

now. It is about generations to come and how we care for them. I have got one thing to say and then I will start to sum up. One is, I have recently been informed of the experience of Guernsey in relation to building a mental health facility, who went through similar issues that we are going through and in the end I am informed it took them 20 years. I really do urge us not to try to beat our sister Island on this but to learn from their experience. In conclusion, there is one other matter that has been referred to by Senator Moore, which is she talks about I think a 12-metre road. I make the point that in P.167, marked at page 6 in one of the reports attached, it specifically states that that 12 metres includes a verge and active travel; in other words it is a maximum and is an option that is being considered. It is not a 12-metre stretch of tarmac, so it is in the report and that is where some of the confusion has evidently been coming. In concluding, what I want to say is I think we have lost sight of what we are trying to achieve here. There is a risk of being mired in politics and of being pulled down to the weeds about a road where broadly speaking there is already a road, where we have already given commitment to minimise the impact on People's Park and we have already committed to making a further step in the direction of sustainable transport by establishing a trial of a St. Helier bus service this summer, which will then set the foundation for a shuttle bus to Overdale when it is required, and that is laid down in the main proposition. I want to remind Members what is the vision. It is about having a campus-style hospital where mental health and physical health combine on to one site, where views and the surroundings can contribute to healing, where it is fully recognised that the hospital, as Senator Mézec has expressed in the past, is a special place that will affect every Islander during their life on this Island. It is for all those reasons that we need to get on with this and it is for these reasons that I ask Members to reject this amendment. It is for these reasons that I ask Members later to support the main proposition so that we can unblock this project and get it moving forward.

The Bailiff:

Thank you very much, Chief Minister. Deputy Ward, you have a question for the Attorney General?

Deputy R.J. Ward of St. Helier:

Thank you for giving me the opportunity. It is very difficult to word this question, so I may have to come back if it is not good enough. What I would like to know from the Attorney General is the legal position regarding this and previous propositions. The previous proposition of the Constable of St. Helier that asked us to come back to the Assembly for some form of approval, are we legally required to even have this debate on this proposition for the process to proceed? It may not be politically pleasant, is the only word I can think of, but is there a legal requirement for these debates to happen to continue with the building process or is that something that comes through the legal implications through the planning stage? I hope that makes sense, and that is where I will leave it at the moment.

The Bailiff:

Attorney General, presumably you would like some time to consider your answer to that?

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

Yes, Sir. I would be grateful for a bit of time, please.

3.2.5 Connétable C.H. Taylor of St. John:

When the Constable of St. Helier brought the amendment to the main proposition for the hospital site I supported that amendment because I was not at the time convinced that Westmount was the correct route. I favoured the route that came up through King George V Cottage Homes and from the west side, from the Inner Road. Following that debate I then went forward and met the hospital team and subsequent to their discussion I walked the site a number of times and I am now absolutely convinced that I was wrong. The west side up through the King George V Cottage Homes is possible but not within the timeframe we have and is not the best route because it disturbs too many residents. The Westmount is the best route, and the irony of this is that if we just built a road, 8.5 metres or whatever

width it should be, up there I do not think there would be the level of objection we are having. If we then came back in 5 or 6 years' time and said we want to widen it to provide pedestrian and cycling access to our brand new hospital everybody would jump up and down and say what a brilliant idea, obviously we should do this, why was it not thought of in the first place? Well, it has been thought of in the first place and that is why we need a 12-metre strip to take into account the pedestrian and the cycling access up to Overdale. Unfortunately that is what has been misinterpreted as a 12-metre strip of asphalt, which it is not. It is the total width including the cycling and pedestrian access required up to the hospital. The Council of Ministers and the hospital policy group, P.O.G., have examined everything. They have come forward in accordance with the amendment of the Constable of St. Helier and I urge Members to support this, because delay is not acceptable. The Council of Ministers and P.O.G. have complied with what was requested of them and I do not believe it is our job as politicians to examine and micromanage projects. We agree the principles; it is then up to the officers to get on and micromanage and produce the projects. I urge Members please to support this. We owe it to the public of Jersey and we also owe it to the staff in our hospital. They need a new hospital; they need proper premises to work from and I urge Members to support it.

The Bailiff:

Thank you very much, Connétable. Senator Vallois, you have a point of order?

Senator T.A. Vallois:

Yes, thank you, Sir. Can I get your guidance in terms of what we are approving, particularly with the main proposition? Are we approving the report to the proposition or purely approving Westmount Road as an access option?

The Bailiff:

It depends of course on how the vote is on the various amendments, but on the primary proposition you are approving simply the words of the proposition itself. The report may have accompanied it, it may have justified it, but the Assembly makes its decision for any number of reasons that may or may not be contained within the report, and you are simply approving Westmount Road as a 2-way roadway with areas for active modes of travel such as walking and cycling as the preferred primary access option for a new hospital at Overdale. Now, that has been read as amended, so it is obviously subject to the various amendments that are there, but that is what you will be voting on, not on the report, Senator.

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

I would first of all comment on the undignified rush to effectively bully this proposition through the Assembly, and attempting to ride roughshod over the Scrutiny process. States Members must be given full information and reasonable time to vote for or against the proposition and we all try to stick to this well-rehearsed process. I note having received a comment paper from the Council of Ministers at 9.17 a.m. this morning I wonder how many of us have had time to read and digest this. I think I am right in saying I can speak further once the amendment is presented. Is that correct, Sir?

The Bailiff:

Connétable, this is your speech on the amendment. If the vote is to accept or reject the amendment then of course there is still a vote on the main debate and you can speak at that point.

The Connétable of St. Brelade:

Well, Sir, if I may continue in that case, with your approval. Moving on from one unsatisfactory process to another, I refer to the lack of a transport plan. This is in my view crucial to the decision we are being asked to make today. I speak for some 10,000 souls inhabiting my Parish of St. Brelade who will, in the most part, find themselves attending the proposed Overdale Hospital at some time in their lives. There seems to have been scant regard as to how not only St. Brelade parishioners but

all those in the west of the Island will get to the hospital so in the absence of much in the way of detailed information I took it upon myself to do my own research. The first thing of course to note is that there is no bus service to Overdale from the west; well, there is, but you have to get off at Bellozanne and walk up to Tower Road, not ideal if you are unwell or incapacitated in any way. That in effect moves people into cars and once again most coming from the west will go from Victoria Avenue, turn left at First Tower and then up Bellozanne Road and up Tower Road and thence into Westmount Road. That takes me to the option being proposed and wonder how many will use it. We are told no traffic modelling has been done. My observation would be that were traffic encouraged to use that route we will need to extend the existing left-hand lane at the end of Victoria Avenue to avoid constricting the general east-going traffic flow. Traffic flow information is essential for us to make decisions such as this and will have a fundamental effect on the cost of it at the end of the day. I have agreed to the construction of the hospital at Overdale but cannot agree to what can only be described as a shambolic approach being put forward by the Council of Ministers at this time. It is such that my confidence in them to deliver a hospital is diminishing. I would suggest that if the Council of Ministers were to be described as the board of directors and the taxpaying public of the Island shareholders based on communications received over the last few days we would be looking for a new board of directors pretty quickly. Any delays suggested are the direct result of poor communication with the public that has been the underlying theme in the large part of emails and letters from the public. There is little evidence that option 6 should not be adopted until such time as proved otherwise and I urge Members to support the Scrutiny Panel amendment as a preferred option to reference back for more information. I suggest that the Chief Minister doth protest too much.

The Bailiff:

Thank you very much, Connétable. The Connétable of St. John, you were mentioning a point of clarification. Is that a point of clarification of the speech of the Connétable of St. Brelade?

The Connétable of St. John:

No, Sir. It is a point of clarification on my own speech.

The Bailiff:

I am afraid I cannot. That amounts to a second speech in the circumstances. If your speech had been referenced by the Connétable of St. Brelade and you had wished to clarify what it was you had said because you thought it had been misunderstood or mischaracterised then that would be a proper point of clarification, but simply to come back because you think you could have said something a bit more clearly and better I am afraid amounts to a second speech. You would have a chance to raise a point of clarification should of course at some point your speech be referenced in someone else's speech.

[11:00]

3.2.7 Deputy T. Pointon of St. John:

I am concerned about this amendment, concerned to the degree that I will be voting against. The Scrutiny Panel is suggesting that we put our hospital project back to a point that will place this Assembly in the seriously remiss position of delaying a planning application until a new Assembly is established. I suspect that this is the real objective behind the second amendment. What other conclusion can one draw, given that Ministers are being asked to delay debate on this important access issue until 2nd March at the earliest, a significant and damaging delay? The panel's advisers, K2, confirmed in their recommendations that: "Overall we have found no reason why option 7 should not be considered the most appropriate vehicular route to the hospital." Additionally, their recommendation 5 clearly advocated the process we are going through today. They recommended that there should be a 3-stage approach to approval, approval in principle to option 7 as the primary route for vehicular access, then subsequently development and agreement of a multi-modal access strategy to the new hospital site, followed then by production of a preliminary design and impact

assessment based on the chosen route and access strategy, exactly the course that will be taken if we reject this amendment today. They do not recommend in the manner that the second amendment requires, that approval should be at the end of the process. This second amendment contradicts the advice given by the advisers and will introduce unnecessary catastrophic delay. Why am I opposed to this amendment? It is because I am concerned about the mental health estate and not just the estate at St. Saviour's Hospital site but the wider estate and suitability of the therapeutic facilities available Island-wide. Similar to the General Hospital our mental health estate and therapeutic facilities have been neglected for many years. We still have accommodation and treatment areas that would not meet modern regulatory standards from a building perspective. Following a highly critical health and safety report and a damning report from the Health and Social Services Scrutiny Panel that looked at provision of mental health services and the state of the mental health estate, many millions of pounds have been allocated to upgrading that estate to provide a bridge - and note a bridge - until a new hospital rises from the ground and mental health services can be co-located with a new hospital development. The upgrade to La Chasse, the community access facility and refurbishment of Orchard House, the current residential therapeutic facility, is complete and the work to facilitate a move from Orchard House to Clinique Pinel, a temporary replacement for Orchard House, is well underway. Delay to the Our Hospital project will inevitably stress the current arrangement and require more large sums to be ploughed into Clinique Pinel, a deteriorating asset. The improvements so far can only support the short to medium-term needs for mental health. Further delay to Our Hospital project will impact on the best practice clinical aspiration that physical and mental health provision should be co-located. The current arrangements are not fit-for-purpose and we as a society need to progress improved provision on a new hospital campus. Delay will not be welcomed by the people of this Island, so let us consider the current provision for children in Robin Ward at the General Hospital. The Child and Adolescent Mental Health Service have no residential treatment facility of their own and rely on the physical provision that is Robin Ward when they need to admit a young person who could be suicidal or may have a severe eating disorder. It is nowhere near acceptable to manage severe mental illness and distress in a physical healthcare environment that could be detrimental to other vulnerable children who are acutely physically ill, yet we do this on a regular basis, regardless of internationally-agreed care standards and our commitment to put children first. Any delays to the new hospital will increase challenges to staff and also increase the number of times that young adolescents have to be looked after in the adult facility at Orchard House. Our hardworking therapeutic team is particularly dismayed by these arrangements, given that they, by supporting adolescents in an adult environment, are breaching internationally-agreed conventions relating to their care. The impact of accommodating young people within an adult mental health setting can be profound and can severely impact on their hope for a future life without mental illness. It is clear that as an Assembly we have a responsibility to ensure that there is no further delay to the inception of this project. So many lives depend on our moving forward with the present programme. We miss this opportunity at our peril, given that to delay and allow the project to stall will see the Assembly of 2022 once again presiding over a new and extended project timeframe. I urge you to vote against this amendment.

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

I was elected in 2018 as a Deputy for the District of St. Helier 3 and 4, which as many appreciate covers the proposed hospital development at Overdale. Following election I was subsequently appointed as chair of the Health and Social Security Scrutiny Panel. It is a challenging role I and fellow members of the panel take seriously and devote considerable time and effort towards. We strive to provide considered, balanced and constructive observation to the Government, which I believe is borne out by good relations enjoyed with the Minister for Health and Social Services, broader H.S.S. (Health and Social Services) departments and a wide range of operational and management staff in addition to positive feedback from the public. The need for a new hospital is appreciated by this Assembly and certainly by me, having looked at the sites on a number of

occasions and also walked the route to it both when I was canvassing for election and in more recent weeks. The length of time taken to progress has of course been frustrating to many. While the desire to progress the project is fully recognised it is worth noting that this Assembly comprises 17 new Members, 4 of which, including myself, are on the Scrutiny Liaison Committee. In this context not least given the significant financial undertakings repeated reminders of urgency when any questions are posed is unhelpful. I certainly speak for myself when I come with an open mind, a pragmatic can-do approach and no baggage and of course it will be noted that I have in the majority supported the Government in relation to all aspects of their approach to COVID. The request is simple. In order to properly consider the development it is necessary that a sufficiently detailed plan of the road engineering works proposed is provided. Failure to do so is unacceptable, does not allow States Members, local residents or the wider public to have a clear understanding of what is proposed, and creates a general sense, rightly or wrongly, that the Government are trying to hide something. During a T.V. (television) interview on Friday the Deputy Chief Minister referred to the Scrutiny Panel's contribution in this respect as "disingenuous" and noted that consideration of the road aspects were not a matter that should rest with the States Assembly. I am not sure if he misspoke but I invite him to reflect upon the remark regarding Scrutiny and consider that if road development works are not a matter for the Assembly then why have they brought this to us today to vote on it? I would also like to mention some comments that have been made by a number of individuals so far that have spoken. They say that there is misinformation on Facebook, Twitter and all social media. I do not take, read or contribute to those sites and therefore I cannot comment on that, however what I would say is usually misinformation is because people have provided lack of information and that is exactly what we are asking for. Since this started I have to continually ask the question of why was there a need to widen the road and I continue to ask those questions and feel that I have not been provided adequate reassurance. For myself, as a voting Member of this Assembly, but more importantly for those members of the public who I do represent within my district, I acknowledge that a new hospital is an Island-wide need and make no bones about this, I have worked closely with the Health Department not only in my recent but in my previous employment as well and have spent many hours both in the hospital in the Emergency Department and other locations, mental health and across the board. Let me say that I have a very good understanding of the state of the facilities and, in particular, the mental health ones, which I have seen in the last couple of years from the report that we made but also, as I said, in my previous employment. I fully accept that there is an urgency to this project but I think the thing is that this road does not stop the ongoing work as to what they are doing. I think this is just a matter that they want us all to vote for it, move on and have nothing to say. I am sorry, but I cannot be in a position to vote for something when I, as an individual, do not feel that I have the full information that is needed. Finally, as I said, I voted for the hospital at Overdale. Yes, we have all had many emails in relation to all other sites. For me, I said when I was elected I had no strong motives for whichever site that was, whether that was Overdale, Gloucester Street, Warwick Farm or St. Saviour's Hospital. I had no preconceived ideas. I voted for Overdale. I want to move this project forward, but I also want to be able to put my hand on my heart and say that I have all the necessary information that I need to make a proper informed decision. We are talking millions of pounds and I am not prepared to just blindly go down an alley without being given that information. It is my view and I shall put this out in the public that we are building the road for the purpose of building the hospital. If we were not doing that then we could say we will use the road as it is at present and then once the hospital is built and we see what traffic and how people are getting from A to B and a proper transport policy has been put in place then we can widen the road thereafter. At this time I am not in a position to vote for the main proposition and of course will be supporting the proposition put forward by the Scrutiny Panel.

3.2.9 Deputy J.A. Martin of St. Helier:

Obviously a few people are holding back, but already the speeches are getting repetitive, the ones for and the ones against. Like everybody else, some very far-ranging emails over the weekend and I

have tried to answer every single one. I have concentrated mainly on ones that I feel that the information they were trying to provide me was not always correct. As somebody who was in this Assembly who stood with the then Deputies of St. Helier No. 3, to do a paper petition before we had the online, very easy from my armchair to sign, for many weeks in King Street getting signatures to get People's Park taken off.

[11:15]

It was very interesting, the majority of people who would not sign it did not live in Town, surprisingly. I put that out there and the minute it was between People's Park, again, and Overdale, this is what I asked, the impact on People's Park. I have not done all that for my health; I have done it for the protection of the park. Before the Constable speaks, no, I did not vote in the Assembly to protect People's Park because again it had already been decided, but it came back without any political oversight. It was the best 2 on paper. The other thing, many emails telling me this is wrong, the road is going to be 12 metres wide. I went back to the Constable's amendment and what they have tried to do, and I have listened and listened to Scrutiny hearings as well, I have read the reports, I think what the Infrastructure people are trying to do is say at the worst if we incorporate cycling, walking, everything else, at some point it may be 12 metres, but even in Scrutiny when that was put to the contractors they did not confirm it, because they are trying to avoid this. Deputy Ash really said a lot of what I wanted to say, but when I first read the amendment from Scrutiny and I scrolled all the way through, I thought: "Oh, need that for a planning application. Need that." The one on the environment and the ecology, I think it is bullet point 5, these are things that cannot be done by 3rd March, speak to everyone whose house may be purchased. Until the decision is made they do not know. The money is too much now. What we are trying to do is produce a medical facility, hospital that incorporates everything on a big site and a fantastic speech from the Deputy of St. John on the mental health aspects. We do not want somebody visiting the hospital for physical or mental. We just want them to visit a facility where they have great treatment and a great experience. When I scroll down to the final part of the amendment of Scrutiny and it says there are no financial, forget the manpower, but no financial implications to their amendments, putting this back again and again after I have been through this saga, so has the Island, so are the people who visit the hospital and some do come from St. Brelade now and some will always come from Gorey. I say at least Infrastructure is now thinking about a bus. I have always said wherever you put it you need a good bus service going in one and out the other. You might need to stop off at 3 different places in the hospital. But I want Senator Moore to tell me how she has put that, with the Scrutiny Panel, in her amendment that this will have no financial consequences because everything I have heard right from the beginning, this is costing us money every day. Every day we delay it is costing us money. Everything Scrutiny wants to know and the public is in the planning stage. The consultation, the third-party appeals, everything that goes under planning has never worked great when it is brought to this Assembly. It never will and it never should. We have had Deputy Young recuse himself because, literally, he is going to make decisions on this. He is the right one to make the decisions; it is under the law, not for us. I heard the Constable of St. Helier on the radio today saying that he was disappointed at the beginning when he was trying to get some protection for People's Park and he thought that people have been so frustrated that they were like, just get on with it. The majority of people are just getting on with it but I am not just getting on with it. Overdale is a massive site, it can do what we want now; it can incorporate physical and mental health. It can be expanded in the future if needed. All we have to agree today in principle that Westmount Road 2-way is the right way to do it. Deputy Le Hegarat just said: "This is all about building the hospital." The Deputy knows that all the traffic from all over the Island will be going somewhere or other to Overdale. It is not just about construction. It is about making it easy for people's lives when they want to go to our fantastic new facility. I put that out there. I really want Senator Moore, in her summing up, to tell me how she thinks this will not impact financially. Lastly, when the medical people came to the States Members' hearing, certain Members accused the medical people through the other States

Members, not the medical people obviously because they would not, to having a gun held to their head because they deemed to tell them how bad the estate is for people; that is the Islanders, that is the medical staff, that is the future of trying to attract new workers here. I have to take all that into consideration after 20 years of making some really favourable decisions. Again, the other half of the decision I make have upset half the Island and that is what politics is about. Today I will listen to Senator Moore but I think she probably knows I have made my mind up. This is a lot of delay and it is a lot of money and it could not see us having a fantastic new facility for everybody, physical and mental health, that we absolutely have been crying out. The debate has been raging on for over 8 years but we knew we needed something new 10 or 12 years ago. Do not put it off anymore. There is enough information, the park will not be ruined. The park will just lose the parking at the side and that is an eyesore. It is not residents, it is mainly white vans. I brought this up at the Deputy's meeting: do we want to facilitate white vans? The Constable's amendment asked for new parking and he has already told me some alternatives that can be considered, which obviously he will pass on to the whole group. I will leave it there. I cannot support this amendment and please, please do not believe there is no financial consequences.

The Bailiff:

Thank you very much, Deputy. Mr. Attorney, are you in a position to come back on Deputy Ward's question at this point?

The Attorney General:

Yes, Sir, I am. In summary, my advice in relation to Deputy Ward's question is that there is no legal requirement for this proposition or for the debate, in that the Planning and Building Law 2002 places decision-making responsibility on the Minister or, potentially, in other cases on the Planning Committee. In terms of a legal requirement for this debate, there is not a requirement in law. There is a separate requirement in the 1961 Compulsory Purchase Law, insofar as the project requires the compulsory purchase of land. In summary, that requires that the Assembly is presented with a plan, a plan of the land that is intended to be purchased and also with information about funding. My recollection is that the Assembly has been presented with a plan of the land that is involved in the project. If there is a need to proceed by way of compulsory purchase, rather than by agreement with the relevant property owners, then the Minister would need to come back and set out the precise funding requirements in order to comply with the 1961 law requirements, which I understand the Minister intends to do. In terms of either the Planning Law or the Compulsory Purchase Law, my view is that those requirements are separate. There is not a legal requirement to have this proposition, as opposed to any political requirement. The Minister, of course, it is entirely open to him to take the decision of the States Assembly into account when he is making a decision in relation to the planning application. There is a case, I think, from the 1990s, Fairview Farm, which set out that the Minister can take decisions of the States Assembly into account when making decisions concerning planning. But that is different from a legal requirement for the proposition to have it imposed. In terms of the wording of the proposition, perhaps that is more a matter for you, but my view is that in terms of the Connétable of St. Helier's proposition that the wording of that proposition has been complied with, in that the Government has come back with a report concerning the access route. As I say, that is probably more a matter for you in terms of the wording of the proposition. I hope that answers Deputy Ward's question.

The Bailiff:

Thank you very much, Mr. Attorney.

Deputy R.J. Ward:

Just to say thank you for that; that was very useful indeed. Thank you.

3.2.10 The Connétable of St. Helier:

I want to reply to a couple of speeches that have been made during the debate so far. The Chief Minister reminded the Assembly that it was my amendment to P.123 that has given rise to this debate, even though we have just been informed that it is a debate we do not really need to have. He reminded the Assembly that I had spoken in my speech in November against delaying the project and in support of Overdale as a site for the hospital, both of which are true. One question which, clearly, I have had to ask myself, having brought the amendment to Project 123 last year, was whether the Government team responsible for the hospital has adequately fulfilled the amendment. We have just been told by the Attorney General that it has and I suppose, in a strict sense, it has fulfilled the terms of the amendment; the report has been brought back to the Assembly. Obviously I was disappointed with the report in the sense that it was a desktop study that looked at numerous alternatives to reaching Overdale, avoiding major road reconstruction. Was I surprised that it came out in support of the original scheme by Arup? No, I was not, nor was I surprised when the Scrutiny advisers, the independent transport experts brought in by Scrutiny, the panel on which I had been sitting for the duration of this recent part of the project, when that expert advice came back saying option 7 looked like a pretty good solution. The problem, if I may say this, is that highway engineers are peas from the same pod and of course they are all going to jump to the prospect of road-building if it appears to be safe to do so and a good idea. Deputy Le Hegarat has already made what I think is a very good point and it goes to the heart of the Jersey saying, if it ain't broke don't fix it. In other words, what is wrong with the current road system that we have? We know it is congested. It is so congested in fact at the north of the site, that is at the junction with Queen's Road and St. John's Road, that highway improvements and junction improvements have long been called for up there, particularly with the Haute Vallée School moving up to that site some years ago. It is quite a disgrace, I think, that the States of Jersey department responsible for highways and infrastructure have never grappled with the congestion problems and the highway problems created at that end of this proposed site. What I would have done if I had been in the Minister's shoes, and I am sure he would happily hand those shoes over to anyone at the moment, I would have been pushing forward with the new hospital project into the planning stages and I would have been getting my colleague, the Minister for Infrastructure, in a much more timely manner than he has done in the past, to make those junction improvements because they need to be done anyway.

[11:30]

Even the junction at the bottom of the Westmount Road with Cheapside is difficult for residents trying to get the new apartments. The junctions at Tower Road and, as I have said, at Queen's Road are really dreadful and they should have been done and they should be being done now. The second thing I would do if I was the Minister in charge of the project, while pursuing the project, the delivery of the hospital that we voted for, is I would be getting my officers to come up with a transport plan for the new hospital. That, of course, is an essential part of the planning process. But it certainly should have been done before anyone tried to tell us that what is being proposed at the moment delivers unsustainable transport policy. Of course the Island has not implemented a sustainable transport policy, though from time to time we hear the right noises coming from the department. But if the Minister had a travel plan being worked up, then I think he might be pleasantly surprised by what the impact of that would be in terms of the highway requirements. Of course, that would not be wasted, that would be part of the planning process. As he got closer to the construction phase, the planning application, it might well be that he would be coming back to the Assembly, to the residents, to the Parish to say: "If the Island embraces its climate change commitments, if we are really serious about reducing traffic congestion and making the roads safer, we do not need a U.K. (United Kingdom) style intervention into Westmount Road." That is what I think should have happened. Whether today's votes allow that wish of mine to be expressed, I am not sure because it could be argued that the Scrutiny amendment is calling for delay. But, on the other hand, Scrutiny's amendment is asking for more time for a better process that our advisers said had not been good. If anyone was in any doubt about that, they only have to look through their inboxes at the unprecedented

number of concerns we have had coming through in the last week or so. These are not simply from people who do not like Overdale as a site and to whom I have been saying: "I am sorry, the train has left the station on that one." These are from people who are genuinely worried about potential heritage impacts. They really have no idea how much of Westmount Hill will be left by the time this work has been done and they are people who are worried about the impact on the environment. It is true that we have had reassurances that that impact will be very small but we only had them on Friday. I think there is a good argument that the public need a bit longer to fully digest, as of course do States Members, exactly what environmental issues will be met. It is quite crucial, I think, that we bring the public with us. We clearly have not got the public on side at the moment. Will this cost a lot of money, as we are being told it will? My argument would be that all of the work that Scrutiny is asking for is only work which must be done as part of the planning application process. In other words, it is work that should have been done perhaps before, it is work that needs to be done now and it certainly will not be wasted. Because by complying with Scrutiny's very detailed requirement for information, we will both reassure the public that the impact on the environment and heritage and so on will not be as great as people fear. We will also be doing work that allows that planning process to run more smoothly. It should be mentioned, of course, that planning appeals, particularly these days, place a great deal of reliance on how far a community has been brought forward with a difficult planning application. That is why I think putting a little more time in the process of getting the public on side would be time well spent. Some members of the public, some former States Members indeed, have looked at my new amendments, the ones I have had accepted to P.167 and have suggested that they reflect some kind of lying down or colluding with Government and they, of course, are not that. What my amendments to P.167 have done, which have been accepted, is they make sure that the negotiation, which has already started, is formalised and that the offer of replacing lost parking, for example, which has not been high on many people's agenda but it is certainly high on the agendas of residents in Cheapside, in businesses as well, that will be replaced. The reason I put those amendments is, if you like, a safeguard, so that if P.167 is accepted, then there will be no escaping the need to make good those provisions. I think that is all I want to say on the Scrutiny amendments but I will be speaking on the main proposition, whether amended or not.

3.2.11 Connétable P.B. Le Sueur of Trinity:

As a member of the Political Oversight Group for our new hospital, I am disheartened that we find ourselves debating this amendment. Members should be aware that if it is accepted, in the words of John Lennon, it will throw a complete Spaniard in the works. From the outset of our work the group identified the critical importance of keeping Scrutiny Panel as well-informed and up to date with the developments as possible, due to the critical nature of the timescale and the adverse impact that would result from avoidable delays. Despite the views held by some to the contrary this is exactly what we have endeavoured to do throughout, providing timely information in the hope of avoiding exactly the situation in which we find ourselves today. I cannot overemphasise the risk we are taking if we accept these amendments. As has already been outlined, it will jeopardise the delivery of our hospital, which despite a deluge of emails from many, there are plenty of Islanders out there saying to us: "Still just get on and build it." We are fortunate once again, despite the previous debacle on Gloucester Street, to have attracted a team of construction professionals, including an internationally experienced delivery partner who are engaged and committed with us to drive this project forward for the benefit of all Islanders. Further delay is going to both frustrate and damage that relationship and the people of Jersey will lose out if the Assembly decide of course we know best and start to meddle in an attempt to micromanage the design process. But further information that has been published recently explains the design principles for option 7, the preferred option. They have been provided as an indication of what can be achieved by the realigning and widening of the access route. Despite some of the negativity, it has highlighted that there is potential gain for the public realm, while respecting the historical assets. This work is essential if we are to provide a safe and reliable access to our new hospital. Although the new construction follows in part an amended route for

technical reasons, it will still only be a 2-lane road that will be approximately 7 metres wide, replacing the existing 6-metre-wide carriageway, plus a pedestrian pavement and cycle path. It is certainly not the U.K.-style highway that some would have us believe. The level of information provided for Members is considered sufficient to enable us to make this important but in-principle decision today with confidence. We have at our disposal a professional team of architects, engineers and traffic planners and we should release them to get on with the detailed design process, confident in the knowledge that we are committed to the project. I would remind Members that we can make the decision today to approve Westmount Road as the preferred primary access to the new hospital at Overdale, safe in the knowledge that the final design will have to go through a vigorous planning process, which is the safeguard of the public interest and the ultimate backstop. No construction work can or will start until the final designs have been through a full planning inquiry, which is required by law. In closing, I would say be in no doubt our delivery partner, in common with other commercial undertakings in the construction industry, are not philanthropists by nature. They are in business to make a profit and they will commit their resources where they see they can make a best return on their efforts. If they detect that we, as an Assembly, are not absolutely committed to delivery of this hospital project, they will start to question the merits of leaving their team here, likely to be treading water for months and making little or no return. I am afraid there are no prizes for guessing the result if we entertain this amendment and the inevitable delays that will flow from it and indeed the risk to the project as a whole. We have been extremely fortunate to attract a team willing to build the hospital for us a second time. I doubt anyone would waste time and effort if we do not seize this opportunity now and get on with it. I urge Members, please do reject this amendment and support the main proposition.

3.2.12 Senator S.W. Pallett:

I will try to be brief because I think we have gone over an awful lot of areas this morning from both sides of the argument. But just from a Scrutiny point of view, they did have an extremely challenging timescale. It is not, for me, about additional delay or attempting to put an additional delay into the process. It is about robust scrutiny; that is ensuring that we do follow the correct Government processes and I do not think Senator Moore and her panel have done anything but do that. I think it is absolutely wrong to put unnecessary pressure on Scrutiny to provide reports prior to the accepted day or accepted date that we were going to debate this. Nevertheless, we are here today and we need to make a decision. There have been comments made about the panel advisers, which I think are completely unfair. K2/Clarkebond are extremely reputable and I think had been a good choice by the panel in terms of providing them with support. They have been involved with various hospital projects around the U.K. and our Chief Minister doubted whether they had or put some doubts around that. But they have been involved with Bridgwater Hospital, the Royal Surrey Hospital, the Royal Devon and Exeter Hospital and many, many other major road infrastructure projects around the U.K. There can be no doubt that this firm are certainly in a position to provide robust ideas and thoughts around what the process should follow. What we have been provided so far I do not think, in terms of the sketches and drawings that we have been provided, really gives a full impact of the impacts of the proposition on People's Park and the surrounding area. I think there has been some inconsistent messaging, certainly around tree loss, which is unfortunate, and a certain inconsistency around what the road will be in terms of its width and, again, that is unfortunate. But I think what has surprised me is the degree of concern that has come from the public. It is not just a concern from a loony lobby group or a small number of people but it is a wide cross-section of the public, and they include some really well-respected members of our community. They are deeply concerned at what has happened and the impact the road will make on this area. There has been some mention about it is too costly to supply drawings. But it is pretty clear from some of the work that is already going on in Westmount Road that somebody knows where the road is going to go, otherwise you would not be putting trial holes in there. Maybe a little bit of honesty and a little bit more transparency around what is going on will go an awful long way here. The view as well is that if a more detailed drawing was provided,

then it would truly show the extent of the intended road improvements and act as a catalyst for the public and States Members to reject option 7, which is the preferred route to Overdale and, unfortunately, we seem to be in that position. I do not particularly think it is going to be burdensome or cause unacceptable delays for better information to be provided. The Deputy of St. Clement, Deputy Ash, mentioned where we were in terms of progress. This is the first opportunity I have had to speak as an interim head of a political party and, for me, progress is not about throwing your principles in the bin, it is about being truthful, being transparent and attempting to improve the trust between the Assembly and the public, which is why I am going to support this amendment. I just want to comment very briefly as well about some of the comments made by the Deputy of St. John, many of which I agree with. He, like myself, does not want to see mental health co-located in one hospital, whether that is at Overdale or another site that is irrelevant to me.

[11:45]

What is relevant to me is the fact that these services are co-located. He brought up a lot of relevant issues about concerns around mental health and children's mental health. What I would say is that as much as a co-located hospital is important, we have improved La Chasse in terms of adult mental health services, which is going to make a vast difference to those that are suffering. The improvements to Clinique Pinel will not be out of date when 2026 comes along. They have specifically been designed so that they will give us a short to medium term and that will go way past 2026 in terms of the support that can be offered at that site. I do not want that used as a reason to push us towards a decision that any Member is not comfortable with. I think we all accept that the hospital estate is not maybe in the condition it should be. But, again, we have had a lot of talk around the risks of failure in the hospital infrastructure and there is some risk to that but it can be mitigated. It should not be a reason not to clearly think out where we are going with this access road, even if it does take an extra month or 6 weeks to really get us to a point where we can all get behind this access road and make sure it is the right access road for this hospital, if it is going to be built at Overdale. I accept the decision that we have taken that it will be at Overdale. I just want Members to have a think about the process, whether we have really given Scrutiny the time that it really needs to provide the reports that really get under the skin of what this is all about and not be rushed into a decision that could have major consequences for the Island and the public, not the least financially, if nothing else. I just want Members to think a little bit about that before they choose today. I know some will be hard fast in their decision to go ahead with this but I think we are missing an opportunity here to think about where we are and think about what we could be doing. I just ask Members to think before they vote today and think about the public and what they really want. I have not met a member of the public yet that has said to me: "This access road is the right thing to do." I have spoken to a lot of people that do not like it. But I think we do sometimes need to just contemplate and think before we press the *pour* button and sometimes a little bit of thought, a little bit of contemplation and a little bit of breathing space is required.

3.2.13 Connétable J. Le Bailly of St. Mary:

A little over 10 weeks ago this Assembly voted overwhelmingly to choose this Overdale site for our new hospital, putting an end to uncertainty and controversy, which had prevailed for many unnecessary years; a democratic decision. The Jersey public were at last to receive the long-awaited hospital which they had been promised. The majority of the population appear to be delighted, though it was evident that there were the normal complainers out there who would not be happy whatever the choice. The public expected an immediate start but that was not to be because the access route had not yet been finalised. A proposition to decide on this, P.167, was put together based on months of research to determine the best route. A total of 72 options, so that every possibility would be considered. There is only one obvious answer, the one proposed today in the main proposition. Any access route to a major emergency building is going to be expensive, especially in the case of our hospital. It is not what you see, it is what is underground, the services.

A modern hospital needs a dedicated electricity supply, a more than adequate drainage system, plus all the essential links. If a different site had been chosen we would still need this infrastructure, perhaps many miles away. Even before a new hospital was first mooted plans and indeed changes to infrastructure were being prepared, a new sewer from Bellozanne to the People's Park and a new J.E.C. (Jersey Electric Company) substation in the adjacent quarry area. The hospital on People's Park was not to be. Overdale is the most obvious choice for this development, not just because it is already in States ownership. The buildings from the previous rehabilitation facility have long been obsolete and require removal, regardless of what happens to the site. A good access road is essential. It need not be 12 metres wide but every requirement was considered, so it was sensible to include a cycle track alongside, even though it is not likely to be used by hospital patients or visitors. The link to infrastructure is also a vital consideration to the project, which can be incorporated in this road. We expect people to disagree, that is something that happens with every project but this is more than just a project, this is for the welfare of our Island, our people. The past year has seen controversy with the coronavirus pandemic. At least there is hope with the massive research done to produce vaccines, yet still there are people who question their personal choice to have them, when this is not about them, it is about protecting humanity. The same people would not think twice about having many vaccines pumped into them if they were able to go on holiday. This hospital and the access route is that important. We need this now. It is not a personal choice. It is vital that the main proposition is accepted in order to commence a long overdue project. The Scrutiny Panel amendments and others must be rejected in order to achieve that.

3.2.14 Senator T.A. Vallois:

It is just briefly because it concerns me when I heard the Attorney General reference the fact that the report would be seen as some form of approval. The reason why I made the point of order earlier was in fact that my reading of the proposition, as it is currently set, does not ask us to approve the report that is attached to the main proposition. All of the reasons why the Scrutiny amendment could be seen from my point of view as a potential good thing is because they specifically refer to the preferred option. If we were to agree the main proposition as it currently stands without any amendments, then there would be potential for options 6, 7, 8, 9 and 15 as per the report that is laid out in the main proposition. This worries me slightly because although it has been stated that the preferred option would be 7, of course all of the different options have different requirements. Just as an example - I did say I was going to be brief, so I am going to be brief - option 9 would have 4,000 50-metre squares of canopy for trees, compared to the number that Senator Moore referred to in opening her amendment when we were asked to debate this today. I also feel that the main proposition does not reflect what was requested by the Constable of St. Helier. We are not approving the report. What we are approving is Westmount Road and that could be a number of those options. I felt I had to speak now because many of the speeches keep referring to the report and the preferred option and I thought it was appropriate to make my comments heard.

3.2.15 Deputy R.J. Ward:

I would like to thank Senator Vallois for what she just said because I was going to make a point, I was not quite entirely sure how to word it but that is correct. The proposition, as I read it, does say Westmount Road as the preferred option and it does not, I believe, state which option out of those is the preferred option, unless it is interpreted as being option 7. No, if we assume that then let us address that issue. There are a number of things about what we have got today and I think the reason I asked the Attorney General the question about whether this proposition or indeed any of the others were legally required was because I think we are, to some extent, in an unnecessary debate and one that has led to an enormous amount of concern, that perhaps in places is not necessary. It is concern that has been raised by people who live in the area and they have had concerns raised, which have uneased them, and I wonder whether it is necessary for them to go through such unease at this stage and whether it has been responsible of Government to take this approach, rather than purely

addressing the concerns of local residents as the primary and really the only issue that comes before we have any approval to any access point. I think that has not been done adequately. One of the concerns we have is that people have developed an enormous lack of trust in the process itself, whether that is right or wrong is not what I am talking about now. There seems to be that process there. In the space, wherever there is a lack of trust, will step those who want to use that lack of trust for their own gain, people outside the Assembly who just like to create issues because they see some sort of political benefit from it in the long term and so we do need to address those because it creates unease. There are a number of points about the amendment. First, I am disappointed that the Government did not come back to the Scrutiny amendment and say: "Okay, let us see a way in which we can work with this because we see what you are doing here. We see that what you are trying to do is get some of the clarity that, rightly or wrongly, people do not feel is there, such as the preliminary work on the design, which has to happen at some point." The notion that this is extra money to be spent beforehand I think is incorrect, given that the legal standing is that it is the Minister who has to make a decision in the end as to whether this happens or not. The Minister can allow this to go through after the planning process where all of this detail will be required anyway. To have this information here is, for me and the reason I see this as an interesting amendment, is it provides reassurance to those people in the area who are very concerned about what this is going to do and other groups who are concerned about what this road will produce. I personally do not believe that just leaving the road as it is is adequate for a modern hospital, and to gain access in the way that we will need safely all year round for emergency vehicles, et cetera, so something needs to happen. There are also concerns about what we are building in the long term and sustainability. There is no definition of sustainability and I have said that a number of times. If you do not have a definition of what you are working towards, then you do not know what that will be in the end and it becomes a moveable feast; that again creates uncertainty, that again creates a lack of trust and that again creates problems for those people living in the area. That is about leadership and we have not had the leadership in this area that we need. If one was to be cynical, and I do not want to be and I do not want to be because it is important that we are positive about the future of this hospital, I supported the Overdale site and I still do because there is space, it is an open campus building and we could have a state-of-the-art hospital that will be future-proofed, something that Gloucester Street was not when the decisions were made to sell space adjacent to the hospital for housing, and that concerns me about the future as well. We do have a Government that is staking its reputation on the building of the hospital and that political pressure, that political drive, is what people are seeing and that is another thing that drives distrust, that this will happen regardless because that is what the Government want to do, so they can stand at the next election and those who were associated with it and say: "We drove the hospital through." It is the Assembly that voted for Overdale as a site; that should now be happening.

[12:00]

In terms of sustainability, there is one huge hole in any development of an access road and that is the usage of that road. Unless we have a clear picture of what that access can mean in terms of public transport, then we do not know how many cars and what that access will be. To give a very simple example, if a bus fare is £2 each way and you have to take a change of buses at Liberation Station, it could be £8 return each journey, that is £16 for a hospital appointment, so that is not sustainable for the majority of the population if they have to visit 2 or 3 times a month. That is a very expensive way to go to hospital and, therefore, people will revert to the car and you will have more car use. Until we address the cost and the expense of our public transport system, particularly up to the hospital, then we will not address car usage and this Assembly has failed to do that repeatedly. Even simple ideas like whenever you have a hospital appointment and your letter would also include a ticket to get to the hospital on public transport; that has not even been suggested and simple solutions like that that could have come with the proposition in the report to give some notion of what sustainability means is what is missing here. Just the point I was trying to make - but I scribbled

down on my pad and I wish I could read my writing a little better - this has become a purely political debate. It is not legally necessary and so we are in the realms of politics here. We have 2 camps and the process of Scrutiny is try to undertake a process using advisers, who have indeed said that option 7, they would have said they see no reason why it is not the best option but have suggested other ideas. I would ask the Government, what do you expect from Scrutiny as a process if not to ask the type of questions that we have in this amendment? Of course, if you put the question of the access route to the Assembly and Scrutiny, which is what the Government has done, then the Scrutiny Panel will come up with the types of questions that are in this amendment. They will be there because that is what Scrutiny is about, it is about looking at all the options and all of the possibilities available and so there is no surprise. I would finish with this, by saying the only concern that Government has is any delay, given the fact that legally there is no need to be here with this debate. They could accept this proposition, carry on with work and then come back with the requirements they needed or have come back to some sort of compromise to the Scrutiny Panel on the way forward. Instead Government put itself in opposition in order to drive through this process. The political element of this debate is not lost and must be seen. It has led to so many people become involved and I will say that some are ill-informed in terms of the process, but I am not surprised that they are ill-informed because it has been very difficult to get the detail of the information out anyway and that is what is necessary. We all agree that we need a new hospital. We all want this to be agreed upon, particularly before the next election where there may be change and it could be back to square one again. We have to not rush into a decision but we can be proceeding in the next 3 weeks with work in order to gather information on this process, come back to the Assembly with more detail, so that more Members are happy with what they are doing and we can go and speak to those people who have serious concerns more openly and more effectively, rather than just saying let us hope for the best. This Government has a problem with trust, it needs to work on its problem with trust. It needs to work on its problems with relationships with people and it needs to do so openly and constructively. That could have been done by accepting this amendment, coming to Scrutiny and doing something about the tiny little parts it has a problem with; that did not happen. I urge Members to think very carefully about that as they vote today.

3.2.16 Deputy S.J. Pinel of St. Clement:

I would like to remind States Members of the very serious financial implications of this amendment. We estimate that every month that goes beyond the current planned contract signature date of March 2022 there will be increased costs of £3.4 million per month. If the contract was delayed by, say, more than 15 months, this could cost us a completely unnecessary estimated additional cost of £51 million. We will also need to invest in maintaining our existing far from ideal hospital for a further 15 months beyond 2026. This alone could add a further estimated £12 million to our costs. These additional figures assume our existing contractor remains with us. We do not have to renegotiate the contract with them. The current risk reward contractual arrangements do not change, et cetera. If this does happen then the cost impact would be much more significant. We have consulted with our cost consultants and, based on their major project and over 50 years of combined experience, they are advising that there would be a potential increase in the order of 30 per cent on our total current estimate. As Members of the Assembly will be aware from earlier presentations, our current total estimate is £805 million, 30 per cent on this is an additional £240 million. There are also further potential financial implications, which I have not attempted to quantify but which Members need to be aware of. If the relationship with our existing contractor did end, this would be the second time the project has been cancelled following a contractor appointment and contractors may be unwilling to incur the cost of bidding on a third occasion. Jersey may then need to pay an even higher premium to attract a future contractor. The other thing, lenders may also be less inclined to support the project in the future, given the repetitive delays and we would face the risk of not being able to attract finance or of only doing so at a further increased cost. The delay that this amendment would impose is not financially acceptable.

The Bailiff:

Thank you very much, Deputy. The Connétable of St. Lawrence. I beg your pardon, Deputy Higgins, you have a point of clarification of the Minister for Treasury and Resources, do you?

Deputy M.R. Higgins of St. Helier:

Yes, Sir, thank you. The Minister for Treasury and Resources has just told us that if the contract is delayed it will be a cost of £3.5 million per month. Would she specify how she has arrived at that figure? For example, are there contractual things, such as liquidated damages, if so, what are they? Simply to say £3.5 million is not ...

The Bailiff:

I think you have asked the point of clarification. Are you able to assist, Minister?

Deputy S.J. Pinel:

The estimate, and I did say it was an estimate, is of a delay it would cost about £100,000 a day because of the contract that we have with the contractors, so that contract has already been established. There is a huge breakdown of this and I just did not want to go into too many costings in what I was saying because it gets confusing. But if the Deputy would like it, I can send him a breakdown of that £3.4 million.

Deputy M.R. Higgins:

Sir, can I come back with a supplementary?

The Bailiff:

If it is a point of clarification as to what has been said, yes. This is not a question time obviously.

Deputy M.R. Higgins:

No, I understand that, Sir. But the Minister has said it is part of the contractual arrangements with our main contractor. Will she tell us whether it is a liquidated damages sum that is written into the contract that says it is X amount of money per week or day that are liable under the contract or are they penalty clauses or what? Because they are highly relevant, penalty clauses could be not allowed by the courts but liquidated damages are part of the contract. Will she please clarify that?

The Bailiff:

Are you able to clarify, Minister, whether or not that you are referring to liquidated damages when you mention a daily or weekly cost?

Deputy S.J. Pinel:

As the Deputy has said in his question, it is a very detailed contract and I will send him the details. It is not appropriate to go into the details at the moment.

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

Third time lucky I think. Some 10 years ago the then Minister for Health and Social Services, Senator Perchard, appointed Deputy Martin and myself as Assistant Ministers for Health and Social Services. There followed an intense induction process at which time ... the many disparate areas of the vast health estate but also and perhaps more importantly we had the opportunity to meet and to listen to staff at all levels of the organisation. What I clearly remember is that probably, almost without exception, the front line workers that we spoke to told us that it was absolutely essential that we build a new hospital in order to avoid, even then, continued clinical risk to patients. A new build would, of course, as the Deputy of St. John has referenced this morning, facilitate the co-location of acute mental and physical health services. My mind was made up then; we needed a new hospital. It was with some dismay that I saw that this meeting today had been requisitioned, requisitioned a mere

week ahead of the intended date for debate, notwithstanding that it is on the access route and we have already decided that we are going to build a new hospital. But why bring forward the debate by a week? As far as I am concerned, the Council of Ministers have made a staggering error of judgment by doing this. Despite Senator Farnham's protestations to me, it can be seen as nothing but a complete disregard for the due process of our Scrutiny system. They have ridden roughshod over our democratic process and they deserve to be rebuked. Their cavalier attitude towards Scrutiny cannot be condoned. It is demoralising for our scrutineers and it is discourteous to our electorate. I have no doubt that by bringing forward this debate the Council of Ministers risk losing credibility, as well as the debate itself. That said, what do I feel about the amendment that the Scrutiny Panel has proposed? In thanking them for the commitment they have shown to their review and in recognising the undoubted level of work that they have undertaken, do I consider their amendment to be appropriate? It is clear that if approved there would be a significant delay to our building the essential new hospital and I have grave concerns about supporting further delays. I have found the letter from the acting group medical director to be extremely helpful. In it he has reiterated for me the concerns that I have had for many years: "The current estate is becoming unfit for purpose and we know that it will be unfit for purpose by the end of 2026, with significant clinical risk." Significant clinical risk. That is the same message that I had first hand as Assistant Minister all those years ago. He has told us too that the significant infection control risks created by the current estate can never be mitigated to the extent that a new facility can achieve. He has spoken of the harm to our healthcare workforce in terms of their morale and well-being by creating further uncertainty in relation to this project, particularly given their experiences of the last year due to the pandemic. The public should be aware of his words to us and I quote: "I believe, given all the considerations, I am justified in saying that we should all be in no doubt that the longer this project is delayed, then the more harm that will come to the people of this Island through the continued use of a failing and inadequate facility." More harm will come to the people of this Island through the continued use of a failing and inadequate facility. We have known for many years that our hospital is a failing and inadequate facility. We have made a decision, our new hospital will be built at Overdale. We know that all of the points that have been raised by this amendment will be and must be addressed in the planning application.

[12:15]

That due process allows not only States Members but the public to express the views that they have shared with us over the past few days. We have taken into account over the past year the words of the acting group medical director, whose letter I have referred to. He is the chairman of S.T.A.C. (Scientific and Technical Advisory Cell) and we have in the main followed the medical advice from that body regarding the pandemic. Why would we not listen today to his words on the matter of delaying the building of our hospital? I thank the Scrutiny Panel for their work and I cannot begin to understand how badly they must feel that this debate has been brought forward and they did not have the opportunity to finalise their report, as they had hoped. But I recognise that their concerns will be addressed through the planning process. Their work has not been wasted. What we cannot do is waste further time in progressing the work on our new hospital. It is with a heavy heart that I cannot support this amendment.

3.2.18 Deputy K.G. Pamplin of St. Saviour:

The debate is not about Overdale being the preferred site of the hospital. This debate is not about the poor estate we have inherited. The responsibility for all of this belongs to many more before us who have not put the needs of the Island's healthcare delivery for far too long. This Assembly has tried to course-correct what we have inherited. This Assembly gave the chance to this current Government to deliver the hospital and work with everyone to achieve this. We will play our part, not in Government, to hold the Government to account and work together, which is what we should be doing to deliver what we all know is desperately needed. For me, the argument is simply saying "just

get it done” is not an argument based on any facts required for a nuanced technical debate based on data and information provided to us on how we vote with the Island’s interest in our heart. The “just get it done” argument, may I also add, for many businesses and livelihoods are only now discovering what that has meant for them in the context of Brexit here and in the United Kingdom. This access road needs to go through the right process that is open, transparent, breeding trust even though we may disagree, but there is a cost. There is a cost to the environment of the area, the history, people’s homes and the day-to-day lives of ordinary folk affected. There is, for me, a very obvious elephant in the room that seems to have not been even touched upon in greater detail than I would have thought. The world has changed with the impact of the continuing pandemic. If people do not think this project has been delayed already, they need to step into reality with that because of the risk of the impact of the continuing global pandemic. This does not mean we do nothing and drop all plans of course but all arguments, even the ones about the current financial impact of the running costs of the current General Hospital and all the healthcare estate, cannot be understated. The impact of the demands of supply lines around the world, recruitment pressures, lockdowns and public health measures continuing while the world tries to vaccinate its population is going to take time. It is because of this, the impact of the growing need for better financial responsibility, rationale, care, openness and the need for us in this Assembly to be working together to find simpler, more responsible ways forward is what I believe is required. That, in turn, breeds trust and we can then have a debate publicly full of respect for one another. This is a mindset change which is what I firmly believe is needed more than ever. I do not see the evidence for the rushing of this particular motion and of being here today in this requisition of the Assembly - and I will be talking about that later in the main debate - but by working closer with what Scrutiny is simply seeking to address as is their right and is their job. With their amendment, for me, it can only help this process if you want this to go the way you think it needs to be. There is an unhealthy divide happening. Everywhere you look now, this is how the Island is being run. This is how this is playing out now and I believe this could all be avoided. As others have said, Overdale has been voted as the preferred site by this Assembly but the result of that being a reality is going to be going down the process. Why would you let history repeat itself now? Surely, the objective is to get this right the right way and continue to listen to the debate and be open-minded but, on this basis, I think the compromise of working with the Scrutiny amendment is a chance not to be missed.

3.2.19 Deputy G.P. Southern of St Helier:

When we get a complex debate like we have today, I always think it is useful, certainly for me, to go back to principles and the principle choice I am faced with is do we do this right because this is a hospital that is going to last the next 40 or 50 years and still, I hope, be serviceable or do we make a decision with the least delay and therefore the least cost? We have just heard some enormous figures thrown in the Minister for Treasury and Resources about how much this might cost. Over a 50-year lifespan, I think it puts a bit of a perspective on it. The question has been is this Scrutiny acting in a political way rather than in a Scrutiny manner and is the politics mixed up in it? The question I have to ask is to what extent have we taken the public with us over this decision about Overdale and about the potential damage that can be done to the environment by the road, by the taking away of trees and by ignoring heritage issues? The fact is that this proposition already had some baggage from the last process that it was dragging with it but how did we address the issues that, quite rightly, have come up over the access road and the access to the hospital and how well have we treated those? The answer is we have treated them, yet again, pretty appallingly. We have not seen a great deal of transparency. We have not seen some of the questions addressed properly but have rather skated over. I am told, yet again, that this Council of Ministers knows what it is doing and should be left to get on with things. The process itself has been fairly appalling but the basic question comes back to: do we do this right or we do it at the least cost? For me, the answer must be that we must make every effort, even if that includes some delay, of doing it right so that we have a facility we can be proud of for the next 40 or 50 years. Thank you.

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

I think we need to bring this debate back to what it is really about, which is about what is going to be the primary access route for the hospital that we have agreed will be up at Overdale? Now there are options we can look at because there are a number of roads that go up to Overdale but we need to make sure that they are the right access roads for the likes of ambulances for the well-being and expedient ability to get somebody that is very ill to the hospital. Would we use Tower Road that goes down a really steep hill with really steep corners and then have to go past a school? No, we would not pick Tower Road. Do we go to a one-way system that was being spoken to me about up Westmount one-way and then down Queen's Road? Well, anyone that lives in the west of the Island would probably not find that great for when an ambulance has to leave the hospital and go out all the way up to the top of Queen's Road, down Queen's Road, around the roundabout, past the fire station towards Gloucester Street and down on to the Avenue to go out west. Or, otherwise, go up Queen's Road up into St. John through St. Mary and into St. Ouen in that manner. Of course, that is not the right way of doing it either, is it? There is New St. John's Road and old St. John's Road that are again very steep and when you want an ambulance to overtake traffic, would we need to widen the road so that would affect a lot more houses? Or do we look at what is being requested here, which is the only obvious option that will have the least disruption on houses and people, which is what we have requested here is that Westmount should be considered as the primary access road? Some speakers have said: "Why do we bring it to the Assembly?" or even told the Government off to say how silly we are for bringing it to the Assembly. If we had not brought it to the Assembly, somebody would have asked us to bring it to the Assembly because we have seen many amendments from Members over this term asking the Assembly to be the masters of the decision-making. Should we have all of the information that has been requested ready to go? Now I know this is the world of politics. If we would have brought all of the information such as a planning application would require, what would be said now by the political opposition is that it is a done deal. They have already done all the work. We have heard this many times before where it is either: "You have not given enough information" or "Because you have given all the information, you have made up your mind, it is a done deal and what is the point in bringing it to the Assembly because it has already been decided and there is no point?" There is a lot of politics, I feel, that is being played within all of this. I think the only option is Westmount to be looked at. The work needs to be done. I think the Assembly really should see that any other option to go up to Overdale is not as preferable and will do more harm. Now we can go and do the work and we can spend the money. The Assembly can agree that that work needs to be done and that is the right option and we can move forward in that way. The other options are a lot more difficult to achieve, I would say, just in common sense by knowing the area so well. To stop and do all the work now and to bring everything together, as if it was a planning application, that has to happen for planning anyway. It is going to be there and it is up to whether it goes to an independent inspector or the likes to look through all that and see if it is being done in the right way. This is all just delay and politics to me. I think that it is obvious that the only option is what the Government have been bringing here, which is we need to look at Westmount Road as a 2-way system and make sure that is had sustainable facilities for walking and cycling that has been agreed and that parking is replaced and green spaces are replaced, which has already been agreed. I think that, at a high level, for this Assembly should be more than sufficient.

[12:30]

Therefore, I am not going to support the amendment by Scrutiny on this one because it is something, as many other speakers have said before, that will happen during the planning process of it and it will be dealt with under planning law eventually by the Minister for the Environment. I will not be supporting this and I think we should move on to the main debate and agree this and then we can get on because we need this hospital and we need to get it right. Thank you.

3.2.21 Deputy R.J. Renouf of St. Ouen:

I have very serious concerns that, if this Assembly adopts the second amendment, it is bad news for Islanders and health services in so many ways. The risk is we lose the good contractual position we now have. The risk is delay will add extra cost to the project. As the Minister for Treasury and Resources tells us, potentially 30 per cent. Will we decide to finance that at the end of the day? There is a huge risk that the project could stall and at the time of the next election, 10 years after we have started, States Members still will not have resolved the need for a new hospital. If the project was to proceed, it could add another 12 or 15 months to the timeline which takes us well beyond the crucial target date for vacating the current deteriorating hospital buildings by 2026. Yet the second amendment states that there are no financial or manpower implications requiring that detailed work on the road design that is normally put in place at a later planning inquiry stage. That statement of “no financial or manpower implications” must clearly be incorrect. We are already spending millions of pounds maintaining the current hospital. Thanks to our wonderful staff, it is a positive and inspirational place for patients but the buildings are tired and deteriorating rapidly. For the sake of patients and staff, we need to get out of there as soon as we can. For me, there is almost nothing that could justify any further delay. Members know about the concrete degradation. They know about the plumbing system and the drains under the site, which are inadequate and in poor condition, where overflows occur and contaminate clinical areas. We know about the water system that needs intensive and expensive efforts to avoid legionella risks. The roof of the granite block needs replacing as we saw when part flew off last winter. The windows in wards are single glazed and those wards do not have air conditioning. You can shiver next to the windows in winter and if you are a patient when the summer sun is burning through, well, we will regularly supply you with ice cream or ice-lollies in an effort to keep you cool. Our staff work hard to make patient and visitor experiences a good one but there is often a serious impact on patients. A hospital has been developed in a piecemeal way. There is a significant challenge regarding patient flow and clinical agencies that just do not support the most efficient and effective medical practice that has obvious consequences for patient care. There are just not enough single rooms and we cannot create more. This has hit us particularly during COVID but also when other viruses are around, such as norovirus. We have to use single rooms to isolate patients and control the spread of infection. The results of that, inadvertently, is that some patients pass away in wards. That is distressing hugely for them and distressing for their families huddled in the narrow space between a plastic curtain and the patient’s bed. It is distressing for the remaining patients in the ward and their visitors and hugely upsetting for the staff who are working in a building that cannot provide the human dignity that is provided at such times. As decision makers in this Assembly, we can change this and we should not delay the change we have decided upon. COVID-19 has highlighted infection control issues we have in our buildings. Our Emergency Department and many wards are small and space for patients is confined. Storage is lacking and it is difficult for our staff to manage resources effectively. There are departments where you can walk in and you cannot see any surface which is not covered with equipment. Computers sit next to sinks because there is nowhere else to put them. Now Members have received, with the comments on this proposition, a letter from our medical director Mr Patrick Armstrong, and I urge all Members to consider it carefully as I can see the Connétable of St. Lawrence has done so. He tells us there will be significant clinical risk if we remain in the current buildings after 2026. He speaks of significant infection control risks that the current estate creates, which can never be mitigated to the extent that a new facility can achieve. I often wonder how staff cope. What is the effect on them? They work in cramped conditions in buildings that are crumbling around them and do not support the efficient care that those staff want to deliver as professional healthcare workers. The rest facilities in wards are non-existent unless we count a few uncomfortable chairs outside the lifts or in corridors. The canteen has been closed during COVID. The chapel has been converted into space for staff to reflect, to talk and refresh themselves in these pandemic times but still it is not unusual to see staff sitting on the stairs to eat their sandwiches. Junior doctors who are on the front line of care working long shifts do not even have a doctors’ mess and something that is unheard of in modern healthcare. Our staff are angry about their work conditions. Their morale is low. They

often do not feel supported. How many does this affect? On a daily basis, we have about 800 staff working in the General Hospital. If we co-locate those staff in the General Hospital with staff in the current Overdale facilities and staff in our mental health facilities, there are likely to be over 1,000 staff needing to travel to and return from Overdale each day, and that is just the workforce. Add to that Islanders attending clinics, going for day care and visiting patients. Add on deliveries and services to a busy hospital and then of course we need excellent access which is far better than we have now to the Overdale site. This is a fact that no one disputed when we selected Overdale as the preferred site. The need to do better for our staff was identified years ago. We have dithered and delayed and finally there was some light and hope. In November, we chose the site where we would be transforming their working lives from 2026 where, at last, they could deliver the care they really want to give or is that now in doubt? What could I say to staff if we accept this amendment? “Well, it definitely will not be 2026. Sometime later perhaps.” There is not any certainty because there is a risk that the delay makes this project unaffordable. The risk we might lose our design and build partner. I am really sorry to say that if we continue in this vein of examining everything in microcosm, we might be back to square one. Our healthcare staff deserve better. They deserve a new workplace in 2026. No longer will we recruit staff who express shock when they arrive at the conditions we ask them to work in. The recruitment and retention of staff will improve the sooner we open that new hospital fit for the 21st century. New educational facilities for nurses and allied health professions will be attractive to school leavers and those looking to change career and Islanders will be better served as a result. In his letter, the medical director warns us about the harm to our healthcare workers in terms of their morale and well-being by creating further uncertainty in relation to this project, particularly given the experiences of the last year due to the pandemic. Our staff have engaged with and supported the current project and are pleased we have decided on Overdale but the medical director says he cannot see how we would be able to engage the clinical workforce yet again in the future if we do not continue to progress now. There is a telling conclusion to the letter from the medical director. He says: “I believe it is only fair to my fellow healthcare workers that I highlight our concerns to you on their behalf and seek assurance that we will not be held to account for the harm that I have described above that will almost inevitably occur as a result of the continued use of a facility that is already well beyond its reasonable life. I have taken opinion from my deputy and associate medical directors in addition to the most recent chair of the Medical Staff Committee who have, as a group, endorsed my view.” None of this is subjective opinion. It is evidenced by professional surveys and expert reports to ensure the safe operational running of the current hospital as well as the replacement of clinical equipment. On the back of all of that, the eye-watering detailed costings to maintain what we have to keep to an adequate standard for delivering healthcare for Islanders and to ensure that we comply with all the necessary fire safety, health and safety and building control standards. As a result of that analysis, the conclusion is that there is an effective tipping point around 2026 where the cost of keeping the hospital going escalates even more sharply. The accumulative cost of maintaining the current buildings up to that time is estimated to be £51.6 million. At that same time, the threat to service continuity, patient safety and patient experiences also increases significantly. Why on earth would we choose now to add millions each year to that cost, put patients’ outcomes at risk and demoralise our staff even further? We need to be rid of the millstone around our neck and move into a new hospital at Overdale in 2026. Other speakers have spoken powerfully about other consequences of delay that certainly arise if we adopt this amendment. They are significant but I have concentrated on the impact of delay on delivering healthcare in our existing buildings. Delay means additional expense to the taxpayer but, even more worryingly for me, it means the risk of poorer health outcomes in deteriorating buildings and a dispirited staff who are required to work in substandard conditions without hope that things will improve because their States Members will not move along with the path that we have identified. An improved road to a hospital at Overdale will be safe. It will be far more usable to people walking and cycling. We will create extra public space on the bowling club site by extinguishing the old road and turning it into additional parkland. We will celebrate the heritage of the area and properly mark

the site where Major Peirson gathered the militia to defend the Island. We could have a statue of the major and some of the militia there with appropriate information to really bring the recognition that the history of Westmount deserves. Then we carry on up that road and arrive at an amazing well-designed hospital facility fit for the 21st century in which our valuable staff can properly the advances in medical science and technology and do what they want to do which is to deliver the best care for Islanders. I urge Members to reject this amendment and adopt the proposition. It is surely the right and only thing we should do. Thank you.

LUNCHEON ADJOURNMENT PROPOSED

The Greffier of the States (in the Chair):

Thank you very much. The adjournment has been proposed. Is that seconded? **[Seconded]** Thank you. I do not see any opposition to the adjournment and therefore the Assembly will stand adjourned until 2.15 p.m. this afternoon.

[12:44]

LUNCHEON ADJOURNMENT

[14:15]

The Bailiff

We continue with the debate on the amendment to P.167, brought by the Future Hospital Review Panel. Does any other Member wish to speak on the amendment?

3.2.22 Deputy M.R. Higgins:

I will start by saying that despite what the Minister for Health and Social Services said in his speech before lunch, I doubt there will be even a single Member of the Assembly who disputes the need for a new hospital with modern facilities, equipment and highly qualified staff to provide the people of this Island with the best possible healthcare during the rest of this century. His passionate appeal is registered and supported by us all. However, when the shortlist of 5 sites was announced, I was convinced that Overdale would be chosen by the States for the hospital. Why? Because it is the best of ...

The Bailiff:

I am sorry, I think someone has left their microphone on and there is talking in the background. If everyone could check their microphone is switched off. Please continue, Deputy Higgins.

Deputy M.R. Higgins:

When the shortlist of 5 sites was announced, I was convinced that Overdale would be chosen by the States for the hospital. Why? Because it was the best of a bad bunch. I personally would have preferred the waterfront or Warwick Farm. The 3 parks - Millbrook Park, St. Andrew's Park and the People's Park - were unacceptable and I knew that they would be fought over by the Parish Constable, Deputies and local residents, who wanted to preserve the green sites and the amenities. In fact, as soon as the shortlist was announced, Constable Mezbourian from St. Lawrence immediately put in a proposition to save Millbrook Park, and the St. Helier Constable, Deputies and residents were geared up for a repeat of the fight to stop it being built on the People's Park. St. Andrew's Park was also considered too small and unacceptable. The site at Five Oaks was also a non-starter due to the large number of properties that would have to be purchased and major roadworks that would be required for the Five Oaks roundabout and, most importantly of all, the volume of traffic and obstructions on the 2 main roads leading from the roundabout in St. Helier, which are adjacent to many of the Island's schools. I can imagine the fight that would be put up by the Constable of St. Saviour and her Deputies, and no one wants to cross the Constable of St. Saviour. That left Overdale, being the site of the existing hospital, as the obvious favourite. I felt that the States were being deliberately steered

in its direction. When the decision to select Overdale was announced, it was inevitable, in my opinion. Obviously some of the residents nearest the Overdale site were unhappy at the prospect, especially when it was known that 3 very modern and expensive houses with a view of St. Helier would be demolished and other land taken for roadworks and for carparking. A Parish Assembly was called to discuss the site. I remember addressing the Assembly and I said: "I am sure that Overdale will be selected as the site" because, as I said earlier, it was the best of a bad bunch. I also knew that the Constables of St. Saviour and St. Lawrence and their Deputies would vote to stop it being built in their Parishes and the rest of the States would support it as well, as we all wanted a hospital to be built as soon as possible and not waste another £47 million, following the foolish and stupid decision to build it on the existing General Hospital site in St. Helier, and besides that, the public were all clamouring for a decision to be made. I remember at that Parish Assembly Advocate Blakeley publicly asking the District Deputies at that meeting whether we felt that we had enough information about what was being proposed to make a decision. I remember saying that I did not, despite reams of documents supplied, and I believe my colleagues felt the same. When the States debate came and Overdale went through without debate, some Members were playing chicken, not wanting to be the first to speak or wanting to follow someone else or, in my case, a mistimed comfort break. I was convinced the debate would go on for hours and you can imagine my surprise when I got back to my computer and the voting was underway, as I still had so many unanswered questions. I just had time to vote *contre*, alongside 5 other Members. We then went on to discuss the Constable of St. Helier's proposition regarding requiring the Government to look at some alternatives for the Westmount Road access. In that debate, I said it would be a Pyrrhic victory. The People's Park was being saved by the hospital being located at Overdale, but the project could end up destroying both areas. I stated that I am fully committed to having a hospital, but do want to see what impact it is going to have on all the parties concerned and find the best solution. I did not want to see the People's Park destroyed, which could be the result. I said that we had no real information from the Minister. We are talking about properties being demolished, but again, if we can avoid doing so, much the better, although I accept that with any building project there will always be collateral damage to properties nearby. Can I just ask, are you hearing this properly? I am getting a lot of feedback.

The Bailiff:

I can hear you entirely clearly, yes, Deputy. I am not sure how everybody is faring, but I can hear.

Deputy M.R. Higgins:

I will just repeat what I was just saying. We had no real information from the Minister. We are talking about properties being demolished. Again, if we can avoid some of that, so much the better, although I accept that with any building project there would always be collateral damage to properties nearby. But this whole project had been rushed and there was still so much detail outstanding, we required more information and we were being rushed into it. I felt it was wrong and I said I would not support this if it means we have to push things through without having the information. When we came to the votes on compulsory purchase, I said I would support it. Being a democrat, I accepted the vote of the Assembly on Overdale, but I said: "I believe we will rue the day in terms of the damage or desecration that will happen to the People's Park and the surrounding area of the approach routes." I think because it was never really set up properly, we will rue the day. Anyway, I supported the compulsory purchase vote. Now, since that time I have attended a number of briefings that were given by the Assistant Chief Minister and officers. I also had discussions with Senator Le Fondré and I went through, I spent a lot of time trying to get additional information about what was happening. I must confess, near the end they had convinced me. However, I took a lap or 2 around the People's Park and started looking to see what the impact would be and see if it fitted with what I was being told. I was told that very few trees would be removed, but where the cars are parked, a lot of trees will be removed; I think it is about a dozen. As you go up Westmount Road, there are others that will be dealt with, especially as you get to the corner near the new flats in the old St. Helier

quarry and then going up around the road, so many trees will be lost. I am not exactly sure of the actual damage that will be done. That is one aspect that concerns me. The other aspect of this project that concerns me is the loss of parking. I know we are all looking to a carbon free future, less cars on the road and more sustainable transport, but this is the situation at the moment. There are over 60-odd carparking spaces that are going to be lost through this development and, yes, I was told: "When the new hospital is built, the residents will be able to park in Patriotic Street and certain floors will be dedicated to them." It is something, by the way, I do not believe the Minister for Infrastructure has agreed to yet, but what are these people going to do in the meantime? I live in a property on St. Aubin's Road, which does not have parking, and I know the difficulty I face every day. What difficulty are all the residents of that area also going to experience for the next 5 years or more while the hospital is being built and Patriotic Street can be provided? I have looked even at the Constable's amendment to the main proposition and in one sense it is: "Take us on trust. We will discuss relocating the bowling green." Yes, I am sure they will. "We will provide carparking", but where and when? "We will replace the trees." Yes, trees can be replaced, but they will be a shadow of their former selves and take many, many years to be rebuilt. My biggest criticism of the whole hospital scheme has been the lack of information, which just before the lunch break we got another example of it, the Minister for Treasury and Resources telling us that it was going to cost us £3.5 million a month for each delay that would be caused if there were any delays, yet when I asked about liquidated damages and penalty clauses, she could not give me any information at all. In building contracts, the contractor normally will put in liquidated damages, which are a genuine pre-estimate of what the cost will be if the project is delayed and they will be seeking those damages from the person who is commissioning the works. Penalty clauses, on the other hand, are just wild-eyed figures thrown in to try and frighten the client. In law, most of them have been overruled because it has got to be a genuine pre-estimate, but we have none of that information. When I drove around and walked around the park looking at the trees, I think some of the objectors have put ribbons and tape around more trees than I think will be lost, but the truth of the matter is we do not really know. I asked in the very brief meeting that we had would they stake out the ground and show us how much of the park would be taken away, could they give us sketch diagrams showing it, not detailed drawings, not expensive drawings, nothing that would take a great deal of time, but no, they could not do that. Basically States Members are going to go into this vote with their head in the sand and not have a clue what they are voting for. As one Member who is not prepared to do that, I shall be voting for the amendment of the Corporate Services Scrutiny Panel because I believe that we do require the information, we should have that information before we make a decision and I believe we would be negligent if we did not. The public pay us to, yes, make decisions, but also to make decisions based on fact and data, not just assurances that everything will be all right on the night. Therefore I will finish at this point and say I will be supporting the amendment. I just wanted to express my real concern about the way that we are proceeding with this whole venture. I just hope when we get to the design phase and everything else we get a lot more, because it is sadly lacking. It is, I would say, a failure of the Government to provide not only Members what they require, but what the public desires.

The Bailiff:

Thank you very much, Deputy. Deputy Pinel asks if you will give way for a point of clarification.

Deputy M.R. Higgins:

Yes, happy to.

Deputy S.J. Pinel:

The Deputy, in his speech just now, said that I could not give information on the breakdown of the projected estimate of £100,000 a day and a consequent £3.4 million increase in costs of a delay. I did not say that. I said I would furnish the Deputy with a breakdown at the end of the proceedings

or during the afternoon. It is not that I could not do it, it is just that it was very, very complicated to go into in an answer to his question.

Deputy M.R. Higgins:

I accept the Minister's statement. She did say she would provide it, but we need the information before we make a decision.

3.2.23 Senator I.J. Gorst:

Like some other Members, I am sorry that we find ourselves here today. I am not of the view that a specially requisitioned meeting was required to consider this matter.

[14:30]

In fact, I think probably it is going to be something that P.P.C. (Privileges and Procedures Committee) need to pick up on because no sooner have we moved to the 3-week cycle, then we are requiring a requisitioned meeting in between, and we might even require a second requisitioned meeting if Deputy Tadier goes along with his proposal. Therefore I think it is unfortunate, because I think that requisitioned element of this meeting has led to difficulties for Members which did not need to be, and equally for members of the public. I can therefore understand why some are feeling today that the Government perhaps deserves to lose this amendment, but I think there have been a lot of good speeches during this debate. I want to pick some of those up, but before I do, I just want to comment on one particular speech. I hope that the speaker will reconsider the comments that were made about a former Member of this Assembly and a letter to the *J.E.P.* I have got no doubt that the former Member can fully, amply and ably defend themselves through the letters page of the *J.E.P.* but I think it is unbecoming of Members of this Assembly to criticise former Members in the public way that was undertaken without their right to reply, so I disassociate myself from that. One of the disappointments for me for and during this debate has been something that we have got used to in politics, and that is the overstatement, because most of the decisions that we are called to consider are nuanced, often technical and often quite detailed, so we find ourselves in that difficulty today because the number of sites that were looked at or the number of potential access routes that were looked at are indeed quite technical and some of them are quite difficult. But what the political oversight group is asking Members to decide today is not quite as nuanced or not quite as technical as some of the correspondence we have had over the course of the last number of days have perhaps led us to believe. I come back to the Constable of St. John. I do not agree with the previous speaker that putting a hospital on the current site or at the side of the current site was wrong. We could have had a perfectly good hospital, different to the hospital that is now being proposed at Overdale, because it did not have mental health facilities, but there could have been a perfectly good hospital there. It fell down very much at the planning stage, and let us be clear, the decision to site the new hospital at Overdale still has to go through that detailed planning process. We have not seen the detailed design and so it is important that we keep moving forward because those hurdles have still to be got over. But for my part, when it was this current Assembly - let us be clear, it was this current Assembly - that voted to jettison those £26 million previously spent to deliver a hospital on the Gloucester Street site, let us not blame others, that was our decision. But when it became apparent that Overdale was the preferred site, we know, do we not, that the former Assistant Chief Minister was very clear during the election and post the election, as were other States Members, that Overdale was their preferred site and Overdale can deliver a hospital. I am slightly nervous about using the term "world-class hospital" because we need a hospital that is going to be suitable for Jersey, suitable for our needs and suitable for our health desires, but nonetheless the remit is to build a world-class hospital. That can be delivered at Overdale, but we have known all along that the difficulty of the Overdale site has been one of access. As the Constable of St. John said, you can practically ... in reality, there are probably 2 ways that you can access Overdale satisfactorily. One is through the cottage homes. Like him, I thought that that was probably the best approach, but equally of course

you can approach it through Westmount Road and Westmount. What is before the Assembly, as Senator Vallois clearly reminded us in asking for your opinion from the Chair, is the principle of using that road, that it will be 2-way and that there will be a need for other modes of transport, i.e. cycling and walking. But let us bear in mind what the Constable of St. Helier pointed us to. Right across Europe, by 2030, there will be no new combustion engine cars being built. Personally, that is a disappointment to me, but I understand entirely why that is being done. Therefore we need to think about all of the developments in light of the carbon neutral strategy as well that we will be delivering. I did get confused over the course of last week. When looking at the drawings that have been provided, it was clear to me that some trees would need to be taken down. Then we had other comments that said no trees would be taken down or there was no intention to take trees down. Then we had the Scrutiny report. I thank Scrutiny very much for their report, which reminded us that the option - I think it was number 6 - of not really changing the road might deliver what was required, because it has become apparent to me during the course of this debate that no one wants a road which is 12 metres wide. That has been referred to as the motorway to the hospital. Nobody wants that and I do not think any Member of this Assembly would vote for that. But we heard from a member of the political oversight group, who reminded us that the current road is 6 metres and what is being proposed is 7. I just want to take Members right back to something that Senator Farnham I think said in his opening speech and that was that he would be prepared to look again at that option. When I first read Scrutiny's amendment, I felt that I could support it because we clearly do not have the detailed drawings in front of us. Those drawings are going to be undertaken at the next stage. Could Planning, T.T.S., do something on an *ad hoc* basis? I have got no doubt that they could, but reading further into what the Scrutiny report says, it is clear to me that what is being asked for is going to take slightly longer than what I had initially thought was the case when they had suggested the States sitting of 2nd March. The work that would be required to be undertaken would take longer than is being suggested by Scrutiny, but this is the reason I come back to overstatement, because if there were to be a short delay, would it kill off the hospital? Would it be the end of the contract, walking away? Sir, perhaps I am getting long in the teeth, but you and I have heard that before in debates like this, and I do not believe that it would result in this couple of years' extension and I do not believe that if the contractor has been properly briefed on parliamentary process in Jersey that they would walk away, but nor do I believe now that this information could be provided in the 4-week window. I think, on balance, looking at the information that is being requested, there would be a delay. One of the reasons that a delay is difficult is around do we want to get this site over the line before the election? There are no certainties, let us be clear, of that because we have had sites approved in the Assembly before and then an incoming Assembly has overturned them, so there is no certainty in that regard. But do we want 2, 3, 4 months' delay? Absolutely we do not. Can the information be provided in the course of 4 weeks? With hand on my heart, I am not sure that it can. I want to make a request of the political oversight group and the Deputy Chief Minister - and I think they acknowledge this - that all of the correspondence I have had from members of the public over the course of the last week, and I will just say one thing for those, when we were proposing to put the hospital on Gloucester Street, we had 7 people writing to us saying: "No, it should be either at Overdale or at St. Saviour" and now those very same people are writing again saying: "It should not be at Overdale, it should be somewhere else" so we just need to bear that in mind, but all of those correspondents have talked about not wanting the motorway at Westmount Road. They want the political oversight group and Ministers to listen to that concern. I believe that in the terms of the proposition before Members, there is the flexibility for the political oversight group to have the decision that the main access route is going to be up Westmount Road. I think that if we say it is not, then we have to go back to the Cottage Homes and therefore I think for me it is practical, pragmatic and reasonable to say that it should be on Westmount Road. All of the issues, all of the challenge then comes down to the next stage of the work that is being undertaken, and that is how many trees are going to be taken down, because from the drawings that I have seen that are all in the public domain - I have seen no more than anybody else - it is clear to me, and I drive past there every day

on the school run, that there are some trees right on the roadside between the current road and the parking spaces. They will need to go. It is also clear to me that there are good parts of Westmount Road which are reasonably wide for a Jersey road. We do not need them wider at all. We glory in wide roads like that, so they would need, it seems to me, to have very little work done on them. Therefore I think it seems perfectly reasonable for the political oversight group to do a further piece of work, lodge a report in light of what the Constable of St. Helier has now amended this to do, to provide the detail of what the actual road will look like, how wide it needs to be, rather than just - and I do not say this lightly - traffic consultants from elsewhere, although as the Constable of St. Helier said, traffic engineers all seem to be out of the same mould, so whether they are living in Jersey or they are living in the U.K., they often seem to come to the same point of view. But I think there is a real opportunity for a revisiting of all of those routes which use Westmount Road as the main access point, together with the do-nothing option, apart from maybe a little bit of smoothing out here and there, and I think that that will go a long, long way to helping Islanders understand what is and is not being proposed, because we have got drawn into a quagmire of: "He said, she said, they said, we said, we have seen this, we have seen the other." This is: "We know that we cannot afford, as a community, to be divided anymore. We have to come together and provide a hospital."

[14:45]

On balance, having looked at this amendment and really wanting to support it, because I think it is perfectly legitimate for Scrutiny to amend, perfectly legitimate for Scrutiny to present their report, and I am disappointed that they had to be pushed into presenting it early so that they could not complete all of the work that they wanted to do. We, as an Assembly, have agreed that Overdale is the new site for the new hospital. We were told years ago that we could have a new hospital at Overdale for £90 million. We now know that that was absolute nonsense. We have all these sorts of overstatements and comments which divide ...

The Bailiff:

Senator, I have to interrupt you. The bell has gone and I have allowed an extra 30 seconds, so you have ...

Senator I.J. Gorst:

I do apologise, I did not hear the bell at my end at all.

The Bailiff:

We accidentally pressed it 30 seconds late anyway, so you have an additional full minute, in effect.

Senator I.J. Gorst:

In light of that, I shall complete my speech there. Thank you.

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

I just wanted to raise a couple of questions. One point I would like to pick up is Senator Gorst is absolutely right to point out that this 3-weekly sitting has not got off to the greatest of starts. But focusing on the hospital access road and the Scrutiny amendment, one of the things that has struck me so far with regard to this hospital in the small amounts of plans that we have seen to date is that it appears to be being built around the car. Given the Assembly's decision to declare a climate emergency and given the apparent focus on the sustainable transport policy, I have yet to see any information with regard to how this hospital, both in the build of the hospital, which itself will create masses of carbon emissions, but also the ongoing running of the hospital in terms of the traffic and transport to it. I am yet to see any element of understanding of how that is going to impact Jersey's decision to declare a climate emergency. So far, in my view, this hospital has not taken any element of that into account. I was wondering, in her summing up, if Senator Moore might be able to guide me in an understanding of whether the report that she seeks would cover the carbon footprint of this

access road, both in terms of its construction, but also in terms of the traffic that it would then carry. I do note that part 5 asked for a report on the impact on the surrounding ecology and environment, so certainly that could be seen to cover off the carbon footprint element and the sustainable transport element, but I was wondering if Senator Moore would be able to elucidate the Assembly further on that point because it is a huge disappointment to me that so far I have had nothing from the Government side, from the project team side on this as to how they are going to deal with building the hospital on a hill while operating Jersey in an element of carbon neutrality and within the confines of having declared a climate emergency. Any information on that area I would be most grateful for.

3.2.25 Senator S.C. Ferguson:

I can tell you that at the moment the staff are fed up with the prevarication that is going on. I am not impressed at the demand for information, which seems to be too early in the project. The advisers have said that the proposed access 7 is appropriate for access to this site. Then Deputy Morel makes me wonder, how many people go to hospital by foot? Yes, visitors, and they might go on bicycles and things like that, but what about the patients? I wonder how many people go to hospital to attend as a patient walking or on a bike? You might do it for consultancy meetings, but how many would go walking when you are having a baby? I cannot see you walking or going on a bike. You usually go by car or ambulance. I have got a great deal of admiration for both the Scrutiny hospital team and the Government team, but really we are looking at a degree of detail being demanded which is not necessarily essential at this point. It demands on our side a considerable degree of engineering expertise not held within Scrutiny or probably the P.O.G. and so on. I think we seem to be going to it base over apex and I think perhaps we could work together a little more rather than sitting taking pot shots. I think we ought to carry on at this stage because I do not think they have done the work that is needed to give the information to Scrutiny that they want. I would like to see the work being done. The people reporting the fact that they are seeing test drilling on the site, yes, you would expect to have test drilling. It is not me, Sir, somebody has got a microphone on.

The Bailiff:

I can hear you clearly without any interruption, Senator.

Senator S.C. Ferguson:

Good. Yes, you would do some test drilling, but you obviously would not do a lot at this point until you have got the payment sorted. I think we should let this one go through, but I think we should be a little more co-operative and talking to the Government rather than just pot-shooting at them all the time. Yes, I am the only engineer in the States or in the Assembly, and if you come to me when I am on a project, too soon in the project wanting all the details, I would just tell you to take a hike. They are being a bit more polite than I am, but I think at this point we should let it go or at least not so much let it go as keep an eye on it, keep it under control and under observation and so on, but also under consultation. It is having the consultation that matters, but we can only do it from the policy level. We cannot do it checking the engineering expertise level stuff because we are not qualified to. Anyway, I say let us support the proposition ... no, do not support the amendment. I am sorry, I am getting myself muddled up. Thank you.

3.2.26 Deputy M. Tadier of St. Brelade:

Something that Senator Gorst said that sounded slightly strange and that struck me was that he said Members might think that the Government deserves to lose this amendment. That is not the way I look at it. I think it probably tells a lot about where he is coming from. I do not think this is about Government versus Scrutiny and I would prefer to put it that Scrutiny deserves to win the amendment, not because it is adversarial, but because what the amendment is proposing is what we would expect under normal circumstances from the Scrutiny function. That is to say that Scrutiny, quite rightly, have looked at this and said: "We do not have the relevant detail here. We do not really know what

is being proposed and therefore it is not really suitable for an Assembly to vote on something completely blindly.” It is also to be remembered, I think, that I thought that Senator Gorst did very well to find a fence somewhere in the middle of a desert. I suppose it is because his Government is opposing Scrutiny’s amendment and he finds himself in a difficult position, as somebody who led a Government for 2 terms - not just the one term, but for 2 terms - and failed to deliver a hospital in that time. I presume that he does not want to be part of a third Government which also fails to deliver a hospital, albeit a hospital that is on a site which he does not necessarily agree with. What he also said, which needs some answers from his Government, is that he said ... sorry, Sir?

The Bailiff:

No, I did not say anything, Deputy.

Deputy M. Tadier:

I am sorry, I think I am just getting echoes. So the Government of which Senator Gorst is a part seems to imply that there is some misinformation being given out by his Government. First of all, he said that they should stop using arguments which say that, for example, the contractors would walk away if this amendment gets approved today or if we dally any longer on the building of the hospital. I would agree that we cannot keep on using those kind of arguments because what it does, it puts a gun to the head of the Assembly and says that it is not the democratic process which should dictate what kind of decisions are made and what kind of road and ultimately what kind of hospital we get, but it should be left between a small coterie of Ministers and a developer to decide what happens. We cannot keep having that gun held to our heads, saying: “Costs are going to go up and they will walk away if we do not act very swiftly.” I think it is also true that, while it is not the main point of the debate, the 3-week sittings are very much more likely to cause these kind of requisitions. The problem with the requisition meetings is that they do not necessarily have the right lodging period, but it also means that they do not allow for a Question Time to precede the proposition being debated. A lot of these issues could have come out in Question Time and they could have been addressed before we went into debate, therefore Members would know what facts were on the table with written answers, with questions to the Attorney General, if need be, but questions to other Ministers as well as questions with notice. These kind of *ad hoc* sittings do not give the ability for that kind of drilling and public scrutiny in the Assembly to happen. I think that is another area of disappointment. We also were told about the trees. I think this is something that needs to be answered. Why are we told from Government that it is the intention not to lose a single tree, when even Senator Gorst, who drives along that way to drop his daughter to school in the morning, knows certain trees will have to go? Is his Government effectively playing fast and loose with the truth? If they are playing fast and loose with the truth about trees, then what else is it that they might not be telling us or concealing from us and the public? All these are perfectly valid questions. I also appreciate that Senator Gorst must find himself in a difficult position, because his party whip is opposing the whole proposition itself. I know that he is part of Government, but we know that his party whip is also against this whole project, so I do have some sympathy for him. It seems to me that the Government’s approach to this seems to be like that of a magician proposing a particularly cheap card trick, where instead of saying: “Pick a card, any card” they are saying: “Pick a road, any road, and we will tell you about the nature of the road afterwards.”

[15:00]

No doubt there are political games being played in some quarters and no doubt there are so many reasons why we are having such a high volume of email correspondence around this issue, but it cannot all be due to some sore losers who do not want the Overdale site. It cannot all be down to the fact that everybody who is writing to us is a N.I.M.B.Y. (not in my back yard). I do not say that lightly, because I do not think they should be dismissed like that. Of course people who live in the area will be contacting us perhaps disproportionately more than those who do not, but it also seems

to me that we have emails from throughout the Island, including Société Jersiaise, which was difficult to dismiss because they represent people throughout the whole Island. The concerns that are being put forward are nuanced and they are not from people, from what I have read, that simply oppose the Overdale site. I have heard a lot of people saying: “Look, we like the Overdale site. We know that ideally we might have chosen somewhere else 5 or 10 years ago, but we must get on, we must build the hospital, but the detail needs to be there.” I do not think it is correct, as I think Deputy Wickenden said, that if indeed a fully detailed proposal had come forward, then the opponents would have simply said: “You are presenting us with a *fait accompli*.” I think that is far too hypothetical and not a real argument because in fact if you had a detailed plan coming forward from Government, you would know what the problems were, or if there were any problems at all then you could amend it, then you could say: “It looks fine to me” or: “Have you thought about doing this?” but currently we are being presented with something which is very vague. Again, the way it is being bulldozed through at the last moment, this particular part, I cannot help feeling that psychologically it is because the Government feels that this has taken so long, and they have also failed to deliver in a timely manner, with so many reviews when they did not need to, putting options on the table which they knew would never be politically or practically feasible, such as the People’s Park and other sites, and they are thinking: “Oh no, we have dallied for too long now. Let us rush this last part through.” That is very dangerous, I think, for Members, who understandably want to get this hospital project delivered. I find myself also in the position where I think Overdale is the right site. I deplore any kind of unnecessary delay to the delivery of the project, but that cannot be at the cost of us making bad decisions and undetailed decisions when we have not seen the full facts. I think the Scrutiny amendment, just like the Constable’s amendment and Deputy Doublet’s helpful amendment, are all worthy of a *pour* vote today, but when we have those safeguards in place then let us get behind the Overdale site, because I am certainly not one of those who sees this as a way to reopen the debate to other potential sites when the decision on Overdale in principle has been made. It is right that we go ahead with it, but we do need more detail about any potential environmental destruction or whether indeed the road, as is being proposed in its current format, is the road that we need.

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

We have heard many of the arguments as to why we must get on today and unlock our project team and enable them to commence in earnest on the design and subsequent planning application. We must maintain the momentum of this project. In summary, what I have heard, it is clear there will be financial consequences of delay. The true extent will be based on our ability to stay on track and keep to the risk-reward agreement based on the cost envelope of £550 million. The morale issues with our medical professions, we have all read the impassioned plea from our acting group medical director. Our decaying health estate is no longer fit for purpose and will require significant investment to keep running safely post-2026. This is estimated at £10 million a year, rising exponentially. The retention of our design and delivery partner, let us not forget the recent U.K. announcement to build 40 hospitals by 2030. There will be plenty of business opportunities for them. If we lose the ROK FCC joint venture, Jersey’s reputation could potentially be damaged and we may fail to attract another design and build partner of this calibre. The political issues with decisions potentially straddling Governments in 16 months’ time, the delay in co-locating our mental and physical health facilities, deemed quite rightly by all us of high importance, the majority of information available today has been in the public domain since the lodging of P.123 on 6th October 2020. There has been plenty of time to challenge the access at Westmount Road, the preferred access option, which was spelt out quite clearly in that proposition report. All parties agree that option 7 is the most suitable, and according to Scrutiny’s advisers, option 6 is the second, both on Westmount Road, so the principle is accepted by everyone. Why not then get on with our robust planning process, which we all know can sometimes be too robust? The planning inspector will forensically analyse the planning submission to ensure all key factors have been examined in detail. This will include safe traffic management and the protection of our cherished environment. This amendment asks us

to come back to this Assembly with the design for Members' approval. We can only begin to imagine the chaos that we cause by having 49 different opinions designing the road. Let the experts do it, with due consultation with Islanders and all interested parties, managed by Soundings, our highly reputable advisers. I am amazed by the fact that back in November we approved the construction of a 69,000 square metre building without a single picture, design or drawing attached and here today we are debating all day on a metre of road or a few metres of road and some, albeit important, trees. Most importantly, there is a collective decision where we should be coming together as an Island Government to deliver the hospital on the site we have, as the Assembly, already agreed. We have all committed to deliver a hospital. Let us now continue to deliver on that joint promise. However, I want us all to recognise and respect the small minority who are making the greatest sacrifice towards building this new hospital for all of our 107,600 Islanders. That is those who were one day planning to continue to enjoy the full benefits of their for ever homes, who were asked overnight to give them up to ensure appropriate and safe access can be delivered for our hospital. The stress and disruption are awful enough, but having it delayed with ensuing uncertainty is putting excessive and unnecessary additional stress on these families. We must respect those who have accepted their fate in a dignified and professional way and we should be recognising them with our great appreciation of the personal sacrifice they are making. Instead, this amendment will extend their turmoil. For them, if no one else, let us vote out this delaying amendment and get on with delivering the hospital this Island so desperately needs.

3.2.28 Senator L.J. Farnham:

I think Senator Ferguson has encapsulated the whole situation perfectly when she said information is only available when it is produced through various stages of the project. The project we have followed has been sequenced from day one. It has been sequenced and a lot of workstreams are running parallel with each other so we can maintain the timeline and keep the hospital delivery target. There has been absolutely nothing hidden. Every scrap of information we have put in the public domain or shared with Scrutiny. If people have not seen it, then we do not have it to show them. As soon as we do have it, we will show it, we will share it. We cannot share it if we do not have it. That is why it is so important that the States make a decision today and supporting the amendment will delay things. I have been accused of bullying. I have never bullied anyone in my entire life. I have never, ever requisitioned a States sitting in my 20 years as a States Member, but we do have a mechanism in our Standing Orders for doing that if we feel that a States sitting is warranted. Myself and the oversight group and a number of other States Members did feel that way because of the critical timeline and because I think we all share the same ambition, the same aspiration to deliver a new hospital. I accept the criticism, I accept some Members might not have wanted to be called in today to discuss it, so I can accept that and I can take the criticism, but it should not be used against the argument. Other sittings have been requisitioned in the past and I am sure many more will in the future unless the P.P.C. want to look at that particular aspect of Standing Orders. I am sorry if it has upset some Members, but I certainly hope it will not sway their decision in this important debate. I just want to talk briefly about the trees, because I have said it is the intention of the project not to lose a single tree. That is sort of the intention. It is the intention. It is going to be impossible to deliver the project without having an impact on some of the trees, but we are not going to know exactly what that is until we do the design, but I can assure Members - I absolutely assure Members - that the impact on the trees and the park will be absolutely minimal compared to what is being claimed. I was taken out of context by saying that it is our intention not to lose a single tree. On every single occasion I have gone on to say that trees that are impacted will be relocated or replaced. If we have to replace trees, we will replace them 2, 3, 4 times over because what it does not say and what people do not say is that while we might lose some trees, there will also be a lot of green space created if the road is realigned to plant new trees and to commence some really good environmental landscaping and an increase of community facilities. While the report does refer to a tree canopy of 2,355 square metres that could be affected, affected does not mean destroyed and it certainly does not mean lost.

Affected means maintenance, landscaping, trimming. It certainly does not mean loss. Nothing like that will be lost. If by any chance the design came back that had anything more than a very minimal impact on the environment, in fact it would be sent back I think by the P.O.G. I cannot see anything that will have a severe impact being approved. I certainly would not approve it and I am sure most Members would not, but we cannot make that call on assumption. People are speculating as to what might happen and we cannot know what is going to happen until we do the design and we are following a sequence. If we do not have the information, we cannot share it. I say that again: there is nothing hidden, there are no secret plans. Senator Moore asked me to categorically state that and I categorically state that. Everything we have available to us has been shared. We want nothing more than to get on with the design so we can present Islanders with not just schematics and visuals, but proper design work that we can all make a judgment on. I am sure that when we do that many Islanders and many residents will be reassured. I know we are not going to please all of the residents because there are some, quite understandably, who are completely opposed to it at any cost, but we will do our very, very best.

[15:15]

I just want to move through some of the points that Senator Moore asked me to address, if I can. The presentation that was made to States Members on Friday that has been alluded to, which showed the new road would go up and it would go behind the existing treeline, and it was explained - that very same presentation was given to all the media stations later in the day - all of the information we shared with Members is also in the public domain. Well, it could be in the public domain should the media decide to share it. Some have shared some of it, some have not. Some have still preferred to take different angles on the story, but they are in possession of the facts. Again, as Senator Ferguson said, and Senator Moore also asked me to comment on the fact that engineering work and drilling was going on on the hill and if we had the resource to do that why could we not have the resource to do the design work. The engineering work, the ground work, the drilling, regardless of what we do with the road, even if we do absolutely nothing with the road, that work still has to be done before we can proceed with the project. Regardless of this proposition or anything else that had to commence, that is one of the parallel workstreams that is underway. In referring to that situation and the challenge that came with it about why are we not extending the resource to do the drawings, well had we not been in the position, had we not been forced - I say "forced", requested - by the Assembly and the Assembly is sacred as we all know, we would not defy it. We did not want the delay. If the Assembly had not approved that amendment or requested us this work would probably be four-fifths done by now, we would almost be complete. But it is not, instead it has held the project up while we produced the report and waiting for Scrutiny to do their work. However, I want to refer to Senator Gorst's speech and thank him for his contribution. I listened very carefully and I have spoken to Senator Gorst and Senator Gorst is supportive of the proposition. To that end he found ... as Deputy Tadier described a fence in desert, it is not quite that but it was a good suggestion, I think. The political oversight group will have absolutely no problem with if the States give us the go ahead today to get on with the detailed work, during the course of that work, in early course ... so we can provide an update report for the States, we can lodge an update of that work with as much information we can as soon as possible. In addition to that, I fully undertake to continue to provide regular updates for Scrutiny and any States Member as with all the regular briefings we have done throughout the project. As new bits of information become available they will be made available to Members and Scrutiny and to the public. So we will keep everybody informed of the progress that we are making. All of the detail that Scrutiny have asked for, it is not possible, with the best will in the world, to provide all of that detail by 2nd March. All of that detail and more will be collated and provided in the design work that will lead up to the full planning application process. What we mean by we do not want to spend unnecessary resources, the estimates are that this work, all of the design work and the detailed ancillary work around it to produce everything that we need to get to the planning process and hopefully through it, is easily in excess of £1 million. That might not sound like a lot of money

in the scheme of things but it is £1 million of taxpayers' money. Can we afford that at the moment? Yes, we probably can but we have also been placed in very different and challenging financial circumstances by the current situation in relation to the pandemic that we are dealing with currently. We want to make sure that the money we expend on the project remains within the budget. We do not want to spend it where we do not have to. Again, that is why I am appealing to Members not to support the amendment today but to support the proposition that will enable us to just get on with that work. If we look at the wording of the proposition, that was to basically ask the States to agree that the Westmount Road will provide the primary access route to the new hospital in a 2-way road. Not a motorway or a super highway, a 2-way road. No wider in parts than the current Westmount Road is but wider in certain parts to ensure there is absolutely no interruption of cars going up and down. Again, I can categorically say that it is the intention of the oversight group to pursue option 7. As I alluded to in my opening remarks, we commit to look very closely at option 6, which is to do nothing. So we have 2 options; we change the road or we do nothing, or we maybe find an option 6½ and 6¾, which is somewhere between the 2. That is territory we are looking in and that is what the design work will be based upon. We are not going to suddenly go delving into many of the other options that were presented in the report, the 69 or 70 other options, we are going to focus in that territory. I want to allude briefly to the Scrutiny report, the adviser's report, which the team are currently going through word by word, page by page and I think it is generally a good report. It is critical in parts but it is also supportive in part and it makes 7 recommendations. I think at this stage the recommendations look reasonable. I think we can work with most of them, if not all of them, but we will engage fully with Scrutiny to that end. Deputy Higgins raised a point about parking and I just want to reassure Deputy Higgins and any other Members that might be concerned about that. We have accepted the Constable's amendment but we have undertaken to replace any parking that is lost. That is a guarantee and talks are ongoing to that end. I can assure Members that will happen. I will just talk briefly about the style of the road. It is not a U.K. traffic intervention in any way, shape or form. The standards that are needed are from our own highway authority meeting Jersey's practice, which is safe for all users. It will be completely based around our system of road networks. No super highway, no 4-lane motorways, no dual carriageways, just standard Jersey roads, that is what we are going to produce. I think I have covered the point that Senator Vallois raised when she quite rightly asked for clarification on what the proposition actually meant. I hope the assurance on options 7 and 6 goes some way to reassuring her that there is no intention to go outside of those parameters. The design work will look to provide the best and most safest road access that disturbs the least amount of property and has the least impact on the environment, right from the roundabouts at the end of St. Aubin Inner Road, along the bottom of the park, up the side of the park and on top of the tree canopy and then around up to the top. I say, again, although none of us want to see any trees disturbed, there will have to be some trees disturbed but nothing like the claims that are being made, and the strict instructions and the challenge to the designers is to make sure they are at absolutely minimal impact. I stress again any environmental impact will be replaced and I predict we can gain more community and recreational space. That is why I want to get on with this design work because I know when we start seeing the actual detail that we need I hope Members will not only feel reassured but be supportive of what is being planned. I think it was Deputy Ward that talked about the public transport strategy and we clearly are going to have to embrace that. In the transport strategy Island-wide we have to get a move on and I hope that because we will have to put a transport strategy in place for the new hospital - I have said it before and I have discussed with the Constable - I hope that what we do for the hospital, and there are lots of options that we are exploring, including the redevelopment of the hoppla bus scheme, the use of the electric buses and all sorts of things like that but I hope what we do there could be exemplar and be a catalyst to kickstart the work that we need to catch up on an Island-wide transport strategy. I feel confident that this could help push that along. I want to reiterate that we have provided every bit of information that we have at our disposal and we continue to do that. The political oversight group will provide an update by way of a report to the Assembly as we progress through the design stages and we will continue to work as closely as

we possibly can with our Scrutiny Panel at every step of the way. We might not agree but there is nothing wrong with not agreeing in politics. We all come with very different views and opinions, very different aspirations and we have to debate, we have to challenge. I do not criticise Scrutiny in any way, shape or form but the importance of the timeline for the project was deemed that important that even a week, even 8 days, could make an important difference to ensure we stick to our timeline. I will be under no doubt, and this is not an attempt ... whenever we say things we often get accused of scaremongering, and this is just a fact that if we accept the amendment we will see a delay to the project. That delay will be mean that our clinicians and our front line health staff and our doctors and nurses will have to stay in Gloucester Street for at least 2027 and probably into 2028. That is not a threat or an attempt to sway Members, it is just a statement of the fact. We will get on and build a hospital, of course we will, but not have it fully operational by the end of 2026, which is the only thing that is driving the urgency on the project. Thank you.

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

I wear several hats in the Assembly. In simple terms, the issues for this Assembly and myself are twofold. Firstly, we have, as an Assembly, agreed that Overdale is to be the site of the new hospital. We should therefore do all in our power to deliver this to the people of Jersey. Further delays are simply unacceptable. Secondly, the hospital needs to work operationally, therefore it needs highways infrastructure to ensure that staff, patients, visitors, emergency vehicles and service vehicles can access the site at all hours in a safe and appropriate manner. The proposals from the hospital planning team will do this. The amendment put forward by the Future Hospital Review Panel is well intentioned, however the information being asked for is not a matter for the States Assembly and it is not a matter to be prepared and debated at this stage. If Members agree to this amendment then it usurps the proper planning process, which is still ongoing. The States Assembly, as we all know, is not only a planning authority but is also a highway authority.

[15:30]

As Minister, that falls within my jurisdiction and my transport team discharge the function of the highway authority on our behalf. Senator Moore and several others referred to it as T.T.S., and I must confess I do miss the old name, T.T.S., but we are now the Department for Infrastructure. My officers are paid, they are very professional and are permanent civil servants who day in, day out look after the interests of the Island. They comment on planning applications, they advise on future applications at the pre-application stage, and they ensure that future development proposals are safe and meet our local highway standards, and are future-proofed. In undertaking this work they also ensure that all different modes of transport are assessed and the developments meet our agreed policies on sustainable transport. We must ensure that due process takes place and takes place at the right time. The time to assess the actual design of the road, its highways impact, its wider transport impact is through the planning process. As the Minister for Infrastructure, I am a consultee to the planning applications. My team will be ready to discharge this function at that time. It is the normal thing to do and it is the normal process to follow. I can happily say that to date Our Hospital project team have consulted with operations and transport, highways and maintenance and public transport as representatives of the highway authority who act on our behalf. These teams have been involved since 5 shortlisted sites were announced. The highway authority did not have any input into the process to shortlist the 5 sites announced in July 2020. The level of involvement these teams have had with the project team is typical for this type of planning application. The project team have no legal obligation to consult with the highway authority prior to making a planning application, although clearly it has been sensible for them to have done so. Of course this project has its own key issues. The same can be said of any development scheme, large or small. We have robust laws and procedures to ensure that key issues are identified, addressed and, where possible, dealt with in order for planning approvals to be gained. In this case, there are obviously issues to be dealt with. They include connecting the hospital to the town centre and surrounding areas, to enable staff, visitors and

patients to access via sustainable modes. That is how do the proposals align with the sustainable transport policy. Measures that seek to recognise that fewer motor vehicles journeys will be good for Jersey in terms of how the development will mitigate its impact, ensuring resilience of access for blue light services in the event of accidents, extreme weather events, making sure that any new infrastructure is provided to modern standards which meets best practice designed for vulnerable road users to ensure the best outcome for the public of Jersey and how the carparking arrangements will be managed, also the issues of highway safety. What is happening to the existing site so that the net transport impact can be identified and clarity as to what traffic management measures are to be deployed to manage access from the north and the surrounding highway network, not just Westmount Road. We are on the case. It is my duty as Minister for Infrastructure and my officials will be assessing, considering and will be party to the planning process. All these issues are important. As I have said, it is good that the Assembly are thinking of them, however - and it is an important however - all of these will be resolved through the planning application process, which will include a fully independent and transparent public inquiry. In coming to the preferred access route, a significant amount of options were required to be tested owing to the scale of public and political opinion around the project. Option 7 is the most practical for vehicular access and we will be seeking high quality sustainable transport infrastructure alongside improvements to the road. We will be asking the project team to submit traffic impact assessments with the planning application to support this proposal. Increasing the width of Westmount Road is essential if we are to run regular bus services to the proposed facility. Problematic issues were identified with the one-way access options to the north of Overdale, including impacts on walking routes to school and traffic impacts. There have been world renown transport consultants working on this project. I need to be clear again, we are requiring local Jersey highway standards to be met and a solution that works on our local highway network. We need to think about our clear and present need now. We need a new hospital and it needs a proper access road. It also needs to be assessed through the process and procedures that this Assembly has laid down in law. We need to trust our professional officers and let them do their jobs on our behalf and on behalf of the Island. They do this day in, day out for Islanders and they will do the same again for this proposal. In summary, I would urge Members to reject this amendment. It is not required. I would say it is well-intentioned but we already have systems in place to deal with such matters and we have professionals who will be involved at the right time during the planning process. I will just touch on a few things that other Members have mentioned previously. The transport plan is part of the planning process. We have done alterations previously at the top of Queen's Road, there are new bollards gone in on Clarke Avenue, we have put new zebra crossings up there but that is not suitable for a major route for the hospital. I do implore Members to reject the amendment and support the main proposition. Thank you.

The Bailiff:

Does any other Member wish to speak on the amendment? If no other Member wishes to speak, I close the debate and call upon Senator Moore to respond.

3.2.30 Senator K.L. Moore:

I thank all Members for their participation, their patience and their attention today. The Government claims that this amendment is calling for too much detail at this stage of the process and it would cause delay and increase costs. Conversely, the argument of the Scrutiny Panel is to the contrary. The intention of this amendment is not to meddle or micromanage, we are seeking reassurance to keep this critical project on track, not to delay it. This project will go to a planning process but in order to be confident in the chances of the application, why can we not be better informed? As an Assembly, we do not seek to be a planning authority, however we do speak for the people as we all know people really care about this matter. They are interested, they want to know more. The people value the environment of Westmount, they value the impact it has on the townscape and they want to understand how this proposal will impact upon it. As the representatives of the people, and having

been through an objective process, we are simply asking for reassurance. As Senator Vallois drew out when she asked a point of order, there is a disparity between the wording in the proposition, the report and the description it gives against the claims that are being made today that option 6, using the existing road, could still be pursued by the main proposition. The Constable of St. Brelade called the Government's performance in this project shambolic, and indeed it is. So much so that it risks the whole project falling over when it does get to the planning stage because of a basic lack of transparency. To illustrate, the proposition P.167 describes a 2-way road with active travel. Earlier Senator Farnham tried to reassure us by stating that the road would only be 7 metres wide, however the Chief Minister and the Constable of St. John both later expanded on that point by describing that the route would need to be 12 metres wide to make room for the road, the verge and an active travel path. The existing road, option 6, is not wide enough to meet those requirements, therefore the claims we have heard today, that option 6, the existing road, is still a possibility cannot be the case. Ministers have claimed today that the access road being proposed has the least impact on homes. That is incorrect. It is option 6, which is the existing road, that has the least impact on the homes and the environment of the 71 routes that were measured against the criteria. If Senator Farnham is really determined to pursue option 6 we would welcome a week's delay for him to bring a clear proposition to the Assembly to make that clear, then perhaps we would be reassured. Or if he prefers he could follow the suggestion that Senator Gorst most helpfully made. I urge Members to be very careful when those responsible for this project are changing their story with such great frequency. We, and the public, need clarity and confidence that this project will get done under their oversight. The Government claim that the public are misinformed. If that is the case it is simply because the Our Hospital project team have failed to conduct proper engagement to build confidence in their project or to demonstrate that they are committed to serving the Island and delivering a realistic and affordable plan. Remember the report of the Scrutiny Panel and our advisers, twice we have highlighted that this is a flawed process. Deputy Higgins has rightly acknowledged his discomfort due to the lack of the information available through the process. As the Future Hospital Review Panel advisers have noticed, the focus of the political oversight group and the Our Hospital team is on speed and that has caused shortcuts. The evidence to support robust decision-making is lacking and not what we should expect from such a major project. If I could remind the Assembly of the conclusions of the Scrutiny report, it states: "The level of information and analysis produced to undertake the route selection was inadequate. Marking criteria were largely subjective and not measurable. Some areas were found within the marking. The number of options considered was large, 71. Indeed, our advisers said that they had never seen a project that had so many options presented. The detail used to decide was low. Outcomes were recorded only, no minutes of discussions have been made available. Westmount Road may be suitable for vehicular access but may be less suitable for walking and cycling. Travel survey and traffic data used are not current. Option 7 is only marginally better than option 6, the do nothing, which may suggest a weakness in the criteria chosen. There has been limited engagement with the Jersey highway authority to date. Ability to meet the desired programme is the overwhelming criteria for selection." Therefore, I ask: is it right to vote *contre* in this debate knowing that such errors have been made? Let us perhaps look at it in another way. Would it display common sense to vote against this amendment in that knowledge? I suggest not. Senator Farnham and the Our Hospital Political Oversight Group members claim this amendment will cost £30 million and delay the entire hospital project. What is the logic behind that claim? Why would producing a drawing to assist public understanding, a drawing that will be useful and necessary for the planning application, that application is planned to be submitted in September, it is only 1st February today? Surely this will help the process, not hinder it. To answer Deputy Martin's question. We, and our advisers, consider that there will be no financial consequences to adopting this amendment as the work is part of the budgeted process to achieve the project. The work has to be done at some point. As we have been reminded today, the major decision will rest upon the planning process. Given the huge level of concern that we see and hear from the public and the Members of this Assembly, the work of the political oversight group so far does not

appear to have addressed the concerns that were expressed by the previous planning inspector and that were outlined in the site selection report.

[15:45]

There remains a major risk, as Deputy Ash acknowledged, of this project failing at that final hurdle. The software is available in the Island. A 3D image could be made within a matter of hours, so why has this not been happened? Is it normal to propose a planning application without considering a drawing to show the impact the proposals will have? The Deputy of St. Peter declares that we should all just let the political oversight group continue to get on with the planning process. However, let me stress again the flaws in the oversight that the Scrutiny Panel have pointed out to the Assembly not once but twice. Also, the contradictions that have abounded from Government over the weekend, this simply serves to outline why the amendment is needed. On Channel 103 on Friday Senator Farnham suggested that the new road would potentially extend People's Park. The word here is "potentially". We know from reading the Government's own documents that 2,355 metres squared of canopy will be lost if the option is pursued. However, Senator Farnham had publicly stated that the intention is to not lose a single tree. He has now, this afternoon, given a further explanation of that point, for which I thank him. I think I will allow Members to draw their own conclusions, best described as a rather surprising interpretation. This is the point of the amendment. Sadly, the Scrutiny Panel has once again identified concerns in the political oversight of the decision-making. The Assembly needs greater reassurance, the public needs greater reassurance. It is a simple request that can be achieved with minimal cost and minimal time. Show us a drawing, Senator, and then we might feel reassured. The refusal to do so is damaging public confidence rather than improving it. Why has there been less public engagement than there was for the Future Hospital project, to the extent that the Government claims the public are misinformed. Surely the Our Hospital Political Oversight Group should take responsibility for that? Good politics is not about threats, it is about gaining respect and trust, particularly when there is a significant amount of public money at stake. Money that our grandchildren and our great-grandchildren will be repaying. I ask Members to remember why 23 of us voted for the Constable of St. Helier's amendment to the site selection debate. Had the proposition adequately responded to the reasons for supporting Constable Crowcroft it certainly does not address the issue of sustainability that Deputy Morel highlighted. This has been pointed out by the Constable of St. Helier and in our report. We could also go as far as to look back to the conclusions of the planning inspector who acknowledged the issues of building on top of a cliff, as did the site selection document that was appended to P.123. The summary in relation to access and highways to the Overdale site said: "Significant infrastructure and land acquisitions are anticipated to be required to provide good quality pedestrian and cycle routes to the site. The topography of the site will, however, limit the proportion of journeys made by walking and cycling. Given the limited bus services operating past Overdale Hospital, significant ongoing investment is like to be required to provide a high frequency bus service from Liberation bus station. Significant infrastructure and land acquisitions are anticipated to be required to provide an improved access and mitigate the traffic impacts on the local highway network. While the site can be accessed from the north and south, roads to the north are deemed to be less appropriate for hospital traffic, including ambulances." I can only conclude that Members who voted for the site knew what they were voting for. Of course they also knew that the Gloucester Street site was described in the same report as a sustainable site given its location in the centre of the town, easily accessible on foot and existing bus routes. We all share a desire to see a fit-for-purpose hospital for our community. This amendment is, as Deputy Pamplin pointed out, simply about gaining greater confidence in the project. Why is it too much to ask what the townscape will look like if the access road is passed? Particularly when we can see that the existing road, option 6, when measured against the criteria of the project team, is only behind the preferred route by one point. Remember the words of Sir Philip Bailhache who, in his letter to the *J.E.P.* said: "No individual would be as reckless as this Government proposes to be." Those words rang in my ears as I heard Senator Farnham claim this afternoon that the 12-metre-wide

route would not be a U.K.-style road treatment. How does he know if he has not seen an illustration? The amendment will not cause delay or additional cost, it will simply ensure that necessary parts of the process are conducted in a proper fashion. The cost of design and illustrations will have to be met at some point prior to the planning application being submitted. This is not an additional cost. In supporting this amendment I suggest that Members are being good clients. They are trying to gain perspective and some reasonable success over this massive project. They are trying to rebuild public confidence, to ensure that when that planning application is submitted it has the best chance of success. Surely that is what the public expect us to do. I propose the amendment and I ask for the *appel*.

The Bailiff:

Thank you very much, Senator. I ask the Greffier to post a voting link in the chat. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The amendment has been defeated. In the link we note: 19 votes *pour*, 24 votes *contre*, no abstentions. I have 2 votes *pour* and 3 *contre* in the chat.

POUR: 21		CONTRE: 26		ABSTAIN: 0
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.W. Pallett		Senator S.Ferguson		
Senator S.Y. Mézec		Senator J.A.N. Le Fondré		
Connétable of St. Helier		Connétable of St. Clement		
Connétable of St. Saviour		Connétable of St. Lawrence		
Connétable of St. Brelade		Connétable of St. John		
Connétable of Grouville		Connétable of Trinity		
Connétable of St. Peter		Connétable of St. Mary		
Connétable of St. Martin		Connétable of St. Ouen		
Deputy G.P. Southern (H)		Deputy J.A. Martin (H)		
Deputy M. Tadier (B)		Deputy of Grouville		
Deputy M.R. Higgins (H)		Deputy K.C. Lewis (S)		
Deputy of St. Martin		Deputy J.M. Maçon (S)		
Deputy K.F. Morel (L)		Deputy S.J. Pinel (C)		
Deputy M.R. Le Hegarat (H)		Deputy of St. Ouen		
Deputy J.H. Perchard (S)		Deputy R. Labey (H)		
Deputy R.J. Ward (H)		Deputy S.M. Wickenden (H)		
Deputy C.S. Alves (H)		Deputy of St. Mary		
Deputy K.G. Pamplin (S)		Deputy G.J. Truscott (B)		
Deputy I. Gardiner (H)		Deputy L.B.E. Ash (C)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy of St. John		
		Deputy S.M. Ahier (H)		

3.3 Our Hospital: Preferred Access Route (P.167/2020)) - as amended (P.167/2021 Amd.Amd) - resumption

The Bailiff:

Very well, we now continue with the debate on the main proposition, as amended. Does any Member wish to speak on the main proposition?

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

We had a long debate on the amendment and what largely seems to me to be issues around the planning application that we have thrashed out. But I will put this question to the Deputy Chief Minister who is overseeing this project: how will the political oversight group, when developing their planning application, engage with key stakeholders? We know that when planning applications go in it is good practice that developers should hold key stakeholder meetings to take on concerns and queries. That would assure a lot of Members and members of the public who have raised concerns about the trees, about heritage, et cetera. There is a proper process for them to engage with and I know in Deputy Pamplin's speech he spoke about a transparent process. Indeed, a planning application process is incredibly transparent. We have had that looked at independently several times in Jersey and it has been supported for the way that it is conducted many times. I would ask Senator Farnham to respond to that question. Just to let Members be aware that time was found with officers and I was able to get a briefing from them. I did raise concerns in my remit of Minister for Children and Housing regarding the playground there and not only did officers assure me that they did not think it necessarily would be touched but if it was there was scope in the budget in order to replace the park. I am comforted by the amendment brought by the Constable of St. Helier, which also reinforces that particular point. That is just a question I wanted to propose to Senator Farnham about how the planning application process is going to be supported so that residents and other key stakeholders can contribute to the process and I think that will deal with many of the concerns that have been flying into our inboxes over the past weekend.

3.3.2 The Connétable of St. Brelade:

I would like to follow up earlier contributions in that the matter clearly is not closed yet. We still have to vote on the basic proposition. There has been much discussion in the debate as to how much information States Members, and indeed the public, might be given in any proposition.

[16:00]

We so often hear that the devil is in the detail. The Ministers involved will need to justify why this is the case but I would suggest to them, with all due respect, that their opacity with regard to detail has put this issue fairly and squarely on their doorstep, and holding a gun to Members' heads with threats of delays has simply indicated a failure of this process. I suggest that this should be addressed in the future. Why have contracts been signed when there is uncertainty. It does seem to be commercially naïve, and perhaps in summing up the Minister would expand on why this has occurred. I suggest that the assertion that we must accept this proposition or it will be the end of life as we know it is filled with political innuendo and objectively should be ignored. The suggestion that the P.O.G. could not pass on information they did not have is a poor excuse for not having done the work to glean the information themselves. There is a perception from some Ministers that Scrutiny is attempting to make political gain by lodging this amendment. I can assure Members that is far from the case. Although I refer to the amendment, of course I am talking about the basic proposition. I can assure Members that Scrutiny's involvement is far from the case of trying to make political gain. We have tried to be objective, taken qualified advice and submitted a report to enable Members to make a more informed decision, given the absence of detail in P.167. I was flabbergasted to hear that in the apparent One Government climate there has been no or little communication between the hospital group and the transport authority. It is unbelievable and goes back to an earlier

point regarding the lack of traffic modelling. I question whether the Infrastructure Department in fact has the capacity to provide the information the Minister suggests. Does the Minister have capacity in his existing budget to enlarge his department and, if not, how will it be funded? Then there is the lack of transparency around cost. I suppose the propositions in the past have authorised the Government to spend some £16.6 million to acquire properties for the hospital site. Whether or not this sum is included in the £38.7 million site-specific commitment in P.167 is not clear. Surely we must stop spending money like throwing confetti, which seems to be the case. The taxpaying public are far from content and I would urge Members, and Ministers particularly, to listen to their message or risk, and I say this very tongue in cheek, a gibbet being erected on Gallows Hill for future use. Rest assured this is not an incitement to violence but feelings are very strong. I cannot sensibly support this proposition in the absence of realistic clarity.

3.3.3 Deputy S.G. Luce of St. Martin:

Members will be aware that I have got quite a bit of history when it comes to hospital sites and the various debates associated with that subject. I was the Minister who refused the application on Gloucester Street and waited for the amended proposal because that is the way that applications of this size and magnitude usually progress. They nearly always need amendments and changes to get them to a point where they are acceptable to approve. Once that original application went away for the necessary changes I thought it was perfectly acceptable and would have been in construction by now and it would have been one that we could afford. I was the one that pleaded - and I do not use the word lightly - with our current Minister for the Environment to do anything but throw out that second application, but we know what happened. Of course, what happened was that we eventually ended up with a non-debate on the hospital site not so long ago and I bitterly regret not being more aware and awake on that day. I can only say that I now get a bad feeling in the pit of my stomach every time I talk about hospitals and this debate is one of those occasions. On that day, the majority of States Members voted to build a new hospital at Overdale, a decision that I think now, after attending the initial briefing on the whole issue of access, some will be regretting. Of course, Deputy Higgins quite rightly pointed out the site selection process, where we started with 5 sites, 3 of which were totally unacceptable, and of course we were left with the 2. Then States Members made a decision, and I would venture to suggest for 2 reasons: one, they wanted to just get on and do something and, secondly, they did not want a fight over People's Park. In both cases, I would suggest to them those are not good reasons for deciding a site for a new hospital. We have been told time and time again today that we risk delay and damage to this now approved project at Overdale, but the delays are absolutely the fault of this Government, a Government that has steered the various debates towards their preferred option irrespective of proper scrutiny, information, openness and transparency and in ways that have, quite frankly, confused the public and led to a huge amount of scepticism and concern. I know that the site has been chosen and I can imagine Members sitting at home right now with their microphones muted shouting at their screens: "Sour grapes, bad loser" and I accept that. I made my mind up about this hospital a long time ago and I am not one for changing. I have been in more hospitals than very many States Members in the last 10 years and I have seen the good, the bad and the ugly in both Jersey and off-Island. In all cases though there are some common denominators and the first is staff. Regardless of what we do, we have the most fantastic staff and I would like to thank them again publicly today for the empathy and help they give their patients every day of the year. They work in conditions that do need improving and in many cases replacing. The other common denominators are that the public, those of us who need a hospital, need to be able to get there easily and without stress. The other thing that a hospital needs to do is work. It is not what they look like on the outside or the view from the window. Some of the very best hospitals look out on urban landscapes and are less than attractive to look at. The thing we did right at the beginning, and that was what I was referring to, this whole project as a new hospital, we should have called this a hospital extension. If we had done that I venture to suggest we could be well on the way to construction now because whether you like it or not, we have a current site that does not

need £1 billion to rebuild and extend. We have a site that people can access and do access on a daily basis. We have a site that will not increase traffic emissions or the use of roads and cars. We have a site that will not increase damage to the environment, a site that is not going to cover greenfields with concrete. We have a site that our wonderful nurses and doctors can get to quickly and easily from their accommodation and a site that the public are just used to. I could go on and on and on. It is my opinion, and people will know it because I have said it before from day one, the politics of the hospital have taken over from this Government and common sense, sensible financial decisions and the desire for a standout building have led us to where we are today. Common sense has just been thrown away. In my view, anyone in their right minds knew that this choice of site, Overdale, with all the environmental and access problems, was snatching defeat from the jaws of victory. It is my opinion that we should never have chosen it. Members do not have to take my view. They only need to read the words of Philip Staddon, a hugely respected independent planning inspector, who in December 2018 said this about Overdale: “While this is an existing hospital location and within the built-up area, it is physically separated from the main town and the topography makes it inaccessible particularly by walking and cycling modes of travel.” I know, just referring to the speech of Senator Ferguson who said that most people arrive at hospital in a car or an ambulance, she must be forgetting, of course, the very many nurses, doctors and other people who work in the hospital. Anyway, Philip Staddon goes on to say: “The intensification of development required to accommodate the hospital combined with the elevated ridge location within the green backdrop zone would result in a very significant adverse visual impact. There could also be adverse residential, amenity and biodiversity impacts. This option would create significant challenges with the Island Plan.” Anyone who knows planning inspector’s terminology knows that when you put the word “significant” alongside the word “challenges” you are in big trouble. As Senator Gorst said in his speech, the planning decision is yet to come. This site, this project, this access road is going to be beset with delays, with problems, with reviews and questions. If this Government just wants to get on and build on the site - and I fully accept the decision has been made by the Assembly - they need to start being open and show the detail that anyone needs to make a decision of this type. I, for one, have always gone by the rules of never signing a contract before reading it and, as a Minister, I never signed a Ministerial Decision without looking at the wording or a Scrutiny review without looking at exactly what I was putting pen to paper for. The devil is in the detail, as the Constable of St. Brelade has just pointed out. In this case, this position, we do not have the detail. I am sorry to be negative. I always try to find a compromise and I would like to move forward and do what I can, but I cannot and will not be supporting this proposition.

3.3.4 Deputy C.F. Labey of Grouville:

I am just going to speak very briefly to thank all the many Islanders who I have heard from over the weekend and apologise if I have not responded to all of them. I did respond to a lot of them, but over the weekend as well we had the opportunity to go through the Scrutiny report, which I found very, very useful and with the recommendations. There was a recommendation, the option 6 versus the option 7 route up there. Now, notwithstanding the fact that Scrutiny have lost their amendment to this proposition, I hope the political oversight group will indeed do as the Minister suggested in his meeting that I attended on Friday and consider option 6 every step of the way because I am concerned about the historical sites and Jersey’s heritage and whatever. I must confess it is not quite like some of the information that was put in the public domain on social media and so on and so forth, but we have a 6-metre road going up there at the moment and it is being suggested we need a 7-metre-wide road. I am unconvinced that the cycle paths and pedestrian routes have to run parallel to the road every step of the way. I would like some consideration, and a lot of consideration, given to option 6 and so I have voted for this project to go ahead. I think Overdale will be a good site. It will be a good site for patients to have an outlook over the sea, over the park. I think now that the decisions have been made people can get on and do their work and deliver what we hope to be a fantastic facility for our Island, for our community, for the clinicians and all the staff who are going to work

in the hospital. So that is a plea; it is for politicians now, States Members and Island residents to really get behind this long overdue facility for our community.

[16:15]

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

I firstly have to say, much as I have a great deal of respect for Deputy Luce, I was a bit disappointed that once again we are trying to reopen the debate on the hospital site. In my view, there are as many views as sites in Jersey about the hospital site. We have had that debate and I think now is the time to close that debate and move on to getting this project delivered. Overdale is the choice and rightly so, in my view. I went up there with the Constable of St. John, before we had the debate in fact, and it was obvious to me that there was plenty of room and it was ideally located and the hospital of choice could be developed there. Turning to the question of the access route, Westmount is a site that is well-known to me, not least because I used to commute up and down there quite a lot and because also I compete every year in a motorsport event and I can assure you that I know every corner on the hill, sometimes perhaps too well. I also walk the course every year several times and know about all the houses and properties that border the hill because not least as a club we have to communicate with the homeowners. So I can say I know the area as well as anyone else. When the report came back about the options, to me it was blindingly obvious that the access route to the hospital should be up Westmount. That is, of course, if you discount the King George V homes route up through the middle, and we know why that is not a realistic option. If you look at the rest of the networks - and indeed I was hugely impressed by the number of options they managed to extract from this report, many of them I had not thought of - each one is beset by problems. You only have to sit and look at the video to see what those problems could be and it is obvious to me that the only access route is the one up Westmount with an up and a down carriageway. The favoured option I think is the one that probably we will end up doing because I think if you look at option 6, which is essentially to do nothing, that is a decision that once the hospital is open and built we will regret because I do not think, in my experience, the road is big enough to get larger vehicles up and down. I think once we have a few large vehicles meeting in the lower section by the bowls club and not able to pass and having to back up, we will realise that we should have done something about it. I think option 7 is probably the only option that is realistic. When we start to look at what that option will look like, I think we should be reminded, as other Members have, about what the Constable of Trinity said, that this is the approval in principle stage; the planning stage will give us the detail. I think for those members of the public who are concerned they will be able to engage in the planning process and they will be able to see in detail what it is going to look like and also they will be able to have their views heard. I think that is a very important point. Also, I think like every other Member, I have had an avalanche of emails over the weekend and that does in some ways tell you something. But I think a large number of those concerns have been about the destruction of People's Park, the myth that we are going to have a 2-lane motorway up and down to Westmount. I think if you look at the proposal put forward by the Constable of St. Helier, which I am very grateful for, people's minds should be put at rest because it is quite clear from that that the impact on People's Park, reading the words, would: "... minimise any reduction in the green space and tree planting in People's Park and Westmount Road and their environs" and any other Parish land impacted by the improvements will be rectified. It also makes it quite clear that we will be relocating the bowls club in a site that is of a standard suitable for their use and also that any lost parking will be replaced elsewhere. Members of the public who are greatly concerned by what is happening ... and reading through the emails that I have received, other than arguing that we should be looking at Warwick Farm and other hospital sites, there is a great deal of concern expressed about the impact on People's Park and the impact the road will have. But I think the Constable of St. Helier's proposition and the planning process should, in my view, give members of the public ample opportunity to express their views and to see what the detail will look like. Given those points, I think Members should be reassured, but I would make a plea to the hospital oversight board, if I have a criticism it is that communication with the public so

far has not been of a standard that perhaps we should be expecting. It is, as people have said, important to take the public with us and I think the raft of concerns we have had should be a wake-up call to us that we need to up our game in that respect and we need to explain to people exactly what is involved and what it will look like when the detail is available so that they feel reassured that what is happening is not the disaster that they, in their worst nightmares, imagine it will be. I plead with Senator Farnham, a man who I know is incredibly reasonable, to look at this aspect and look at the communications and ensure that we do take the general public with us. I know a substantial effort has been made over the weekend because we, as Members, received communications that we could use to communicate with members of the public who raised their concerns. But it is an important point and it will get more and more important as we get closer to the finish of this project that we take the general public with us. I think it is right to take the general public with us because the end result will be worth it. In my mind, I envisage a very high-quality hospital and I envisage an access route that will be usable, will be sustainable and will not have a huge impact on the existing environment. I am sure that the hospital oversight board will work very hard to ensure that that is the case because I think if they do not they are certainly going to hear about it from members of the public. The overriding theme in my mind is the Deputy of St. Ouen, my Deputy's speech, and his plea about the state of the current hospital and the absolutely dreadful and appalling conditions that our staff are being asked to work in, particularly now. Although Jersey has not seen the worst of the pandemic in terms of impact on our hospital, nevertheless there has been an impact and operations have been postponed and our health staff are working under an enormous amount of stress. I think to delay this project further, to not approve this proposal today, will have a huge impact on their mental well-being and the valuable services they deliver to the general public. I should like to echo other comments. We have an incredible health staff, nurses, doctors and the other people who work in the hospital, who have worked incredibly hard in very difficult conditions. I take my hat off to them and I think at the very least we owe it to them to progress this project to its conclusion and give them what they really need, which is a quality hospital. On that, I would urge Members to support this proposition.

3.3.6 Senator S.C. Ferguson:

To echo Deputy Maçon, and to some extent the Connétable of St. Ouen, can I suggest that Senator Farnham gives a formal undertaking for regular consultation with the public as well as Scrutiny about what is going on because, as everybody is saying, that is the bottom of it. I have had recommendations of design for the actual amendment to Westmount Road at the end there, everything from a sort of Roman granite viaduct all the way round to all sorts of flights of fancy. It is incredible. I would point out though that we do need to watch various statistics while this is all going on, particularly like migration trends in the new world order. At the same time, with more immigration, the town will expand around Overdale. We have to keep an eye on the outside world as well as what is going on looking inwards. I also hope that you will consult the wheelchair and mobile scooter ... I presume they have got associations. Can you moderate the gradient so that it does not make too steep a gradient because you really do not want the wheelchairs to burn out their brakes on the way down and things like that? As long as we keep the public relations angle in mind, or not the public relations, the public information angle in mind then we can take the public with us. Anyway, I still say that we should carry on.

The Bailiff:

Connétable of St. Ouen, you have a question for the Attorney General?

The Connétable of St. Ouen:

Yes, Sir. I forwarded the Attorney General the letter that I think we all received about legal action being threatened against the States or the hospital oversight board if this proposition was passed and

I did give him a reasonable amount of advance warning. I wondered whether he (a) thought it was appropriate and (b) felt he was able to comment on that letter.

The Bailiff:

It is, of course, 2 different things, if it is threatened legal action, but, Mr. Attorney, are you able to assist the Assembly? I am afraid I have not seen this letter myself.

The Attorney General:

I only saw the letter this morning. It was not clear to me that it went to all States Members, so I am just wondering whether it is appropriate for me to comment on the letter.

The Bailiff:

It seems to me, Mr. Attorney, that has to be a matter for you. There is always obviously a danger of making any comment in a televised States sitting in connection with the merits or demerits of any proposed legal action that might involve the Assembly but sometimes that is essential. Are you able to put it in the form of a question specifically to the Attorney, Connétable?

The Connétable of St. Ouen:

Given what the Attorney said and your comments, Sir, I think what I will do is put it in a written question at the next sitting.

3.3.7 Deputy G.J. Truscott of St. Brelade:

I will be brief. I too would just like to thank all the Islanders that did contact me and all the other States Members on this particular issue. I hope I have responded to everyone and likewise I apologise if I have missed anyone. I did say I would listen intently to the debate and in my response to many of the emails I responded by saying that I felt the Government were, to a great degree, responsible for a lot of misunderstanding that is out there and that really it is their responsibility to put any negatives or incorrect information right. I think hopefully Senator Farnham will take that on board. I know we have a very professional P.R. (public relations) team now looking after this project, so if they do see any inaccuracies reported or if they do see any negatives that can be met with a positive, I really do urge them that they do that. We all want the hospital. We realise the Gloucester Street one has had its day. We have made the decision where it is going. For me, if it was not going to be in the valley from King George V Cottages then the other plausible route was Westmount. It is just one of those obvious things in life. It is a week ago today that I joined the Friends of Our New Hospital on the walk up the hill and around about and I have got to say I thoroughly enjoyed it. They are a very pleasant bunch of people, very informative I found it, and I did learn. I hope other Members joined them on that walk because it is good to see things in the natural context. Certainly being on the Planning Committee when we are doing a determination of any sizeable project, or any project in fact, we will invariably try to do a site visit because when you are there you get a better understanding of things in the round. Let us face it, there are some immense challenges. Drainage for one was something I had not really appreciated until I went up the hill. You see these pipes coming off the fields and I have to say certainly when we tarmac the 2 agricultural fields there is going to be a particular challenge in capturing that water and dispersing it in an appropriate way.

[16:30]

So there are some massive engineering challenges ahead. I have got great faith in the planning policies going forward and the planning application principles and the whole thing, the whole Overdale project will be homed in on by our Island Plan laws. Let us face it, these are laws that were created via the Assembly in the very first place. Considerations such as green zone, green backdrop, unreasonable harm to neighbours, unreasonable harm to neighbours' amenities. You have highways issues, you have all those things, but everything now that is being designed will go towards the eventual planning application. The great thing about a public hearing when it does happen is that

every person in Jersey can have their say, whether it is a written submission or if they want to turn up at a public inquiry meeting and put their penny's worth in. I think that in itself will be a very positive thing for the whole project going forward. I have to say I do not envy the independent planning inspector and I certainly do not envy the Minister for Planning with his eventual decision that he is going to have to take. Just regarding that and harking back to a point that Deputy Morel made earlier, there was some supplemental planning guidance from the Minister for Planning with regard to heritage, with regard to carbon footprint, et cetera. The team working on the plans going forward will have to take all of that into account. That is something that obviously the team will have to be very aware of. They have to get this over the line and, let us face it, Overdale has already failed so they really have a challenge ahead of them and I am sure Senator Farnham in his summing up will acknowledge that. Overall, I think let us get this back on track. I am so conscious, as I am sure we all are, that the "poundometer" is ticking at an alarming rate. It has been estimated, I believe, that by the time this is finished and we get to Planning we would have expended some £50 million so far to date, and that is without a spade in the ground. Just to remind Members, Les Quennevais School cost £50 million completed. To round up and finish, just to say I will be supporting this proposition. I do believe we have to get on with it. I am not being rash in that decision. I do not feel like a gun is being put to my head. I have full faith in the planning application process.

3.3.8 Deputy H.C. Raymond of Trinity:

Can I thank Deputy Alves? I am at last back in. I was hoping to speak earlier on but unfortunately I have been having trouble with my laptop. All I just wanted to say and just to confirm, following on from the Constable of St. Ouen, is that I am in major discussions with the bowls club. As you know, with my other hat on in Sport, we have met with them. Just to bring everybody up to date, they are all very keen to move and providing they get a new clubhouse ... they are looking for more car parking and they want a bigger clubhouse. We had a very, very good conversation with them on Thursday. We met with the committee and what I am intending to do, because I am sitting on P.O.G. as well, I can report back via Sport to P.O.G. as to where they stand. As far as they are concerned, I have to say and I am smiling a little, the quicker they do it the better it is. But they will certainly keep out of any discussion over the roads, which was one of the things which I thought was quite refreshing. It was more about when are we going and what are we doing. Now, the intention is, as the Constable of St. Ouen did say, we have been in discussions with the Constable of St. Helier with regards to where they are going. They will be staying hopefully in St. Helier. We are under discussions with regards to Warwick Farm, I make no bones about that now, and the people in Warwick Farm, the hemp people, have already been told and I gather they have no objections as well. So it was more of an update as to where we are with regards to the bowls club, and I will be more than happy with regards to the Scrutiny Panel to let them know exactly what we are doing with them and so that they are not disjointed from anything that we discuss with them.

3.3.9 Deputy K.G. Pamplin:

As I alluded to in my speech in the previous debate, I wanted to start this speech by referring to the situation that has brought us here today because I think it is really important. As we all agreed and as many have said, we are all democrats and we appreciate when the Assembly votes something through we move forward. This Assembly, however, voted to do an experiment of 3-week sittings this year and we have started that process, but I think that process has failed at the first hurdle. We have had one States Assembly sitting in January and we are having an extra one because the Senator realised that with the change of system he had to bring this forward, as he has explained. It has put us all in a very unfortunate position where we do not really want to be here but we are here and we have to do these things. It is frustrating because I think it has not helped what Senator Farnham is trying to do with the project that he has responsibility for and it has put us all in very difficult positions. Last year, we had, and I remember, Sir, you making a point of this in your speech at Christmas, 50-odd - I forget the number off the top of my head - States sittings because of the situation

we found ourselves in. We have suddenly jumped to the other end because of the intentions of this experiment. But I just think this is where the problem lies. The Island wants to be reassured by what it sees as the overall authority of the governing of this Island, the States Assembly, and here we are today and we have heard some very good speeches and we have debated an issue that has caused our inboxes to be flooded by a lot of concerned Islanders, who feel unsure about these things. This is the point I made earlier that for me there is an issue here, what we are hearing from the people that we take an oath of office to represent are telling us. They feel, for whatever reason, disconnected and unsure about what is happening. I feel in that regard we are letting them down, with the greatest respect to Senator Farnham and the Chief Minister, and I appreciate both of their interactions with me, Senator Farnham coming to speak to me personally and also the Chief Minister calling me up on the phone a few nights ago. That is really helpful because we always hear that the door is always open to the Council of Ministers in Broad Street, but I would like to make the point that that works both ways. Our doors are always open, the non-executive States Members of this Assembly. That has to work 2 ways and it is good when we have that interaction of both sides. So, I just want to make that point clear because that is what the thrust of my earlier speech was. We have to work together, but we also have to listen to what a lot of Islanders are telling us. I just feel that there has been an opportunity missed in this process to work collaboratively. That is the point of Scrutiny, as I have come to learn in the last 3 years of working in this Assembly. It is the third voice of this Assembly. It is the independent processes, the critical friend to support and improve ultimately what we are all here to do, to get the best outcome for Islanders and make sure people are heard. I just think this is an unfortunate situation. As many have said, the Overdale process is in train and this Assembly in the way that it did said to the Government: "Here you go, we need you to succeed because this Island needs a successful end to the unfortunate drama that has unfolded over many years." There are concerns about this process and I just do not think that can be discounted. I need to be convinced about the delay argument because I have read the Scrutiny report, gone through it, and I have read all the paperwork and all the helpful information that has been sent from the Government as well, but it is just not turning up. I have consistently talked about this moment of where we are, that we have just lost this disconnect and trust and transparency and communication. We have to listen to that. We have to look inside ourselves. We have to get things done but there has to be a 2-way process. I just think we could do that so much better. So, I continue to look forward to listening to the rest of the debate and the Senator's summing up, but that is my position on this. Something does not feel right, but I am keeping an open mind because that is what we are here to do.

3.3.10 The Connétable of St. Helier:

It is a pleasure to follow Deputy Pamplin and I think he made some very telling points in that speech, as he did earlier when he spoke about the importance of engagement. I must say I absolutely agree that in Senator Le Fondré we have a Chief Minister who is extremely willing to communicate to us as States Members and certainly the first Chief Minister who has really taken the time to talk to me about St. Helier's needs, and in Senator Farnham. Let us not forget that he was willing to engage last autumn with the residents who discovered that their properties were in the firing line for the road improvements. He came to meetings that we hosted in the Town Hall when it was possible to do so and has continued to interact. So, I do pay tribute to both Senators, who have a difficult job to do. But having said that, there has been I think a very legitimate concern on the part of the public. There is always a delayed action. We might wish that the public had been more alive to the risks we are now looking at, the potential impacts of these new roads. We might wish that had happened in November when we had the main debate on Overdale, but there is a delayed reaction and now that people are waking up to the potential losses as a result of this improved access I think it is only right that they are given an audience and they are listened to. That is why in terms of the Scrutiny amendment I was supportive of that because it would have given more time hopefully to reassure the public that some of their worst fears were not going to be realised. Having said that, I think the message has gone out loud and clear today that the political oversight group and everyone involved

in the hospital project needs to do a lot of work to really show us what is going to be involved, not just in Westmount Road but how the other junctions are going to work, how that crucial junction with Queen's Road and up to the north is going to be improved to make access to the hospital from the north of the Island possible and to improve the lot of students going to and from Haute Vallée School, many of them on foot. So I think there is a lot of work that has to be done. One of the unfortunate consequences of that time lag and the lack of trust that Deputy Pamplin alluded to is that, of course, people are now very concerned about anything that may be happening. Even somebody in a fluorescent coat appearing on a footpath is going to be photographed and treated with suspicion. Indeed, from the Parish point of view, our workload is going to increase because, as Members will be aware, a requête has been served on the Parish today and that is going to involve inevitably expense because legal advice will be required and so on. It is just a pity that the public was not brought on board earlier because I think some of this loss of engagement, loss of faith on the part of the public, could have been avoided and also I think very genuine soul-searching and stress. I have had many emails from parishioners who are losing sleep over the prospect of these roadworks, not just people whose houses are in the firing line but people living in the area, people who live up at Tower Road, people who live in the new Westmount Apartments, who are really worried about the increase in traffic and the effect of years of roadworks on their quality of life. So, I think the Government has perhaps got off to a slow start and that process of getting those people on board, winning back their trust, really has to start today. My own position, as I am sure Members will understand, is particularly in respect of Parish property I have to be absolutely clear about my independence. I have to be able to make it quite clear, and I have spoken to my Procureurs and to my Roads Committee about this, that the Parish's position, while we are reassured by the discussions we have had so far with the team, that was why my amendments are necessary so that those informal discussions are formalised and we know that, for example, if parking is being taken away that benefits our residents and businesses at Cheapside it will be replaced and that we will have a say in how that is replaced.

[16:45]

Also, of course, with the possibility of compulsory purchase we do not know if it will happen because I think everyone would like a negotiated settlement. It is perhaps worth referring Members to the at the time quite difficult subject of the J.E.C. substation that the States of Jersey had to find a home for and in the end they built the substation in our precious Westmount Park and the woodland above the Inner Road, an interesting example I think just to refer to briefly because that was one where the public were very concerned. Residents were really worried about the impact of that and they were worried about the loss of the land. We were able to negotiate on behalf of ratepayers an extremely good deal financially. It helped us pay for the World War One memorial in Parade Gardens, but also the land that we lost in Westmount Park was replaced threefold in extra woodland at the end of Westmount Woods, which leads up to Val André. So, a good deal was had and it was put to a Parish Assembly and it was adopted by a very large majority a few years ago. My hope is that the discussions we are going to have between the Parish and the Government will lead to a similarly good deal that can be put to parishioners and the parishioners will endorse, not only because it gives the Parish all that it needs in terms of compensation for lost parking, for lost amenity space, for lost community facilities, but also because it continues to minimise the impact on the environment and on heritage. That is why the amendment that has been accepted today is important, I think, because it continues the pressure on the hospital group to make sure that there is no unnecessary impact on our precious environment. So, my position is that I will be voting against the projet, even though the amendments are in there as a safeguard, because I want my independence as I move into the phase of negotiating with the Government on behalf of the Parish to be absolutely clear.

3.3.11 Senator S.Y. Mézec:

Just to start by saying that I will vote to support this proposition. I do not feel bullied in any way into doing so, nor do I feel misled by Senator Farnham or his team in the process of me making my mind

up to support it. Ultimately, I do so because we need to get on with delivering a new hospital for the people of Jersey. We cannot spend more and more time running around in circles. I have in my time as a States Member tried to be accommodating in terms of the site selection process, having accepted previous decisions, having accepted the most recent decision on a site, and understanding that there will never be a perfect solution which pleases everyone. At some point we do have to move forward on this, and that is what I want to see the Government do here. But in this debate and the context we find ourselves in, given that there are clearly very strong feelings about where we are now, I do think it is important to take the opportunity to make a few points that I think we need to bear in mind for the future. That is the case that this whole episode of Jersey's state institutions trying to put a hospital project together has been a demonstration of how utterly broken and, frankly, useless our system is. The fact that it has taken us 10 years to get to this point, the fact that it has cost us tens of millions of pounds without anything to show for it as of yet, when other jurisdictions are capable of dealing with these important projects in much better and cleaner ways than ours, is a demonstration of the problems with our systems. There may be some people who will attempt to blame it on the personalities and claim that it can be blamed purely on a handful of incompetent people and if only we had had competent people in those roles then things would have been different, but they are wrong and that is not the case. It is a systemic problem that has led to this. Our political system encourages those who are active in it to try to get through their interactions with the public of Jersey by being as vague as possible, so when we end up at a crunch moment like this where we do have to make a decision and the consequences of that decision are clearer than they would have been a year ago, people start getting cold feet. They know that there are people out there who quite legitimately and understandably oppose perhaps the whole vision or perhaps part of the vision and because they are not in a position of political power do not have any reason to compromise on any of that or to even propose alternatives. Many of us will get scared of angering those people and potentially losing their political support in the future. That I think is partly why we end up running around in circles on this, as this Assembly and previous Assemblies have done on this subject. There is really only one way to ensure in the future when we undertake projects like this that we do it properly, that we get good value for money for the public who we represent and that we get decisions made in good time so that we can improve the lives of the people who we serve by giving them the services that they need in decent quality buildings with the facilities they need. Through political reform we can deliver that and that is why I think back on the opening remarks from Deputy Ash, who welcomed the introduction of a second political party into Jersey's political environment, and I welcome that as well. But had we had an election campaign in 2018, or even 2014 or 2011, where candidates had been upfront with the public about what their plans for a hospital would be, not based their entire platform on what they would be against but instead based it on what they would be in favour of, then they would have had a much better mandate to get on with delivering a hospital and could well have done it years in advance. I really hope we do see an evolution of our system so that we do not end up in this awful situation again. But I make my position clear and the position of my party clear, that we have been consistent in our support for the protection of People's Park and for the expansion of open green areas in Town where it is desperately needed. That position does not change and in looking at the options for a road access up Westmount to the Overdale site, we will hold the Government's feet to the fire in making sure that what they come up with does not destroy the area, does not destroy the heritage sites, does not leave the people of St. Helier and the residents of the area with less open green space to enjoy. We will do that politically in the ways that we can and we will continue to promote proper, sustainable transport policies. That is one element that has crept into this debate a little bit today, which has not been dealt with adequately over the last couple of years. Also, when it gets to the planning application stage, we will join in with residents, if we have to, to support them in opposing anything that comes forward that does not meet the promise that has been made today by Senator Farnham in accepting the Constable of St. Helier's amendment to protect that green space and to make sure that the worst fears of those who are worried about this are not realised. If they do go back on that, they will be in for one serious fight and it is a fight that they will

lose. I will be honest and say that I think that Senator Farnham recognises that and I personally think he is sincere in his intention to uphold those aspects of this in compensating St. Helier for the things it will lose here and in maintaining green space. I believe he is sincere in that but he, I hope, knows and acknowledges that he will have other people who are sincere in support for those principles holding his feet to the fire and making sure that he does go ahead and deliver that and will be ready for that fight through the planning stage if necessary. So, I will vote in favour of this proposition. It does not change my position that the green space in St. Helier and People's Park must be protected and this access route must be done in such a way that it does not impact negatively on that area. We will keep a watching brief over it and I hope Members will understand that in projects like this we will simply end up in this position again one day in the future, whether it is over a new school, whether it is over a different new infrastructure project, unless we get our act together and fix our political system so that we do not have this mess over and over again, letting down the public, wasting time, wasting money. I am very pleased that there are now 2 other Members of this Assembly who have acknowledged that we need those sorts of reforms to deliver for the people who we represent.

3.3.12 The Deputy of St. Peter:

I hope that we can now get behind this proposition and give it full support. What does that mean? It means the detailed design and planning application can commence. It will be robust and involve Soundings, a highly reputable consultancy who specialise in public consultation and stakeholder engagement. As committed by the Deputy Chief Minister, regular progress updates will be shared with Members and as a member of P.O.G. I fully support this and will ensure that it happens. We can now get on track and continue to work in tight partnership with ROK FCC joint venture. This team are committed to working with us and we are fortunate to have such experienced partners. They have designed, as is well-known, and built 25 hospitals, including demonstrating island experience in Majorca. We have a fantastic health team who can now have, if this proposition is approved, what Overdale was described by one particular health professional at one of our briefings as the beacon of hope and can feel more assured that they will have a fantastic health campus to serve Islanders for generations to come. Now we must get together as an Assembly, work collaboratively, work tightly to a plan, and avoid any further undue delays. The Island is depending on us.

3.3.13 Deputy R. Labey of St. Helier:

It is almost 2 years to the day that I was on my feet in the Assembly asking them to ditch Gloucester Street as the preferred site, but I think something more important was the debate 6 months prior to that when I asked the Assembly to change the terms of reference for Philip Staddon. It is interesting to hear the Deputy of St. Martin quoting him earlier in the debate. Getting those terms of reference changed so that the planning inspector could acknowledge the existence of alternative sites was, I think, probably the most important step. So, bringing those propositions to ditch Gloucester Street was not easy and something of such significance does weigh very heavily on one's mind as one is doing it. You are filled with doubt because you are saying to a lot of people: "You are wrong and I am right." I could not go through that again with the Overdale site, which I think is the best site. I do see where both the Deputy of St. Martin and Senator Moore are coming from. I thought Senator Moore spoke extremely well today. I could not support anything that I felt would endanger the hospital then ending up on Overdale. My overriding thought was looking 6 or 7 years forward and it is a potentially fantastic site for a hospital because it will be in mature parkland. There is plenty of it, and that is so healing and so important. One has read all the emails that have come through, but my overriding fear was that we were in danger of delay and possibly losing Overdale, which I think is the best site and it is going to eventually end up with a hospital to be really proud of and will be really healing.

[17:00]

3.3.14 Senator K.L. Moore:

I just want to speak very briefly because many people have given eloquent speeches that have reflected my position on this debate. I will say at the outset, I will not be supporting it because I speak personally rather than as the chair of the Future Hospital Review Panel. But I maintain the position that it is a folly that we have got to this position. I absolutely understand the need to provide a fit-for-purpose hospital facility for Islanders. However, that has to be fit for purpose for the future. The affordability question sits within that. We are not, I appreciate, having another debate, or at least having a debate that we should have perhaps had back in November about the site here. However, it does have to be said and I would like to respond to some of the comments that have been made, particularly Deputy Labey. I understand and it was good of him to express the difficulty with which he found himself when he brought the rescindment motion for Gloucester Street. I would like to remind Members, and I absolutely respect Deputy Labey for what he did, however what I would like to remind Members of is that during that debate, not once, not twice, but at least 3 times, different Members told those who were voting that day that, if they rescinded the Gloucester Street site, they would find a cheaper alternative. We now see that what is being proposed is, when we take into account the inflation, contingency, et cetera, almost double the cost. It is a very, very dangerous path that this Assembly are walking down. It is, as Members have also referred back to the comments of the planning inspector, not the best or most appropriate location from a planning perspective. Therefore, it risks falling at that final hurdle. It also has not managed to gain the confidence of the public as we have seen in the past week and month. There is a huge lack of public engagement around this project. I noticed in the chat that Deputy Ash suggested: “Yes, we must get on to social media and writing letters to the newspaper.” No, Deputy Ash, the political oversight group have absolutely failed to engage with the public about their proposals. They need to show the public what it is they are proposing. They must try to correct the situation that has developed where there is a distinct sense of a lack of transparency and a deep sense of unease from some of us who are nervous of the behaviour that they see within this Government. That goes back to my sense that, in that debate on the rescindment of Gloucester Street, Members were told several times that a cheaper alternative would be delivered. That has not happened. In fact quite the reverse. Now we find ourselves, following the pandemic, in a situation where the economy, not just of our Island, but around the globe, is in a very different place. The future is less certain. We will be saddling our children with a 40-year debt that, not only they, but the grandchildren and great-grandchildren, will be left to pay for. I simply cannot support this proposition. I do certainly find myself in the position I am grateful through this debate today that there has been some commitment to reconsidering option 6, the existing road, and perhaps reining in some of the proposed spend on the access road, which is the only good thing that I can take from today.

3.3.15 Deputy K.F. Morel:

I am very pleased, as people often say, to follow Senator Moore because she has reflected many of my concerns that I have. Particularly, those over money. In many ways, if this proposition before us was more clearly described in terms of the scheme that would be going forward and the costs associated with that, then I would feel a lot happier voting for it. The problem is we have a proposition before us, which is going to open us up to millions and millions of pounds in expenditure. This is for a hospital project, which is already, as Senator Moore just described, vastly more expensive than the previous hospital project. Many of those who campaigned vociferously for ending the Gloucester Street site kept telling us that is because it can be done cheaper elsewhere. In fact, if I just look at the Hansard, and I quote here from the Deputy of St. John in that 2019 debate, and I quote him, not specifically because of him, but because he is one of the people who raised this issue. He said: “Currently, for under 300 beds, we are looking at £466 million. There must be something better out there. Recently, a group of local concerned individuals put the Hospital Policy Board in touch with developers in France who were able to construct a 300-bed hospital, the size we are considering, for under £100 million. Given the considerable financial disparity between the Jersey project, the Liverpool project and the French project, I would suggest that a significant re-evaluation

of the current development's direction should be considered." Because he was concerned about the cost. He then went on to say: "Our duty to be frugal with taxpayers' money should drive the way forward." My concern with the project that we have before us as a whole is that money seems to be flowing out of the project at an enormous rate. The sums being spoken about now are not £466 million, they are £800 million. That is an enormous growth. For those people, and there were many, who were saying that it can be done cheaper, they have doubled the price of the project. I find that very hard. So, if option 6 was the main option for the Westmount Road, we will use the Westmount Road as it is, I would happily back that. But when we are talking about at least £15 million, some are saying closer to £30 million, for some road alterations, I get very concerned. Then obviously on top of that I spoke earlier about the lack of the sense of carbon neutrality. The car park that is being suggested for the hospital, being 700 or 800 spaces, which is bigger than Pier Road Car Park, I find staggering. Because that means it is being planned without a sense of the sustainable transport policy in mind. That is something that I cannot understand. We are moving into a new economic era. This pandemic is drawing a line under the way things used to be. Jersey is going to be in a very vulnerable position. Yet we are signing ourselves up to £800 million worth of debt. We obviously have debt with regard to the pandemic itself. We are asking future generations to pay for that without knowing if we are going to have an economy that is capable of servicing that debt. We do not even know if the economy will be capable of servicing the Jersey Care Model and the way that intends to deliver healthcare. So, with regard to this road, it is the fact that this road seems to be an incredibly expensive option that is being put before us. Because, while we have heard today people saying that: "Oh no, we will look at option 6" it is clear that they are driving towards option 7. My concern is that, once the States have voted and they have passed this, then all that talk about considering option 6, et cetera, will go out the window and they will just say: "Carry on, do not worry, send us the bill when you are finished." So I will continue to listen because throughout this I have not made up my mind until I press the button on which way to vote. But I am very concerned that those who promised us a hospital for less are now delivering us a hospital for double the cost. That in itself shows how difficult it is to have faith in the project delivering in terms of the financial envelope, as the jargon goes. I would also like to reiterate something Deputy Pamplin said, which is one of the reasons this has become such a contentious issue is because there is a lack of trust. That is because there has not been enough communication with the public and it has not been open enough. There has been a sense that things are hidden or things are omitted and not told to us. I implore the people running this project, please open up, please stop operating in a way that makes the public feel alienated from the project. Because that only backfires. If anything of this magnitude delivers a sense to the public that it was railroaded through then the public will not buy into it. The only way to overcome that is to be more open and to be more transparent, which is why I voted with the previous Scrutiny amendment, was because of the transparency. So, whichever way this vote goes, if this vote goes in favour, certainly I ask the project team to please come out from behind the defences and open yourselves up to dialogue with all stakeholders. That means all 100,000 of us on this Island. Because, what we are seeing at the moment is a hospital that has runaway costs and a hospital that is causing many, many more problems than the Gloucester Street project. I remember in that debate as well that I said the reason I will not vote for the rescindment is because at the moment I know that we are going to get a hospital that will be delivered in Gloucester Street, because the project had already started. I know that it will cost £466 million. I said, by voting for the rescindment, we are entering a world of great uncertainty. That uncertainty is still there. The only certainty we do have is that the cost has multiplied enormously. That is why I have such doubts about adding extra cost by allowing developers to run away with option 7 on this road. But I will continue listening, but I have my doubts, and money is at the basis of those doubts.

3.3.16 Deputy M.R. Higgins:

Naturally, I am quite disappointed that the amendment was lost because I do believe we should have the additional information. However, promises have been given, both publicly and privately, from

Senator Farnham and I am taking him at his word. That said, hell has no fury like a woman scorned. But I can assure him that it will be a lot worse if he goes back on his undertakings. I am rather old-fashioned and I believe in “my word is my bond”. I have always kept my promises and I hope he will keep his as well. I am still not convinced about the parking pledge. I will be most interested to see how the Constable of St. Helier is going to deliver this. We all know what the area is like. How he can conjure up, with the Ministers, the parking spaces that are going to be lost, I do not know. If they do, I will tip my hat to them. Going on, I would say that this area is my district, along with Deputy Gardiner, Deputy Le Hegarat and Deputy Ahier. Once the decision was made to build at Overdale and once one looks at the road networks, the truth of the matter is Westmount Road is the best way of getting to and from the hospital. For us to go anywhere else and to improve the roads would cause greater loss of housing and disruption to the schools, whether it be sending traffic down Tower Road, which would have a major impact on First Tower School, which already is seeing excessive numbers of cars in that area. I know the lollipop lady very well and I know she has had a number of near misses. If it had gone that way it would have been almost suicidal to do that jobs without proper crossings. I will however disagree with Senator Moore and Deputy Morel going on about the previous hospital on Gloucester Road and in the Parade.

[17:15]

It would have been a total and unmitigated disaster. I say that because I attended the planning meetings with the inspector and I looked at the model that was placed in the context of Town. It was massive. It looked like a nuclear power station that had been transported and placed into the middle of the town. Its height was the equivalent of the road outside Overdale Hospital as it is now. So we all look up to that hill and we will be able to see where the hospital is. Imagine a towering structure on a very small footprint in Town. I have spoken with quite a number of the clinicians in the hospital and they are grateful that it did not go ahead. They felt that it would have been totally incapable of meeting the needs that they required. Overdale will be a good place for people who are in hospital and convalescing and being able to look out. But I do make a plea to the planners, and I will be fighting it if they go too high, because we do not want it dominating the town. I hope also, with my concerns about losing trees in the People’s Park, they do not lose too many on the hospital site itself. Because it is a pleasant area to walk, whether it be going up Westmount Hill or in the valley behind, I have walked it many a time with my small dog and it is a very pleasant place to be. I am sure patients would convalesce there very well. In terms of the statements being made about cost. Unfortunately, it is a very expensive project. I again do wonder sometimes where they have arrived at the figures. However, if we listen to some Members, we will never build a hospital at all that would meet the needs of the Island going forward. In fact, I think we would not have any major capital investments, whether it be sea walls or anything else, because the argument will always be given: “We cannot afford it.” We have many, many problems in this Island and I am afraid a lot of money needs to be spent to deal with them. If we have people counting the pennies in an excessive way, and not looking about a fair tax system and trying to make things more equitable, I find it absolutely amazing. I read the other day that during the pandemic worldwide 10 billionaires earned so much money they could have paid for all the vaccinations 3 times over that the world requires. That is obscene. All I can say is that, going forward, we need to have an equitable tax system in this Island where we can afford to pay for our schools, our hospitals, and the other infrastructure we require. That does not mean fleecing the people who have the money. It just means making it more equitable. They can afford it. If you have £1 billion, what is an extra million? Nothing to them. It is all relative. Anyway, rather than going on about tax policy and everything else, I will say in this particular case that, despite losing the amendment and getting the full information, I will accept their word and be watching them like a hawk. I will vote for the proposition.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak on the proposition then I close the debate.

Deputy R.J. Ward:

I had put in the chat to speak.

The Bailiff:

It arrived on the screen a little bit after I said I closed the debate. But, Deputy Ward, I accept that you put it in before I said that. Sometimes these things do arrive somewhat slowly.

Deputy R.J. Ward:

I have had reception today. That is why I do not have my camera on. There is a delay and it making it almost impossible, so I do apologise.

The Bailiff:

Not at all. Very well, Deputy Ward.

3.3.17 Deputy R.J. Ward:

I was just going to be brief really. I just want to make a point that I will be supporting this, even though the amendment failed, because we do need to move forward now. I was supportive of Overdale as a site. We will certainly be watching the promises that have been made by Senator Farnham. I also, however, want to make a very key point about the hospital site that is left when the old hospital does move. I will be campaigning and I will be pushing to ensure that there is a significant green space in that area and it is not just sold for property developers again, as we do too often in the centre of St. Helier to build and build and build in St. Helier. Often small flats that are not what is needed anyway. So that is the type of forward-thinking that we need. I will also point out the very important point that we do not have a sustainable transport policy. You can put as many buses up there as you want, but if they are too expensive or they are more expensive than using a car, and there is no incentive to use those buses, they will not be used. You will be left with the same narrow-sighted approach to sustainable transport that we have now. So I hope that we can look for those things into the future as well.

3.3.18 Deputy K.C. Lewis:

Nothing wrong with the transport policy. That is being developed as we speak. The more people we can encourage on to public transport the better. The Infrastructure team are consultees to the planning application and my team will be ready to discharge this function at the time. This is a normal thing to do, it is a normal process to follow, and I can happily say that to date the Our Hospital project team have consulted with operations and transport, highways and maintenance, and public transport, as representative of the highways authority who act on our behalf. Can I also assure the Constable of St. Brelade regarding his comments that the team do have adequate resources to monitor all the planning applications and to act accordingly.

The Bailiff:

Does any other Member wish to speak in the debate? If you do, can I suggest you press your buttons now. If no other Member wishes to speak, then I close the debate and call upon Senator Farnham to respond.

3.3.19 Senator L.J. Farnham:

Can I thank everybody who has spoken throughout the whole debate and the amendments as well. We have heard some very interesting, informative and good speeches, from both sides. I can assure Members that I and members of the political oversight group have been listening to all views, whatever side they are coming from. I am going to try to address the questions raised by Members

as succinctly as possible. Deputy Maçon asked how we will engage. I want to reassure Deputy Maçon that our communications and engagement programme partners are now fully operational and have become so. We did present to Members, but that work has started. There has been some engagement. There have been 2 meetings, as I understand it, but the agenda for that can really start to ramp up now as the detailed design work starts. They are also working with residents of the Les Quennevais area in relation to the decant of the Overdale facility. So I would like to provide Deputy Maçon and Members with that reassurance. The Constable of St. Brelade does say I am holding a gun. That is not the intention. Members who know me and work with me know I do not operate like that and I am sorry if he feels like that. That is not the intention at all. But there is nothing wrong with disagreeing and, as Members will also know, we can disagree and we debate. That is the role of politics and politicians. So I will continue to try to work with the Constable and the Scrutiny Panel as closely as we possibly can, despite our differences from time to time, which can be healthy. The director general of the I.H.E. (Infrastructure, Housing and Environment) team is part of our political oversight group and so there is a connection there. We have a P.C.S.A. (Pre-Construction Services Agreement) with the delivery partner. That is in place. That work takes us all the way through, through the planning process, literally until we get spades in the ground. That contract can be terminated at short notice. The Constable was I think wanting that clarified. Deputy Luce, I know the Deputy of St. Martin's opinions on this. I think we have short memories when we look back at Gloucester Street. I will talk a little bit about that in a minute. But we have to start looking forward now. The Deputy of Grouville thanked Islanders and I would like to join her, as other Members have, because we have had a significant amount of emails over the weekend. Again, they have been containing different views, right from being completely opposed to the hospital at Overdale, to being very supportive of the project and wanting us to get on. The vast majority have been with concern about the road. Despite being frustrated because there is a lot of supposition and speculation and I think unnecessary concern, which I find frustrating for them, we have read them all and learned from them. We realise we have work to do now to start reassuring the people that take their good time up to write to us. Again, that was the same from the Constable of St. Ouen, he implored us to improve our communication. But one of the important things I hope, if Members approve this proposition now, is that means we can get back on, we can really get on in earnest now with producing the information that is so desperately required. Actions will speak louder than words. I am looking forward to sharing that information, especially on the design and the potential for improvements around the road and environment as it comes forward. Because it is going to be very, very good. Of course, I would remind Members and Islanders that we do have an exceptionally informative website, OurHospital.je, and would advise the public to engage with that as much as possible. A similar theme from Deputy Truscott, which we note, and again he expressed his thanks for Islanders. Deputy Pamplin is always good at communication. I am not sure if his Scrutiny commitments would prevent him, but he would be a jolly good communications member of our political oversight group. But perhaps something he can advise us on anyway and I undertake to continue to work with the Deputy. As I say, let us get the details together, which we are going to start doing now in earnest, and hopefully the Deputy will see that coming together. The Constable of St. Helier, I thank him for his kind words. I have always had an exceptionally good working relationship with the Constable and the Parish of St. Helier. I commit to continue to working closely with him and the Parish. We have talked about some exciting opportunities that could come out of this where we have sat down and, not just talked about the possibilities for reinvigorating the area with additional parkland and community space, but we have also looked at other parts of the property estate and looked at opportunities there. I commit to continue to work closely with the Parish. We have tried hard to bring the public on board. Many have been scared by some of the speculation. But we have to address that. The way to stop speculation is to present proper, accurate information and details. Again, I reiterate we are going to do that. I thank Senator Mézec for his comments. In fairness to the Senator, he has always been consistent with his view. When he was a colleague on the Council of Ministers and this was discussed, he was always consistent in one thing, the hospital project, to just get on with it, obviously

within the realms of the good process that we followed. I remember in 2019, when we went out to public consultation, and the site selection consultation was independently run, and being criticised then. I remember the groans across the Island when we said we were going to go out to public consultation again. “Why can we not just build it?” was the echo from around the Island. But of course he is right, here we are 10 years on, which is why we must succeed now. I think we have the best chance of success now. Members have demonstrated their resolve today with supporting this progress. It was a very hard decision to make for some Members. I know that and appreciate that because of the level of interaction we have had with some Islanders, especially those most opposed to it. But we have the best chance I think now of success. We have a fantastic team of professionals working with us, experts in their respective fields. So we must build upon that.

[17:30]

Deputy Huelin, I thank for his support, he has been absolutely invaluable on the political oversight group, as have all of the members of the political oversight group. I cannot count how many hours we have been meeting in the last week alone, but I thank them all for their fortitude and for their careful consideration of every aspect of the project. I am sure I speak for all of them when I say we have listened very carefully to what Members are demanding. I say “demanding”. Demanding of us to rebuild the momentum in the project, while improving communication and rebuilding confidence. Deputy Russell Labey of course talked about Gloucester Street and I remember the debate on his proposition very well. He also quite rightly reminded Members of the healing sort of location of Overdale. I said we have a peaceful location set in an elevated position with fantastic views. That is far better than looking at the side of a multistorey car park or across the road into somebody’s flat, when you are recuperating. Senator Moore also wanted to talk about Gloucester Street. Gloucester Street was a non-starter if we remember the trials and tribulations that we had around that. Senator Moore was in the thick of that, as she was a member of the Council of Ministers, as was I. So I remember that clearly. It is really unfair to compare the costs of the 2 facilities because they are completely different facilities. We have since found out from our clinicians and all the work that has been done that if we had gone ahead with the Gloucester Street project, it was too small and we would have been running out of space by 2035. Those are the figures that have come back. Of course, Gloucester Street was not a complete one-site solution. The mental health facility was not going to be on site. So it is not comparing like for like. The Overdale campus is going to be some 30 per cent bigger, the estate. Importantly, it puts everything in one place and a vital mental health facility. I know that is very close to some Members and I am just recalling the very good speech of Deputy Pointon in the amendment debate. Deputy Pamplin and Senator Pallett will also be pleased to hear that. Of course, when you look at a site that is 30 per cent bigger, and of course having everything on one site will benefit the running costs because logistically it is more cost-effective to do that. The price has gone up because we have dithered. The States have allowed us to fail time and time again. Members must not be ashamed to admit that. I think only by admitting our faults can we rectify the future. If we wait or delay this any more there is only one thing that is going to happen to the price and it is going to go up. The bracket is £550 million to £800 million. So the project will be delivered within that bracket. Senator Moore also talked about the debt we are going to be burdening our future generations with. Debt, this is not debt, this is an investment in the future. The acquisition and the land assembly programme will consolidate land where we will build an extremely valuable asset. Not just in terms of bricks and mortar and value of the land it sits on, but of course an investment in the health and well-being in a hospital fit for the 21st century, the future generations of Islanders. Deputy Morel touched on the same point and was questioning the costs. I hope what I have just said, he will accept that we are not building a like-for-like facility. It is completely different. Of course, when you add the extras, inflation and the delay in time, that is why the cost has gone up. Again, we talk about the cost, it is an investment. I think about the recent comments of our front line health staff and clinicians who have been working on the front line throughout the pandemic. Are they worth the investment? I think we all know the answer to that. It was Deputy Morel that brought up

the French contractors. We did engage with the French contractors but they turned out to be architects rather than contractors and the £90 million ballpark figure turned out to be a private selected treatment facility and not a general hospital at all. So I hope that is the explanation for that. Of course our road estimate is currently £15.1 million, not £40 million, but we are absolutely and unequivocally reassuring Members that we will look very closely at option 6. As I have said before, we could even find a blend of option 6 or option 7, but whatever we come up with, the detailed designs and drawings will be presented as soon as possible. We will look for the best solution. Deputy Ward of course mentioned the sustainable transport policy. We have an opportunity here to be an exemplar with how we access the hospital. I am sorry if I have gone off the succinct message but I am trying to cover everything. So that was the last comment I wanted to make. Deputy Kevin Lewis I think answered that question. So we get to the end of the debate now and we have listened and we have heard. We understand we have to build confidence in the project. We have to reassure the public we are going to deliver the very best access option. In an email to Members last week, Senator Moore questioned the Government's motives in the project. I would just like to say that our motives are not questionable here. Our motive is in fact quite simple. But it is a strong motive. That motive is simply to build and deliver a fully-functioning hospital by the end of 2026. Our motive is nothing more than that and certainly nothing less. To that end, I commend the proposition to the Assembly and ask for the *appel*.

The Bailiff:

I ask the Greffier to put a voting link into the chat. I open the voting and ask Members to vote in the normal way. If Members are having difficulty with the link, could they please type into the chat. The voting is open. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted: 34 votes *pour*, 11 votes *contre*, in the link, with an additional vote *pour* in the chat.

POUR: 34		CONTRE: 11		ABSTAIN: 0
Senator I.J. Gorst		Senator K.L. Moore		
Senator L.J. Farnham		Senator S.W. Pallett		
Senator S.Ferguson		Connétable of St. Helier		
Senator J.A.N. Le Fondré		Connétable of St. Brelade		
Senator T.A. Vallois		Connétable of Grouville		
Senator S.Y. Mézec		Deputy of St. Martin		
Connétable of St. Clement		Deputy K.F. Morel (L)		
Connétable of St. Lawrence		Deputy M.R. Le Hegarat (H)		
Connétable of St. John		Deputy J.H. Perchard (S)		
Connétable of Trinity		Deputy K.G. Pamplin (S)		
Connétable of St. Peter		Deputy I. Gardiner (H)		
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				

Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				

The Bailiff:

That brings the Public Business to an end for this meeting. We accordingly stand adjourned until Tuesday, 9th February.

ADJOURNMENT

[17:39]