

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 19th JULY 2023

PUBLIC BUSINESS - resumption	4
1. Mortgage repayment assistance (P.48/2023)	4
1.1 Deputy G.P. Southern of St. Helier Central:.....	4
1.1.1 Deputy E. Millar:	5
1.1.2 Connétable K.C. Lewis of St. Saviour:.....	6
1.1.3 Deputy R.J. Ward of St. Helier Central:	7
1.1.4 Deputy M.R. Scott of St. Brelade:	8
1.1.5 Deputy S.Y. Mézec of St. Helier South:.....	9
1.1.6 Deputy M.B. Andrews of St. Helier North:	10
1.1.7 Deputy C.S. Alves of St. Helier Central:	11
1.1.8 Connétable M. Labey of Grouville:	11
1.1.9 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:	11
1.1.10 Connétable M.O'D. Troy of St. Clement:	12
1.1.11 Deputy L.V. Feltham of St. Helier Central:	13
1.1.12 Deputy P.M. Bailhache of St. Clement:	13
1.1.13 Deputy G.P. Southern:	14
2. Entitlement to work - reduction in residency requirement (P.49/2023)	15
2.1 Deputy R.S. Kovacs of St. Saviour:.....	15
2.1.1 Deputy M. Tadier of St. Brelade:	19
2.1.2 Deputy M.R. Scott:	20
2.1.3 Deputy L. Stephenson of St. Mary, St. Ouen and St. Peter:	22
2.1.4 Deputy S.Y. Mézec:.....	24
2.1.5 Deputy H. Miles of St. Brelade:	26
2.1.6 Deputy E. Millar:	27
2.1.7 Deputy R.J. Ward:	28
2.1.8 Deputy M.B. Andrews:	30
2.1.9 Deputy J. Renouf of St. Brelade:	30
2.1.10 Deputy L.V. Feltham:.....	31
2.1.11 Deputy D. Warr:	32
2.1.12 Deputy I.J. Gorst:	33
2.1.13 Deputy R.S. Kovacs:	34
3. Supplementary Planning Guidance - Parking Strategy (P.50/2023)	39
3.1 Connétable A.S. Crowcroft of St. Helier:	39
LUNCHEON ADJOURNMENT PROPOSED	40
LUNCHEON ADJOURNMENT.....	40
3.1.1 The Connétable of Grouville:	41
3.1.2 Deputy T.A. Coles of St. Helier South:	41

3.1.3 Deputy R.J. Ward:	41
3.1.4 Deputy S.G. Luce of Grouville and St. Martin:	43
3.1.5 Deputy A. Howell of St. John, St. Lawrence and Trinity:	44
3.1.6 Deputy J. Renouf:	44
3.1.7 Deputy M.R. Scott:	47
3.1.8 Deputy L.V. Feltham:	48
3.1.9 Connétable K. Shenton-Stone of St. Martin:	49
3.1.10 Deputy M. Tadier:	49
3.1.11 Deputy M.R. Ferey of St. Saviour:	52
3.1.12 Deputy T. Binet of St. Saviour:	53
3.1.13 Deputy A. Curtis of St. Clement:	53
3.1.14 Connétable M.K. Jackson of St. Brelade:	54
3.1.15 Deputy S.Y. Mézec:	54
3.1.16 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:	55
3.1.17 The Connétable of St. Helier:	56

4. Support for parents of babies needing additional neonatal care (P.52/2023) - as amended (P.52/2023 Amd.) 59

4.1 Deputy R.S. Kovacs:	59
4.1.1 Deputy E. Millar:	60
4.1.2 Deputy C.D. Curtis of St. Helier Central:	60
4.1.3 Deputy R.S. Kovacs:	61

5. Negotiation of purchase for the site of the Seaside Café, Grève de Lecq (P.53/2023) - as amended (P.53/2023 Amd.) 62

5.1 Deputy L.J. Farnham:	63
5.1.1 Deputy L. Stephenson:	63
5.1.2 The Connétable of St. Saviour:	65
5.1.3 Connétable D. Johnson of St. Mary:	65
5.1.4 Deputy S.G. Luce:	66
5.1.5 Deputy M. Tadier:	67
5.1.6 Deputy A. Curtis:	69
5.1.7 Deputy M.R. Scott:	70
5.1.8 Deputy P.M. Bailhache:	71
5.1.9 Deputy M.R. Le Hegarat of St. Helier North:	72
5.1.10 The Connétable of St. Clement:	74
Mr. M.H. Temple Q.C., H.M. Attorney General:	74
Deputy E. Millar:	75
5.1.11 The Connétable of St. Brelade:	75
5.1.12 Connétable R. Honeycombe of St. Ouen:	75
5.1.13 Deputy L.V. Feltham:	76
5.1.14 Deputy T. Binet:	76
5.1.15 Deputy I.J. Gorst:	77
Deputy M. Tadier:	77
5.1.16 Deputy J. Renouf:	78
5.1.17 Deputy L.J. Farnham:	79

ARRANGEMENT OF BUSINESS FOR FUTURE MEETINGS..... 82

6. The Connétable of St. Martin (Chair, Privileges and Procedures Committee):	82
6.1.1 Deputy E. Millar:	82
6.1.2 The Connétable of St. Martin:	82

ADJOURNMENT..... 83

[9:30]

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

PUBLIC BUSINESS - resumption

1. Mortgage repayment assistance (P.48/2023)

The Deputy Bailiff:

The next item of business is Mortgage repayment assistance, P.48, lodged by Deputy Southern, and the main respondent is the Minister for Treasury and Resources. I invite the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – to request the Chief Minister, in consultation with the Minister for Treasury and Resources, to engage with local mortgage and credit providers with a view to those providers supporting consumers who are struggling to make repayments by – (a) allowing borrowers to reduce their monthly repayments by extending their mortgage term or switching to interest-only repayments; and (b) ensuring that homes will not be repossessed until 12 months after a borrower misses a mortgage payment.

1.1 Deputy G.P. Southern of St. Helier Central:

I wrote this proposition because at the time I could see no sign of activity on the part of Ministers while the U.K. (United Kingdom) Government was making measure after measure and saying things will be all right and reassuring people about their worries. In Jersey that did not seem to be happening. To have the response that we have, at the bottom of the page, which says: “As a result of the work that has already been undertaken by Government, we believe that P.48/2023 is already obsolete, and we ask Members to reject it.” Straightforward, that is the way they treat me more often than not. Asked to reject to it. But the question is: is the problem done with? Is it over? Is the Bank of England succeeding in holding inflation down by its rise in rates? Are you sure that it is? Or are we likely to see 7 per cent, 8 per cent some time in the future if the squeeze comes on, and more people get disappointed by what their mortgage arrangements are? We will not take long today, I do not think. But we need to take a look at how many people we are talking about and who they are. “Officers continue to monitor the effect of base rate rises on the residential mortgage market.” We are covering things, we can count the numbers, we can monitor, we do anything. Do not know. “A large proportion of residential mortgages in Jersey were taken on fixed-rate terms; and of these the majority were for 5 years. Consequently, we understand that relatively few mortgage holders are facing increased mortgage rates at present.” “Relatively few.” Yesterday in the Assembly we tried to talk about what does “relatively few” mean? What are the numbers? We were told that approximately 10 per cent to 15 per cent of mortgages might be causing trouble for our mortgagees. What does 10 per cent to 15 per cent mean in real terms. Let us take a quick look, bear in mind these are mortgagees with a mortgage in the 10 per cent to 15 per cent, may be troublesome, they have got worries what is going to happen. What is happening, what their new rate is already or what their rate will be. What are we doing? What does that mean for the voters in Grouville? In Grouville, 10 per cent of the owner/occupied residences or about up to 150 residences may have problems. May already be worrying about how they are going to cope. May be squeezed by the rise in prices and their mortgage. In St. Brelade it is up to 300; that is 10 per cent to 15 per cent of the voters. Sounds a lot. St. Clement, up to 240. St. Helier is 640 potential troublesome mortgages. For me that makes me think twice. That makes me think about knocking on doors in 3 years’ time and saying: “Look what I did to help you with your mortgage.” At least I tried something. Will the rest of you be able to say that? I do not know. St. John, 80. St. Martin, 100. St. Mary, 50. Good old St. Mary, probably many of those mortgages are over and done with; they are straightforward owners. Or they may be the next generation coming through with a mortgage, with problems. In St. Ouen is 100. St. Peter,

130. St. Saviour, bear this in mind, 300. And Trinity there are 90. These are troublesome mortgages where the householders may be worried, certainly are worried, and wondering what they are going to do in the future. Today, we have the opportunity to say: “Do not worry, we are on it, we have passed this proposition and we can do something to help you. We will engage with your mortgagees.” Or we can say: “No, sorry, we are done with it. It is over and done with. Never mind that you have a mortgage which is troublesome. Never mind that you have got debts accumulated because of that mortgage. We are leaving things alone.” Is that satisfactory? In terms of the relationship between Members here and those mortgagees, those voters, we owe them something I think. So do not pay attention to the words of the Minister for Treasury and Resources, this is not obsolete, it is ongoing and we should be doing what we can, even if that is a vague phrase like “engaging with mortgage lenders”. I propose this proposition.

The Deputy Bailiff:

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

Deputy E. Millar of St. John, St. Lawrence and Trinity:

First of all, may I lift the défaut on Deputy Farnham and Deputy Bailhache?

The Deputy Bailiff:

Are Members content to do so? The défauts are raised on those 2 Deputies.

1.1.1 Deputy E. Millar:

First of all, I would apologise to the Deputy if he was offended by the wording of the comment. Absolutely no offence was intended and I am sorry if that is how it came over, if the language is perhaps too blunt. Ministers absolutely share the concerns raised by Deputy Southern in his proposition regarding the impact of increasing mortgage interest rates. As outlined in the comment we presented to the Assembly, I have already written directly to all major local mortgage providers. This letter was shared with and communicated widely in the media and the letter has been included in the comment paper, which we submitted. I sent it to the media very deliberately because we know that in Jersey, although many people do borrow through the major high street lenders that we all know, there is a, as yet, largely unknown number of people who borrow through private and independent lending and we do not have visibility of that. By sending that letter to the media I wanted that message to go out very widely to all people who are taking secured loans over people’s homes that we expect them to behave reasonably in this period.

[9:45]

I would hope certainly you will be aware that we recently issued a consultation on the regulation of consumer credit, which will include secured lending, and I certainly hope that when we bring that regulation forward Reform, and indeed all Members, will support us because that is intended to assist borrowers against poor behaviour by lenders in particular. That is a discussion for another day. If I could return to the letter. The letter that was sent requests: “... confirmation that Jersey lenders, in a similar manner to U.K. institutions, will work with any householders holding mortgages secured over their primary residence who are struggling with or worried about entire mortgage repayments.” It requests that: “... repossession action will not be commenced, unless all other options have been exhausted.” I do believe, having worked for a bank, that repossession is absolutely the last recourse and the last resort of any bank. No bank wishes to put a family out of their home unless they really, really have exhausted all options. Other alternatives may include extending the term of mortgages to reduce monthly payments or the provision of repayment holidays for short periods. The letter was copied to the Jersey Financial Services Commission, the Jersey Bankers Association and Jersey Finance. To date 2 responses have been received to this letter - it was only sent a couple of weeks ago from lenders - and both responses have given reassurance that large mortgage lenders are already working proactively with mortgage holders or will do so as required. Neither response indicated the

need for any further support or action from Government at this stage. Should any response be received which indicates that Government action and support is needed we will of course consider that carefully and in a timely way. I have also more recently received a response from the Jersey Bankers Association, if you excuse me using my phone because I do not have a print of it. That letter includes the following, this letter was sent Monday: “Our J.B.A. committee met on Friday and all members present were keen to confirm that they would always wish to work with their customers to ensure positive outcomes on all matters. This includes where customers are in any form of financial distress, whether this relates to a mortgage or any other financial service. Our members’ recommendation is for customers to approach their lender as soon as possible if they are concerned in any way about the mortgage in order that the position can be reviewed and appropriate action taken. While not party to the U.K. mortgage charter, our members certainly wish to operate within its spirit. I believe a number of members have responded directly with these reassurances.” So the J.B.A. have also confirmed that approach. In addition to the letter, and to give the Deputy and Members additional comfort, this is absolutely not a case of one letter. We have the Cost of Living Strategy Group, which meets regularly to monitor things like mortgage rates, inflation, what more we need or can do. I have met, I think, all of the big banks in the last couple of months and the question of lending, both the availability of lending and what the banks will do as regards mortgage holders who may be struggling, has very much been a feature of those discussions. In the responses we have had, and I note the Deputy’s comments about people who may be struggling, the banks are not telling us that. Only one bank so far has notified any issue with people struggling, actually in arrears. One or 2 people in the Island that they have reported. Many banks, when they make a mortgage, do a level of stress testing where when a mortgage is granted at, say, 4 per cent, they run the checks on the basis of a mortgage going up to 6 per cent to make sure that they think the borrower can afford a shock, if you like, of the mortgage increasing. So the banks are absolutely paying attention to this. The Government is paying very close attention to this. I can assure all Members that it is not a case of one letter and that is job done. We will continue to keep an eye on that. Just on the 5-year fixed period, that is the case. There will be people in Jersey who are on 5-year fixed terms. Those fixed terms will of course be terminating on a rolling period. But I know that one bank still has all of its borrowing, a relatively new lender. I believe most of its borrowing is still on fixed terms. The banks have been relatively positive when I have spoken to them. But I do believe banks are willing to work with the lenders to make sure that they can support people during this difficult time. As the Deputy has commented, yes, our officers will continue to monitor the effect on base rate rises on the residential mortgage market, as will Ministers via the Cost of Living Strategy Group and otherwise. I would just note that as at today’s date I am not aware that the U.K. Government has yet provided any support to mortgage holders. So, just to return to my original ... the wording of the comment. We have already undertaken the work suggested in the comment. The proposition asked the Minister to engage with local mortgage and credit providers with a view to those providers supporting customers who are struggling to make repayments by various means. We have specifically written. We are continuing discussions. That work is very much ongoing and from that perspective to write to mortgage providers again would be obsolete given that I wrote some 2 weeks ago. But we are absolutely on it and I think there is simply no need for this proposition to go through the House because I do assure you that Ministers are very much engaged with this matter.

1.1.2 Connétable K.C. Lewis of St. Saviour:

I have been approached already with people feeling the pinch regarding their mortgages. It is not easy for young couples especially to pay rent, let alone pay a mortgage or even save for a mortgage. But there are people who are finding the pinch quite heavy at the moment. I have been approached by several people in my Parish. They are saying it has not really kicked in yet but already we are feeling it bite. I find it quite ironic that the Minister apologises for any language that may cause offence to the proposer and then it follows it by potential misbehaviour by lenders. I do not think

any lender would willingly go into debt or willingly miss payments. I think possibly the Minister should withdraw that comment.

The Deputy Bailiff:

Are you prepared to give way?

The Connétable of St. Saviour:

Yes, Sir.

Deputy E. Millar:

What I was trying to suggest was misbehaviour by the lender, that is the person who is lent money. There are private lenders out there who are not subject to any mortgage code. We do not know how they will behave. It almost goes back to our discussion yesterday about poor landlords. There will be poor lenders and very much part of our concern with consumer credit legislation is to control conduct of lenders and the way they act. With the borrower, I am not suggesting that it is the borrower that is misbehaving.

The Connétable of St. Saviour:

I thank the Minister for that explanation and I withdraw my comment. Myself and my wife had a mortgage until recent years, and it was the drop in mortgage rates I believe in 2008 which was of great relief because it meant I think we had about £450 extra a month to live on and we were not really suffering as much as we were previously. But, as I say, there are many people out there suffering now. Even though I will admit we have no mandate to instruct banks or lenders on what to do, I think we need to send a message there. I am very tempted to support this.

The Deputy Bailiff:

Deputy Rob Ward, you were about to press your button. Perhaps you were not. Who would like to speak next?

1.1.3 Deputy R.J. Ward of St. Helier Central:

It worries me that you might be able to see in my mind.

The Deputy Bailiff:

I saw your hand moving towards the button.

Deputy R.J. Ward:

I assure you, Sir, that might not be a place you want to go. It is certainly a place I do not want to go. I will speak, I was going to speak early. I think the word “irony” is apt for this. This proposition is an opportunity for this Assembly. Let me get this really clear as to what I am saying here. It is an opportunity for this Assembly to send a message. I absolutely support what the Minister is doing and say to the Minister, yes, carry on that communication. But I do not think Deputy Southern is saying just write another letter. What this proposition is saying ... and the wording is to: “... the Minister for Treasury and Resources, to engage with local mortgage and credit providers” even those the Minister and the Assistant Ministers may have concerns about, that are not regulated, they are credit and mortgage providers, engage with them. This Assembly is saying go and engage because we are concerned about people on this Island who are struggling. It is a message from this Assembly. I have to say it, and I really hope this can be taken well and not get in the way of my argument in saying this Assembly is saying, but I am concerned that the Assembly is perhaps not being taken as ... I am very carefully choosing my words now. That this Assembly is not being taken ... watered down in terms of its influence because this is the primary legislative body of this Island. It is not just about Government doing things. It is about the Government doing things with the support and the direction of this Assembly. If we lose that, we lose our unique democracy. Yes, I know you may be

sat there, Members may be sat there saying: “You are going a little bit far with that link” but let us think this through. This is a direction from the Assembly to say engage because allowing borrowers to reduce their monthly payments, the Government is saying, with the backing of the Assembly, to all of those lenders, that we are saying: “Please let us not let people on this Island who are going to struggle” and they are struggling as mortgage rates go up. Particularly when they hit that point where they might come to the end of a fixed term deal because they are going to really be hit by a figure. It is saying we, as an Assembly, are saying to Government you are doing great, brilliant, carry on, but more power to your elbow, you have our backing. We are saying to you keep on doing it, protect people. Have every engagement you can with providers to say from this Assembly that we want to try and ensure that those people with mortgages are protected as far as they can. This proposition is nothing but well-intentioned. It is not playing politics. It is not playing silly people. It is not trying to say we are making a point. It is coming from interactions that we have had with people who talked to us all the time and come along to our constituents and say: “Can Government not doing something about mortgages and try and help us out a little?” And we are saying: “Yes, I am sure they can. We will do what we can.” So this was brought to the Assembly quickly, pertinently at the right time with the right intention. I have to say, I am disappointed that the word “obsolete” was used because this is far from obsolete. This is about saying that engagement from this Assembly is really important. We swear an oath that we will commit to this Assembly above everything else. So therefore as soon as we say that this Assembly’s propositions are not needed, we are contradicting some of the things that we have said in this Assembly and that when we stand up in the Royal Court and put our hand up ... I cannot remember which one it is, I think it is the left. I do not know. Obviously I always go left. [Aside] The right hand, thank you. We say that. This is really simple. It is not asking for anything extra. It is asking for continuous and giving the backing of the Assembly to Government to do it. I ask a simple question: why else are we here for? I strongly recommend Members to support this, let us get this done and let us move on to the next one so we can get some help and we support Government from this Assembly.

1.1.4 Deputy M.R. Scott of St. Brelade:

I agree, the proposition is well-intentioned. If only it were that simple. I remember when I once worked for a large firm in London it did pro bono work for a charity for homeless. The way this charity raised funds often was to visit the homes of elderly people and persuade them of the value of their work. These elderly people often would leave money to that charity overlooking the fact that often there was perhaps a relative who was poor who was looking after them in their home and was going to be made homeless as a result. There was some sort of irony there. So a lot of my work involved trying to get funds to ensure that that particular individual would not be made homeless and the way I had to do that was to write to the Charity Commission because under the rules of these charities they were not allowed to just give money away.

[10:00]

They had to respect their own constitution, it was a very kind of complex system, but anyway basically that is what the role entailed. I also have done a lot of work in terms of bank financing, as I am quite convinced Deputy Millar also has, and again it is not that simple. Banks take deposits. They have to have a certain amount of deposits in order to lend money. A lot of that money is backed by its own borrowing which is on terms that relatively match. The question I have, because I have looked at this proposition, and my real question has been: okay, so you are looking to the banks to provide this assistance but what exactly are you asking of them that is more than the work that has already been done? To what extent are you asking them to perhaps change their own rules because generally it is in the interests of banks not to be insolvent, not to repossess even, and that in itself takes a certain amount of time to go through court, so what exactly needs to be done? There was a reference also to the manner in which the Bank of England is succeeding in holding down interest rates. Well, again, that is a problematic issue. I have in questions to the Minister for Treasury and

Resources asked him about the prudence of relying on the Bank of England's modelling, full stop, but we come back to this whole issue of how, given the risk that is taken in terms of taking a mortgage, how you are going to have that managed, who are you going to require to do that? I am just unclear, and I think it would be helpful if the Deputy explained a bit more, what precisely is this action that he is asking banks to take or the Government to ask the banks to take, in order to provide this assistance that has not already been taken within the parameters of what is possible already? I will also come back to the point that we do not just have this problem for people who have got mortgages in terms of the repayment of mortgages. We have seen situations in the past where mortgage rates have gone up even higher. We have the potential problem of negative equity which links into this whole problem of what happens when many houses come on to the market and prices start tumbling down and you have still got people who cannot really repay their loans because in fact they cannot sell their house for the value at which they acquired it. Again, it is another problem, as is the possibility that even people who are just paying rent are borrowing money off credit card companies and the rate of borrowing is going up, and that is giving a problem in terms of paying that rent. In all these cases there has to be a safety net. Government, as far as I am aware, does provide that safety net. It could do better, as I say, I keep coming back to this, the manner in which we are providing social housing as a safety net. But generally the question being asked is: are banks doing enough to support or help people who cannot pay their mortgages and what exactly is the action that is being asked of the banks that Government is being asked to take?

1.1.5 Deputy S.Y. Mézec of St. Helier South:

When the Corporate Services Scrutiny Panel reviewed the Government Plan at the end of last year, we did have discussions with the Minister for Treasury and Resources and his team about what might be forthcoming to assist people with mortgages who might have been facing difficult circumstances at that point. We had some back and forth on that and we decided as a panel not to pursue any action on that at that point because of the assurances we had received that the Government were looking at it and at one point were likely to bring something to the Government Plan. Then after the deadline for lodging any amendments to the Government Plan had passed we found out that in actual fact they had had second thoughts about that and did not bring anything to the Government Plan. We found that very frustrating because as a panel we felt helpless to ourselves attempt to do something and bring something to this Assembly to ask them to consider for particular courses of action that might support those with mortgages who were struggling. That situation was very frustrating. It is pleasing to see the action that the Government has taken that we have found out about in the last few weeks. We found out about it after Deputy Southern had lodged this proposition. I have to say I share the disappointment that I know some colleagues feel when this proposition says at the end about this proposition being obsolete and therefore needing to reject it. I do not think it can be described as obsolete. This Assembly has not at this point said or done anything or cast a vote on anything that shows our view as a body about actions Government ought to be taking to support those with mortgages. It is all very well to say: "Let the Government get on with it and if they have done some things that are commendable, that is fine." But this is the supreme decision-making body of the Island and we have not had an opportunity to say anything yet and what Deputy Southern's proposition does is it gives a mandate from this body to the Government to engage with local mortgage and credit providers. It allows all of us as representatives of the people of Jersey to say this is work we believe ought to be done on behalf of our constituents, many of whom will be extremely anxious at the economic conditions that will be affecting or could risk affecting how much they have to live on every month while maintaining ownership in their homes. When you take out a mortgage, obviously to some extent that is a risk and there can be economic downturns that affect your ability to pay that but it is right that the Government does what it can to support people who have made those steps towards home ownership not to lose out or not to have that swept away from before them because of economic conditions if the Government can do something about it. It was nice to receive the update from Government and the publication of the letter that they had sent out

but it is not something that this body, the States Assembly, has had any input towards. It is something that I, for one, would like some input towards. I am sure other States Members would. That was the vibe I got from the Constable of St. Saviour when he spoke, that is what it sounded like, he wanted to have a say in as well on behalf of the people he represents. So, this proposition cannot be obsolete because of the unique and first opportunity it has given this body to cast a verdict on this. That has not happened before, so this is the first time for it to do it. I think the Government should welcome that and say: "Thank you" and accept Deputy Southern's proposition which would have been, I think, very easy to do based on what they have already done and what he is asking for and say: "Okay, this is now a joint thing between the Assembly and Government, a shared priority across both organisations", and keep us in the loop a bit more about what is happening so we can hold them to account if we do not think they are going far enough and that we can speak out on behalf of our constituents if we are encountering those who are facing anxiety because of the economic conditions and difficulties some might have with paying those mortgages back. So I think this proposition is an attempt to inclusivity and it is disappointing that the Government describes that as obsolete. It is not, it causes no harm whatsoever for this Assembly to adopt it, and I would urge the Government to reconsider their objections to it and ask them to support it and have a more collaborative approach on this particular subject. If they are not prepared to do that I will at least be voting in favour of it.

1.1.6 Deputy M.B. Andrews of St. Helier North:

We are here today and I think once again we see that the Government are encouraging credit lenders to take a certain decision. We have seen that with landlords back in November and December when the Government were saying: "We do encourage that you do not subject your tenants to rental hikes" and we are seeing a similar story unfold here today. I think Deputy Southern has done the right thing bringing this proposition forward before the Assembly and he has taken the initiative probably before the Council of Ministers, and that is the job of a non-Executive Member to enforce the Executive when the Executive are not doing its job appropriately. I think we need to bear in mind with inflation much of it is obviously imported from the U.K. and, of course, a base rate has an impact on inflation and that comes into the Island. We need to consider the many households who have mortgages, the high level of expenditure that is incurred for those households, the inability to save as they were a couple of years ago, so what can we as a Government do? As a Government I think today we can support this proposition. It is about engaging with credit lenders and it is about informing credit lenders that they have a job and a duty to provide assurances to mortgage holders to provide the opportunity for those mortgage holders to have reduced payments where possible, to have an extended time to pay those debt obligations off, and also to have the opportunity to go to interest-only repayments. I think this is something that has been highlighted under part (a) in the proposition. Looking at part (b), this is where I would not consider the proposition to be obsolete because it is asking for conditions to be set, and that is for credit lenders to not repossess a property unless a repayment has not been made for 12 months. Now, I think many credit lenders would have a robust process in place whereby those who are mortgage holders would have to go through a process, they would have to make sure that nobody is going to be defaulting on their mortgage because at the end of the day it is the banks who own the property until the mortgage has been paid off. So why would you be taking a risk where somebody is unable to then pay off the mortgage obligation and not be able to provide any repayment within a 12-month period when we are at this moment in time facing a tight labour market. If people do lose their jobs there are plenty of other jobs available, so there is plenty of mobility and flexibility within the labour market if some people do incur a job loss. Today we just need to think about the role of the Government. Is the Government supposed to be getting itself involved or not? I think this is potentially maybe an ideological argument where you would see the left-centre politicians who would say: "Well, no, the Government has got to take action." Then you might say, with some politicians they will say: "No, just allow the market to be. There should not be any intervention and all we should be doing is encouraging." But if we have only received 2 letters back, what does that say? Because surely all credit lenders should be responding

to inform the Government about what they are doing objectively to provide assurances for their customers, so the message is not really getting out there. Okay, letters have been sent, but that is a really poor response and no further decision-making has taken place. So therefore this proposition at least provides some answers because as an Assembly, if we vote to approve it, then at least something can be followed through. That is all I have got to say.

1.1.7 Deputy C.S. Alves of St. Helier Central:

I do not often speak on propositions but I think I am one of those mortgage payers whose 5-year fixed rate came up for renewal at the beginning of this year. I experienced a 34 per cent increase in my monthly repayments which I have had to navigate on my own, and I seriously considered standing down from this position in order to find a job that would help me cover that increase in a lot more manageable way.

[10:15]

So I was really disheartened to read the comments of this proposition. I know my fellow party members have probably covered a lot of what I am about to say but I just do not understand why we have been asked to reject it. I feel that if this work is already being undertaken by the Government, surely accepting this proposition will not make a difference. From what I see and I can understand, this proposition does not tie anyone's hands, it does not put any clear requirements. If anything, it is showing a truly cross-Assembly collaborative approach and that is something that we have heard on many occasions throughout this term already. It will show the Government that the Assembly as a whole wants to go in this direction and it also safeguards against any changes that may or may not happen in Government, whether that is this term or next term. So I think this proposition is quite clear in its wording, it is just asking the Government to engage with local mortgage and credit providers with a view to supporting consumers who are struggling to make repayments. It does not go into the minute detail on how that may be done. I think that has deliberately been left open to allow flexibility for the Government and deliberately not tie anyone's hands, so I do not think I have heard anything that would logically justify anyone voting against this. I think Members either want Government to do what they can and is within their power to support mortgage payers or they do not. It is that simple, so I would urge Members to accept this.

1.1.8 Connétable M. Labey of Grouville:

I have been approached, as well as my colleague from St. Saviour, by private individuals, one of whom's case was quite distressing inasmuch as they had saved for 15 years for a deposit on a house, they were married, they have got a little one, they moved into their house and, very sadly, their relationship deteriorated. They split up and now the young lady is left on her own as a single mother with a massive mortgage that has practically doubled. So there are people who have issues and I know, yes, some will say we have had low mortgage rates since the crash of 2008. I benefited from that, as have many in this House, but my parents were paying 17 per cent plus in their generation, so let us not forget their struggles also. But there are cases that people are genuinely struggling with this and I congratulate the Minister for keeping in contact with mortgage lenders. I think that is the way forward but I also think that our colleagues on the Benches opposite are right, the message should be going out from this Assembly to say: "Let us support those people."

1.1.9 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

We find ourselves in one of those situations where perhaps the way that Members will vote this morning hinges upon the meaning of the proposition and perhaps a word in the Minister's comment which could have been more carefully chosen. A lawyer probably would have chosen their words more carefully. Because when it comes to the underlying issue it is, for my part, quite heartening that everything I have heard from Members supports the work that the Assistant Minister has been doing with mortgage lenders and the work that she is doing with credit providers. So that work has

not just started with a letter being issued to the banks, that work started months ago through the good officers of the economist in the Economy Department, together with the Assistant Minister's financial services officials, and that has been ongoing. It then resulted in the letter being issued post, I admit, Deputy Southern's lodging of the proposition, but the engagement had already been ongoing in light of and in advance of the mortgage charter that the U.K. spoke to high street lenders about. Therefore, the work is not obsolete, the work will continue because Government Ministers do agree that the best approach is to continue to work with banks to make sure that Islanders do not find themselves in a situation where their homes are repossessed because they cannot afford to pay their mortgage and other Members with experience have said quite clearly why that is only ever a last resort. So to some extent, while we think that the U.K. mortgage charter is a good base, we take the view that we want banks to be working to seek to ensure that Islanders' homes are not repossessed during these difficult times and not just in the terms of the charter. But it might be that banks here in Jersey can go further because of the loan-to-debt value but that is an ongoing conversation that the Assistant Minister will have. Deputy Andrews said that he thought that only 2 formal letters was not a very good return. The reality is, as the Assistant Minister said, she has had a response from the J.B.A., which all of those high street lenders across our community are members of that body and they might write individually and they might write through the J.B.A. So, we agree that this work is the right thing to do, whether it requires the further support of the Assembly it is probably each Member will decide. We in Treasury, and I know the Assistant Minister in her role as Assistant Chief Minister, believe that we are given a mandate by the Assembly and this falls within that mandate and therefore we should get on with doing what we think is the right thing for mortgage holders in liaising with banks and not wait for a decision of the Assembly, which is exactly what we have done. So I am going to perhaps take, and I am sure the Assistant Minister would be in agreement, although I have not checked with her, the view that we stand by our comments, we have done the work. The reason we stand by our comments is because this proposal asks us to engage. We have engaged, we have been engaging for months and we will continue to engage because the issue does not remove itself. If Members, and I hope not all Members, but if some Members think that they would just like to say: "Well done, Ministerial team, you are doing a great job. We want you to keep doing that great job. We are grateful that Deputy Southern would ..." in effect that is what he was saying in his opening speech. If he says it in his closing speech, if Members vote in favour of it, we will take that as confirmation that we are doing the right thing and we will continue to do that right thing but we are not about to start to engage because we have already engaged and we will continue engaging. So, we are in one of those slightly odd situations where we are doing what the proposer is asking us to start to do, we have already done it, and we will continue doing it because we think it is in the best interests of mortgage holders.

1.1.10 Connétable M.O'D. Troy of St. Clement:

I have a certain sympathy with this proposition. In 1989/1992 I was a casualty of the great crash and I lost the shirt off my back and it is the only time as an adult I cried my eyes out. So I do have sympathy. I know that people are in trouble and there are things that we can rely on. One of those things, Deputy Southern, is the Parishes. In St. Clement we have got a fantastic community support team and we will look at all things to do with debt and we will help people out as best we can, including making representations to banks and mortgage lenders. I think one of the situations we have got to be very careful of is that we need to recall when the great banking crash happened a few years ago it was the entire responsibility of the banking world. They created havoc by being greedy. Their mortgage books were overloaded and they could not support the mortgage situations that they were upholding and so do we trust them? I am not so sure. Does a leopard change its spots? I am really not too sure, so I think there is a problem here. I do think that there is support out there from the third sector and also the Parishes. One of the problems I have with this proposition it is too prescriptive. In section (b) you are asking us to ensure that homes will not be repossessed until 12 months. I do not think the banks are going to do that because we do not know the back story. The

banks know the back story or anybody that is supporting them will know the back story. I think where this proposition falls flat is that one word “ensuring”. I would have supported it without that word; banks are not going to go for it. We could, we must lobby the banks through the Parishes, through our own good officers to try and ensure that the least harm that is done is possible. The banking model is reliant on as much as the customer takes the risk on the interest rates through the Bank of England, et cetera, et cetera, they are also passing on that risk to elsewhere. So the accumulation of all the lending is remortgaged elsewhere through various means, so they are also taking risks. They have a very difficult situation to uphold. I do not necessarily support them, I think they have to be watched and monitored. But this is too far, it is too prescriptive and the word “ensuring” kills it for me, unfortunately.

1.1.11 Deputy L.V. Feltham of St. Helier Central:

I was listening to Deputy Gorst with some interest and he described Ministers being in an odd situation. I feel that it is the rest of us Members that are in an odd situation because we heard Ministers telling us that they fully agree with this proposition and yet they are urging us to vote against it. I can hear the Minister for Treasury and Resources saying that they do not agree with it. I think what they were saying is that they are already doing this work so the proposition is obsolete. He said that his officers were considering whether or not they needed the support of the Assembly, which I thought were very odd words to come from a Minister: “We considered whether or not we need the support of the Assembly.” Now what this proposition does do is enable us as elected representatives to give direction and show leadership and that is entirely our role. I speak to constituents regularly and I know that many of my constituents are very worried. They are very worried because a number of them are currently on fixed-rate mortgages and those rates are due to come to an end within the next year or so. This situation is not a situation that is about to pass, for a lot of people it is a situation that is about to happen, and that is why dialogue needs to continue. It is not enough to say: “We are doing it already” and why we as an Assembly need to provide the leadership and say to Ministers: “We support you to continue those conversations and we believe that action needs to happen.” I think that is our role as constituency representatives and also as political leaders. I just want to answer back the Constable of St. Clement as well. I know he was concerned particularly about the wording of part (b) but I would draw his attention to the wording of the rest of the proposition which says: “To continue to engage [I think engagement is absolutely crucial] with a view to those providers supporting consumers.” So what we are saying is: this is the ambition, this is the aim, this is where we want to get to. But I think those words acknowledge the fact that we may not get there but I think what we are doing is we are saying that is the aim, that is what we are striving for.

[10:30]

I think that is absolutely what we should be striving for and that is absolutely the message that we want to send to Ministers and also we want to send to the people of Jersey who are currently very, very worried about what might happen to them in the next few years. I encourage everybody to support this proposition whether they are in ministerial ranks or not.

1.1.12 Deputy P.M. Bailhache of St. Clement:

I think that the Constable of St. Clement is right in saying that the problem with this proposition is really its specificity. If the proposition had read: “To request the Chief Minister in consultation with the Minister for Treasury and Resources to engage with local mortgage and credit providers with a view to those providers supporting consumers who are struggling to make repayments” and stopped there, there would be no reason why Members could not support the proposition. In fact, as the Assistant Minister for Treasury and Resources and Minister for Treasury and Resources have told us, the Government is doing exactly that, so the need for the resolution is not so pressing. But it is the paragraphs (a) and (b) which cause the problems “allowing borrowers to reduce their monthly

repayments” and “ensuring that homes will not be repossessed”. These are matters of contract between the banks and the finance providers and the individual borrowers. The States nor the Government have power to interfere in those contractual arrangements and to procure any of those things happening. We can request the mortgage providers to do these things, and that is exactly what the Government is doing, but it is not what the proposition says. I think Members should therefore vote against it because I do not think that the States should be party to a resolution which shows the States to be toothless.

The Deputy Bailiff:

Does any other Member wish to speak on this proposition? I call upon Deputy Southern to reply.

1.1.13 Deputy G.P. Southern:

I am quite surprised about how many people contributed but I would like to thank them in the first place anyway. I want to draw people’s attention, especially Deputy Bailhache, who deployed one of the easiest tactics in this Assembly in order to make sure that a Back-Bencher’s proposition does not get through. You can either say it is too detailed and you got it wrong or you can say it is too vague and it is not worth having, and the Deputy is fully aware of that. So when he says: “Do not vote for this” I say: “Well, hang on, let us take a look at the rules of the game when we play at being politicians.” Surely one of those rules is, in fact, the first prime rule, is: do no harm. We can at least do no harm with going some way to doing the right thing. I must admit it is quite amusing to listen to Deputy Gorst when he comes ever so close to saying: “So we will withdraw our objection because we are doing it anyway. So vote for this proposition, we are going to do it anyway.” I think he came very close to it. The fact that we need to do something, I have already been to a meeting on rents where people were advised: “Go to Andium and seek advice from Social Security” et cetera, about coping with their rents given the way inflation has gone, is there no place somewhere in the grand scheme of things for the Government and the lenders to get together and say: “Come and see us if you have got problems with your mortgage”? Absolutely none whatsoever, I do not believe. I thank Deputy Alves who basically summed up the situation with her own situation. She is one of the 640 in St. Helier who have problems with their mortgages. If it is any consolation to her, I would say, the best person I would go to listen to mortgage issues would be her. If anybody can solve things, she can, certainly in terms of her spreadsheets. I thank all that spoke and I urge Members to vote for this. It does, as it says on the can, do no harm.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats and I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce that the proposition has been rejected: 19 votes pour; 24 votes contre.

POUR: 19		CONTRE: 24		ABSTAIN: 0	
Connétable of St. Helier		Connétable of St. Lawrence			
Connétable of Trinity		Connétable of St. Brelade			
Connétable of Grouville		Connétable of St. Peter			
Connétable of St. Ouen		Connétable of St. John			
Connétable of St. Saviour		Connétable of St. Clement			
Deputy G.P. Southern		Connétable of St. Mary			
Deputy C.F. Labey		Deputy S.G. Luce			
Deputy M. Tadier		Deputy M.R. Le Hegarat			

Deputy R.J. Ward		Deputy S.M. Ahier		
Deputy C.S. Alves		Deputy I.J. Gorst		
Deputy L.J Farnham		Deputy P.M. Bailhache		
Deputy S.Y. Mézec		Deputy D.J. Warr		
Deputy T.A. Coles		Deputy H.M. Miles		
Deputy B.B.S.V.M. Porée		Deputy M.R. Scott		
Deputy C.D. Curtis		Deputy J. Renouf		
Deputy L.V. Feltham		Deputy R.E. Binet		
Deputy H.L. Jeune		Deputy M.E. Millar		
Deputy R.S. Kovacs		Deputy A. Howell		
Deputy M.B. Andrews		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		
		Deputy L.K.F Stephenson		

The Deputy Greffier of the States:

Those Members voting pour: the Connétables of St. Helier, Trinity, Grouville, St. Ouen and St. Saviour and Deputies Southern, Labey, Tadier, Rob Ward, Alves, Farnham, Mézec, Coles, Porée, Catherine Curtis, Feltham, Jeune, Kovacs and Andrews.

2. Entitlement to work - reduction in residency requirement (P.49/2023)

The Deputy Bailiff:

The next item is Entitlement to work - reduction in residency requirement lodged by Deputy Kovacs. The main respondent is the Chief Minister and I invite the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to request the Chief Minister (a) in light of the current difficulties in recruitment of staff, to implement a temporary scheme by September 2023, further to which any registered individual who has been continuously ordinarily resident in the Island since 31st December 2020 will be eligible for entitled to work status until December 2025, or such time as they attain 5-year residency; (b) to extend the scheme detailed in paragraph (a) to the spouse, civil partner or eligible partner of an individual eligible for the scheme identified in paragraph (a), provided the spouse or partner is also ordinarily resident in Jersey; and (c) to investigate the implications of a reduction in the 5-year residency requirement to receive entitled to work status, and to report back to the Assembly on the feasibility of such a reduction by 30th June 2024.

2.1 Deputy R.S. Kovacs of St. Saviour:

My proposals are to help employment issues from 2 sides: to try help address areas where there are staff shortages like retail, hospitality, construction, the provision of care but equally the other side is to enable people who already live in Jersey and considering making Jersey their home to take up gainful employment appropriate for their skills, to encourage them to want to continue living here and to not take their skills elsewhere. This proposition is seeking to (a) allow access to jobs over a

5-years' residency to everyone who has been in Jersey since before the end of 2020 and continues to be here until 2025. This period is not randomly selected and it is linked to the pre-settled category but, to be fair, extended to everyone here during the same period. The people in this time window have been here about 3 years already which most likely makes them wanting to continue to call Jersey their home and the pre-settled have already been granted permission to stay and obtain the 5-years' residency. Upon implementation of such changes, the pre-settled could quickly obtain the entitled to work card based on their status certificate which already proves that most of their time spent here has been verified. The rest would just go through the normal process of verifying the system for the periods they were present here, a quick process if they have worked most of this time as employers' contributions would show that record. Part (b), when I am talking in part (b) about partners of those in part (a) they have to follow the immigration rules of being considered a partner as with the related previous proposition. There are also not expected to be too many, and many for a significantly lower period, as from experience not too many are coming from the beginning with their families to work abroad. If those partners were brought after they, upon in part (a) obtaining the entitled to work after 5 years, they automatically already fall into the unmarried partners regulations. Accepting the partners as well will enable them to continue to want to be here and raise a family here, contributing both with their skills to our economy. This cannot be a bad thing given that this pool of people is the last lot outside of the Common Travel Area that could still work without a visa and they are allowed to stay to obtain the 5-years' residency. Part (c), this is a unique time period opportunity that will not come again to test and gather evidence in a limited time space with limited consequences simply using the resources on the Island of how the labour force would act upon relaxing the 5-years' residency rules for employment, applied like for recently-adopted changes for unmarried partners with no impact on housing or benefits. This accurate data collection can be easily done through the C.L.S. (Customer and Local Services) system. After this period, due to Brexit, this 5-year rule would apply in majority just to the workers from the Common Travel Area as everyone else would be coming to work on a visa. Presently we have people living here who do not fit into the right or any category and they may also be facing some hardship because they do not qualify for any benefits. This proposition allows people to help themselves and it raises tax and social security revenue. If this proposition passes, their access to housing or benefits rights will not change but would enable people to take additional work or upgrade their earnings based on their skills, which is equally important for them during this cost-of-living crisis but for our economy as well, again, raising additional revenue through tax and social security. These people are already living here, there is a requirement for people to work in most sectors of our economy, there are vacancies for them to fill and there is a desperate need for them to do so. From the Jobs in Jersey page on the gov.je as of Saturday, 15th July 2023, there were about 1,040 jobs advertised, many for weeks or a month; some have stopped advertising. Of this total about 400 were in health and social care, hospitality and catering, retail and sales. Many of these jobs have been there for a month and some employers have given up advertising, as I have said. Important to mention that many other jobs would be advertised on other websites or platforms than this. For many, this lack of staff is restricting their ability to properly function as a viable business. I believe my proposal will help them survive. For example, we recently heard that there is a shortage of trained staff to keep nurseries open for longer hours to suit parents in employment. Are we really saying that if someone living among us is suitably qualified to work here with children they should be stopped because of red tape? We have the opportunity to address this issue. This also applies to teaching jobs as well which we have seen they have had to resort to strike for how underpaid and overworked they are trying to fill up multiple roles at once due to not enough staff in our schools. I know as a certainty that there are those with these qualifications within this category that I am including in my proposition but they cannot even apply or be invited to an interview due to the 5-years' restriction. We have the opportunity to address this. I have seen that even a cleaner's job in a school is advertised as requiring 5 years. Are you aware of how many teachers do the school cleaning as well on top of their job? I have seen them doing it. We know many catering outlets are operating on reduced hours because of staff shortages and unfilled

vacancies. Quite a few people from the group of workers I am proposing that work reduced hours somewhere or have full-time in retail or other sectors are desperate to round up their earnings during this high cost of living by working over weekends or evening shifts or different days in hospitality when they would be most needed as well by hospitality but due to this restriction they cannot help much. Many people like that approached me. Everyone knowing my long-time involvement in the hospitality sector as a worker, a manager and now by having a family business in hospitality, knows my dedication to help the industry and I will not propose something that I would know to cause severe damage to the employers in this sector, as the Council of Ministers' comments imply it would cause. Yes, we should expect some movement but in both directions and not nearly to the extent that it is highlighted in those comments. If those movements for hospitality fill up many of the most required skilled jobs in the economy based on interview and merit, is that not a very good win for our economy as well, also ensuring that we do not lose that person as well by them moving their skills off the Island if not allowed here. It is much harder and it costs much more to import experienced and qualified skilled people for these roles than to bring a seasonal worker, plus the businesses that said it worked well to cover hospitality roles with work permit workers do not have to change anything to that and can continue to do so if they wish. Catering as a career is perhaps not proving so attractive and has competition within providers.

[10:45]

I believe my proposals could add to the workforce, not reduce it. As from my work for years within the community, I know we also have the skills and interest in this area within this category of people. In the problems we have seen at the Jersey Airport caused by the lack of staff at Swissport, a big part plays also the restriction to their ability to employ local under-5 years' residency resorting, I have been told, to even flying over staff from the U.K. for a week, putting them in a hotel and flying them back. I do not think this is helpful for our economy. We should, I believe, be looking at how by working together we can find solutions to provide gainful skills to related employment across the economy and assist businesses to operate and survive is really important. Productivity in our economy can be achieved in many other ways than just through digital innovations that is mainly highlighted in the future economy. An important contributor would be to allow everyone to use their skills where they best see fit, and my proposition would allow that. The latest report from 30th June 2023 from Statistics Jersey measuring employment which contains some very good news about the reduction in people actively seeking work, this remains as for previous quarter as just over 600. Of this number, only 30 individuals from the E.U. (European Union) Accession, Brexit, are included. Therefore, introducing Brexit in the comments paper in regard to my proposal is misplaced. This report from Statistics Jersey shows that within the actively seeking work numbers, 170 were claiming long-term incapacity allowance; however, 50 of those were engaged in some form of employment and perhaps had the capacity to become more active in the workplace. My reason for saying this is that I believe there are many options to consider and include when we are all trying to solve the issues we have with labour shortages. So while it is good news that the numbers who are actively seeking work remains at the low level and hopefully continues to do so, it still does make life difficult for those employers trying to recruit experienced and qualified staff and my proposal seeks to assist with this. It will not open any floodgates or cause havoc in the labour market. It is a short-term measure helping employers and prospective employees to address this issue sooner and it is raising additional revenue to the States funds. I think it is worth reminding Members that at the height of the COVID pandemic in May 2020 there were about 2,300 people who registered as actively seeking work and since November 2022 it has been 700 or less per month, showing positive signs of recovery but also pressure for many employers seeking to recruit suitably qualified or experienced staff which my proposal seeks to help. On 11th April this year and debated on 23rd May, the Chief Minister proposed the Draft Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations giving unmarried partners the same employment rights as those married or in civil partnership. This received unanimous support from this Assembly. From the Hansard of that debate I was pleased to

hear Deputy Stephenson saying: “The Council of Ministers is committed to addressing the labour shortages that many employers are currently facing.” Those that spoke then all expressed their support. I hope they will show similar support to my proposals which seek to go a bit further and I believe will provide some common-sense solutions towards some of our recruitment and retention problems into a number of sectors in our economy and, again, it will raise additional revenue and address the issue. I want to touch briefly on the production of regulations and the time length for doing so. I would like to remind Members that during the COVID pandemic this had to be done with some focus and speed, and has been done successfully. At the same time, the related regulations changes to the unmarried partners have been done quite quick and easy. Similarly, the very recent changes to allow students arriving in Jersey with their parents to be given access to jobs over 5-years’ residency has been done extremely quick with Ministerial Decision from the Chief Minister and no requirement to be brought to the Assembly. It shows it can be done really quick when there is will and as we see in different ways as well than just by changing laws and regulations. If it would be to still amend the regulations, I would suggest the Minister could have changed or added as a paragraph in the related regulations, the text of my proposition, similarly as it was done for the unmarried partners which then will cease on its own on the expiry at the end of 2025 and does not seem so difficult to do anymore. Then as it was in the previous related amendments to the regulations, these changes would come into force 7 days after the day on which they are made, so surely it could be in place by the end of September if there is will. I was glad to see upon speaking with Jersey Business and Jersey Hospitality Association about my proposition that they are both in support of it. I hope Members have read the letter I have circulated yesterday with related comments from Jersey Hospitality Association. If not, I hope they get the chance until we come to voting. I have mentioned in the same email that Jersey Business has also provided the Council of Ministers with views on the proposition. As this had not been referenced in their comments paper, nor circulated, I will read out the short text of it: “We have had no direct feedback on the P.49 debate this week from business; however, we concluded that is due to business being unaware of the proposition. We are confident that business would support any change which increased the number of entitled to work individuals available. Another benefit is that it may enable a more upskilling of workers, as individuals with less than 5 years cannot access funding for apprenticeship or other government-subsidised training. Further, it may assist in the retention of some of the current registered workers who may be finding it difficult to get the right jobs and therefore considering leaving the Island. One potential unintended consequence of this proposed change is that there may be movement of workers from the core industries of retail, hospitality and agriculture to the financial sector as the change will give individuals the ability to choose what jobs they apply for based on their skills, rather than residency restrictions. However, of those workers we are unlikely to see considerable movement as many are seasonal workers. Overall, our view is that the change will have a positive impact.” I am happy to see business industries supporting this and I hope that States Members will also see the important unique opportunity we have now in a limited timeframe, therefore having limited consequences, to fill up important vacancies with the right skills to raise additional revenue and enable people already on the Island to thrive. Finally, the Hansard from 23rd May this year, when questioned by Deputy Feltham about what is her position in relation to population immigration in her role as Assistant Minister, Deputy Stephenson said she would equally value every individual within that population and went on to say: “My policy position has not changed since I wrote my manifesto.” In her manifesto on vote.je she wrote: “It is time for a better kind of Government which puts Islanders at the heart of decisions and makes everyone feel like a valued member of the community.” It is nice to agree and I hope we can continue to do so. In conclusion, I am bringing this proposal to assist employers, many of whom are struggling to recruit staff and those are those people living in our community who wish to play a productive and positive part as well as earning an income while increasing the revenue raised. I now make the proposition.

The Deputy Bailiff:

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

2.1.1 Deputy M. Tadier of St. Brelade:

Get the ball rolling, I guess. First of all, can I congratulate Deputy Kovacs on what I know is a well-researched proposition. She has put a lot of hard work into it because we had regular updates on it. As she said, she has been driven by a desire to recognise many factors, the prime of which is the fact that many employers, especially in hospitality but it is right across the board, are finding it difficult to recruit at the moment. We are in an unusual situation in Jersey, we cannot say for sure, but we are perhaps at that point where we might be facing depopulation rather than population growth but what is certain is that it is an employee's market, that there are more job availabilities out there, job opportunities and vacancies than there are people to do that. It seems sensible, therefore, rather than simply saying: "Do we want to bring more people in automatically to do those jobs?" to start looking at the people that are already in the Island. Not just anybody who is in the Island, but the very people who have survived Brexit and who have decided to stay despite the changes in Brexit which none of us voted for, none of the public voted for, yet we are having to deal with the consequences, and many of those Europeans, in particular, who were working in Jersey found their status changed overnight. They have remained, if you like, loyal to the Island, they are still here, they are still doing the jobs, and I think that is the particularly interesting part of this proposition. This is not about whether we think the 5-year rule is still valid or needs to be changed, there are arguments around the 5-years and the 10-year rule which probably need to be looked at, I think, in this term of office because we are living in a changing world and there are lots of questions about fairness around that, but that is not what we are here to debate today. We are saying we do have this current requirement and we are saying that we have a group of people who are in this transitory period who are already working in the economy and who could be used more flexibly to fill jobs. That could be a win-win for both the employer and the employee. I think it is also important to put this in context of wider policy that is going on civically but also within Government, and I think of one very interesting organisation that has just recently been created which is the International Cultural Centre, which I think is still in its formation but it is already doing some very interesting work. I have seen some of that and I know, for example, that in my capacity putting on the French Festival this year that the International Cultural Centre were very supportive in helping some of those events that were put on in the name of the French community in Jersey, but they do that for all communities and they work closely with other communities in the Island. I am sure there are lots of things that this Government can be praised for and I think one of the approaches is the fact that they seem to be taking a more, I do not think the right word is "ecumenical" but I do not know what the secular word is, but they are taking an approach which is recognising Jersey's cosmopolitan nature which is certainly much more cosmopolitan than it might have been when I was a young lad, and they are recognising that as a strength. I congratulate them and I think that is something that we all recognise in a modern outward-looking society. We need to celebrate our cultural diversity but also not simply for the fact that it is *en vogue* to do that but because in reality the different cultures that we have in the Island also bring different skill sets. I found the conversation that Deputy Morel was perhaps contributing to, not in a Ministerial capacity but in a private capacity, talking about the brain drain, I find that quite interesting because Jersey has always been in recent decades an Island where half of the people were born here and half of the people were not born here. I think it is Jersey's strength and sometimes it can be difficult for some people to get their head around that fact that Jersey is not for everybody. Some people, when they get their education here, and I think it is our job to educate everybody who is in this Island, we cannot tie people to say: "You must come back to the Island." People are free to do whatever they want with their education. But similarly the flip side of the coin is that those 50 per cent of the people who were not born in Jersey who have come to Jersey, often as adults, we get all their training and education that we did not have to pay for. So we did not invest a penny in the education of somebody who comes from Poland, the Philippines, Romania, wherever it is, and they

come to work in Jersey and they bring all their skills with them. I do not think I am the only one who feels slightly uncomfortable when you are maybe sitting in a restaurant or a café and you know that you are being served your cappuccino or your veggie burger and chips, whatever it is, by somebody who is probably more qualified than you. They have got a master's degree, they may have got 2 degrees, and you know that if they were in an open market they could probably be working in different jobs. I think this brings us to the interesting objection that might have been raised is that what if all these people who are currently working in seasonal jobs or in hospitality suddenly go and work in finance? What does that do to the market? Well, first of all, I do not think any of our white-collar organisations, be they law firms, trust firms, finance, are going to employ someone just because they are a seasonal worker, just because they are foreign; they are going to want to see their qualifications and they are going to want to know that they have got the job. So if you have got somebody with the requisite qualifications who has perhaps worked in those industries back home can do the job, can speak 3 languages as a minimum and also can do those jobs and deal with those clients, whether it is client facing who are here or international clients, why should they not be given the jobs? But as we have heard from Jersey Hospitality they are also not anticipating a vast exodus from people because there are seasonal workers here who will carry on doing those jobs, so it does give that element of flexibility both I think to the employees and to the employers. I think this is a well-thought-through proposition. It is one that is supported by both Jersey Business and Jersey Hospitality. I would encourage Government who spoke so much in question time only a couple of days ago on Monday about collaborative working, living in the real world, I would say this proposition recognises that we do live in the real world, we do have to listen to both employers and employees. This is primarily a proposition which seeks to help businesses who are dealing with a set of circumstances.

[11:00]

It has the support of those businesses. They have even gone to the point of writing a letter in support to States Members, which is not always the case. Lastly, I think it is well thought through. It is something that we can support, and it is something that a Government that wants to be collaborative and inclusive in their approach to Jersey's modern community should really also be supporting.

2.1.2 Deputy M.R. Scott:

There is no doubt that the proposition is seeking to support hospitality businesses, in the first instance, and of course no doubt Deputy Kovacs has lots of experience in this, being an owner of a café herself. I have myself come across a number of businesses in the Island that are suffering from staff shortages and in fact one café in St. Brelade has reduced the number of tables just because they cannot physically serve the tables. So there is no doubt, and it is across the board, that there is a very tight labour market, and we have many businesses that are struggling to get staff. There is also no doubt that we have issues in terms of increasing population that need to be controlled and that needs to be brought into account as well. I am just really quite sorry that the Minister for Economic Development, Tourism, Sport and Culture is not here to speak a bit about this proposition. I am also sorry that the Jersey Hospitality Association, when it wrote this letter saying it worked hard to engage with States Members to continue to find suitable solutions in terms of lobbying for this, did not contact me, as chair of the Economic and International Affairs Panel, because I am very interested in talking to business representatives too, and I do believe that I have a role in representing the community as well. I want to come back to some of the work that the panel has been doing, looking into what the Minister for Economic Development, Tourism, Sport and Culture has been going through and producing, because this is a very delicate, systematic area to look at. I do very much sympathise about this idea in which the resources, potential human resources in this Island, are not being used. It really is disappointing to think that we have got employers who are basically saying: "Unless you have 5 years' residency, we are not going to employ you" because if I use this logic, because this Jersey Hospitality letter is saying what this proposal does do is enable people to get a

second job, that is the main criteria for which it is saying that it is offering support to this. If you are using this logic in another 5 or 6-months' time, we will probably need to do the same thing, and then another 6 months' time do the same thing, because it seems that nobody in the Island or in the hospitality industry or somewhere are prepared to employ people who do not have 5 years left on their licence. That does not really make sense and if that is happening that is absolutely crazy. Again, I also am very disappointed that part-timers are not used more in this community, that more elderly people are not used in this community. There are lots and lots of ways in which people are being discriminated against and that needs to be addressed. I think there is a case for really looking into the ways in which employers can be encouraged to be more imaginative in their approach and be a little bit more flexible in their approach. Also, what we are talking about in terms of hospitality businesses generally are relatively low margin businesses that need to compete. Not all of them are paying the living wage and there has been a bit of a push for this in this area too, so there is a question here about what is being supported. Are we supporting progress, or are we potentially supporting an element of regression? I do not have that information. I know that that is being looked at, I know that among the areas that the Minister for Economic Development, Tourism, Sport and Culture has been looking at is this barriers to business piece of work. I was a bit confused when Deputy Tadier said this has Jersey business support. Sorry, do we mean Jersey Business, the arm's length organisation, or do we mean some of the Jersey businesses that Deputy Kovacs is looking to represent? But Jersey Business, as an organisation that is funded by Government, has been exploring barriers to business, and that is a piece of work that is to be produced and that we really do need to see, in terms of assisting businesses generally. So I am not convinced that this, out of a number of options, is the best way forward. I think I would prefer to see and get the results of the work that is being undergone. I really do sympathise with the impatience, though, and I do assure the Assembly that as long as I remain chair of the Economic and International Affairs Panel I will be looking into this work.

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

It was remiss of me, but may I say, I just wanted to put on the record that I have an affiliation with a hospitality business. I am not sure if I need to declare an interest, but I meant to say that at the start of the debate.

The Deputy Bailiff:

Thank you.

The Connétable of St. Clement:

Sir, likewise, but I thought everybody was already aware of that. I have a large affiliation with a hospitality business.

Deputy R.S. Kovacs:

Can I clarify something?

The Deputy Bailiff:

I do not think you can. Not at the moment, no, unless a chance arises during someone's speech. You have got a closing speech and you can ...

Deputy R.S. Kovacs:

It is still on the declaration part.

The Deputy Bailiff:

It is a declaration?

Deputy R.S. Kovacs:

Yes, because I mentioned in my speech that we own a family business in hospitality, but I did not clearly say that is an interest or could be considered and also this does not address just hospitality businesses.

The Deputy Bailiff:

Yes, of course.

Deputy R.S. Kovacs:

So it should be every business, then.

The Deputy Bailiff:

Yes.

Deputy B.B. de S.DV.M. Porée of St. Helier South:

I would also like to declare that I own a small business. I run a small business and I employ 3 people on a part-time basis.

The Deputy Bailiff:

Does any Member wish to speak on this proposition?

Deputy D. Warr of St. Helier South:

It sounds like we are all in here. I own Coopers.

The Deputy Bailiff:

Do you want to stand up when you speak?

Deputy D. Warr:

Sorry, we own Coopers, we are a hospitality business.

The Deputy Bailiff:

Thank you very much. Does any Member wish to speak on the proposition?

2.1.3 Deputy L. Stephenson of St. Mary, St. Ouen and St. Peter:

I appreciate what the Deputy is trying to achieve with this proposition, and indeed in her wider discussions with Ministers in recent months, and I know that she has been working very hard to try to find potential solutions to the recruitment and staffing challenges that we all know so many of our sectors are facing. I am really keen to see such conversations continue, regardless of the outcome of this debate today. However in this instance, I am afraid that this move as proposed is not something that Ministers are able to support. I should say at this moment in time that I am responding on behalf of the Chief Minister in her absence, and with delegated responsibility in this area. The Deputy's report highlights the importance of evidence-based decision-making and, unfortunately, there just is not the evidence there to support the proposals, and there are simpler, quicker and more effective ways to support local businesses that are experiencing staffing shortages. For that reason and, as I say, on behalf of the Chief Minister, who is on official business and cannot be here today, I do ask Members to reject parts (a) and (b) of this proposition. I would ask if the Deputy would be willing to take it in parts, so that we could support part (c). Looking more closely at what is proposed, the Deputy's proposition requires the Chief Minister to provide entitled to work status to an estimated 1,600 individuals who currently have registered status and have been living in Jersey since the end of 2020. This can only be achieved through a change in the Control of Housing and Work (Jersey) Law. It is not legally possible to bring in a temporary scheme, as suggested by part (a). Regulations would need to be drawn up and brought back to the Assembly for approval before they could be

implemented. A much simpler action that can be taken without delay is to work with local businesses and identify any areas where additional registered permissions would be helpful in allowing existing residents to take up vacant positions. As the Ministerial comment shows, nearly 90 per cent of all applications for registered permissions have been granted this year, and Ministers will continue to support businesses so that they have the permissions that they need. If there is a registered person living in Jersey who is not already fully employed and has skills that would support a local business with a staff shortage, then the business can request a registered permission to employ that worker. If there are people living in Jersey today who wish to work and are not able to find employment it is important that their skills are put to good use. This simple and quick approach can be implemented without delay. The approach put forward by the Deputy has a number of drawbacks over and above the need to draft legislation. In terms of the individual person to acquire this concessionary entitled to work status they would have to prove their continuous residence in Jersey since December 2020, providing details for the last 2½ years before they could take up the concessionary status. In terms of businesses, there could be a flow of workers in both directions. Some workers may choose to move to jobs in hospitality and retail, where there are shortages, but other workers may choose to move out of these sectors into other areas, such as finance. It is estimated, as I say, that around 1,600 individuals are covered by this proposal, and this represents very roughly one-third of all registered workers in Jersey. The ability of up to one-third of all registered workers to access any local job at the same time could create disruption in some areas, and there is a significant risk that the overall impact could be detrimental to the very sectors that the Deputy is seeking to support. I appreciate that Ministers should not oppose a proposal just because it would be hard to implement, however in this case Deputy Kovacs' proposal cannot be achieved without legal changes. It creates bureaucracy for the individual, it runs the risk of significant disruption to businesses, and it would also place a significant administrative burden on the small government department that currently administers the Control of Housing and Work (Jersey) Law. In an average month this team processes around 100 to 150 applications for people moving to entitled to work status. A potential influx of 1,600 applications represents around a year's worth of extra work, which would all need to be dealt with at the same time. Part (b) of the proposition would also require a change to regulations and this is to automatically provide entitled to work status to a spouse or partner of an individual who is granted entitled to work status under the concession set out in part (a). As individuals will always be granted at least registered permission when they arrive in Jersey, the great majority of spouses and partners will already have registered permission and will be included in part (a). The Deputy draws a comparison with the recent change to include unmarried partners under the existing Control of Housing and Work (Jersey) regulations and it may be helpful at this point if I explain the reasoning behind that proposal to show how it differs from what is currently before us. The Control of Housing and Work (Jersey) Law has always provided entitled to work status to the spouse or civil partner of an individual who held full local qualifications, who was coming to Jersey to fill a licensed job, or who had completed 5 years' residency and had gained their own entitled to work status. The law did not extend to long-term partners who were not married or in a civil partnership. In seeking to recruit specialist key worker staff in the U.K., experienced nurses and teachers for example, applicants would often ask about the job opportunities for their partner, and when it was explained that unmarried partners would only be provided with registered status some applicants then withdrew their applications and this was seen as a barrier to attracting the best recruits to fill these essential key worker posts.

[11:15]

The small change in the regulations has extended the existing right in respect of partners who were married or in a civil partnership to also include long-term partners who have an ongoing relationship of at least 2 years. Since the change in regulations, 27 unmarried partners have been granted entitled to work status and the Government have removed an unnecessary barrier to off-Island recruitment. As I say, Ministers do not oppose part (c) of the proposition, as we are already reviewing the controls provided through the Control of Housing and Work (Jersey) Law as a whole, and, as I say, I would

like to ask the Deputy if she will take the vote in parts for that reason. I would also like to respond to a couple of points made by the Deputy in her opening speech. The Deputy gave the example of a nursery needing staff and claimed that red tape could hold back someone who is in the Island already with the skills required from being employed by such a nursery. In such a case the employer can request a permission to employ that person and, as I have already shown with the figures provided, the vast majority of such applications are already being approved. Ministers have also committed to do more to work with employers in this area. The Deputy claims that her proposition will help some people get second jobs. For clarity, registered workers can already take second jobs. There are no restrictions on this. In her opening speech, the Deputy also sought to downplay the amount of work required to change regulations and, as I have already stated, those regulations would need to be drawn up, which takes time, and then brought back to this Assembly for approval. Why do this when there are simpler and quicker ways to approach the same problem? I am grateful to the Deputy for sharing my policy position on population and specifically my desire to see an Island where every member of our community is valued, and I am really glad that we agree on that, and I am very confident at the approach of Ministers currently being taken and our commitment to working with others, the Deputy included, can help us to achieve that. To sum up, it is important for Government to support businesses and it is important that the Government encourages everyone living in Jersey to participate in the labour market. Unfortunately, the Deputy's proposals before us today are not the best way to achieve this at this moment in time. They do not take account of the legal structure of the law, they create unnecessary complexity and bureaucracy, and they run a significant risk of creating additional staff shortages within sectors such as hospitality and retail. I urge Members to reject parts (a) and (b) of the proposition and allow Ministers to work with local businesses to provide additional registered permissions where this will help address staff shortages, by making better use of registered residents who are not currently working.

2.1.4 Deputy S.Y. Mézec:

I am very pleased to follow that particular speech, because it made many points that I wish to counter in mine. It strikes me that there are 3 main arguments that are being used against this proposition, the first being that it will have unintended consequences on the distribution of workers in our labour market, that the changes being proposed are too complicated to implement, and that they are already doing something to address this right now. I think that every one of those arguments is flawed, so I would like to go through them one by one. The first one to go through is that this will be awkward to implement, because it will require legislation changes. Well, if only there were some kind of body that existed to implement changes to legislation, a legislative body, a legislature, if you will. If only such a body existed. Oh, wait, yes, there is one and we are sat in it right now. It is our job to make changes to law to improve what services we provide for the public, if that is what we seek to do. That is not an argument against a proposition. It can only be an argument against a proposition if what the proposition asks to be done is impossible, and it is not, in this case. We can choose to seek to change that law if we want. It can be done. There is no argument there. The second argument I wish to go through is their argument that we do not need this proposition because they are already doing something on it. Well, how well is that going? Do we not have a problem right now? If the current method, which is to simply use the Control of Housing and Work provisions to give those permissions is working, then why are we even here? The obvious answer to that is that it is not working. We are hearing representations from businesses in different industries in the Island to say that things are not working, and that things could be much better. What is happening right now evidently is not working, and I found it very frustrating reading the comments from the Government extolling the virtues of the current system and using the Control of Housing and Work (Jersey) Law to give those permissions, because I served for 2 years on the Housing and Work Advisory Group and part of its job at that time was to take applications from businesses to have permission to employ people without 5 years' residency, and I found in that experience that it is not a good system. There are multiple problems with it, and it takes up far too much time and bureaucracy to allocate those permissions in

that way. So firstly, if a business is to apply for permission to employ someone without their 5-year residency under the current provisions each application has to be administered by civil servants, they will have to gather evidence and the facts underpinning that permission and the individual for whom that permission refers to, if indeed it does refer to a specific person, and that takes up a lot of time. I do not know if this is still the case, but it was in my time, some cases had to go to the Housing and Work Advisory Group to be determined by a panel of politicians, something I thought was not a good use of our time. In some respects it felt like a mock “Dragon’s Den” type situation, and I do not think that is the best way to be making decisions like this. To argue we cannot do what Deputy Kovacs is proposing because of the bureaucracy, but we will keep doing what we are doing right now, involves per application quite a lot of bureaucracy and strikes me as an inconsistent argument. The second point on that is that if a business wants to apply for permission to employ someone without their 5 years’ residency right now, that business will do so quite rightly from their perspective, they will do so in the interests of their business, not in the interests of the macro-economic picture, the wider picture and for the economy as a whole. It is of course entirely possible and likely that in that kind of system that it is the more proactive and louder businesses that would seek to use that system, whereas those smaller businesses that do not necessarily understand that part of the system, or even have the capacity to dedicate resources to engaging with that, will not engage with it. So you will not necessarily get an equilibrium there. You will just get those who want to engage with that system. The third problem I have with that argument is that in that instance, that system, it only considers the view of the businesses and not the workers themselves. It is the businesses that would apply to employ somebody when they become aware of that person, rather than that person being able to be proactive and say: “I think my skills are best placed in this part of the economy.” So you will not get the equilibrium through that. You will not get workers themselves being able to optimise where their skills are best placed in the economy. What Deputy Kovacs is proposing by essentially making it across the board for people who arrived before a certain date, you will be much more likely to reach that equilibrium as people spread out across the labour market into the places where their skills are best suited. The last argument to address was about the unintended consequences of this, and how some businesses may see themselves losing their employees as a result of it, as they go somewhere else that they suddenly have acquired automatic permission to go and work in. That is why I was so pleased to read the letter from the Jersey Hospitality Association, who were welcoming this and who I think act as very good advocates for their industry here, and trying to dispel some of the old-fashioned views that there are around hospitality and the working conditions there, to say that this would free up workers to be able to take up roles, and many of them would choose for that to be in hospitality. They will not be fleeing it in their droves is the view from the Hospitality Association, and good on them for making the case to States Members in this way. I for one am prepared to listen to them on this. What Deputy Kovacs has come up with, with this proposition, is something in the absence of nothing, and I know the Government say that they have a system for dealing with this, but it is no different to a system that has existed since the advent of the Control of Housing and Work (Jersey) Law. It is not a new system; it is not responding to anything. It, itself, is cumbersome and does not allow for any kind of natural equilibrium, but only for those who choose to proactively engage with this, irrespective of where workers may be best placed for this. Deputy Kovacs has come up with a solution. It is one that has a date cut-off period in it, which enables us to see how this goes, to collect data, to understand what implications it has and how that may inform what future changes we may or may not want to look at for the Control of Housing and Work system, and it is one that we have heard from some who are very active in our economy and running businesses here would welcome, because of the freedom that it would offer them and those who work in those industries. That could well lead to significant easing in the labour market. There was I thought a strange comment made about people being able to have second jobs and that if you do not have entitled to work status and you want a second job it can only be for another job that you do not have to have entitled to work status for. I thought that was bizarre, and if you give them the freedom to be able to take on those roles, as Deputy Kovacs is proposing, you may well get people who want to

take up that second job or want to do a few hours working somewhere else. Just imagine what benefit that would be for the businesses who are then suddenly able to employ them, and the alleviation they would feel when many of those are struggling to find people that they have adequate permissions for to employ, and that has a wider impact not just on our economy but, frankly, our society where we want those businesses to be able to provide services and not having to cut back on things like the number of tables they can have in a restaurant or anything like that. I congratulate the Deputy for coming up with an innovative and well-thought-through solution to this, and I strongly disagree with the argument the Government have made about the current system they are using to try to address this, which I think anyone who is awake can see is not working.

2.1.5 Deputy H. Miles of St. Brelade:

Deputy Kovacs approached me some time ago on this subject, but at the time she was interested in providing better employment rights to E.U. citizens who had pre-settled status under the Brexit agreement. Pre-settled status was granted to any E.U. citizen living in Jersey at the end of December 2020, immediately before the freedom of movement restrictions were introduced as a result of Brexit. Since those initial discussions, I can see that Deputy Kovacs has taken further advice and this has led to the current proposition. The Deputy's report mentions pre-settled status on page 3, but I note that her proposal covers any person who has been living in Jersey at the end of 2020 who has remained resident since then and has registered status. In reality, this will mainly impact on people who arrived in Jersey in 2019 and 2020, as we know people arriving in 2018 or before will have already achieved 5 years' residence and can get entitled to work status in the normal way. It is not possible to be completely accurate, but as we have heard estimates suggest about 1,600 people fall into this category. Of those, about half are E.U. citizens who are likely to have applied for pre-settled status. The other half are made up of mainly British and Irish citizens and a small number of people from outside Europe. These groups were unaffected by the 2020 deadline. Deputy Stephenson has clearly set out the range of difficulties with Deputy Kovacs' proposal, but in addition to the points that Deputy Stephenson has made, Members should note that the December 2020 deadline has no particular significance for half of the individuals that would be covered by this concessionary scheme.

[11:30]

If we consider one of the local construction companies recruiting workers from the U.K., with some arriving in December 2020 and others in January 2021, this scheme would provide the December arrivals with early access to entitled to work status that the January arrivals would not enjoy. It is difficult to justify an arbitrary date in respect of the British and the other non-E.U. workers included in this proposal. The Deputy also suggests that those E.U. citizens with pre-settled status would need no further checking to access the concessionary scheme. This is not the case. Holding pre-settled status merely confirms that the individual was in Jersey at the end of 2020. The proposition itself requires the individual to have been continuously ordinarily resident in the Island since 31st December 2020. This will require evidence of continuous residence in 2021, 2022 and 2023. This will need to be checked in the normal way. With up to 1,600 individuals applying for the concession at the same time, this workload would create challenges for the operational teams working in this area. As Deputy Stephenson has said, 2023 is only 6 weeks away, and I think it is an unreasonable expectation to have a scheme up and running. It has been suggested by other speakers that there are no unintended consequences for industry, and I have read the letter from the Jersey Hospitality Association, and I cannot say that I am in agreement. Deputy Tadier made reference to hospitality workers being very highly qualified. We know that is the case, and surely a waiter with 2 degrees will be snapped up by the finance industry if given access to the local labour market. They will not be available to hospitality, and this will cause an issue for hospitality, potentially requiring hospitality to seek more work permits, which are more complex in terms of visa and travel arrangements. The comment has already been made that this is an employee's market. Indeed, it is an employee's market. Everybody already has a job. I just get the feeling that we are shuffling people around by

creating extra vacancies and thereby creating extra demand. Finally, I just wanted to make a point about a conversation I had yesterday. I had an engineering job that needed doing at my property and the chap turned up yesterday morning and he asked me where I was going and I was telling him what I was doing in the States and he said: "I know about this, because if some of my workers get entitled to work this is really going to affect my business, because as engineers they will be sucked up by the States, who are currently seeking pumping engineer vacancies and other vacancies." It was of great concern to him that this could affect him in his recruitment. So, I cannot support (a) and (b) of this proposition. Deputy Stephenson has explained that she will work with business leaders to make sure that additional registered permissions are available to any business where they are able to take on somebody who is already here and has the skills necessary to support that business. There is a much more straightforward approach to the problem than what Deputy Kovacs has put forward, and I hope Members will agree with me and oppose parts (a) and (b) of the proposition.

2.1.6 Deputy E. Millar:

Sorry, Sir, that was a mistake, but I will do my speech now. In her report Deputy Kovacs refers to the need for evidence to support decision-making. Yesterday she circulated a letter from the Jersey Hospitality Association to all States Members and suggested that previous correspondence had already been sent to Ministers on this topic. With the letter, the Deputy seeks to provide evidence that the J.H.A. (Jersey Hospitality Association) are supportive of her proposals. While this gives us some evidence, it does not paint a full picture. The previous letter from the J.H.A. to the Chief Minister was setting out a case for help with staff accommodation. I am confident that this was a genuine misunderstanding, but it is important that evidence is accurate and seen in context. In the letter to the Chief Minister the J.H.A. wrote that their main pressure point: "... is no longer due to a recruitment crisis but a housing shortage." It is correct that both J.H.A. and Jersey Business have expressed general support for P.49 on the ground that it might be useful. Both organisations have expressed the same reservation on the proposition, however. J.H.A. wrote: "Having said that, we do have broader concerns about people leaving the hospitality industry." Jersey Business wrote: "One potential unintended consequence of this proposed change is that there may be movement of workers from the core industries of retail, hospitality and agriculture to the financial sector as a change will give individuals the ability to choose what jobs they apply for based on their skills, rather than residency restrictions." The comments from the 2 organisations both relate to P.49 itself. Neither of them seems to have commented as yet on the Chief Minister's suggestion, which was published last week. This, as already mentioned, sets out a much simpler solution of providing additional registered permissions in any area where there are staff shortages and there are people with registered status living locally who are available to take up that position. Both J.H.A. and Jersey Business have at times expressed frustration with Government bureaucracy. Deputy Kovacs is suggesting additional regulations and a new set of rules to deal with a specific group of people. This will only increase bureaucracy. The alternative proposal of the Chief Minister is to use existing law and provide extra support to business by extending an existing process. This is quick and easy to implement. Most importantly, it avoids the risk that both J.H.A. and Jersey Business have identified, that a blanket transfer of individuals to entitled to work status may lead to a net reduction of workers in hospitality, retail and care, as these workers will have the freedom to move to other sectors which may offer better pay or conditions. For example, wages in hospitality are only just over half of those in financial services. Deputy Miles has already commented on the point about people being able to have second jobs, so I will not cover that. To sum up, Deputy Kovacs is asking Members to approve her proposition to help improve the supply of workers to key sectors such as hospitality and care. However, the impact of her proposal will create bureaucracy and run a real risk of reducing workforce in those areas, rather than increasing it. The Chief Minister's alternative proposal will achieve the desired result with less bureaucracy, less delay and with no risk of existing workers leaving jobs to move to other sectors. Ministers continue to support local industries including hospitality. There are

still many challenges to be faced but, unfortunately, I do not believe P.49 is part of the solution and I ask Members to reject parts (a) and (b).

2.1.7 Deputy R.J. Ward:

I was going to wait, but I would like to speak now. It is a real shame that we are hearing Ministers talking down our hospitality industry constantly. It really is. That everyone will leave the hospitality industry and that a career in hospitality is not a reality for people. Well, it should be, and it is. I just want to point that out, because one of the ... I talked the other day about these pieces of straw that are put together into a strawman, and we are at it again. It is clear that with the same speech writers, and we have already covered that point from Ministers, which is a real shame, that what we are doing about this really well-thought-through proposition from somebody who knows about an industry and has worked in it and committed to it, who has consulted widely, way more widely than it is recognised by, it appears, the Government, who has thought through the genuine issues that we are facing on this Island and said rather than simply saying to people: "You are going to be limited by the number of years that you have lived here, regardless of your skills" and we talk about using skills on the Island for our productivity ... do you remember that word that we talk about quite a lot? Productivity. If we are going to improve our productivity, we need to use the skills that are here. But hold on a second, we have a skilled workforce that we cannot do anything with because we have chosen not to, and if we do that ... the last thing that we want to do is use their skills, because they might move into another area of our economy, even though Jersey Business and Jersey Hospitality Association say that of course there is a risk, there is always a risk of these things, but it is unlikely to be significant. But no. What Government want to do in order to simply oppose something yet again, just simply oppose something because it is not their idea, and this is an action that could be taken, is to clutch at these straws and put them together into an argument that in the end does not hold up. So, let us look at what we are talking about here. It is really key to understand that only employment status changes in this proposition, not the housing status or anything like that. It says that if you have been here for 3 years and you have settled status, and remember that settled status and all of those things that happened because of Brexit happened out of our control, we had no control over Brexit, we did not have a vote on it here. It happened and it impacted massively on our workforce. If you have pre-settled status, which happens already and people apply for it, and this notion ... we had this during Brexit about what is going to happen with settled status, there is going to be a huge rush of people coming in at any one time, and again the Department of Justice and Home Affairs dealt with it incredibly well. I think we should be giving credit to their abilities not saying that it is going to be an obstacle to making a practical and pragmatic change to our employment law. What it does is it enables businesses and industries on this Island to use the skills that are already here. There is a contradiction, an irony, I do not know, from Government that talks about population policy, although we have not really got one and talks about using the skills and comes up with all of these fluffy statements about increased productivity by using the skills on the Island, we can control population by using the skills of the people in this Island and upskilling and training and encouraging them to move into the areas of most need and we can target areas of most need in our industries using the people that we have got. But at the first opportunity that somebody brings to this Assembly to say: "Well, let us make this sort of change for 2 years to see the genuine impact of it" we are told: "Oh, no, you cannot do that. You cannot do that because it will have these significant effects." There is a noise being made. It is putting me right off.

The Deputy Bailiff:

It sounds like a sewing machine. I am not quite sure what it is. There is not a sewing machine there.

Deputy R.J. Ward:

I thought it was just my hearing.

The Deputy Bailiff:

No, it is something. It is certainly a strange noise. I think it is coming from down there.

Deputy R.J. Ward:

Oh, it was my microphone or camera or something. It was my own fault. In a previous life I would say: "Right, let us start again" but we will not do that. Let us recap. It is always a good idea to recap. Repetition works. People might understand it better. This is a very simple thing that only affects employment law. I will come back to that, because it is a really key thread in what I want to say. It is utilising skills that are already on this Island and it trials and produces data. It is not fearmongering or even just negativity, it is this idea, this notion that what will happen is that as soon as you allow people to work, and you do not control them by saying: "We do not really care what skills you have got. You can be as qualified as you want, but you are going to stay in that little compartment for us" even though it does not really benefit our industries here, because we have got serious need in some of these areas but we cannot really do it. In fact, I will tell you what we will do, we will import it off-Island and we will pay extra money and we will put them up, like in education for example; £313,000 since January in importing teachers from U.K. agencies - U.K. agencies - giving money off the Island to U.K. companies, putting them up ... I suppose it supports the hospitality industry because we are paying for their hotel rooms. That is a positive, I suppose, for the hospitality industry. We are putting these teachers up in hotel rooms and paying food, transport and a meal, for the airline industry. Whether they will get their bags or not, I do not know, because they have got to recruit people for those posts, but let us move on. Instead of doing that we could say there may be an opportunity here that we have people already qualified, that we can put on to our J.G.T.T.P. (Jersey Graduate Teacher Training Programme), people with degrees or even doctorates who might say: "You know what, I might take a step into teaching?" for example. But no, we are not going to do that now because of some very convoluted and very simplistic arguments that are simply saying: "It is not our idea, so we are not going to do it." We keep hearing about this transparency and collaboration and listening and working together. But when somebody brings a proposition that is so positive, we have a Government that are immediately saying: "No, we are not willing to give this a chance." I am very disappointed by the comments paper, because it raised issues that even when Jersey Hospitality write to us and say: "We strongly support and commend any States Member that is actively trying to support our industry and consider the impacts of their choices on our industry, an industry that is the beating heart of our Island. Therefore we applaud Deputy Kovacs in this proposal that clearly is aimed to support local business and increase productivity.

[11:45]

There are a couple of buzzwords for the Government. They love those words: support local business and productivity. If you did a search of any government document, they will be all over the place. They are clearly aimed to support local business and increase productivity among those who have already chosen Jersey to make their place to work and live. They strongly support and commend but, no, dismiss that because it does not quite fit in the things that we want to do at the moment. These are when Ministers are not even in the Assembly and the Chief Minister is not in the Assembly to talk about this. So we have a serious issue on this Island that is not going to go away and what we do not want to be is ... it would be politically disastrous, by the way, for those in Government if in 3 years' time we are sitting back here looking at the fact that we are losing our population, we cannot fill any jobs because we did not take an action a couple of years ago, which may have made a change to those who are already living here and will stay here and will eventually gain entitled status and can work in these entitled jobs. It would be a real risk politically to ignore that. I will just put that into the mix for you. We will sit here at that time and say we have a disastrous situation in our economy, which is not functioning well because we do not have the skills and we do not have the people and we do not have those when we have still got this bank of people who have the skills or may have that we did not use 2 years ago. That is what I cannot work out. As for regulation, we

have to have regulations drawn up and brought back. That is what we are here for. If it works, if it is important we can see a solution to a problem for business and this Island so we can support local business and increase productivity - let us say it again - then we should be taking that time to produce those simple regulations, a simple change to the entitlement to work from 5 years to 3 years for a short time. That is all the change that is needed so that people have that right to entitled status. I have to reiterate, the argument made about taking a second job, yes, you can but only an unentitled second job unless you have entitled status. It does not make sense. Again, I think we are in a situation in this Assembly where it does seem that whatever is brought, Government are going to oppose unless they can water it down so much that it is ineffective and they are doing it again here. I urge Members do not fall for the thing that happens a lot. You can vote for one bit, so you can vote positively on one, so we will accept one bit, which does not make any sense unless you take the other 2 pieces so that it can give you something positive to do. That is patronising to us as Members and we should not be falling for it. Look closely at what it is trying to do here, listen closely to what is being said by Deputy Kovacs, read the comments paper and then read the report itself that addresses those issues so carefully and, please, make an intelligent decision on this. We have now got a lot more Members back in the Assembly who I hope are listening to the debate and taking in these ideas, because if we do not do something about industries on the Island urgently, we are going to have a serious situation that will grow and grow and grow on this Island and if we end up having a situation with depopulation, it happens rapidly to islands and that is the last thing that we want. If I can finish with a footballing analogy. We need to put our foot on the ball and we need to look around and pick the right pass. This is the right pass because it creates openings and opportunities, it creates chances. So take the opportunity - I am going to stretch this analogy - to score a goal today.

2.1.8 Deputy M.B. Andrews:

I would just like the proposer in her summing-up speech to outline if there would be potentially any concerns that she may have if we are to see a movement in the labour market where some people are potentially now going to be available for some jobs that they were previously not available to. What impact could that have on Jersey's low-wage economy and sectors? I think there are some Members who may be asking that question and I do not think it has been asked in the Assembly as yet. I know certainly from my perspective it is good to see upward social mobility and people being able to go into new jobs that they previously were maybe not able to access and obviously then see that they have an improved level of income but I think for those businesses in the lower-wage economy industries it is going to be quite difficult to then try and recruit people when already it is not exactly a very attractive place to come to Jersey when your wage is fairly diminutive and of course we have a high cost of living. That is all I have got to say.

2.1.9 Deputy J. Renouf of St. Brelade:

I guess I come to this from a Minister for the Environment's point of view thinking about planning policy. We have an Island Plan and the route to changing an Island Plan is deliberately difficult. It can only be done in the context of a full Island Plan review and that involves a process set out in law, it involves public consultation, the appointment of a planning inspector and so on. I think that has some relevance here because I think ... and the other thing that relates to that difficulty with planning policy is that there are many co-dependencies in there. You cannot change one thing in planning policy without having effects in all sorts of places and that, I think, is of relevance here because I do think that changes of the kind that this proposition suggests, we do need to approach them with a lot of caution. I think the burden of proof does have to be high because the law of unintended consequences does leap into view. My take, listening to this debate, has been that there seems to be a slight contradiction here. It seems to me that this proposition pretty well has to lead to job shortages somewhere because what it does is allow people to move around between sectors. That is its whole point; the whole point of the proposition is to give workers the chance to access different parts of the labour market. When they move somewhere else, a vacancy must be created. We do not know

exactly how many people will do and we do not know exactly where they will move or whether they will move but we do have some data that might give us pause for thought. In the hospitality sector the average wage is around £550 a week. That compares to an average in the Island of £860 and in finance of £1,170. I am not quite sure what the average is for government employment, but the point is that we are talking about giving the freedom to move to people who are in a relatively low-wage part of the economy and giving them the potential, at least, to move to somewhere in a more high-wage part of the economy. So the contradiction that seems to sit here is that this proposition aims to support hospitality but it also aims to support individuals by giving them the freedom to move. The latter, it seems to me, has a very serious possibility of undermining the former. So, to me, our labour market and the controls on it are complex and subtle with many interdependencies. I think that Deputy Mézec and Deputy Ward slightly miss the point about the difficulty of changing the law. It is not that we cannot do it. The problem is that if we have difficulty in doing it and it is a complex job to do it then we have to look closely at the risk-reward equation. It means that it is not a thing that we should just do lightly. As I have said in the comments I have made so far, I think that at the very least there are significant questions raised about whether this will achieve what it wants without having unintended consequences and whether indeed it will even achieve what it wants, what it is intended to do. The route, it seems to me, that is available is the better one, that people can apply for new permissions, but that does not create vacancies elsewhere because that will potentially bring somebody new into the Island and, therefore, there will not be somebody moving from one job to another, creating a vacancy. There is, of course, a bureaucratic load in doing that because we are managing the labour market and we do need to keep control of it in the absence of the ability to directly control immigration, but it is a well-understood system. It may be that there are changes that we could do to make it work and we should be looking at the wider framework and questioning that but I do think it has to be done in the round, looking at all the pieces of the jigsaw and not picking up one with the potential for unintended consequences. I would urge Members, as the Government position paper says, to reject parts (a) and (b).

2.1.10 Deputy L.V. Feltham:

I am going to begin by saying relentless focus is something that is very often quoted in this Assembly and if anybody has a relentless focus on resolving problems it is Deputy Kovacs. She has a relentless focus on identifying need, doing her research and I think she is my most diligent colleague. It is disappointing to hear from Ministers that their opposition is based on the fact that they wish to have conversations with the business sector. I think it is quite clear Deputy Kovacs has filled that gap and had the conversations with the sectors that are affected. It is also disappointing that Deputy Kovacs had to make reference in her opening speech about correspondence that Ministers had had from Jersey Business that Ministers had not thought fit to include within their comments. I can see an Assistant Minister shaking her head, so maybe Deputy Kovacs could explain further those comments that came from Jersey Business. The Ministers have talked about the need for evidence-based decision-making. I think Deputy Kovacs has done a pretty good job in gathering evidence. Deputy Kovacs is very connected to our small business community and the diligence that she has shown in her research in discussing with officers, Ministers and Assistant Ministers, in addition to the business community, about what potentially could be done to resolve a problem that exists within our local labour market. I do not think anybody could have done a better job, so to hear this proposition being criticised as something that maybe needed a bit more research, I think that is pretty poor. I wanted to pick up a bit about what the Minister for Home Affairs talked about, about the dates. Deputy Kovacs and I discussed this proposition before she put it in. She is a very pragmatic person and she was looking at a way to easily and quickly resolve an issue. She identified that people with pre-settled status will have already done a lot of the work and Customer and Local Services and Customs and Immigration will have done a lot of the work to verify that people have been resident on-Island for the requisite period of time. We discussed then the unintended consequences of potentially just looking at people that had pre-settled status, and I had said to Deputy Kovacs that it was my concern that if it just

included people that had come from Europe with pre-settled status that what we would be doing would be discriminating against people who had come from the Common Travel Area or other areas and that is why she broadened that. Now, a lot has been talked about bureaucracy, about the amount of work that it will take for people to prove their residence. Deputy Kovacs and I maybe have a bit more experience than others around what that bureaucracy might look like and for the vast majority of people who have been living and working in the Island, their residency can be proven through their social security contributions record and that would be the easiest way of doing that. Now, I do not think that given the cost-of-living implications that we currently have on the Island that there will be many registered people who have been able to afford to continue to live on the Island and not maintain paid work, so it is highly likely that those records to prove people's residence will be there and will be relatively easy to obtain. I wanted to pick up on the comments from Ministers that this is not the best way of resolving these issues, but what we have a severe lack of is a better way.

[12:00]

We do not have a better way being presented from Ministers. When Ministers say there are problems with the dates, they could have made an amendment to this particular proposition but chose not to. In fact, what we are hearing from Ministers is that they wish to begin conversations with the local business sector. I hasten to add that Deputy Kovacs seems to have filled a gap that Ministers seem to have left in her consultation with the sector. I also wanted to comment on some of the comments that have been made about this would give people freedom to move from job to job. What does it say to residents of the Island that are here, that are paying their taxes, paying their social security contributions, part of our community, when they hear ... and some of them would be entitled to vote. What does it say to those people when they are told by their elected representatives that they should not have freedom to move to a potential better job opportunity, that they should have restrictions placed on them undertaking other part-time job opportunities? I would like a Minister to clarify the comments made by the Assistant Chief Minister and if there is any Minister or Assistant Minister yet to speak, potentially they could show us where on the government website or where in the government policy guidance it clearly states that people who have registered status can be employed by employers in a licensed position on a part-time basis, a second job. That was the Minister for Treasury and Resources. I have looked on the policy guidance, I have looked in the comments paper and I have looked on the government website and it is certainly not clear. So there is indeed, if that is the case, a piece of work for Government to do to make it very clear to employers and employees that that option is available. So I do encourage all Members to support Deputy Kovacs. Deputy Kovacs is showing real leadership with her work here. She has shown great diligence and real relentless focus, something that seems to be lacking within this Assembly, and she is giving us an opportunity to support local businesses, to support the local community and to support people who are actively working within our economy to use their skills to their best advantage.

2.1.11 Deputy D. Warr:

I am struggling to know where to begin here because I have no prepared speech. All I am going to do is just respond to all of the various commentaries being made. The first one, which is extraordinary that Reform Jersey have not even begun to mention, is around the cost of housing, the biggest issue employees ... and certainly I employ 30 individuals in our business and their challenge is finding affordable accommodation. So there is your starting line. The next point after that is if you cannot afford the rent, what are you going to do next? You are going to try and get a better paid job, so we are at the front line of that, exactly that front line, which is around individuals who have ... it really irritates me when I hear Deputy Ward talk about why people - what was the word used - do not want to leave ... this premise that people do not want to leave hospitality. I think that is rubbish. People would stay in hospitality and stay in our jobs if we could pay them the level of wages they could find in the finance sector. We lose people with no qualifications, never worked in an office in all their born days and are able to walk into an office tomorrow. This idea that it is not fair

that we allow people to move around in our economy? Absolutely, great, if people can move around that is fantastic, I have no issues with that at all, but who is going to fill the job that they vacate? We have got no answers to that whatsoever and, as I say, it really winds me up when I hear these kinds of stories. Then we do not have a population policy. What is the next thing: we allow a full-scale importation of a labour force? Wow, that is going to play out really well in the public domain. It is just extraordinary, some of the commentary being made. What I want to say is I have been in this business for such a long time. We have gone through phases where Government have been trying to withdraw licences from us. We got down to a phase of 2 licences for unqualified staff at one stage - I am going back a decade - and I got a phone call. I recall the phone call, which said: "I see you are only using one of your licences. Can we just reduce your licence qualification to one?" I was outraged as a business owner that we were challenged so much to find staff at that time. The great news is, and I have to commend the Minister for Home Affairs, we now have 6 licences and every time we make an application or ask, because we are struggling to find qualified workforce, they help us and assist us. There is none of this: "Oh, you have got to try harder. Why do you not advertise a bit more? There are plenty of people out there." No, the Minister for Home Affairs and her team recognise there is a major issue in Jersey in employment and, as I say, to suggest that: "What we will do is we will just now reduce the limitations, let us allow lots more people freedom to move around in the market" where they will automatically ... what world are we in whereby we already know, for instance, people who are in unqualified accommodation are in the worst housing situation. They are living in overcrowded positions. Why do they live in overcrowded positions? Because they cannot afford a basic rent. They need to sort that out. That is my responsibility as Minister for Housing and Communities to try to resolve that. How are we going to bring down the cost of housing, because if we can do something in that area and we can make that work, therefore, we will make it easier for people to live and hopefully we will not see people moving around in the way that they are forced to do at the moment. As I say, people are being forced to do this. I love the idea also that we are talking about strawmen. I think Deputy Ward talked about this and he then goes and breaches the argument, and that is we are fearmongering. People could move to education, so we are already talking about ... so he recognises that people will move out of one job to another job, to maybe a better paid job. Again, who fills that job they leave behind? We are not resolving that issue. I just do not believe that Deputy Kovacs has any solution here at all to the current issue and I urge Members to reject her proposition.

2.1.12 Deputy I.J. Gorst:

I am not sure I need to, having heard the Minister for Housing and Communities. I find myself supporting the Government view but having a lot of sympathy for the Reform Jersey proposal because, let us be clear, evidence and practice over the last number of decades has shown that when to a large extent individuals reach the 5 years they move from the job they are in and they move largely into finance and business services, and that is practically what has happened. It is why the tourism industry, it is why the farming industry, it is why the retail industry have lobbied Governments year on year to do something about it. I find that we are potentially - and it is very clever of Reform Jersey to do this - creating 1,600 people who could move from retail, hospitality and those other sectors and seek to take up jobs in financial services. I think that this is a proposition that is really aiming to say that the focus is on supporting those industries but by unintended consequences looking at the evidence of what has happened in the past and despite the letter off camera, if I might put it like that - Deputy Mézec is shaking a piece of paper from the Jersey hospitality industry - but even within there is a recognition that there might be some movement. I do not see it as "might be". I see it as there will absolutely be. Deputy Feltham said that she felt that was absolutely fine, people should be able to move across industries and that was not a problem at all. In fact, it was portrayed as a benefit, but we cannot have it both ways. If we want to create the benefit to Islanders to move, we can, but if we are seeking to ensure that some of the difficulties of recruitment in the industries that the proposer is talking about, this certainly to my mind, because

experience shows it, will not have that benefit. Let us be clear, as you know, I am chastised in this Assembly and I am chastised in the street for supporting financial and business service; for that sector it will be a very positive decision.

The Deputy Bailiff:

If no other Member wishes to speak, I call upon Deputy Kovacs to reply.

2.1.13 Deputy R.S. Kovacs:

I want to thank everyone who contributed to this debate for all the points raised. I am just going to look a bit through my scribbles for each speaker. There are a few points I will address separately before I continue. Deputy Scott mentioned that Economic Development is exploring barriers to business and she would want to hear from Jersey Hospitality how this will explore it. I am very much aware that meeting with them through that programme of barriers to business has happened and those details, similar to those that have been sent already to the Ministers, have been gathered. When the letter from Jersey Hospitality was mentioning second jobs, which Deputy Scott and others have referenced, they are doing so because, as myself, we know exactly what the needs of hospitality are. Many shifts that will have different patterns will be peak times or weekends or evening shifts, so you cannot even predict an exact shift when it will be busier or such, so you need those people who willingly are coming forward to increase their income in this cost-of-living crisis. One is to take additional jobs within evening shifts, within those weekends, and that is what the second jobs discussion is about. A note that was referenced from Deputy Stephenson and Deputy Gorst about if you are registered you are allowed to do a second job. Yes, but not if the business does not have the registered permission to access it, so that is what we are talking about. Who else? Just a second, I am looking through my notes. When Deputy Stephenson said I had made a comparison with the married partners changes and that there is a difference to that, I did not make it directly with the content of the proposition but it is in the way that the regulations have been applied and the easiness of changing those regulations, which they argued would be complicated. Deputy Miles said that our initial conversation about this was me trying to help just the pre-settled status. I do not recall the conversation that way. It is exactly different, that I identified what the aim of this proposition is. I identified that the pre-settled, because they did not apply to be verified and they are here already, to be granted permission to acquire those 5 years, that they would be able to utilise them straightaway. Deputy Miles at that point said: "That is a brilliant idea." I did not say as well that with the pre-settled there would be no checking. I said there would be less checking, especially because of them having this certificate that covers a big part of their presence on the Island.

[12:15]

Deputy Millar quoted the Jersey Business letter. They are saying exactly what I have mentioned but also she forgot to add the meaningful part at the end where they see that, of those workers which could see unintended consequences, they are not so worried that ... I will quote it again just to not put it wrong: "However, of those workers, we are unlikely to see considerable movement, as many are seasonal workers." Deputy Renouf said that hospitality has an average salary of £558 per week. As the Jersey Hospitality Association and my experience in the field and speaking with colleagues in the field shows, the salaries have increased lately in hospitality as well, especially because of lack of people and competition, that in some parts are even higher than in finance. Why is it automatically the assumption that everyone would want to jump in finance? I have so many other skills that I was the same as in this pool of people that I am talking about that are not utilised, especially those skills that we have so many vacancies for. That is why I was talking about across the industries and not just the hospitality. Yes, hospitality is lacking more but there is also retail, construction, but there are all those very important skills, which, from my work with these communities, I know very much that they have high qualifications in lots of these skills. Even niche skills like engineer, a road engineer, for which we brought consultants from U.K.. I have spoken with that person who wanted

to apply and they could not. That person left the Island in the end. So we are talking about those skills that we have here, we pay or train or bring consultants on much more money instead of utilising what we have here. I have covered that from Deputy Ward saying that everyone wants to leave hospitality because exactly how I just said before. I am happy that he wants to solve the housing crisis and I really want him to continue to do so. But this is nothing to do with what is proposed here. Also to continue to address some of the comments per general, as are similar with what is in the comments paper, from I have seen was distributed a different part of each to each of the Ministers speaking. So I will address it as per general. But, before that, I just want to also quote on something to remind Members that this is not an out-of-blue proposition; that it is seeking to build on work that we understand is already under consideration by Government. As the extract from the sitting of the Assembly on 13th June 2023 on my question without notice to the Chief Minister, which said: “Has any consideration been given to give more freedom of work to the under-5 years residents already here to help with staff shortages and have additional contributions to the funds that we see are already ending at some point?” Deputy Moore said then: “So when I spoke about some of our migration controls, that is very much the nature of our consideration. We have already begun to consider how our current rules impact upon people and their ability to work.” Referencing then to unmarried partners, but this should apply to everyone else because we are not talking just about those people having been prohibited. She says: “Those unmarried partners seek to work in the Island whereas they would only be able to access a restricted pool of work, therefore prohibiting some people from being able to use the very skills that they had spent their working careers training for to that point. I think that shows an example of the tangible difference that we are trying to make.” So for some we are trying to expand and give them the abilities to use those skills to their best ability and best place, but it is not applying for everyone. I would want to think that it is. It has been said my proposition would require too much work, but the Council of Ministers also said they will just use the existing controls of housing and work provisions to grant business additional register permissions will then identify them. This makes little sense to me for several reasons. Firstly, each application will have to be administered by civil servants, taking up a lot of time and having to be judged on so many different facts and perspectives. Sometimes, they will have to go to a housing and work advisory group to be determined, taking up politicians’ time. They will also have to prove that that person they are applying for permission to employ lives in the Island and is a genuine case of being the only suitable person for the role. All of this is adding layers of bureaucracy. Making it more or less automatic for everyone here pre-2021 means there will be much less evidence to have to evaluate before processing their entitled to work status as at least half of them would have had enhanced verification before obtaining the pre-settled status certificate and to just add the extra period, and they present that to the Population Office in exchange for an entitled to work plan. For the other part of them would be for the same officers to verify in the system, as they will do at any social security card issue, if they have been here in the eligible period, which is a short one and can be easily seen based on their contributions record. Secondly, business will apply for those permissions based on their own self-interest - how Deputy Mézec highlighted before - not the interests of their wider economic picture. There may well be smaller businesses who would be equally deserving of the opportunity to employ someone without the entitled to work status but who either do not know they can apply or are struggling and cannot afford to dedicate the time and resources into applying. Equally, some businesses, in order to survive, could have temporary increased need of part-time staff for a weekend or so or shifts to be covered with less notice. Being able to employ anyone available to come forward for those shifts could mean healthy business immediately while trying to identify in the market who can come and then go through the bureaucratic process of evidence ... all the evidence that they are advertising for long enough before they can be granted the permission is not helping in the same way. Thirdly, this approach only considers the view of the loudest businesses and not the workers themselves. Sometimes it is the worker who knows where their skills are best utilised, not a business who may not even know they exist. If they have the right to work anywhere they will go and work where they are best fit. If only businesses can apply, only a small number of workers who happen to

be identified will get those jobs. Lastly, the Council of Ministers also raised legal and administrative objections to the proposition but they failed to acknowledge that this can be overcome with political will and co-operation, as it was proven so many times and in the recent related changes to the Housing and Employment Regulations regarding unmarried partners and students coming here with entitled parents; so clear proof we can do it. The proposition already specifies that the scheme would be temporary and short-time limited, which mitigates a big part of the risk of unknown consequences, while collecting essential direct data about these consequences. The regulation changes, as shown in the other 2 recent related changes to it, are not complex, nor should take too long, and can definitely be done quite easily and in place by the end of September. The Council of Ministers also expressed concerns about the potential negative consequences of the proposition on the business sectors that rely on registered workers but they offer no evidence or analysis to support their claims. They speculate that many of the eligible workers would seek jobs across the labour market, leaving vacancies in retail, hospitality, and other sectors. There is no evidence to stating that how there could be if this temporary scheme comes in place. What is also not considered is that many of these workers may want to be working in these sectors and would simply benefit from having more security and flexibility in their employment status. There are many people work in hospitality as a career and we should not underestimate these, especially that lately the pay in this sector, how I mentioned, has become more competitive as also the letter from the Jersey Hospitality Association confirms. To touch on the comments that all 1,600 across different sectors could move at the same time, no realistic scenario would see all eligible people applying and moving at once. Clear examples why not. Since April, for unmarried partner changes, if I said there were only 27 applicants coming forward, when for sure are much more eligible in this category. For the Community Costs Bonus to receive over 500 with all the efforts to advertise from the Government from 12,000 households eligible, only about 4,000 came forward within a year. To move into another role, it is a long process to be recruited, then to best match their requirements and then to be selected, and if that happens then it is the most productive way to use the worker within our economy. The comments made by the Council of Ministers are anecdote. They also do not address sufficiently or quick enough the real and urgent problem of labour shortages in many sectors of our economy. They do not recognise the rights and contributions of many people who have been living in Jersey for a significant period of time. We need to address the urgent issue by using the best skills where they best fit. Business will not know the best fit is out there in this category unless the skilled person has the ability to apply and take those skills to a job interview where they see themselves the best fit. Therefore a permission to be given if the right fit identified under 5 years is less likely to help filling up back vacancies with the best fit sooner than if the right fit person would know their skills and experience are best to fit there and go to apply. But they will do so only if they know there are no restrictions for them to apply, otherwise they will not even get to the interview process. This proposition simplifies the process of enabling people to be economically active, raising the revenue, and addressing the issue. I have already shown in my opening speech that Jersey Hospitality and Jersey Business believe this would be unlikely to cause considerable negative movement for sectors like hospitality and that my proposition will enable people to get second jobs or shifts there and then when needed, suitable exactly for the sector. In these cases it is much harder to know when and for whom for a business permission for under 5 years for that person to help. These organisations, knowing best how their sectors work and what they need, are in support of my proposition and see it overall as a positive step. I have been in contact with many businesses and employees affected and they are also keen to see this in place as it will help them massively. They also consider, like myself, that many of these workers that my proposition would make available may have skills and qualifications that are currently underutilised or unrecognised in their current roles and that allowing them to access more suitable jobs would enhance their productivity and contribution to the economy. Also, once the workers will find themselves in roles best suitable for their skills, it is more likely that retention in those sectors would increase and they would continue to want to see Jersey as their home instead of looking elsewhere where they would be allowed to use their skills. For the best skills to be placed in the best roles for those workers,

the intention to apply has to be in the hands of the worker knowing best their abilities and this is less likely to happen often if it is for the business to find out where those skills exist but they are not allowed to apply and then to ask for a licence for them. The latest will maximise the chances of putting each skill and experience already on the Island in the most suitable job like the first option would. As I said before, this proposition seeks to amend the regulations on the employment status of people who have lived in Jersey for less than 5 years. This proposition is timely, sensible, and beneficial for our Island and its economy. This proposition offers a simple and pragmatic solution to this problem. It proposes a temporary scheme that would grant entitled to work status to any registered individual who has been continuously ordinarily resident in the Island since 31st December 2020 until December 2025 or until the obtain 5 years' residency. It also extends the scheme to their spouses or partners provided that they are also ordinarily resident in Jersey, which are smaller numbers and for a much shorter period as once the worker reaches their own 5-year period, their partner would already fall under the existing provision for partners of over 5 years' residency. This scheme would not increase the population or affect the housing market or benefits. They will still only get access to those only when they have been themselves 5 years on the Island. It would only apply to people who are already living in Jersey for over 3 years and who have already been granted permission to remain to build the 5 years by the Government. It would not change their residential status or give them access to any other rights or privileges that are reserved for those with entitled status. This scheme would also provide valuable data and evidence for future policy decisions on employment status. It would allow us to monitor and evaluate the impact of the scheme on the labour market, the economy, and the society. It would also allow us to investigate with factual evidence the implications of reducing the 5-year residency requirement for entitled to work status and report back to the Assembly by 30th June 2024. This data is neither complicated nor too onerous to collect or without substance how was suggested in the comments paper, especially being known in advance the need to collect it and have it planned for as the systems in Customer and Local Services, which I know very well, easily provide these details. While I was working in C.L.S., similar exercises have been carried when we wanted, for example, to see how many applications for something and for what categories, to know how we better tailor services. I will explain the very clear, quick process how to do this. When the worker subject to this proposition would go to Population Office to get entitled to work card, each worker would add the JY number into a spreadsheet accessible to all officers doing these registrations.

[12:30]

Management keeps it there and in 2 years' time, upon expiry of this temporary scheme, a person in an exercise about estimate not more than a day of work can easily go back to that list and verify based then on the job contributions record what sectors job they had been applied for when the card was given and what sector job they would have at that time. Does it still seem complicated or that would not show the reality? I believe it shows the opposite. The scheme could benefit our economy and society in many ways. It would increase the supply of workers available for roles that are currently restricted to those with entitled to work status. It would enable employers to fill vacancies faster and easier, reducing costs, and improving productivity and competitiveness. It would also enable workers to find jobs that suit their qualifications and interests, increasing their income and satisfaction. It would also enhance social inclusion and cohesion by recognising the contribution and potential of people who have chosen to make Jersey their home. We are facing a serious challenge in our labour market. Many employers in various sectors are struggling to find and retain staff, especially in roles that require entitled to work status. This is affecting the quality and availability of services and products that we all rely on and enjoy. It is also hampering our economic recovery and growth after the pandemic, growth being identified like the key factor in the population policy. The current regulations are outdated, rigid, and unfair. They prevent people who have already been living in Jersey for a significant period of time, who have contributed to our society and culture, who have paid taxes and social security, who have followed the law and respected our values, from taking up

work opportunities that match their skills and aspirations. In the release of the annual report on population issues, the Chief Minister stated: “We need to provide a healthy, supportive, and sustainable environment and economy to enable all those who wish to contribute to Island life to do so to the best of their abilities.” On the communication sent regarding the students given wider access to local job market, Deputy Moore also said: “It reflects our ongoing focused work on removing barriers and fostering an inclusive Island community where families and young people can seek to fulfil their potential. I am confident that it is exactly what my proposition would achieve if passed. This proposition is a win-win situation for everyone involved. It is a sensible response to a changing situation. It will help fill up many vacancies in different sectors that are desperate for staff. It is a fair recognition of people’s rights and contributions. It is a beneficial boost for our economy and society and I urge States Members to support this proposition. Thank you and I call for the appel.

The Deputy Bailiff:

The appel is called for. Deputy, how do you wish the Assembly to take your proposition? Of course there are 3 subparagraphs, do you want to take (a) and (b) together and (c) separately?

Deputy R.S. Kovacs:

In this case I will take it *en bloc* because the intention of point (c) was to have a review that is done based on evidence that point (a) and (b) would create, which if (a) and (b) does not pass, well the review is still carried on, but with anecdotal evidence, so I will take in *en bloc*.

The Deputy Bailiff:

En bloc. Thank you. Members are invited to return to their seats. I ask the Greffier to open the voting on the proposition. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the proposition has been rejected: 11 votes pour, 31 contre, and one abstention.

POUR: 11		CONTRE: 31		ABSTAIN: 1
Connétable of St. Helier		Connétable of St. Lawrence		Connétable of St. Clement
Deputy G.P. Southern		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of St. Peter		
Deputy R.J. Ward		Connétable of St. Martin		
Deputy C.S. Alves		Connétable of St. John		
Deputy S.Y. Mézec		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Ouen		
Deputy B.B.S.V.M. Porée		Connétable of St. Mary		
Deputy C.D. Curtis		Connétable of St. Saviour		
Deputy L.V. Feltham		Deputy C.F. Labey		
Deputy R.S. Kovacs		Deputy S.G. Luce		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy I.J. Gorst		
		Deputy L.J Farnham		
		Deputy P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy J. Renouf		

		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		
		Deputy L.K.F Stephenson		
		Deputy M.B. Andrews		

The Deputy Greffier of the States:

Those Members voting pour: the Connétable of St. Helier and Deputies Southern, Tadier, Rob Ward, Alves, Mézec, Coles, Porée, Catherine Curtis, Feltham, and Kovacs. The Connétable of St. Clement abstained.

3. Supplementary Planning Guidance - Parking Strategy (P.50/2023)

The Deputy Bailiff:

The next item is Supplementary Planning Guidance - Parking Strategy, lodged by the Connétable of St. Helier, the main respondent is the Minister for the Environment, and I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to request the Minister for the Environment to defer approval of the draft Supplementary Planning Guidance on residential parking standards, published for consultation in March 2023, until such time as a parking strategy for the Island has been developed, consulted upon, and presented to the States Assembly for debate.

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

This year certainly since Liberation Day I have had the pleasure and privilege of showing this Assembly, this Chamber, to the 5 Mayors of the towns with which St. Helier is twinned. They have all asked a number of questions. They have been very impressed by our Parliament Chamber, they have all asked a number of questions. They have tended to fall into 3 groups, the first one, I need to spare your blushes, is they have asked me how we elect our Speaker. They have also commented on the handy proximity of the Royal Court to the legislature. The second thing they have asked me is how on earth do I manage, as Connétable, to run the capital of the Island with no council. Because all of them have a council system. But the third question they have asked me is perhaps the most interesting one, because they have said: “As effectively a Mayor, why do you have a seat in the Parliament?” I said there is a bit of a history to that and they have said: “Surely the 12 Connétables having a seat in the Parliament must produce strange effects when it comes to voting. Because they are not so stupid as to miss the fact that I have approximately 18,500 voters, the Constable of the smallest Parish has about 1,800; Deputy Alves has the figures always to hand. So what it really means is that when we vote on a proposition which is of key importance to the people of St. Helier, a third of the population, the vote of the Constable of one Parish is worth 10 times more than the vote of the Constable of St. Helier. Or to put it another way, the people in St. Mary have 10 times more power over the votes in this Assembly when the Constables vote than the people in St. Helier. That is unfair. So the reason I make that point is that the point of my proposition is about fairness. I

simply believe that not only are the current provisions for parking provision in developments in St. Helier unfair, but the draft standards that the Minister is contemplating make them even worse. In his comments, the Minister says that is not true and I refer to his second page and he says: “The Constable is wrong. They are not discriminatory against St. Helier.” But then later in those comments he says this: “The draft parking standards do not preclude car use or indeed car ownership. As currently drafted, they require minimum levels of car-parking provision in association with residential development schemes except where they are located in St. Helier.” Now, excuse me if that does not sound like a double standard. So we have minimum standards right across the Island except in St. Helier where we are going to have some maximum standards. So the situation in terms of parking provision by developers is going to get worse for St. Helier residents. So that is unfair. So I am avoiding, at this stage at least, having a transport debate. We still have a lot of matters to discuss on the agenda. I am not even going to go there. I am not going to talk about climate change. I am sure it will be mentioned by other speakers. I am not going to berate the current Minister for Infrastructure for the fact that his predecessors failed to bring forward a parking strategy. I remember one of them promising it to us before he left office and that was 3 or 4 Ministers ago. So we have been waiting to deal with this unfairness in the treatment of St. Helier residents for years, certainly for more than a decade. But it is not his fault, he has only been in office a year, and I know he is very keen to fix the problem with parking. He understands, as I do, that just because you live in town does not mean you should not enjoy the use of a car, particularly at weekends and for holidays, or you may want to go on a fishing trip, who knows. The Minister also alleges in his comments that my proposition will delay the delivery of housing at a time of a crisis. That is simply not true. Because the status quo, which as I have said is already unfair in its provision of parking in town, will continue to apply. Parking permissions for housing developments can be given with the current standards and the process will continue. What we should be doing as an Assembly is having a debate about parking standards in Jersey and it should not be left to the Minister to make these decisions, it should be brought in that long overdue parking strategy to this Assembly so that we can all point out the unfairness of the current situation and we can say: “Look, if you want to reduce car ownership, Minister, then do it fairly.” These S.P.G.s (Supplementary Planning Guidance) are unfair. St. Helier residents, by choosing to live in town, close to school, close to workplaces and shops, are the most environmentally responsible citizens in Jersey. They are being rewarded by being told they cannot own a car, we are going to make it more difficult for them, and so their use of cars will have to depend on a car club. I am sorry, that is not fair, and I believe that this is a simple proposition that should be accepted by the Assembly and I make the proposition..

The Deputy Bailiff:

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

LUNCHEON ADJOURNMENT PROPOSED

The Connétable of St. Helier:

We only have 4 minutes before we are due to break. Can I suggest the adjournment?

The Deputy Bailiff:

The adjournment is proposed. Any observations? Are Members content to adjourn now? The Assembly stands adjourned until 2.15 p.m.

[12:42]

LUNCHEON ADJOURNMENT

[14:16]

Male Speaker:

Sir, before we start, could I just advise that I have to be absent this afternoon for a period to attend a medical appointment.

The Deputy Bailiff:

Thank you very much for advising us of that. Who wishes to speak on the proposition of the Connétable? Does any Member wish to speak on the proposition?

3.1.1 The Connétable of Grouville:

Primarily I think that most people understand that in major cities the closer to the centre of any city, that few private owners have vehicles of their own because their transport systems are second to none. My son lives in the outer London area, he does not have a car. He uses public transport. They have a wonderful train system, lots of buses at the end of the road taking them wherever they wish to go and, therefore, there is no actual requirement to have a vehicle of your own. I am sure if my colleagues behind me and around me had the sort of buses and bus service that they have in St. Helier, a lot of people in the countryside would not need a car either and that is the reason why I think I am going to vote against this, is because if we had a better transport system throughout the Island a lot of us would not need cars either.

3.1.2 Deputy T.A. Coles of St. Helier South:

I will follow the Connétable of Grouville by making a similar point but maybe in a different vein. For people who live in town to get out of town to enjoy some of the benefits of our Island it is quite a struggle. Jersey is an island, we have a great deal of water sports and I do not know if anybody has tried carrying a longboard on to one of the buses to take us out to St. Ouen's Bay to go surfing but it is not that conveniently done, unfortunately. That is not to say that I disagree with the Minister's planning guidance for the Island and maybe slightly where I disagree with the Constable that we should be waiting for a parking strategy, but we do need a better sustainable transport policy for the Island. I did mention during the briefing we had on the supplementary planning guidance that I do believe that this is slightly cart before the horse, as in we are trying to get rid of people's use of the car by removing the parking before a formal and good quality strategy of alternatives have been brought before us. I am sort of a little bit undecided on which way to go with this because I understand the Constable's desire to make sure that people are adequately provided for within the district that I represent but I also understand the Minister's position of we do need to remove the reliance on the car as an individual person's ownership and only method of transport. I will leave that there really, that we do need a sustainable transport policy, as well as a sustainable parking strategy, as well as reducing the need for people to be able to park their own car.

3.1.3 Deputy R.J. Ward:

I will speak now. Just to pick up on something that Deputy Coles had said there about the cart before the horse, the reality is - and the Constable knows and we all know - that we cannot sustain the level of car use on this Island. We simply cannot continue to build spaces for cars when we develop our housing. But there is a problem because there is a massive inequity in where we are building, what we are building and what we are leaving behind when we build. As a representative of St. Helier and Central St. Helier, we are taking the brunt of this and what I would suggest is really unthought about implications to what is being built and why. Please can we use the word, I would ask for the Assembly, homes rather than properties? I have said it before and I am going to say it again, we are building people's homes and with a home goes so many things; the quality of what is inside, its accessibility, how you transport yourself, if you are a young family how you get the pram into the house, for example. We never think about these subtleties because, to be quite frank, the majority of the people in this Assembly are not living in these conditions in these homes. We are lucky. I come back to what the Constable is trying to do here and he knows, I know there is an issue with the number

of cars. We cannot have a car each in the centre of town but there is an issue. Until we sort out some sort of sustainable method of transport, as was mentioned by Deputy Coles, we are in a catch-22 situation. Unfortunately, I have come to a conclusion in my mind, which is that if we are saying we can make these supplementary changes to car parking and then something will happen later on, I am afraid I simply do not believe that the strategy needed to change our method of transport around the Island and around St. Helier will ever appear. It has not in the past. Let me ask this to the Government; if I was to bring a proposition to say, I tell you what, for residents in the centre of St. Helier, for residents of St. Helier, we will provide a free shuttle bus from thought-about areas where we have consulted with local residents and say where do you want to go, from and to, what would you use, when would you use it, what are the most frequent times, what can we do to stop you using a car? Then we will provide it for you for free at your point of use and access. I guarantee that this Assembly and certainly this Government would vote against it. They would vote against it because they are anti-public transport in that way. Therefore, what this Assembly wants or what this Government seems to want is its cake and eat it or its car and its van. It wants to say: "Everyone should have a car, it is fine. But you cannot have them in St. Helier and we are going to do nothing else to support that." Yes, of course we can give some subsidies for electric bikes, £3,000 electric bike. I was overwhelmed by the constituents dropping into my Assembly coming from their second job to make ends meet and pay their rent to say: "How do I apply for this £3,000 bike grant? Because I want to invest the £3,000 I have just got laying in a bank. I have taken it out of the bank because income support said I have an overpayment." The systems that we have got in place are simply not addressing where the need is. It might be great for those people who have got the money and have got the choice and they can say: "Well, I am going to stop using my car and I have got my electric bike." It is brilliant, it is absolutely fantastic and those are needed and that is great. But in St. Helier, in town, that is not what has happened. We have not had a joined-up policy. We had to fight for the town hopper bus, which is not going to work and it does not work because we are paying a fare which is completely disproportionate for the distances travelled. It is a token gesture so we can tick a box. Until there is a strategy which is going to allow people to travel in that way, and there are St. Helier Deputies who voted against a free bus to go to Springfield for a trial, for people who are using the gym. Then we said we can have an extra planning policy which is going to limit the number of parking spaces. It is not going to work, you are never going to make the shifts that you need until you have something else. What this proposition seems to be saying to me that it is going to do - and the Constable can correct me if I am wrong, if I can just get it open, which I cannot - it does seem to say that this is going to postpone the supplementary guidance until next March so that we have some sort of policy in place beforehand. I have no problem with supporting that. Because it is not saying do not have it, it is saying let us have it joined up, let us have it thought through. Let us have it saying that I want to say to Deputy Ward we want you to not have a car in town and these are the methods of transport that you can use beyond getting an electric bike, beyond paying £50 a month for a bus pass or however many £100 a year for a bus pass, which for a service that perhaps is not as regular as you want and is going to take you to the bus station, you are going to be walking anyway. Some sort of service by which we can transport the things around that we want to transport. I will mention it because no one else does in this Assembly it seems, what do people like musicians do if they want to transport their stuff around? Because that is not in bus hours and you cannot take a drum kit on a bus; it is really, really difficult. What are we going to do? We need a strategy for that. We need a sensible, intelligent strategy and there is not one. We do not have a sustainable transport strategy. We have a policy which is just words. What was the transport policy before? You can turn right out of the bus station and we built bus stop shelters. That is not a sustainable transport strategy. There are Members of Government and Assistant Ministers who are just anti-public transport, openly anti-public transport, anti-bike, anti-pedestrian. I say that publicly because I mean it because we are not seeing the support that we need. Until we come up with that sort of meaningful strategy and until this Assembly is willing to do something like support the trial in the centre of town which will give free transport around town, so that people can use that as their go-to means of transport, then I am

not supporting the implementation of a strategy which will just limit the ability for St. Helier. Let us talk about the climate change part of it, shall we? We are not doing enough on that anyway, we are simply not. It has become a token gesture and the attitude, it seems to be of Government, is we are too small to matter. You have fallen for it, we have fallen for the argument. The *J.E.P. (Jersey Evening Post)* articles, we are too small to matter, we cannot impact on it. Let us not stop investing in fossil fuels because that is the way of our future; that is a complete and utter load of nonsense. I do talk passionately about this because I am absolutely fed up with being in the centre of St. Helier and seeing people use their car and then I cannot say to them: "Do not use your car" because they have not got an alternative. They simply do not have an alternative. I was lucky enough and the best way to buy an electric car, by the way, is get one on interest-free credit, some of the places are doing it because it is a really good deal at the moment. You are not paying interest, interest rates are going up, you do not need a subsidy for an electric car; that is not going to help anyone because you have not got the money upfront anyway. Then you can run that electric car and you get free parking for a year. It is a brilliant incentive to bring your car into town and park it in town, fantastic incentive. It works, people will all bring their electric cars and park them in town. Again, another disjointed approach to what we are going to do with our transport. The secret here is public transport, free at the point of use to everybody on this Island and until, as an island, we wake up to that everything we do is tinkering. I am going to support the Constable this time and say unless you come up with a strategy this supplementary guidance is going to do nothing, absolutely nothing for St. Helier. Some of my friends will say to me: "Rob, what are you doing there?" I will explain to them again, we need a system of alternatives that we do not have. Bring that first and then I will support you in whatever you are going to do about parking in town but we have not got our system first.

3.1.4 Deputy S.G. Luce of Grouville and St. Martin:

I had not intended to speak and I have scribbled some notes that I realise I cannot read now but I will attempt to say just a few words. The first thing is that whether the Assembly votes for this or not, it will make in the short term very little difference. We have waited, somebody said, over a decade. I think it is quite a bit longer than that. Ever since I can remember we have been promised parking strategies, so whether this goes ahead or not, it might just be a few more months on the end of those decades that we have waited. The next thing I want to say is that whether we have this new supplementary planning guidance or not, those people who make adjudications on planning applications in the middle of St. Helier are already following a sort of a code, if you like, that says if you apply in the middle of town you will probably have less parking with that.

[14:30]

Certainly when it comes to officer recommendations on applications, I think I am right in saying that you are far more likely to get something approved without parking in the middle of town than you would elsewhere. We are already implementing some parts of this proposed supplementary planning guidance. But the reason I got to my feet and scribbled notes I could not read was because I heard from Deputy Ward that we are doing nothing. There is no strategy, there is no plan; we are doing nothing for St. Helier. But all I would say to him is that every large-scale application for houses that has come in from St. Helier in recent times has come along with a planning obligation for a car club, an electric car club. The one I am thinking of most recently will be a string of cars parked outside on the road ready for the occupants of that housing development to use when they need it. All I would say to Members is this, this is the way things are going; in the future we will not own our own car, we will share cars. That does not mean to say we will use them less, they will just get used in a better way. But to say that we are doing nothing in town is not strictly right because we are pushing hard through the planning application process for sustainable transport and for these large developments to have an obligation, a legal obligation to sign up to car clubs so those people who live in there have access to cars when they need them and those cars are electric and that is the way things are going. That is all I have to say.

3.1.5 Deputy A. Howell of St. John, St. Lawrence and Trinity:

Please, can I say welcome back to the Chief Minister and that we have missed you and it is very nice to have you back? **[Approbation]** My comments, I just want to say I do understand what the Constable of St. Helier is saying and I think perhaps we all are forgetting the very many good people who serve this Island as electricians and plumbers and carpenters who need their transport to come and help all of us out when we have a problem. This Island would not manage without them and they are having a real job finding somewhere to park their vans and their lorries and they have not got anywhere. It is very hard in some of the new developments for that to happen and they are having to share. I just wanted to point that out to everyone.

3.1.6 Deputy J. Renouf:

The Constable bases his argument on a claim that the supplementary planning guidance that I sent out is discriminatory and unfair. I am going to argue in this contribution that I do not think it is and explain that in fact I think it is a somewhat absurd claim. But let me talk first about the draft supplementary planning guidance on residential parking standards that I am being asked to pause; what is it that is causing all the trouble? The S.P.G. has been brought forward for a number of reasons but without doubt the prime reason is because it is a vital part of the planning framework when it comes to new housing developments. A second crucial reason is that the current guidance is woefully out of date. I am going to tease out some of the implications of those 2 statements because they make it clear why pausing would be such a bad idea. Members will be aware that over the last 9 months or so I have been bringing forward supplementary planning guidance relating to a number of policy areas that are critical in planning new developments. These include S.P.G. on residential space standards, density standards and parking standards. When an architect sits down to plan a new development they need some basic information. What density of development must they meet? How big should the accommodation units be and how much space needs to be given up to other uses, such as parking? These parameters are fundamental to the design of any new housing scheme and that is why I have been so determined to bring forward supplementary planning guidance that addresses them. Indeed, it is my great regret that they have not come forward sooner. These areas of policy guidance are the bedrock, the starting point for any new development. They also underpin a further piece of supplementary planning guidance relating to rezoned housing sites. Therefore, it is pretty clear that parking is a key part of the matrix of requirements and pausing it would have major implications. But there is a further critical point in relation to these 3 pieces of S.P.G.; all 3 forms of guidance interact. For example, we have made improvements to residential space standards by increasing the minimum size of rooms and providing a little more storage and so on, not huge increases but incremental improvements. Nevertheless, these imposed costs on developers that on their own might prove onerous; they get slightly fewer units per development site because each unit is slightly larger. However, these losses can, to some extent, be offset if less parking is provided. In other words, if we pause the planning guidance on parking we, effectively, stall the basis of new housing developments across the Island. No developer is going to want to bring forward a scheme without having all 3 pieces of planning guidance in place, otherwise they will be working only with the enhanced residential space standards without access to the counterbalancing guide on parking. I would remind the Assembly of the oral question that was asked 2 days ago by Deputy Mézec. It concerned my failure to bring forward S.P.G. relating to policy H6 in the Island Plan, the policy that would activate the requirement for developers of sites with greater than 50 homes and, as I said, that delay is something I profoundly regret. But in that context I am not prepared to add further entirely unnecessary delay to the provision of planning guidance that is so desperately needed by the development industry. This Government has a relentless focus on housing. Pausing this planning guidance serves only to delay vitally needed housing provision and for no good reason, as I will explain in a moment. Let me move on to the need for new parking standards, just why this new parking guidance is so desperately needed and why it would be entirely inappropriate to simply let the existing guidance continue in operation, as the Constable has suggested. The previous guidance

on parking dates from 1988; it is ludicrously out of date. Indeed, it is a regular feature of reports by planning inspectors when commenting on planning appeals that they are being asked to judge wildly contradictory policies regarding parking. On the one hand they have the sustainable transport policy, the Bridging Island Plan and the Carbon Neutral Roadmap that all prioritise sustainable transports and a reduction of car use. On the other they have the archaic guidance from 1988 that dates from a predict-and-provide world when the essential attitude was to provide as much car parking as possible. What does the old guidance look like? A couple of examples of how it would work if it were applied today in the form in which it currently exists; a development which provided 5 new flats, let us say 2 3-beds and 3 one-bed, somewhere like Great Union Road, that would need to provide a minimum of 6 spaces on site, plus one visitor space; that is what would happen if we strictly applied the existing guidance, which the Constable would like us to keep in place. A development of 10 3-bed family homes in St. Clement would need to provide a minimum of 20 spaces, plus 2 or 3 visitor spaces. The same parking allocation would be required if that same development were to happen in St. Ouen, in the urban area in St. Ouen. In each case there would be no requirement for cycle parking or electric vehicle charging points to be provided. That is how out of date the current guidance is. That is why we cannot carry on under that system. That is why we need new supplementary planning guidance. It is also the case that the application of this process would lead to massive over-provision of parking and under-provision of course of vital new transports infrastructure such as electric car charging points and so on. We know the current guidance leads to over-provision of parking because we have over-provided parking up to now, particularly in town. We know because Andium have car parks that are not fully utilised; they have empty unused car parking spaces. It has proved useful in a short term in the way that EVie have been able to use some of those car-parking spaces for their purposes but, nevertheless, we have a surplus. I agree with the Constable that we can make better use of the parking that exists and a parking strategy would help us unlock some potential gains. We should not have those empty car-parking spaces but they exist because of the old parking guidance being followed and delivering car-parking spaces that people no longer need. People's lives, as Deputy Luce has said, have moved on; people use vehicles in different ways. In terms of residential parking standards we need to move on. The parking guidance that I have put out for consultation responds to the sustainable transport policy, the Bridging Island Plan and the Carbon Neutral Roadmap. It is entirely consistent with the flow of all our planning policy relating to parking. What does the new guidance look like? Bear in mind that this is draft guidance still being considered, so the details may change. But as it currently stands, in the limited area of the town centre only, what is known as the Town Centre Sustainable Transport Zone, the draft standards allow developers to determine whether they want to provide car-parking spaces as part of the development proposals, up to a maximum of one space per home. Therefore, it is possible they could propose a home with no parking, they could; do not have to but they could. The obvious qualifier is the developers will only build homes that they know that people want. The current draft guidance provides the option for Islanders with choice; some developments without parking for those who do not need a car but retaining the option of adding parking spaces in other developments. That policy only applies in the centre of town, the Town Centre Sustainable Transport Zone. For the remainder of the town of St. Helier, as with the rest of the Island, the draft guidance sets out a minimum requirement for the provision of car-parking space, such that a minimum level of car parking has to be provided, which varies, depending on the size of the home and the zone in which development is taking place. In other words, it is not discriminatory against St. Helier because it applies to all the built-up areas. The minimum level of car-parking provision is based on what other transport choices might be available to Islanders in different parts of the Island. Let me turn to the question of discrimination or unfairness against St. Helier. Discrimination is defined as the unjust or prejudicial treatment of different categories of people and I would say in no way does the parking guidance fall into this category. The Island Plan is built on spatial policy, in other words, different parts of the Island are identified as being more or less suitable for different forms of development; that is the whole basis of planning policy. It is intrinsic that different parts of the Island have different policies applied to them; denser forms of development in

town than in the countryside, for example, retail development concentrated in the built-up areas with a particular focus on the centre of town. You can agree or disagree with these policies but they are not discrimination. They are a result of carefully considered spatial policy built up over decades and the result of exhaustive consultation over many Island Plan cycles. I have to say, therefore, that it is not the aim of planning policy to give people in the centre of St. Helier exactly the same access to private parking provision as might be applicable in the countryside; I think that would be absurd. Parking provision is less in the very centre of St. Helier because private parking provision - that is in new developments - would be less in the very centre of St. Helier because it has the best access to sustainable transport options, most notably the bus service, which I am not anti-bus service, I am very much pro but also car clubs. It is also possible to walk to many shops and services that in other parts of the Island would require a car. But we are not banning the provision of car parking in developments in the centre of town; it is still available as an option. This is not discrimination, it is planning policy built on a sensible approach to the use of space, in the same way as it is not discrimination that residents of St. Helier have access to buses leading to all parts of the Island, whereas there is only a bus service every hour or 2 to Corbière or L'Étacq. The policy response to the lower density of population in remote areas compared to town, residential parking standards that I have proposed respond to the realities on the ground. It may be that the Constable really believes that parking provision should be the same in the heart of town as it is in the countryside, in which case I do not agree.

[14:45]

I invite Members to agree with me that this is not a reasonable conclusion. The policy guidance I have proposed is not anti-car ownership, it is not anti the residents of town or any one part of town. Let us move on to the parking strategy finally, the proposition calls for us to wait for a parking strategy. As part of the sustainable transport policy, my colleague, the Minister for Infrastructure, is working on a parking plan. It is called that because I think that is what it was called in the sustainable transport policy and that I know has several work streams. This is important work and here I have some sympathy with the Constable; we do need to look at how we approach parking in a broader way. We do need to look at the interaction between residential, on-street and public parking. I know that my colleague, the Minister for Infrastructure, is working on this and both he and I are very open to discussions. We would be very happy to meet and discuss the wider parking issues relating to St. Helier and discuss how that parking plan should evolve. But I say it is madness to pause planning guidance on parking standards for residential developments while that work carries on, especially because in terms of residential parking standards there is little possibility that this plan will conclude, in general terms, anything other than what the sustainable transport policy, the Carbon Neutral Roadmap, the Island Plan, and the draft S.P.G. have already concluded, namely that policy guidance for those sustainable locations such as the centre of town should have lower private parking provision in new developments. Not none, just lower. Finally, this Assembly has made some great progress in terms of its commitment to assess sustainable transport and it was rather disappointing to hear Deputy Ward be so disparaging. Through the Carbon Neutral Roadmap, the sustainable transport policy and the Bridging Island Plan we have a very good example of joined-up Government. The policies align. They re-enforce each other. The only outlier left is the old residential parking standard guidance and my new draft guidance addresses that defect. Deputy Ward says that we are not making progress on carbon reduction and yet his first response to this is to stop the policies that will start to deliver that carbon reduction. I say to this Assembly that if we are ever to deliver on our commitments to sustainable transport we need to keep our focus. We need to start delivering on our ambitions to reduce car use, and we are. We are doing that through the e-bike support scheme, we are working on a shared transport scheme, and there are other measures to follow. Reducing the requirement for private parking provision in the very centre of town is a reasonable, proportionate part of the toolbox when it comes to driving the change we need. We cannot have a situation where we cannot do anything unless we can do everything. We have to remember that planning policy is

not just for today. Deputy Coles talks about the cart before the horse; we have to move forward. It is irrelevant which bit we put first, we have to keep moving forward. Planning policy is for tomorrow, for the next few years, and indeed decades because that is how long the developments that we have built now will last. To Deputy Luce's point, the world is changing; we need our planning guidance now to respond to the changes that we can see are already happening. We cannot make the same mistake we made in the past and overprovide when we are moving in the direction of reducing car use. If we were to pass this proposition we would be pausing the supplementary planning guidance to develop a parking strategy whose broad direction has already been set. We would be bringing a large chunk of the development industry to a halt. The S.P.G. does not ban developments from having private car parking; it responds flexibly to different context. The exact guidance has not yet been determined but I cannot accept that we delay its production further. We cannot go on delaying and delaying and delaying. Please reject this proposition.

3.1.7 Deputy M.R. Scott:

I have immense sympathy for the Constable's proposition and when I was hearing the Minister for the Environment's speech I started feeling that kind of feeling of alarm that I have had before when the actual contents of this S.P.G. were being described because I started thinking: "Oh, is that a new policy or is that a guidance?" I seem to have been here before talking about this in the context of the density guidelines, not policies, although we understood from the Solicitor General in that conversation that that could be an actual whole subject of judicial review. There is a wider discussion here just about the way in which planning instruments are being formed generally and at this moment in time, particularly with the changes that happened around COVID and the use in which Article 6 of the Planning Law is now being used to support S.P.G. being issued by the Minister that does not have to be presented to the States Assembly and approved. I accept that there has been some outdated planning guidance and yet, at the same time, what I have seen, even in St. Brelade, has been ... well, it is all about these wildly contradictory policies. I saw a whole restaurant's car park in a relatively underserved area of the Island in terms of car parking, a developer halving the car parking available to a restaurant to build houses on it because that was so much more important than providing a restaurant with provision for its customers in that way. Of course that put more pressure on the public car parks and so I can see, yes, we do probably need an overall parking strategy. When I have heard about the sizing, I mean, the Constable has mentioned what happened with the brewery site and the limitations there. I am thinking on the other hand we have got an ageing population, have we not? Saying: "Right, okay, you each have a space and then there will be one visitor space." That is generous compared to some of these developments, when in fact you have got people who perhaps really do need to have transport. Perhaps it could be electric cars; maybe if they were electric cars it would be more acceptable to the Minister. Those more elderly people may well need more in the way of health visitors, carers coming and, therefore car parking spaces there. Deputy Howell again has made this point about workmen. Indeed, yes, again in St. Brelade and in St. Aubin I come across this being a real problem for workmen. There is a shortage of these spaces. I am glad to hear that there is work being done on this parking plan. Here is another thing, we are going to be working with St. Brelade's improvement plan soon. When we talk about planning what allowances will we be making for these spaces? We are just going to rely on an S.P.G.? So, I am interested to hear more to see why I should be supporting an S.P.G. before an overall parking strategy but it does raise so many questions, and what I keep seeing in so many different areas about how Government produces policy altogether, it just seems to be a bit like tidying a blanket: "Let us pull it this way, let us pull it that way." Rather than producing something that is an actual wholesale solution to a problem and bringing in these different strands such as the ageing population, such as the fact that restaurants may well need a certain amount of parking and all the implications there, and the fact that we may well be seeing a future where we do have more in the way of vehicles that are more friendly in terms of the climate. One point I would also mention is that in some jurisdictions in public car parks there is preferred parking for electric cars. Might we not have that here? Just some of these thoughts that

make me think I sort of understand where the Constable is coming from. So I look forward to Deputy Binet's speech, which perhaps may make me feel a bit more comfortable about my floating position.

3.1.8 Deputy L.V. Feltham:

I would like to begin by thanking the Constable of St. Helier as one of his constituents for bringing this proposition. As I do represent and live in St. Helier Central it is something that is of great interest to me and importance I know to my constituents. I have to say I did feel somewhat condescended by the speech made by the Minister for the Environment. I think it is all very well for people who represent other Parishes and live in other Parishes to talk about the needs and wants of people living in St. Helier. But that is what I am here to do and that is what I will do. I would like to thank Deputy Howell for her mentioning of the need for people parking white vans. I do know that a number of my constituents happen to run businesses and do rely on town parking to park their vans. The reason why I think the Constable is quite right in requesting this parking strategy is because further increase in dwellings and decrease in parking that goes with those dwellings is only going to further exacerbate the issues that currently are faced by my constituents. Deputy Luce mentioned that driving is changing and that there are things called car clubs. I want to talk a little bit about my experience as a resident of St. Helier, both living in an apartment block which had ample parking for residents but no visitor spaces, in which I was fortunate enough to have 2 parking spaces in the underground car park. Without having those 2 parking spaces my elderly mother would not have been able to visit me because there was no visitor parking for that particular block. When I moved further central in St. Helier and moved to a house without parking my husband and I considered at great length whether we required a car or not. We looked at the provision of the car pooling, the car clubs that Deputy Luce mentioned, and then we thought about the things that we require our car for on a weekly basis. Just thinking back to this last weekend, the things we used our car for was a visit to the recycling centre. We could have maybe gone and got an EVie van, tried to find a parking space on our residential street - we are still waiting for a residential parking permit so we would have been parking illegally there and potentially could have faced a fine. We would not have been able to sit my daughter in that EVie van because the EVie van only has 2 seats. The other thing that we use the car for is to do our weekly shop. There currently is not provision readily for easily obtainable online shopping. I know the Co-op do offer a service but for many families the easiest way is to get in the car; I am sure that is what most Members do. Again, if I had have used one of the car-pooling initiatives I could have used one of the cars. The boots are very small and, again, they only have 2 seats; the ones near me anyway. The other things I did was take my daughter to children's activities. Had I wanted to take my daughter to the party she was going to at Jersey Bowl I would have had to walk 25 minutes to the bus station, wait for the bus, and then take her up to the party. I would have then been stuck at the party and I would not have been able to visit my elderly mother within that time. My mum lives in St. Mary. I also would not have been able to take my dog up to see my mum as well because I doubt whether a car-pooling initiative would think very fondly of me shoving my dog in the back, and also my dog I do not think is well-behaved enough to sit on the bus and be accepted by the bus drivers.

[15:00]

So that is a little bit of the reality of what it is like and one of the reasons why, despite me not being a big fan of driving - if I can avoid driving I will do it - me and my husband, we do have a car. Now, some of the examples used from the Minister, he talks about an over-provision of parking and talked about how the EVie cars are able to use some of the Andium spots. Now, as one of the residents that is currently awaiting a residential parking permit, and there is currently I think an 18-month wait I have to wait for that, I would quite gladly use one of those spare spots that Andium may well have. But I also know that Andium do I think raise revenue from some of those spare spots and they do utilise that for renting out to people working in the private and commercial sector, so if those spots were not there they would be parking elsewhere. It was interesting to hear I think from Deputy Scott

- and I hope to hear from some of the other representatives of St. Brelade as well - because only recently we have seen the concerns of residents at Les Quennevais with the opening of the Enid Quenault Health facility because they are concerned about losing their parking spaces. I understand that while some of those particular dwellings come with parking they were built at such a time that cars were very smaller and some of those spaces are unusable for them. I do think the need for a parking strategy is a very sensible thing to highlight, and also that parking strategy needs to incorporate how people that are coming into town on a day-to-day basis are going to access town and parks, so the potential for park and ride, the potential for - as Deputy Ward suggested - the use of more buses. Because of course when it comes to the environmental impact of driving it is naturally the residents of St. Helier that are getting in their cars on a daily basis. We do tend to walk, we tend to use our cars for the things that we need to use them for on just a weekly basis, but for the majority of time myself and my constituents are not the people clogging up the roads on a daily basis during rush hour, and I think the more people that live in St. Helier and are not doing that probably the better. But obviously we need to make sure that we have provision for getting out of town and doing those things that we need to do when we need to do them. So until such a time as we have got car-pooling services, perhaps a strategy to discourage people from driving into town that do not have to, and also to cope with the increased number of residents that might be coming in from these new residential developments, then I think the Constable needs our full support and I encourage all Members to vote in favour of this proposition.

3.1.9 Connétable K. Shenton-Stone of St. Martin:

I am going to start with those well-trying lines of I was not going to speak either. I would just like to start by saying I am pro bike, I am pro walking and I am for the carbon neutral strategy, but I do believe and feel that if I am allowed to own a car in St. Martin I cannot see how I can sit here and vote and say that people cannot own a car in St. Helier. Has it been considered that by having insufficient parking in St. Helier is just pushing the problems out to other Parishes? Gorey Coast Road has several vehicles, white vans, left there by those who live in St. Helier. Having insufficient parking in St. Helier not only adversely affects St. Helier residents but it adversely affects parishioners in other Parishes, and this is a really contentious issue. Such as in St. Martin, we have many properties built before the production of the car and parking space is at a real premium. St. Martin has Gorey Coast Road, everybody will see a lot of houses there, we have several other areas on the Parish. It is a beautiful Parish but we have not all got sort of garages and parking spaces, and it is completely true that we have our own parking officer and not a week goes by without our contentious parking issues, mainly from the fact that we have cars parked ... they are not anti-St. Helier or wherever it is, it is just the fact that they cannot find a car parking space. So, what allowances have been made for the lack of parking in St. Helier, which is just moving the problem elsewhere and exacerbates local parking problems? So, I will be voting and supporting the Constable.

3.1.10 Deputy M. Tadier:

I am pleased to follow the last 2 speakers and I will take the invitation of Deputy Feltham to maybe talk a little bit about St. Brelade from a different perspective to the Minister for the Environment. I think the Constable of St. Martin hit the nail on the head there. Just because the Minister for the Environment says that there has been a long and well-thought-out process that has gone into the differentiation between what you get in town versus what you get in the country does not make it discrimination. That does not follow at all; it is a complete non-sequitur. The Constable of St. Martin with clear vision sees through that nonsense argument, and says: "Actually, just because you have put a lot of thought into finding a way to discriminate against somebody and to justify it does not mean it is not discrimination." I could find lots of reasons as a business owner not to serve a particular person who the Discrimination Law says I must serve, and I can try and justify it but it boils down to the same thing. The second point the Constable of St. Martin made struck me as well is saying how can I ask for this policy to be implemented when actually where I live it is not going to be

implemented. I would ask each Member in the Assembly; they do not need to answer aloud but think about how many car spaces you have at home if you need those spaces. How many cars can you park at your home, be they electric or petrol or diesel vehicles? Is it one, 2, 3, 10? If you do not have that many spaces how many spaces have you got very much nearby you? If you do not have many it might be because you live in town. I think I saw Deputy Ahier shaking his head so probably even up in the leafy parts of what used to be St. Helier 3 and 4 - St. Helier North now - I am sure there are parking issues that go there. So we do have inequality and we do have differences depending on where you live. I am a representative for St. Brelade and I have been for the last 15 years, but I have also lived around different parts of the Island including St. Helier, including Grouville, and including St. Clement and now in St. John. I see the differences that exist in terms of the provision of parking. Essentially it works out like this: if you live in the countryside you have probably got parking at your own home but if you do not you can just park on the main road for free and you can block up traffic and nobody cares; you are not going to get a fine. I will give you some examples of that; the Minister already knows because I have written to him about that. If you go up Wellington Road to the top part, which is parallel to Highlands Lane, you can just park on one side of the road there, you could probably park on both sides of the road because there are no yellow lines, and where there is a big residential zone you have got people who have got parking in their drives but people park on the pavement as well. It may not be the residents but it could be the residents. It is often white vans and it could well be people who are working in the area or going to pick up their children from school. What does it do? It blocks up traffic in that area and it is complete madness because you should be going up there for a short journey, possibly to pick somebody up from school, and you end up getting stuck in traffic when there is no need for there to be a traffic jam there, often outside of school hours. But we allow that and we turn a blind eye to that because it is too difficult to solve, because the Parishes, or T.T.S. (Transport and Technical Services) as they used to be called, say: "We are going to put a yellow line there" they would probably be getting some calls: "Well, what do I do with my white van?" It is too much of a difficult problem to solve. In St. John at Mont Mado where I live, when we initially moved in we had 2 cars, we quickly reduced to one. I got myself a petrol scooter, it is really efficient for getting around, it is easy to park, it does not consume as much. Motorcycles are better than cars but electric motorcycles are even better than petrol motorcycles and cycling is better than having a bike. But none of us are here to preach. We all accept the fact that we live in an Island which does have a transport issue, and no Government yet has resolved that issue. What we seem to be doing here is using a stick when the carrot is not anywhere to be seen. We have got a stick here which we are beating primarily the people of St. Helier with but we are not providing any carrot in the form of sustainable transport. When I heard a former Minister for Environment and Planning, Deputy Luce, saying that when we look at town we are looking for schemes to come forward which have car pooling and electric vehicles; why only in town? Why are we again discriminating against the kind of planning applications that we will accept in St. Helier and not saying: "All planning applications, wherever they are in the Island, we expect to have car pooling, we expect if there is a block of flats to have a basement where you can have parking for electric vehicles if that is what they are, that you can just book." Because I would say that although the technology is there, socially we are probably a million miles away from that because the culture has not arrived yet where people are used to doing that. I say that as somebody who wants to see that and who very much advocates for it. So the reality is that people who live in town - this is why it is discrimination - ask them how much they spend a year on parking fines because they have been caught out several times by parking in the wrong area, maybe only for 5 or 10 minutes, and they have been fined. It is not the £20 that it used to be, and you cannot appeal it in the same way that you might in some of the country Parishes in the past, although anecdotally I have heard it depends on what time in the 4-year cycle you are appealing, but I say that tongue in cheek. I am sure that is not the case anymore. You get a £60 fine if you live in town and you get several of those, and these are often people on the lower pay scales who are working in jobs that require them to have cars. They spend a lot of time just driving around town trying to find a parking space which is not just free but

just one which is available at all because they may not have a parking permit for that particular road. So while if you live in the countryside you can just park on the main road outside your house ... that is the point I was making in St. John. For the first month or so I would just park the extra car as best as I could on the main road, and realised it is not really acceptable to do that. It is not socially acceptable because you slow the traffic down, although it does need to be slowed down in Mont Mado, seriously, but that is not the way to do it. So there is real discrimination in terms of the socioeconomic effects that people feel depending where they live. Now, what have we just done in St. Brelade in Les Quennevais? There was a meeting the other night, and I am grateful that the Minister and some of the other Deputies attended that, and the Minister organised it. We have a situation, and I am not going to talk about the rights and wrongs of the hospital and the new unit that is being put there, but there was a part of the road where you could park so, for example, if somebody was needing to come and check on an elderly person, if they needed to change their dressing if they were from Family Nursing and Home Care they could pull up on the side of the road, they could nip into one of the houses from, let us say, 97 to 108 Clos des Sables and they could pop in for half an hour. Apparently yellow lines are going to be put there; although it is a Parish road it is ultimately for the Parish to decide. So, because that parking is likely to be removed we allowed ... it was not us but somebody probably at Parish level working with D.f.I. (Department for Infrastructure) said: "Let us give all of you who currently cannot access your houses access to your houses." Basically somebody has paid for a new road to be built, a slip road, so that ... yes, Deputy Renouf, you can go and have a look anytime. I know it is a bit far away from Petit Port, but you can go up there and look in Quennevais. This is the real world, it is complicated, where people ... some of them are unemployed, they have got difficult, complicated lives, they are not very articulate necessarily. I say that tongue in cheek after yesterday's Paxman outburst. You can see that there is a new slip road being built so that people can park in their drives; and this is not 10 years ago, this is only this year. We have a policy in St. Helier which is going towards the fact that people are not allowed to have their own parking spaces but if you live in St. Brelade, which is an equally very built-up area, about 15 homes can have access to their drives. I do not criticise that scheme, I think that is a good scheme for those people and it is sensible and it is something that they wanted, and it is going to allow them to be able to park next to their houses. I had one lady say to me: "I had never really given it much thought but it is so much more convenient that I can pull my car up now and just unload my shopping rather than having to walk across the estate." This is about the way it affects people's lives. If you live in town that is not open to you. My concern here is that we are creating unintentionally a ghetto in St. Helier or in parts of St. Helier where we say: "If you want to live in St. Helier then the expectation is that you do not have your own car."

[15:15]

It could be an electric car, so you could have people who say: "Look, I want to invest in an electric car. I only want to use the car once a week, and twice a year when I take my family on holiday to France, to Portugal, to Romania, to Poland, wherever it is that they want to go, to England." Scotland, why not. Let us include anywhere else. I will be doing that later on in the summer. I will be travelling up to see family in the north of England and the reason I will be doing that is because we want to take our dog with us and we will do that. I can do that because we have got a car-parking space at home and we can use the car as frequently or as infrequently as we want. But if I were to be living in the centre of St. Helier and if I had made the choice with my wife to buy somewhere in the centre of St. Helier, possibly a new build, we may not have any parking for that. I am told: "Well, do not worry because you should have a car pool in the centre of St. Helier." Because that is what is going to happen. So do we say to the person who works as a T.A. (teaching assistant) or as a nurse in St. Helier, or in whatever job, who wants to use their car maybe every weekend and to go back home in the summer to visit their family that they cannot do that, they cannot own a car, even if they are trying to do everything else right. The irony is if you do not use your car very much, you need a car parking space so much more because the car needs to be parked for long periods of time, so it makes sense

to have your own car parking space, does it not? Am I talking nonsense? I am getting some blank looks here. I think these things are all true. These are just truisms. When I hear a good speech from Deputy Scott saying that she is sympathetic to the Constable of St. Helier, I hope that sympathy translates into a vote. I also hope that this is not some kind of ministerially-whipped vote because I think it is much more nuanced than that. We do not yet have the supplementary planning guidance for parking and I think this debate is effectively saying to the Minister: “We need you to take a pause and to really make sure that you have got joined-up thinking in the way that this is going to work. Where is the proper transport policy that we are still waiting for?” Lastly, I will leave Members with this point. We are all here, I think, not just to represent our constituents where we are elected but I think to try to act in the public interest. We must remember the fact that St. Helier has a third of the population but when you combine St. Helier with St. Clement and St. Saviour, you are looking at well over half of the Island’s population live in those areas and they are already doing the right thing, by and large. These are the people who do probably walk to work, probably cycle to work because they can if they live in town. One constituent who came to our meeting in St. Brelade, a non-town resident - I will perhaps finish with her - said: “I have got a car. I need to make sure I have got somewhere to park.” That is why she came to the meeting with us, Minister, and she said: “I do not use my car very much” because she lives and works in Les Quennevais so she can just walk a 5-minute walk across but she needs her car so that when her family want to go to Plémont ... remember Plémont, we spent lots of money creating that headland. I think when the former Constable of St. Saviour was here, she also supported the purchasing of Plémont but she was mindful of the fact that people needed to get out in the Island wherever they lived. So we cannot simply say: “We have got a beautiful Island and we want you to access it but on the one hand we are taking your cars away from you but the other 11 Parishes, or perhaps 9 Parishes ...” because it will extend into St. Clement and St. Saviour and probably into Maufant very quickly. This is the issue we are talking about. I am happy not just to sympathise with the Constable of St. Helier but also to give him my vote in this, as a St. Brelade representative.

3.1.11 Deputy M.R. Ferey of St. Saviour:

Some Members may remember that I used to write a regular column for the *J.E.P.* about 2 years ago and I was just calling it back up because a column that I wrote 2 years ago resonates really well with what we are talking about. So if Members will indulge me, I will read it. It is only 500 words and the headline is “Subscribe to a future of rental cars”. I cannot do an American accent but the first line is: “There ain’t nothing finer than being behind the wheel of your own car - that is a line from *Christine*, the John Carpenter film where a teenager becomes infatuated with a car and ends the film with a demonic vehicle causing havoc and causing members of the local community to lose their lives as it becomes able to drive itself without human intervention. In the future, of course, self-driving cars will be part and parcel of everyday life, hopefully with more benevolent outcomes than in a supernatural horror film. Indeed, even now there are plenty of places around the world where autonomous vehicles are being tried and tested and it is generally accepted that this technology could become mainstream in under a decade. The main prerequisite to allow autonomous vehicles to run safely is a resilient 5G infrastructure as internet connectivity would need to be maintained at all times obviously. While the slowdown from fossil-fuelled engines to electric vehicles partially cures one environmental problem, it only replaces one problem with another. It is, therefore, the issue of vehicle ownership which needs to be addressed in order for us to have a sustainable future when it comes to personal transportation. In my view, people will give up their cars when there is a cheaper, safer, more convenient alternative. So how would autonomous vehicles become mainstream? Perhaps as a starting point, blocks of flats that are built could be built no longer with parking spaces but instead each resident would have a subscription to an EVie or a similar type of arrangement where cars could be booked out at a monthly charge and access to the vehicles would be booked via a calendar system in a similar way to the way that people currently book rooms for meetings via a shared app. Technology, of course, is the answer to the problem of personal transportation and if

you consider the way that we hired films on video in the 1980s, which although a revelation at the time, was cumbersome, time consuming and ineffective compared to the way that we watch films today via Netflix or similar apps, you can get to understand that ownership of vehicles will move from its current position once a better solution is available. Perhaps the majority will no longer have the joy of ownership of their own vehicle but we will have safe and sustainable transport that is both cheap and available to all, the planet being the ultimate beneficiary of this change. Petrol and diesel engine vehicles will then become a curio for high days, holidays and weddings in the same way that horse and cart carriages are today.” We need to build for the future not for the past.

3.1.12 Deputy T. Binet of St. Saviour:

I think I would like to start by reassuring Deputy Tadier that I have not been whipped by anybody. He probably knows me well enough to know that I speak for myself. I think it is probably best that I declare that I have ample parking where I live but that does not mean that I am not fully conversant with the problems of people who are not so fortunate as I am. Members have heard a lot of good arguments on both sides, particularly the ones made by the Constable and the Minister for the Environment. I am certainly sure they do not need any further comment from me. For reasons which I think are fairly obvious, I am definitely going to support the Minister for the Environment, for all the reasons that he has carefully articulated. That said, as is becoming obvious, I do have some sympathy for a number of the points that have been made here and I believe that quite a lot of those can be addressed through having a decent parking strategy. With that in mind, I know that policies and strategies take a long time to reach fruition, so what I am going to propose here is that in the next couple of weeks I would like to convene a meeting with the Constable, with the Minister for the Environment and the town Deputies so that we can consider some measures that might be taken in the first instance to change things. I have got a few ideas. I do not think it is wise for me to articulate them with Members at the moment, but I certainly want to put those ideas to the people concerned so that we can try to make some progress. I would also like to publicly invite Deputy Ward to meet me to discuss public transport. We are constantly criticised and told that we do not care about public transport. That is simply not true, so I would be very keen to hear the Deputy’s ideas on that and see if we can make some progress in that regard. I think Deputy Tadier may also recall that I made a commitment to the residents of St. Brelade to take a look at parking in St. Brelade. I am afraid I do not think that supporting Constable Crowcroft’s proposition this afternoon is the right way forward. I shall be voting against it for obvious reasons and I urge Members to do the same because I do not think that is helpful at this point in time. I am genuinely hopeful that a parking strategy will address a number of those problems.

3.1.13 Deputy A. Curtis of St. Clement:

Like others, I did not want to talk on this, obviously, but I have just heard so many challenges about people’s rights to live and what they are being denied and I want to think about what we are talking about. We are talking about the redevelopment of sites, it feels like, in St. Helier, in central St. Helier and their availability to provide parking. For interest, I will declare I own and live in the central St. Helier area. My property has no parking and in no way could I ever redevelop it to such a way that it could provide parking. That is what matters here. Most sites within central St. Helier that are ready for redevelopment - the policy would allow for office space to be converted into residential - they cannot provide parking. They are sites in pedestrianised areas or above shops. We are talking about a policy hopefully to get lockstep with what form of development St. Helier will take. Think about the streets in that, that is going to be Colomberie, La Motte Street, Hill Street, King Street, Bedford Street, Hue Street and so on. These are the sites we are talking about. I mentioned one in there which could provide car parking with residential development, maybe 2, but those would be larger sites that would be developed. If we have anything to worry about ... I am just double-checking if anyone has said this and I missed it, it went in one ear and one out, I do apologise. I will quote the draft policy that the Minister has published. It says: “The provision of car-free development

proposals in St. Helier town centre, the most restricted area [or most sustainable area I think is the word] however will require justification.” So the policy is not saying do not do it. It is saying to remove car parking will require justification and then it says: “... and will be assessed against the merits of each application. Car-free development will normally only be supported where it is well-located with good access to services and alternative transport options, the development will provide 10 or fewer homes and the predominant type of accommodation is less likely to accommodate families.” I look to the Minister to shake his head. I have snipped from the policy here. Anyone looking for this, they will find it in the document published in, I believe, March 2023. It is in there. I really struggle to see what we are debating. There is a policy that would enable car parking in St. Helier on the most sustainable sites that have parking yet not those that cannot provide it. I really ask Members to be quick and let us move on to some better debates.

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

I am not going to labour on St. Brelade because this is not the proposition, but I would just like to emphasise the point and understand that consideration is being given to tradesmen and the parking of white vans in the public domain, given that is an issue, and I could not see it addressed in the policy, which I have just been going through. Times have changed, as has been alluded to by others, and we now find that in terms of developments all the tradesmen engaged on that particular development will be turning up in their own vans. Those vans will need to park not only for the purposes of that development but also when they go home at night, and this is very often an issue that seems to be prevalent, certainly in St. Brelade but I feel in St. Helier too. This is something that I think the Minister needs to consider. Cars are like water. They will find the path of least resistance. If they are stopped from parking somewhere, they will turn up somewhere else to the first free available spot and next to the least expensive after that.

[15:30]

That is where the parking strategy does need to come into place. I am always worried when we restrict parking in certain areas - that previous point I made - will result in vehicle spillage, is the term I use, whereby vehicles will just park wherever they can outside someone else's house and that causes untold social problems because it is part of my life and other Constables, the regular complaints we get about people parking in the public domain but in a place where it upsets other residents. I think we must try and avoid that; the object being to keep the community happy. We also need in terms of looking after our population ... and the demographic is for all to see. We need to be aware that not everybody is going to be walking and not everybody is going to be cycling. Those who can will take a bus and people will have free bus passes after a certain age but if there is a need to transport themselves, older people will be using a car. The other point, just picking up on the policy, again the draft policy is in terms of the infrastructure. I know J.E.C. (Jersey Electric Company) is rolling the infrastructure out the best they can but there are a lot of parts of the Island where, as referred to in the document, the infrastructure is just not there yet. I wonder how extensive it is in town to enable those with electric vehicles to get them charged up. Finally, with regard to the car clubs, is this not a utopian view? We do see issues about car sharing with, shall we say, single women, we see it with children and I think it is something with which we have to take great care as time goes on. We do not want to fall into the trap of creating a problem that we have not yet got. I do not see anything wrong with the proposal of the Constable to defer the consultation as to such time as a parking strategy has been developed and consulted upon because I think it really is integral with the whole proposal the Minister is making and if he is to get on with it I do not think there should be much delay.

3.1.15 Deputy S.Y. Mézec:

I think that was a really good speech from the Constable of St. Brelade. He made some very logical points there and they resonated with me as somebody who lives in the centre of St. Helier and what

I see on a daily basis. Cars will turn up where they have to turn up if there are no other options for them and, living near the Millennium Town Park, I have noticed a situation with access to car parks around that space get worse and worse in recent years. About 5 years ago when I first got a car you could very easily find a space in Minden Place, Nelson Street, Midvale Road. What is now the Ann Court development had a temporary car park there as well. It was pretty easy to find a space in the evenings or on weekends if you were a resident in that place and you needed to. It is now extremely difficult to do so. Minden Place is full very regularly, including if you are potentially coming from outside of town and you want to go to a restaurant nearby and would look at Minden Place on the weekend, it is very difficult. It cannot be good for the Arts Centre when there is a show going on there. Midvale Road, obviously now being one way, can make it trickier to get a space there too. Some spaces in Nelson Street have been lost because of the development works that have been going on there, yet at the same time more and more developments are taking place in that part of town. I think that the supplementary planning guidance from the Minister is putting the cart before the horse because we have problems now that, with the implementation of that particular guidance, will be made worse in the short term. There is not any evidence or clear proposals to match up with what is in the supplementary planning guidance to start trying to make things better at the same time. There has been talk about the car share clubs. I am a proponent of the car share clubs. I think that ought to be a really good part of the solution and a way of reducing the desire of people who live in the centre of town to have their own parking spaces, but I think some people seriously misunderstand or do not have any concept of what it is like to use them. They are not cheap. They might be fine if you think you need one for your weekly shop that you might be able to get done in an hour or 1½ hours or something if you are quick. They are useless if you are taking your family out to Plémont to explore the countryside up there or go to the beach or if you have got equipment that you need to transport somewhere, because if that is a job that is going to take hours to do, it is going to cost you a fortune to use that car. Buses will not be an alternative in many of those instances and if it is something that you are just doing from one side of town to the other, as Deputy Ward quite rightly said, the cost of the bus is totally disproportionate for that kind of journey. So the guidance is putting the cart before the horse. I think the comments made from the Minister for the Environment struck me as just out of touch with what it is really like to live in St. Helier. In St. Helier we are perfectly well-used to being told what is good for us by people who do not live in the Parish and will not ultimately be affected by those decisions and how they are made but we can see on the ground what is really happening, the extra congestion, the parked car parks that there already are and how that has been getting worse in recent years with no sign of anything tangible being done to address it. That is why I feel I can support the Constable, at least at this point, although perhaps it may be some small kind of consolation that if the proposition is not adopted to defer the supplementary planning guidance, when I think of the supplementary planning guidance on the affordable housing contribution on private sites which has been delayed for over 7 months, maybe I have not got that much to worry about.

3.1.16 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

I was listening intently to the debates of this morning and heard very loud and clear messages from Members who wish to have serious decisions come to this Assembly, they wish to be involved in Government decisions and decision-making for all Islanders, but I think this debate is a good example of us going around in circles. The key word in the Constable's proposition is to defer. Now, we are endlessly receiving feedback from members of the public, and members of the business community too, who are exceedingly frustrated. What do they tell us? They tell us they want to see building, they tell us that Planning is often bringing the Island to a halt, they tell us that they want to see us deliver housing, but it is in this very place that we often find those deferral arguments come to bear and they are the very things that grind progress to a halt. The very people who today are wanting to support the Constable's proposal to defer are the same people who did not support rezoning of sites in the Bridging Island Plan and now say that town is full and we cannot develop housing in town

because there is no more room. That is another example of deferral. We have to look to delivering on visions, and I think Deputy Ferey outlined a vision for meeting the needs of our modern world, using technology to our best advantage and also meeting the requirements that we have all, in the previous Assembly, agreed to commit to, which is climate change and reducing emissions. That is something that I know the Minister for the Environment is absolutely passionate about and what his planning guidelines are doing, as Deputy Curtis pointed out, are finding a way forward, helping people who want to develop, create homes that are so much needed in our community for people to enjoy a better quality of life, for businesses to find the start that they much need so that they can continue to enjoy economic activity and deliver services and entertainment for Islanders. We have to find a way forward and I really would urge Members to remember that we have committed to improving parking in and around town. We did that in the Government Plan last year and the Constable himself does know, as a member of Future Places, how we are committed to improving the environment of town, to removing cars that are parked on the streets and replacing them with trees and wider access for cyclists, for pedestrians but, of course, remembering that those who dwell in town will need places to park and ease of access around the place, but we can do so in a better way and not through deferring today.

The Deputy Bailiff:

Does any other Member wish to speak on this proposition? I call upon the Connétable to reply.

3.1.17 The Connétable of St. Helier:

The Chief Minister, who spoke last, said that the key message of my proposition is to defer. I would say the key message of my proposition is not to deter, it is to be fair. Of course I share her vision for St. Helier. We have not seen anything on the ground yet for a year but I share the vision, but let me say, and I say it in my report, that to remove on-street parking to create cycling routes is going to further increase the pressure on those residents of St. Helier and other Parishes who do need parking. You find that the residents' parking zones have suddenly shrunk and Deputy Feltham's place on the waiting list for a resident's parking permit has suddenly gone from 18 months to 4 years. That vision has to be part of a joined-up policy. I did suggest at the beginning that this was not an opportunity for a transport debate. Sadly, not all Members took my steer. I said that this was about being fair to the residents in particular of St. Helier, although interestingly my report - and I have checked it - does not say only St. Helier residents are being discriminated against. I picked up from the S.P.G. that there are other parts of the Island as well that will be caught by the sustainable transport zoning and those residents, in St. Brelade for example and other built-up areas, will also find their access to a parking space in a new development has been reduced. So I just wanted to make that correction. I am not going to fall into the trap that other Members have done in reopening a transport debate, because we do have a lot of transport debates and I do not think we need to go there today, but I do want to pick up on a couple of points that were made. First of all, I want to thank everyone who spoke, particularly, of course, those who supported the proposition and among those I thought Deputy Feltham in particular. You can tell the people who live in town because she really knows how difficult it is to bring up a family in town without access to parking. She knows it. Also Deputy Howell, not a townie, I think, but she knows how important it is to be able to get a tradesperson to carry out work. It is a fact there are some tradespeople who will not go to certain addresses in St. Helier because they say: "We will get a parking ticket." There is a real problem about the availability of parking for tradespeople, parking for visitors, particularly in the residents' parking zones, which are a kind of Frankenstein's monster for me; having given Frankenstein life, he has become a bit of a nightmare. The Parish is reviewing residents' parking because we know how important it is. We just want it to work better, but it does penalise people who want visitors. They do not have a residents' parking permit, yet they cannot have any visitors, and that is really sad. I want to thank Deputy Luce who corrected me. I said it was a decade we had been waiting. He said put an "s" on "decade", it is decades we have been waiting. It has been quite interesting listening to some of the

speakers who are fresh into the States. You can tell the people who have only been in this Assembly for a year because they are full of it is all going to change. When you have been in this Assembly for 25 years or more you have heard that before and that is why a certain amount of cynicism creeps in. I will not say “pessimism” because I remain an optimist but it is absolutely the case that if we had a parking strategy we would not be having this debate. The S.P.G.s would have been refined on the say-so of this Parliament a long time ago. What is happening is a Minister is doing the job that Parliament has not been able to do because successive Ministers for Infrastructure have not brought forward the parking structure or indeed the cycling strategy or indeed the bus strategy or indeed the walking strategy. I am going to turn now to the Minister for the Environment who is one of those Members who has only been in for a year and I would have expected perhaps a little bit of humility in his approach.

[15:45]

We did not get that. We had a very interesting assertion that because the residential space standards guidance has been changed, in a good way, to get more space in people’s properties, we have to let developers off the hook and not ask them to provide so much parking. I do not follow that. If I am buying a flat, I want to have generous space in my flat but I also want access to parking if I am one of those people whose complicated lives requires me to own a car. I did not understand that there is any kind of trade-off required in that respect. I think the strangest assertion from the Minister was that he says that I want to keep in place the old 1988 advice but, as I said in my opening speech, that is not being followed. The Planning Department is already pursuing cycle parking, electric charging points. It is already allowing numerous developments through, and I refer to a couple in my report, without adequate parking in the town centre. To say that I am trying to take us back to 1988 is simply absurd, to use his word, it is absurd. The Roads Committee in St. Helier, for example, I refer to them in my report. Open meetings to the public for the last, I do not know, 16 years. They look at every single application for residential development in St. Helier so I personally have looked at every single application for residential development in St. Helier in the last 21 years. So I think that my view about what is required in the town should carry some weight. To say that I am just trying to hold up development, I think it is unfair and I think it is unfair on St. Helier because we are taking the major part of the Island’s residential development. If you drive around the Ring Road now what you will see is endless housing flats going up out of the ground. So nobody is holding up ... no St. Helier representatives, whether elected Deputies, Constable or Roads Committee, are holding up development of housing. We are taking well more than our share. I am grateful to Members who understand that and have reflected that in the speeches. I am grateful to the Constable of St. Martin, who is not about to say that St. Helier residents should have more difficulty in parking than people in St. Martin. She mentions that we are starting to park in her Parish, which seems to me quite a long walk but if that is happening then I would not be surprised. I am grateful to Deputy Tadier because he reminded me of a speech I made when I supported the purchase of Plémont. I remember at the time saying that because St. Helier residents and representatives support the purchase of greenfields and the restoration of our national park there is a quid pro quo there and it is that St. Helier residents need to be able to visit those spaces. So let us have the same parking standards that you enjoy in other Parishes. I do not share the Chief Minister’s view that Deputy Ferey’s vision was utopian, I think it was more dystopian and it reminded me of “Blade Runner”. I personally think there are a lot of unlikely apologists of the motor car but I think there is a lot of very strange talk about how we are all going to be just looking at the occasional car passing or see one in a museum. Let us face it, we all have ... most of us have cars, a lot of people are moving to electric cars. A lot of us, if we are honest, actually really like our cars because they give us a sense of freedom. We can go where we want, when we want, with whom we want. If we get the boots sandy we are not worried about having to pay a fine to the hire car company or the car club. I think some Members need to get a bit more realistic. Cars are not going to disappear from this Island. What we do need to do is to reduce the number of cars and a visitor I am looking out for at the moment said to me yesterday: “Why do

you not do what Singapore is doing and just say one car per household?” Well, why do we not? I say that to the Council of Ministers, why do you not address this across the board wherever you live, St. Mary, town centre of St. Helier, you could only have one car. Let us do it in a fair way. So, my argument remains the same. I do not believe the Minister for the Environment has challenged at all the unfairness that is at the heart of the S.P.G. It is unfair to single out people who live in the town centre and say to developers actually you do not need to build any car-parking spaces when you do that development. If I might finish with one of the rare successes the St. Helier Roads Committee had, when the developer, I think it was Dandara came to us and said: “We are going to knock down the bank in West Centre and we are going to build apartments.” We said: “Look, this is a complete new build so you could put some parking in for those ... that proportion of residents who want to enjoy car ownership.” The developer went away and came back and said: “Yes, we can, we can provide 12 parking spaces.” If you go to West Centre, that development, a very good development, has about a dozen parking spaces for residents, so it can be done. It is entirely wrong to say that there are parts of town where you cannot do that. I do maintain the proposition, it is about fairness. I hope I have not strayed into parking strategy or transport strategy. We have that debate to look forward to when the Minister brings forward that and his other strategies, hopefully in the coming year. Thank you, I maintain the proposition and ask for the appel.

The Deputy Bailiff:

Thank you, Connétable, the appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have cast their votes, I ask the Greffier to close the voting. The proposition has been rejected: 19 votes pour, 24 contre and one abstention.

POUR: 19	CONTRE: 24	ABSTAIN: 1
Connétable of St. Helier	Connétable of St. Peter	Deputy M.R. Scott
Connétable of St. Lawrence	Connétable of St. John	
Connétable of St. Brelade	Connétable of Grouville	
Connétable of St. Martin	Connétable of St. Ouen	
Connétable of St. Clement	Connétable of St. Mary	
Deputy G.P. Southern	Connétable of St. Saviour	
Deputy M. Tadier	Deputy C.F. Labey	
Deputy M.R. Le Hegarat	Deputy S.G. Luce	
Deputy R.J. Ward	Deputy S.M. Ahier	
Deputy C.S. Alves	Deputy I.J. Gorst	
Deputy L.J Farnham	Deputy K.L. Moore	
Deputy S.Y. Mézec	Deputy P.M. Bailhache	
Deputy T.A. Coles	Deputy D.J. Warr	
Deputy B.B.S.V.M. Porée	Deputy H.M. Miles	
Deputy C.D. Curtis	Deputy J. Renouf	
Deputy L.V. Feltham	Deputy R.E. Binet	
Deputy A. Howell	Deputy H.L. Jeune	
Deputy R.S. Kovacs	Deputy M.E. Millar	
Deputy M.B. Andrews	Deputy T.J.A. Binet	
	Deputy M.R. Ferey	
	Deputy A.F. Curtis	
	Deputy B. Ward	
	Deputy K.M. Wilson	

	Deputy L.K.F Stephenson	
--	-------------------------	--

The Greffier of the States:

Those voting pour: the Connétables of St. Helier, St. Lawrence, St. Brelade, St. Martin, St. Clement; Deputies Southern, Tadier, Le Hegarat, Ward, Alves, Farnham, Mézec, Coles, Porée, Catherine Curtis, Feltham, Howell, Kovacs and Andrews. Deputy Scott abstained.

4. Support for parents of babies needing additional neonatal care (P.52/2023) - as amended (P.52/2023 Amd.)

The Deputy Bailiff:

The next item is Support for parents of babies needing additional neonatal care, P.52, lodged by Deputy Kovacs. The main respondent is the Minister for Social Security. There is an amendment lodged by the Minister. Deputy Kovacs, do you accept this amendment?

Deputy R.S. Kovacs:

Yes, I would like it read as amended, please.

The Deputy Bailiff:

Thank you very much. Are Members content that the proposition be read as amended? Thank you very much. Yes, Greffier, please read the proposition as amended.

The Greffier of the States:

The States are asked to decide whether they are of opinion - that provision, including financial support, should be established to support parents who have preterm babies, or babies requiring neonatal care, and to request the Minister for Social Security to bring forward the proposals for this provision for approval by the Assembly prior to the end of December 2024.

4.1 Deputy R.S. Kovacs:

I want to start by thanking the Minister for Social Security for putting an amendment in support of this proposition. As the text in the report of my proposition eloquently states: “No matter the length of stay a neonatal experience can have a long-lasting impact on the whole family.” Having a baby is a joyous and lifechanging event but it can also be stressful and challenging, especially when the baby is born prematurely or needs extra medical attention. Parents of such babies face not only emotional and physical strain but also financial hardship as they have to balance family obligations, often with reduced income and increased expenses. The current parental law does not adequately address the needs of these parents who may have to return to work sooner than they are ready to do or forego their income to stay with their baby. This can have negative consequences for both the parents and the baby as they may miss out on crucial bonding time, breastfeeding opportunities and important developmental support. Research has shown that the parental presence and involvement can improve the health and well-being of pre-term and sick babies as well as reduce parental stress and anxiety. That is why we need to establish a provision that would offer financial support to these parents in addition to their existing leave entitlements. Such a provision would allow them to spend more time with their baby without worrying about their bills or losing their jobs. It would also recognise the unique challenges and circumstances that these parents face and show them that they are not alone in their journey. The proposition does not prescribe how such a provision should be designed or implemented but rather leaves it to the Minister for Social Security and his policy team to find the best way to achieve the intent. However, it does suggest some possible features, such as a grant payment based on the degree of prematurity or hospitalisation of the baby up to a maximum of 12 weeks. It also asks the Minister to bring the proposal back to the Assembly for approval, ensuring that we have a say in the final scheme. The number of potential people impacted are very low but to

them this would be a massive support, making a massive difference. This is not a radical or costly proposition, it is a compassionate and sensible one. It is based on evidence and best practice from other jurisdictions that have introduced similar measures, such as Scotland and New Zealand. It is also aligned with our values and vision as an Assembly that cares for its people and supports its families. I urge you all to vote in favour of this proposition and give pre-term babies and their parents the support they deserve. I now make the proposition.

The Deputy Bailiff:

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

4.1.1 Deputy E. Millar:

I support Deputy Kovacs' proposition and I thank the Deputy for accepting my amendment, which will give me sufficient time to find an effective solution which will be right for Jersey. I acknowledge the challenges faced by parents when a baby is born prematurely or requires hospital treatment within the first 12 weeks of life. This will be an incredibly difficult time for parents and I understand the Deputy's aims in looking to provide additional support. It is important to note that while the Deputy's report refers to the U.K. Neonatal Care, Leave and Pay Act this is primary legislation which has only very recently been approved. The U.K. system will not be operational until 2025 so we do not yet have a full understanding of how it will work in practice. I should of course say that, as some Members will know, I do not support any slavish following of U.K. legislation, especially as in that context the term "U.K." actually means England. As Deputy Kovacs has suggested, there are other jurisdictions which may form more useful comparators. However, while it is essential that we consider the matter in a Jersey context to ensure we establish support that works for our Island, it would be prudent to monitor how the U.K./English plans develop over the next year or more. Subject to the approval of the Assembly today I will include this project in my 2024 delivery plan. I am mindful that policy resources will be required to undertake this project and Members should be aware that this may impact the scope and timing of other workstreams. Work will include examination of both employment rights and benefit entitlements. I will also be instructing the Employment Forum to undertake a consultant on the appropriate level of employment rights to include, for example, time off work. The Deputy's report identifies a possible financial cost providing benefits at a total of possibly over £300,000 a year. As I note in my amendment report, as no funding stream has been identified, implementation of the scheme to the extent of any benefit payments will be dependent upon securing sufficient funding on an ongoing basis. Concluding this project by the end of 2024 will allow for a bid for funding in the 2025 Government Plan, if necessary. I encourage all Members to support this proposition as amended.

4.1.2 Deputy C.D. Curtis of St. Helier Central:

In the U.K. there are charities like Bliss U.K. who campaign tirelessly on these issues. One of their campaigns has helped to bring in the Neonatal Care Act, as already mentioned, which allows for a statutory entitlement for paid leave from work for employed parents of babies who need neonatal care. Of course, there may be a better way to do this in Jersey. Jersey does not have any measures like this specifically for families of premature babies and those needing neonatal care. There is not much worse than having a sick child and I am sure the Assembly does not want parents to be struggling with money concerns while recovering from possibly a traumatic birth and while trying to focus on their baby's recovery. Considering Jersey's very high cost of living, this proposition could make a huge difference to a small number of families at a very difficult time.

[16:00]

The Deputy Bailiff:

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

4.1.3 Deputy R.S. Kovacs:

Thank you, and thank you to the Members who have spoken. I am glad to see support of such an important proposition. Before I am literally just going to close I want to remind Deputy Binet and to have also the commitment of Minister for Health and Social Services, if possible, because it is linked to it. We understand that when a premature or sick baby needs to have their parents close by that is when they are in hospital as well. We know that this does not have such provision at the moment. In the new hospital facilities there could be the possibility to have that provision that would address these needs. In conclusion, having a pre-term baby is not a choice. In order to give pre-term children the best start in their lives we can take a small step to easing some of the difficulties encountered by their parents with additional financial pressure rising. I call for the appel.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I invite the Greffier to close the voting. I can announce that the proposition has been adopted unanimously: 43 votes in favour. **[Approbation]**.

POUR: 43		CONTRE: 0		ABSTAIN: 0
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				
Deputy L.J Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				

Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

Deputy R.S. Kovacs:

Thank you to everyone for your support.

5. Negotiation of purchase for the site of the Seaside Café, Grève de Lecq (P.53/2023) - as amended (P.53/2023 Amd.)

The Deputy Bailiff:

The next item is Negotiation of purchase for the site of the Seaside Café at Grève de Lecq, P.53, lodged by Deputy Farnham. The main respondents are the Ministers for Treasury and Resources and Infrastructure. There is an amendment lodged by Deputy Stephenson. Do you accept the amendment, Deputy Farnham?

Deputy L.J. Farnham:

Yes, Sir.

The Deputy Bailiff:

And do you wish your proposition to be read as amended?

Deputy L.J. Farnham:

Yes, please, Sir.

The Deputy Bailiff:

Are Members content for that to occur? Thank you. Greffier, please read the proposition as amended.

The Greffier of the States:

The States are asked to decide whether they are of opinion to request the Minister for Treasury and Resources, in consultation with the Minister for Infrastructure (a) to negotiate, on behalf of the States of Jersey, the purchase of the former Seaside Café and car park site at Grève de Lecq for a use that will be of environmental, cultural and social benefit to the public, including the option of working with partner organisations in completing the purchase and securing the future use of the site, (b) to ensure that the negotiated price represents value for money and that, prior to the transaction being presented to the States in accordance with Standing Order 168, the price has been subject to independent assessment; and (c) to consider options, consulting as necessary, for enabling the

Government of Jersey to be notified when properties or areas of significant value to the people of Jersey become available so that early consideration can be given to potentially acquiring them on behalf of the public.

5.1 Deputy L.J. Farnham:

Grève de Lecq is one of Jersey's most popular and iconic bays with a long and remarkable history, which remains an important and valued part of Island life. "The Bailiwick of Jersey" by George Balleine describes Grève de Lecq as: "A small bay on the north coast partly in St. Ouen's and partly in St. Mary's Parish, the mill stream Moulin de Lecq dividing the Parishes. Grève is the French word for a sandy shore." The former Café Romany site in Grève de Lecq was sold by the Lewis family in 2020 in a private land transaction. In January 2022 the new owners obtained planning permission to redevelop the site, which would see the existing buildings demolished and replaced with a single large dwelling, a restaurant and a car park significantly reduced in size. The site is currently disused and is lying empty and almost derelict, completely shut off to the public, restricting access to parking, causing recurring problems for the users and the businesses of the bay. In fact, the current state of affairs has had a real detrimental impact to the point that the whole character of the bay has changed. The site is currently listed for sale, so the States still have an opportunity to acquire this important piece of land for the benefit of the public. An acquisition on behalf of the public could preserve the coastline and protect the bay from inappropriate development and other activities not appropriate for the area. It would ensure public access for recreational and educational purposes. I say "educational" because Grève de Lecq is immensely popular for school visits, given the very unique history, environment and economy, all uniquely blended together in that area. It would provide a great opportunity to improve upon the existing facilities, infrastructure and landscaping. I know Deputy Stephenson's amendment addresses this. It would boost tourism and bring significant social and economic benefits to the area, and it would preserve the unique character, historic and cultural value. What value can we place on that? I want to make it clear that this proposition is not a carte blanche for the Government to negotiate at any cost. I think there has to be a good, sensible negotiation and the Government will have to come back and get that approved by the Assembly, but this acquisition would also I believe, at the right price, be a very prudent investment for the public. Not only would it be an environmental asset, but also a valuable fiscal asset, with the potential to provide an income stream and other economic benefits to the local area. Prior to lodging the proposition, I did speak to officials to ensure there had been no negotiations started and of course a senior official did tell me that it had been discussed at officer level, but there had been no official negotiations taking place. I hope that might have changed since this proposition was lodged, and if that is the case that is good, and it would give us a head start. I think we do have a unique opportunity here, and this proposition seeks to facilitate a negotiation that will lead to the purchase by the States of the café and the car park, together with the associated land for the use that will be of benefit to the public and of course, subject to successful negotiations, it will come back to this Assembly for approval. I am mindful of the time, Sir. I will keep my opening speech relatively short, and to that end I make the proposition.

The Deputy Bailiff:

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

5.1.1 Deputy L. Stephenson:

I am grateful to the Deputy for accepting my amendment to this proposition. I am going to start in a very similar way to Deputy Farnham. There is no doubt that Grève de Lecq is a very special place. It is one of Jersey's much loved north coast bays, a picture-perfect postcard setting, loved by many Islanders and visitors alike, but Grève de Lecq is more than just a pretty, sandy bay. Like much of our coastline it is a place steeped in history, from its Martello tower in early 19th century defences that were built in direct response to a potential invasion by Napoleon, to its World War 2 links, its

time even as a night-time hotspot in the 1970s and 1980s and much more. It has been a place of community focus for centuries, whether that be fishermen and boat owners, the fairs of Victorian times, today's dog walkers, those enjoying water sports or local residents who, like me, took their exercise during the pandemic in the bay, and I still think that "taking your exercise" sounds like a Victorian term in itself. Over the past year I have been told many stories about just how rich and diverse this area is and how important it is to Islanders, and that is Islanders from across Jersey, not just those living nearby. There is much hope out there that it can be important for future generations of Islanders too. When we talk about places like Fort Regent being out of the way and question if people will manage to get up the hill for this, that or the other, or moan about St. Ouen being so far away, let us not forget that people travelled from all over for a night out at the pubs and clubs of Grève de Lecq. I am told there may even have been a bowling alley there at one stage and, as I discovered yesterday, there is a water source at Grève, which people from all over the Island used to visit as it was once believed that the water it produced had healing powers for the eyes. It may also interest Members to know that during the pandemic Grève de Lecq, and specifically the site that we are discussing today, became something of a community hub. Once restrictions allowed people to meet together outside, a book club would meet regularly on the terrace of the former Seaside Café, even when the café remained closed. The local residents I have spoken to about this tell me it was a very special social experience for those otherwise cut off from other people. I share this now because, as we consider the potential public acquisition of this site, its potential is more than just a pretty, sandy bay or, more specifically, a beach café and car park at a pretty, sandy bay, is important. So too is a reminder that this is a public bay, and one that we should be protecting for future generations of Islanders. Since my election to this Assembly I have been working towards building a potential vision for this site. Given its place at the heart of Grève de Lecq and occupying a large area of its seafront, its future is inextricably linked to that of the bay itself. Yes, it may have long been in private ownership but it was accessible to the public. The closure of the café and car park has, as Deputy Farnham has already said, already had an impact, not just on parking and access routes down to the beach, but also on the general atmosphere in the bay. I have no doubt that if a private home were to be built on the former Seaside Café site, it will feel as though part of that bay is private too. We already see it at places like Portelet where visitors to that bay stay away from certain parts of the beach because they feel like they belong to someone else. In seeking to build a vision I wanted to strengthen the case for its public purchase and ensure not only value for money for the Island but that the Island could get social, cultural and environmental value for its purchase too. As I say, I am grateful to Deputy Farnham for accepting my amendment, part of which speaks to these very points. I also wanted to ensure there remains the potential option for the Government to work with third parties, should it be considered the best way forward. I have engaged with a number of potential third parties in the course of this work in recent months, and there are a number who are very interested in working with Government on achieving something of significant value to the Island on this site. These conversations are just that, conversations. They are not binding, no vision set in stone and no potential partners or ideas decided, but to give Members a flavour of the potential of this site and how Government could partner with others, let me share a few of those ideas with you. The Bosdet Foundation which runs Les Ormes and each year provides all kinds of opportunities and support to children and young people, particularly from lower income backgrounds, says it would be interested in a long-term lease of the site to provide a base for enabling young people from across Jersey to access the beach and the sea. There could be community rooms for general hire, changing rooms, a café to feed the visiting children and the wider public, space even for a beach wheelchair and of course parking. All of this could get underway reasonably quickly with very little capital investment initially. Given the previous debate about parking, it is worth noting that part of Bosdet's model often involves it transporting children to its sites, not just allowing them access, and they often feed them too. The National Trust also supports the public acquisition. Another suggestion drawn out by one local resident proposes an interpretation centre and café, a rewilded picnic area, more bike parking and rentals, electric car charging and space for pool cars potentially and more. There is so

much potential with this site and potential which could have social, cultural and environmental value for our Island.

[16:15]

As I say, this is about more than just a café and car park next to a pretty, sandy bay, or it could be, at least. Although today is not necessarily the ideal time to be debating this proposition, I would have preferred to have waited to ensure that the sometimes delicate negotiations which often feature around such transactions could play out in their own time and on their own terms, I think as I have made it very clear, I absolutely support the principle of the public purchase of this site. I have received significant public encouragement on this matter also, but I am also keen that we learn a lesson from this experience and take steps to protect against something potentially happening like this again. It is widely accepted that the Government did not know that the former café was up for sale, in which case how could they be reasonably expected to know to try to buy it, should they have wanted to? Part (c) of my amendment, which has now been accepted by Deputy Farnham, asks that work is undertaken to investigate what mechanisms could be put in place to ensure the Government are notified when a site of strategic public interest is for sale. I phrased that part of the amendment broadly on purpose to allow the concept to be thoroughly investigated and options to be considered. Consultation is also likely to be needed. Could we, for example, build into the sale and purchase process a formal notification for land and property in, say, the Coastal National Park? Should all sites always be offered to the Government for purchase in the first instance? Do we need to improve our own internal procedures and policies to ensure there are those actively monitoring potential sites, which could come up for sale? The case of the Seaside Café and others over the years have shown me that we need to be having these conversations so that we can then take steps to protect our Island for the people who live here today and our future generations. If a mechanism can be developed and agreed in due course, it is also likely that Government would need to create a fund from which strategic purchases could be made, potentially at short notice. It is, after all, no good knowing about a site for sale but not having the financial pot or the funds to then be able to do anything about it. That, however, is a conversation for another day. What I hope Members will join me in doing today is recognising that we have an opportunity before us and one that is too good to miss. If this proposition is approved, there is still much to be done to realise the ambition of purchasing this site. We need independent valuations and I really would stress, as Deputy Farnham did, there is absolutely no blank cheque here. We have to achieve value for the people of Jersey.

5.1.2 The Connétable of St. Saviour:

I have no problem whatsoever in supporting this proposition as amended. I am old enough to remember the area in its heyday with the Romany Café, dozens of coaches parked on the east side of the car park and dozens and dozens of cars parked on the west side of the car park, both local and holidaymakers. The area has suffered from a series of blows over the years, obviously the downturn in tourism plus a few years ago now the area was closed for the best part of 6 months to take the French nuclear power cable to Guernsey, so there was a lot of disruption there. But we got around it. As I say, I have no problem whatsoever in supporting this. I would not say it is going to revitalise tourism, but it is certainly a step in the right direction. We did the same thing with the Plémont Holiday Village and this would help reinvigorate Grève de Lecq.

5.1.3 Connétable D. Johnson of St. Mary:

If I could go back just a step, I well remember rumours circulating that the café was for sale and I do find it surprising that Government at the time was not aware of it. There was obviously great publicity when it was sold by the Lewis family, a planning application was made, there were representations made to the States, and I remember well, and hopefully the proposer will forgive me for mentioning it, when he was Minister for Economic Development, Tourism, Sport and Culture I remember having a conversation with him when he said he would not support the application for planning permission.

That is not a criticism of the proposer, nor a criticism of the system. Planning decisions are made according to policy and it is not for one individual politician to determine it, and the policy of the day was that it was capable of being passed, so it was passed. Thereafter, the matter has essentially been made redundant and, yes, it has certainly caused a blight on the local landscape. If we are looking at matters nostalgic, I remember, I have been in the Parish for over 30 years, there was a time when it was part of my Sunday morning routine to take my dog down to the beach, along with my children, and to have an unhealthy cooked breakfast afterwards, and I miss that. To go back there today, to their credit, last Sunday was Sea Sunday Service, it is a service at the harbour shared by the churches of St. Ouen and St. Mary. I could not unfortunately go myself but the Rector of St. Ouen added that on this occasion the owners of the café had agreed to make the car park available for those attending the service. I thank them for that. But on previous years when I have gone, and gone fairly early, there was no way at 10.00 a.m. on a Sunday morning that I was able to park. I make that point because this is not a facility just for the local parishioners of St. Mary or St. Ouen, I would say its main users are certain communities from St. Helier. When I put in objections at the time of the planning application, and I did, I heavily focused on the fact that I was not being N.I.M.B.Y.ish (not in my backyard) for my own Parish, it was the Island as a whole that would suffer, as indeed they have. So they are deprived from going there because there is nowhere to park. I suspect the local businesses are not able to operate as they would have wished. Yes, some life of the area has gone out of it. So, yes, I welcome the idea of the States being able to purchase it. The main aspect is the car park, which was in the past kindly made available by the Lewis family to the public without charge. The rest of it, I am concerned that the States might be faced with the decision of buying the whole area, café, building site, and all. But whether they would need all those to safeguard what is in the public interest, I am not sure. I hope that the proposition as prepared will allow sell-off of certain parts surplus to States requirements. But certainly I do support in principle the idea of purchasing it. I had understood early after the election that there were certain talks in hand and in that respect I share Deputy Stephenson's view that perhaps it would have been better if they had been advanced without going public in case that inflated the price. But we are where we are, as I say, so, yes, I will support it. The one concern I do have slightly is the new paragraph (c) about some form of requirement on owners to make Government aware of particular sites. What is a particular site? On this occasion I believe it was pretty well-known that the site was available and if an estate agent has a property on its books and thinks he can get better value from one party, whether it be the States or others, surely it is incumbent upon them to notify us in any event. I will not vote against that aspect but I think it is perhaps unnecessary. I would like to think that strict commercial decisions would mean that the States should always be aware of it in any event. So, yes, I will be supporting the proposition and hope that we have a happy outcome at a reasonable price.

5.1.4 Deputy S.G. Luce:

As a member of the Planning Committee that approved, at a second attempt, the current planning approval that we have on the site at Grève de Lecq, I thought maybe we should go back and just for a moment consider where we are here and what we have, before we move to a vote on what might be the art of the possible. We currently have a large car park, which is not in use, and not accessible to the public. We currently have buildings, which are not in use. We currently have a café, which is not in use, and consequently not available to the public. However, and Members may not know this, we have an approved planning application to build a house. With that approval comes public parking, comes abled and disabled access to a new café with views over and access to the beach. So there is already some public benefit, quite a lot of public benefit, over and above what we have at Grève de Lecq currently. I find myself looking at this proposition and asking the question: where would it stop if we approve this today? Will every beach in Jersey that enjoys a struggle with car parking at the height of the summer then get some sort of application for the States to buy a site alongside. We have Portelet mentioned, Waters Edge Hotel potentially, Le Couperon in Rozel, maybe some areas alongside Long Beach at Grouville, which is always a parking issue in the summer. Then I found

myself thinking the other day, after I had been to Plat Douet Road and that great scheme, which has just been approved for a dementia village there and some housing. I found myself thinking: “Did anybody in the States think about this site before the application came in for development?” It sits immediately between a large chunk of affordable housing and Plat Douet Road School. Would it not make a fantastic opportunity to have increased the size of that school in an area where we know we are going to need more? Anyway, I will leave that there. So the other thing I wanted to say is this debate reminds me very much of the Plémont debate, and so I am going to bore those Members that were there at the time with just a few seconds of a similar speech that I made in those days. Let us assume for an instance that this site might be £5 million. Members may not know, but I think next year there will be somewhere in the region of 1,000 vergées of land which may not be farmed in the way we would expect it to next year. That land may be worth £9,000 or £10,000 a vergée. For the same amount of money we could go out and buy 500 vergées of land, cover it in trees and hedges and pollinators and do some good for the climate instead of purchasing this site, which already has some benefit to the public passed through the planning process. Instead, I fear we may decide to purchase it so we can cover it in cars and people can travel out there burning more carbon. I just ask Members to consider whether this is money well spent and a real benefit to the public of the Island.

5.1.5 Deputy M. Tadier:

I am working off my phone today so I might need to squint a little bit. First of all, Deputy Farnham is correct that Grève does mean a sandy shore, and I know that normally it is Deputy Ward who would do this kind of thing, but I am sure that Deputy Farnham is hoping that today, on that sandy shore, that there will always be something to remind him of this proposition today. I do not think any reference to puppets on strings will work for this particular debate, but thankfully the second hit was also well-known enough. Anyway, on to another point. It is an area of historic significance of course. I heard mention of Martello tower and I am sure the representatives of the area know that it is not a Martello tower, it is a round tower, it is one of Governor Conway’s first towers that he built, so in 1980. There are some Martello towers in Jersey but that is not one of them. It is pre-battle of Jersey in fact, that coastal tower. Now it is a shame that we were not able to have a debate on the amendments because I do have some concerns about some of the amendments that have been put forward and some of the potential within the amendments. The first one is that an alarm bell goes off when we hear the first amendment, which is to have potential partner organisations that we work with in this. I think effectively what that means to me is, of course you need partner organisations potentially to do the building, but I do not think that is what it means. It is sounding like we want to secure this area for the public. First of all, up until now, it has already been a public area so the status quo is that there is a public car park and, to be fair to Deputy Luce, he is telling us that is not going to change. So, if the motivation for supporting this today is just to secure a public car park, we do not need to support this proposition to do that. I am coming around to supporting this proposition incidentally, but I think it is important that we do it in a logical and considered manner.

[16:30]

So we do not need to support this proposition simply to support access to the parking. There is a café there, which is currently public; although it is privately owned, it is a public facility. As soon as we start saying that, even the best-intentioned partnership, which could be a charitable organisation that does great stuff for kids to access the beach. Well, the children can already access the beach, it is a public area. Any organisation that we put there then presumes some kind of exclusivity of use, so it does not become a public facility. It could become a well-meaning charitable exclusive use facility, which is not currently the case. So I think we need to potentially give both Deputy Farnham and Deputy Stephenson a steer as to what we would expect to go on the site. Because I think there is a strong coalition for the purchase of the site, but members of the public have lots of different reasons for wanting that. I will give you an example. Somebody said to me, a friend of mine, I do not know what his politics are, but we are probably not completely aligned politically. He said: “I support the

purchasing of Grève de Lecq because we were up there the other day and we had trouble parking.” So there is an irony that he wants to be able to go out on a Sunday, whenever it is, with his friends and get access to parking there. I think that is part of the motivation is that people just want the status quo to remain. They are used to having a café at Grève de Lecq that you can drive into, park and go and enjoy a cup of tea, if you want to, or an ice cream. That is probably not going to be the case. I doubt that the States is going to pay ... let us be realistic here, and this is another point. There are no financial and manpower implications, as far as I can see, certainly on the amendment. It is very vague. I know that if one of us had submitted this as an amendment with those financial and staffing implications that we would probably get pulled up on it. The reality here is to secure this site we are going to at least need to pay between £3 million and £5 million, because I think £3 million is the original sum that the purchaser paid for it before planning permission. If I am wrong, people can speak later but this is the ballpark figure that we are talking about to secure the site, so we do have to think about how would that money be spent if it was not spent on the purchase of this site. I know for sure that if it was one of us bringing the proposition to secure something in St. Helier - let us call it a town park - and we were asking for £5 million to spend on it, Government would be saying: “No, we cannot do that, I am afraid, because we would have to cut funding from somewhere else”, but I guess it is different when it is your own constituency, is it not, and when you are the Government. So that is one rub, first of all. “To ensure that the negotiated price represents value for money and that, prior to the transaction being presented to the States, the price has been subject to independent assessment.” There is no talk here about compulsory purchase. When Plémont was on the table, and I know that Deputy Bailhache was a Senator then, he was in the Assembly, we were on the same side of that vote and it is something that he was happy to support. It did include a clause for compulsory purchase and I know we have not got one of the Crown Officers to give legal advice today here. Maybe he is listening somewhere. I would want to ask a question about: does it have a mandate from this Assembly for that to include compulsory purchase? I know historically States Assemblies have been very sceptical about using the ability of compulsory purchase in these issues, but it seems to me implicit that the Government, if they want to secure a best price, need to be able to not simply outbid other interested parties - and there will be other interested parties in this project. I am sure of that - but we need to say we can compulsorily purchase it. So I am surprised that that is missing from the amendment and it is probably because underlying ideology does not permit for that. I do not think this current Better Way constituency party would be happy to put a request in for compulsory purchase. It probably does not sit very well with their ideology. I do not have a problem with it. The last part is, I think, getting towards something sensible in the amendment. It talks about considering options for the Government to be notified when properties of areas of significant value come up for sale. The thing is we do know when they come up for sale because they are for sale and if they are in the public domain we know about it. If they are not in the public domain, then how can we know about it? The issue is we need to know about these things before they are up for sale. What the Government should be doing is looking for places that they can buy now, which are not only not for sale but also are not up for planning applications. I know this is something that the previous Minister for the Environment knew about and we had conversations. He may have even said it in the Assembly, the concept of land banking. We live in an Island where we are 9 by 5, where historically we have always been even prepared to reclaim land, but why would we reclaim land when we can simply purchase land? Purchasing land is so much easier than reclaiming it and so these are some of the red flags that I have. When I look at what happened to the very valuable land on the waterfront, it was reclaimed, very expensive land, it was in public ownership, it was built on, we built offices for the private sector and then we sold them to the private sector. Historically, Governments have got a very good record of using public land and transferring it into private ownership for private benefit. What we have got here ostensibly is privately-owned land, which is already in the public use, which has access, and we are saying buy it. I am very concerned about the partnership, like I said at the beginning, of that finding its way somehow into private ownership because the Government may want to, at some point in the future, transfer that. That said, I am happy to support this. I do not

know if I need to say anything in favour of the proposition apart from the fact that as a socialist I am always happy to use taxpayers' money to buy up land for the public use and I think we should do it more often. If we need to use compulsory purchase for that, that is good, but why leave it at land? Why do we not also look at other things that are in the public interest? For example, it is probably in the public interest to have a ferry company that we own and if you are going to have a monopoly when it comes to ferries or if you are going to have a monopoly when it comes to electricity or a monopoly when it comes to gas, maybe we should consider owning that as well. I would be interested to hear a bit more about the ideology behind this. Are other Members comfortable about spending millions of pounds to acquire car parks? Maybe the last point, the very last point, is that the irony has not been lost on me that we have just been debating parking in St. Helier, saying people in St. Helier in the future are going to have to get used to not having a car, but we are spending millions of pounds to buy a car park in the north of the Island that people in St. Helier are not going to be able to drive to because they do not have a car.

5.1.6 Deputy A. Curtis:

One of the reasons I got into politics was a belief that if policies and legislation are correct, sometimes they can be the best intervention that the States can make. We have grown weak in some ways and we have become weak in applying our policies in how they should align to the wider function of the Island and we pick up the tab for this in many ways, often through spending on things we should not need to spend on. Why do I say this? Why is this relevant? The reason is we are debating the potential purchase of a site that for many years provided a shop, café, parking for patrons and for coaches, but of course this changed on 13th January 2022 when the then Planning Committee approved an application that I believe completely failed the planning policy of the day, the 2011 revised Bridging Island Plan, and would fail under the Bridging Island Plan 2022. I would ask, given this proposition, where Deputy Farnham was on this day. Was he at the Planning Committee fighting the unjust application of policy the Government set? Unless my memory and the Greffe minutes of the meeting are mistaken, he was not. I know this as I was there, taking time out of my work day, fighting to use the policies that a former Government here set to make the best use of the Island's assets for the community. What policies are these? Well, given I do not like speaking at the committee, before I got in, I wrote a speech for this one. I have opened up my speech from 2022 and I can quote the policies that if applied would have come with an outcome more beneficial than the place we are today. "Strategic policy SP5, now SP6, in the Bridging Island Plan is about economic growth and diversification. It is extremely clear, I say, a high priority will be given to the maintenance and diversification of the economy and support for new and existing businesses, particularly where development can attract small footprint, high-value businesses from elsewhere and foster innovation in the following ways. The protection and maintenance of existing employment land and floorspace should be retained for employment-related use. That there is the first bullet point and it says: 'Development should retain land and floorspace.' We know that car parking and buildings are considered employment land and the committee has received advice to that effect. Policy E1 of the 2011 Island Plan was protection of employment land. We have heard of people going: 'Would it not be great if sites were marketed, if we had visibility?' It is almost like the Government of the day thought about that and they thought: 'Hang on a minute.' There will be a presumption against the development which will result in the loss of land for employment use, as supported by policy SP5, unless it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the size, configuration, access arrangements or other characteristics of the site make it unsuitable and financially unviable for any employment use and [I put "bold" so I can make the point then and I will make it now] confirmation by full and proper marketing of the site on terms that reflect the lawful use and condition of the premises. Back in 2021 and 2022, these sites, the Café Romany/Seaside Café was not put on to the open market, thereby it failed the part of E1 that said: 'See if anybody else wants to run a café from, see if anybody wants to turn it into a new surf

school.’ We have policies and we fail to use them that enable the right function of the Island Plan of other policies for the benefit of the community.” Now, I will not read more from there but what I will say is in the minutes captured by the States Greffe, who perform the function: “The case officer confirmed that employment use would continue, albeit in a reduced form, and that significant wider benefits would arise.” I would love it if Members of this Assembly could stand up and tell me when they look at the approved planning application P/2021/0861, if you are looking for it. Tell me what significant benefits arise from the development of a site that provides a large commercial function to one that has a large house and very small commercial function in the Coastal National Park. It says again that even the head of development of the day said that: “The committee had to balance the loss of employment land floorspace and the significant gains which would arise.” I am asking again, please tell me what these gains are? I will say Deputy Luce spoke. He was the one member who objected to this. I trust maybe he thought about the policies and I thank him for applying them wisely. The policy that will inform the value of land that we should be thinking about is, of course, the 2002 Planning and Building (Jersey) Law. The first Article of that says: “The purpose of this law is to conserve, protect and improve Jersey’s natural beauty, natural resources and general amenities, its character and its physical and natural environments. Accordingly, it is the intention of this law to ensure that when land is developed, the development is in accordance with a development plan that provides a clear, orderly, comprehensive and sustainable development of land in a manner that best serves the interest of the community.” Now, we would not be having this debate if we had applied those and, like our debate on La Collette, what I would say is we have made mistakes in the past and I ask this Assembly to not make those mistakes in the future.

5.1.7 Deputy M.R. Scott:

I do believe I probably did object to the development of the Grève de Lecq site, and in fact I lived in Grève de Lecq for many years and saw many changes there while I lived there. At that time, there was a place called Caesar’s Palace before Fisherman’s Wharf was developed and I also saw how, sadly, fewer and fewer people saw this dance troupe that would entertain there every night, or most nights, because the coaches stopped coming, because the tourist scene changed and people were not coming to the Island because it was so much cheaper to go to Spain where the weather is so much more reliable. At the time that the Café Romany, the actual site, the development proposal came through, I spoke with many people trying to object to that because, you know what, the Island Plan policies were being applied.

[16:45]

What was being put forward by the developer was almost like a cutout model of what happened with the Wayside in St. Brelade’s Bay that I spent a lot of energy fighting. Basically, the Island Plan policies were applied because, you know what, there are widely conflicting policies, to quote the Minister for the Environment again. That has not really changed in the Island Plan. This is the thing, I personally understand and realise why the Café Romany just fell into disrepair and was not continued. It is the same thing as happened at the Zanzibar in St. Brelade’s Bay because basically the market is not there. So we come to the fact that this has happened. The site has gone and it could, can and it is allowed to be developed for luxury housing. Why is that? That is because of planning policy and there are Members of this Chamber now who contributed to the development of the current Bridging Island Plan. Indeed, one of them, the bringing of the proposition itself, Deputy Farnham, was Minister for Economic Development, Tourism, Sport and Culture at the time. I contacted him to say: “We have this problem when it comes to tourist areas. We do not have proper policies to protect these areas.” Indeed, I worked with Constable Jackson to try and bring in some sort of protection for St. Brelade’s Bay. It could have been a much wider policy, but I was finding that there was a lack of interest on the part of the Minister for Economic Development, Tourism, Sport and Culture, in terms of being more proactive in identifying areas that deserved to be protected as tourist development sites. No response to my emails. I am afraid I cannot support this proposition, even

the bit that I am told by my neighbour on the left that could be regarded as a positive, to consider options consulting for enabling the Government of Jersey to be notified. Why are we not doing this in advance? Deputy Stephenson and Deputy Alex Curtis are Assistant Ministers of the Department for Economic Development and they are developing a visitor strategy. Do you know what you could do in that? You could start coming up with some ideas about how that strategy would inform the update of the Bridging Island Plan, if your colleague, the Minister for the Environment is truly going to commit to updating that plan, to not kick it down the road, to bring in some policies that I recognise as planning, actual plans, to preserve certain parts of the Island for public use, for economic development, to not have housing policies trump them, as has happened time and time again because economic development sites are not being really valued. Yet you have to have some protection of these areas to allow new entrants to come in, because it is just too profitable for owners to say: "Oh, yeah, we will sell to Dandara." This has happened again and again. Who is learning from it? Deputy Stephenson has also mentioned one should create a fund. Do you know what? There was a fund. It was called the Tourist Infrastructure Fund. Who was managing it before, in the last States Assembly? That was the Minister for Economic Development, Tourism, Sport and Culture. What did much of that fund go on? To fund sports trips. I did have a bit of a discussion with him about my disappointment about that. He may remember what he said to me about that. Let us say, it was not particularly sympathetic. There was something about: "You do not scare me, Moz," when I said: "We ought to look at how this was spent." It was not spent on tourist infrastructure. I do not really have confidence in Government buying this site, because I have seen how well it maintains its properties. I have seen that Deputy Stephenson would like some sporting facilities to go back to Fort Regent. Yes, we have seen what happened to Fort Regent. I did support Plémont being bought more or less for the National Trust, because I thought it was the best way to protect it; do not give it to Government. I do not think this is the best proposal. I do not think that (c) is a way of helping to identify sites that can be used. We need a good overarching property strategy, perhaps like the one that the Public Accounts Committee has been trying to pursue for quite a few years now. There has been one, but it was a bit vague. What we do need is some real thinking, which I hope the Minister for Infrastructure will do while developing this visitor strategy that is to be developed by the Minister for Economic Development, Tourism, Sport and Culture. I hope that it is something that equates to some real positive site identification and the possibility of using the compulsory purchase powers. I love the way Deputy Tadier talked about red flags. That was a bit that did amuse me. I plead with the Minister for Economic Development, Tourism, Sport and Culture to do this, make that Bridging Island Plan not a permanent plan but accept it was a Bridging Island Plan. We need a better Island Plan that serves the public far better. In the meantime, I regard this proposition as impractical, probably electioneering, and I would like to remind the bringer of the proposition of his attitude when I tried to preserve sites for the public in a much more constructive way.

5.1.8 Deputy P.M. Bailhache:

One can sometimes rely upon my good friend and former coalition partner, Deputy Luce, to enliven a debate. He certainly has brought to mind the pain that he caused to Deputy Gorst and me in the context of the first Plémont debate when he was arguing in favour of the construction of 27 houses on that headland rather than its restoration to its natural state. There must be few people in the Island now who would not think that the National Trust for Jersey has done the most marvellous job at Plémont in the restoration which it has done. The £3 million or so of public money that was spent in that context was indeed very great value for money. In the context of Grève de Lecq, it seems to me that Deputy Stephenson put her finger on the pulse of the issue in saying that the construction of a large private house on the seashore in that environment would completely change the character of Grève de Lecq to its extreme detriment. I, like Deputy Tadier and perhaps others, am slightly troubled by some of the amendments that my good friend on the other side of the Chamber has accepted. Most Jersey people would, if they were asked what they wanted to see happen at Grève de Lecq, would say: "Leave it as it is." Amendment (a) does improve on that. It is possible to improve

the environment in the sense of the café, which is not particularly beautiful, and the car park which, I am sure, could be enhanced by appropriate planting and other environment actions. The key must be that if Members approve this proposition that we wish to see some enhancement and betterment of the environment. I am confident that Deputy Stephenson and those with whom she is consulting will come back to the Assembly with something of which we can be proud.

5.1.9 Deputy M.R. Le Hegarat of St. Helier North:

I have real concerns and my concerns are these: we have Fort Regent, we have now moved all the sports facilities out of it and we have no money to do anything with it. This week we have talked about Le Rocquier School and the facilities that were supposed to be provided there for the east of the Island and, hey presto, we have no money to afford it. This is my question to the Minister for Treasury and Resources: “Where is the money coming from?” That is my biggest concern. I was in the Treasury in 2014 when Plémont was approved by this Assembly. I will not say exactly what the people sitting behind me said, but in a nutshell they wondered where the money was coming from. At that particular time they found the money because they were building a new police station, so it came out of the C.O.C.F. (Criminal Offences Confiscation Fund). However you marry that up, that is exactly what happened. I would have supported Plémont 110 per cent. Do you know why? Because Jersey Heritage came to us and said: “There is our plan. Can you give us a grant for money?” “Oh, yes, that is great idea.” What we knew was that they would demolish the holiday camp. I know better than most, because I am sure there are very few people in this room that have spent more time out west as young people than I have. I spent 8 years of my life living just down the road from Grosnez Castle and then I moved slightly south to St. Peter. I am very familiar with St. Ouen, as in Plémont and also Grève de Lecq. There is one thing that everybody has missed. Do you know what I did not realise in all of that time, 28 years of my life? There is a house on that site. Nobody in this room has mentioned the house that was built in the 1930s on that site. It is there. In 2022 the planning people had their display in the café showing everybody what was going to happen. I took the liberty of trundling down there, because at that stage, yes you guessed it, I was on the Planning Committee. I thought I am going to go and sneak in the back way while nobody is looking and I am going to see what is going on. That is what I did. It also meant that there were other people around that I had the opportunity to speak to. Some lived in the bay and were quite happy with what they saw, because it does look quite nice. Some were totally opposed to it. Do you know what though? Mostly every single comment was to do with parking. Nobody was concerned about anything else. It was all about where are we going to park. As somebody said, we have talked about parking all afternoon. The thing is, when you then say, okay there is the parking element ... yes, we already have a house built in the 1930s and we also have a bunker, which nobody has mentioned either. When it came to the planning and we all visited the site ... and I fully agree with what Deputy Alex Curtis said, and he is far more on the policies than I am, I will admit that. He looks at them far more religiously than I do. What I will do ... this is what we look at. It is a very large book and he reads it far more than I do. The point is, is that there are policies, but some of them can always be subjective. That is where we are. Okay? What was the Planning Committee seeing? What they were seeing was getting rid of what is an eyesore, as in the café. What happened on that 1930 building? They built an extension and they made a little café. Then they built another extension. That is probably what Deputy Scott saw when she was living down there.

[17:00]

It was built and built and with this humungous horrendous tarmac car park. We do not have tourists like we used to. We do not have Tantivy coaches in droves going down. I remember Caesar’s Palace. I remember everything, because I am that old. The point is, is that all the comments or most of them were to do with parking. That is not the issue here. It was private land and I fully accept and understand that people will be aggrieved that they no longer have parking. They were not supposed to park there. It was quite clear on all the signage around there that said: “You can park here if you

are going to the café.” Most people probably were not going to the café but the family never did anything about it. Anyway, here we come to the Planning Committee. What was set before us ... and yes, there are policies about employment of land, but there is a café that is going back on that site. There is also a house. Okay, the footage of the house may be larger than what is already there, but they are going to rectify the bunker. They are going to make all of that look nicer. They are reclaiming some of the sand dune. In fact, when you look at it, it does look better. The whole point is, is that when you look at all of these thing in planning terms, you look at what is presented by the officers within the department and then you look at what ... usually they have planners as well, so their planners come along and then you have a look at all of those that oppose it. Now the opposing teams also have planners as well. In fact, you then end up having to balance what you decide to do. Deputy Luce was probably the only one that refused the application. The rest of us looked at what we had in front of us and the policies that we had in front of us. The access to the beach is better than what it is already. Not the parking, but the access to the beach. They are making a better walkway to the beach. From that perspective, I went with the recommendations of the planning officer, and I will stand by that decision. If you all think I was wrong, that is fine. We all make decisions in life and we make that decision today. With hindsight we may make a different decision tomorrow. At the time, I thought this was reasonable and I still think that was reasonable, because that was what was set in front of me. I do not particularly like the idea of large houses on the coast like that. I fully agree with the one at Portelet because you almost feel like you cannot go there anymore, because there is a section of it that you cannot get on. That is not the case here. There is still going to be a café. I am not minded to support this because I am not happy with 2 things. First, I do not want this Assembly buying more property that we are going to be doing nothing with. I am not being funny. We have done nothing with anything else, so I am not confident that we will do anything with this. Also, I am not happy with it not coming back to this Assembly either. Part of that acceptance of the amendment says everything will happen without it coming back here. The other thing I would also like to know, and may be the proposer can clarify this, is that it says this is not going to cost anything. Okay, who is going to negotiate for this site? Do we have people in the States, employees, that can negotiate on our behalf? I doubt that very much. I do not know, because I assume that on normal cases, when we are asking to buy land or buy something that somebody is negotiating on our behalf. If somebody is negotiating on our behalf ... people keep pointing to the Minister for Infrastructure, but I doubt very much whether he is a qualified negotiator [**Aside**] ... Hang on, a qualified negotiator for land transactions. Joking aside, who is going to pick up the bill for the qualified negotiated transactions? I would support buying this site if somebody comes back to me and says: “Here it is. This is what these people are going to do. Let us give them a grant. Let us pay for half of it or all of it”, and I know that that is going to be knocked down and something better is coming back. I am not prepared to have another non-event. I could stand here all day: there is St. Saviour’s Hospital; Les Quennevais School is being a little bit now; we have the folly, which is under Ports of Jersey but that is us as well. We have so many sites across the Island which we do absolutely nothing with. To ask the public of Jersey to spend another £5 million-plus is quite naughty of us, to ask them to do that when we do not have a proper plan. Finally, I do still speak to people that live at St. Ouen because half my relatives still live there. Not everybody thinks we should be paying this kind of money for a car park. Unfortunately, this is my real dread. I do not want to see a car park. I want that tarmac all dug up, quite honestly. I want to see a nice open site. Yes, great, Deputy Stephenson’s idea of getting something there, but remembering what Deputy Tadier said, I do not want this to be an exclusive club. If it is going to be bought by us then it is for use by all of us, not just the privileged few. We do have things that still happen like that. Also, as I said, for me I do not want to see this as a car park. That is not the reason. From St. Ouen’s Parish Hall there is a very good bus, I am told and there is also some parking. Let us be fair, we cannot build a car park for people to have access ... how many days a year is it sunny? When did all of us last go on the beach? I leave it at that.

5.1.10 The Connétable of St. Clement:

Before we spend £5 million on anything, I suggest we contact Dr. Who and make him an offer for his Tardis. We can then all go back in time and we can right every wrong that we have ever done in this States Assembly going from now all the way backwards. Where is the Doctor right now? I am reliably informed he is in 1066, trying to prevent an arrow piercing King Harold's eye. If he is successful, the good gentleman over there will tell us that our whole world will change. We do not have these opportunities very often. It is incumbent on us to protect our small Island, which is only 9 by 5, for eternity. This is the situation we are in. I have written 3 words down - it helps prompt me, because I sometimes stop and stammer and forget where I am - secure, control and example. We have an opportunity now to secure this area, which is a beautiful area, for eternity. It is incumbent on us, on behalf of our 108,000 soon to be 150,000 people, we are told, to look after pieces of the Island which we cherish. It is a once-in-a-lifetime opportunity. Further than that, we can control what happens to it in the future, for eternity. It will belong to us. We are not saying that we are going to pay £5 million. We are not saying that it will be taken. However, we have an opportunity. The other situation is I am very happy with all elements of this potential legislation, particularly (c), because my third word, "example", is that it offers an example of the future to do things right; protect those little pockets of our Island that we cherish, use them wisely. We have potential partners we are told; use them. A lot of opportunities have been missed. We have had so many dialogues on Fort Regent. I personally have attended 3 workshops over 25 years about Fort Regent and nothing has happened. We are not using the right people and we are not going into the right partnerships. We have an opportunity here to go into these partnerships and do it now. I do get the dilemma between 500 vergées of trees, et cetera, but I think we should do both. Deputy Luce should not be worried that we have £5 million and should we spend it on it. We should do the lot. I am very comfortable with all elements of this proposition. It is a once-in-a-lifetime opportunity. We should take it in both hands and go forward.

The Deputy Bailiff:

Mr. Attorney, in your absence there was a question asked about compulsory purchase. Do you want to respond to that question?

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

Yes, I believe Deputy Tadier asked if there was a requirement in the proposition to refer to a compulsory purchase under the Compulsory Purchase Law 1961 in the proposition as amended. My answer is, no, there is not that requirement in this case because the proposition, as amended, refers to the Minister for Treasury and Resources ensuring that the negotiated price represents value for money and that prior to the transaction being presented to the States, in accordance with Standing Order 168, the price has been subject to independent assessment. The property in this case is on the open market. It is for sale. There is a willing seller. Standing Order 168 provides that the prior agreement of the States Assembly is not required for the purchase if the action is recommended by a body established by the States to manage land and buildings owned by the public of Jersey and the recommendation is accepted by the Minister for Infrastructure. The transaction could proceed without the agreement of the States. However, Standing Order 168 also provides that the Minister for Infrastructure must, at least 15 working days before any transaction for the purchase of this land is made, present to the States a document setting out the recommendation which has been provided by the body established to manage land and buildings. He must lodge that with the States a minimum of 15 days before the proposed transaction. It is at that point that the States Assembly might decide to call the transaction in for debate. My advice in summary is that the proposition does not need to include reference to a purchase proceeding under the Compulsory Purchase Law.

Deputy E. Millar:

I am wondering if I could perhaps ask a further question of the Attorney General. As amended, the proposition says: "... to ensure that the negotiated price represents value for money and that the price is then subject to independent assessment." If the Minister for Treasury and Resources, having had his hand forced, let us say, to negotiate a price which immediately puts him on the back foot in terms of the negotiation, if he feels the price does not represent value for money and particularly ... and I have in the last few years argued in court several times that a valuation is nothing more than an opinion. What matters is the price at which the parties agree to a sale. If the Minister is not satisfied that the price is value for money and if the independent assessment also says the price is not value for money what do we then do?

The Attorney General:

In those circumstances, the purchase could not proceed. If the obligation is on the Minister to ensure that negotiated price represents a value for money and he or she is not satisfied that the transaction does then the transaction could not proceed. It may be that the Minister would choose to bring this matter back to the States Assembly in order to get the States Assembly's view. That is all I can say in these circumstances.

Deputy M. Tadier:

Can I just thank the Attorney General? I did hear what he said. I have thanked him privately. I was listening outside and did not want to come back in while he was speaking.

5.1.11 The Connétable of St. Brelade:

Just a couple of brief points on which others have elaborated more fully. I am discomforted with this proposition for a couple of reasons. One is that spending £5 million on a project such as this is a good look from the public point of view. There are far more urgent things to be spent on, if you like, in terms of health and support of the community in general. Secondly, as has been alluded to by others, what are we going to do with it? The track record of Property Holdings, with all due respect to the Minister in charge, is not good. We look at car parks, we look at roads administered by Property Holdings, and we are talking about a car park here, and I say in the main they are pretty poor.

[17:15]

I would rather £5 million was spent on maintaining the existing stock than enlarging the portfolio with something which is probably not going to be well-maintained in the future. Deputy Le Hegarat pointed out that the plans on the table at the moment do not seem unreasonable. The world has moved on. The demand for parking, Café Romany style, has probably gone and the café with a small amount of parking seems to be the right sort of thing in a bay such as Grève de Lecq. I believe the proposals could enhance the bay. It is a special area. There is no question about that. Do we need to own it? I think not. I cannot support the proposition as laid out presently.

5.1.12 Connétable R. Honeycombe of St. Ouen:

I am fully supportive of the principle that the former Café Romany and car park in Grève de Lecq should be purchased by the States and utilised for the benefit of the public. I think the important part there is the benefit of the public. We see in the amendment that there have been talks, negotiations, going on with a third party and I think that if it is going to be bought for the public, it should be for the benefit of the public and not run as a private enterprise. I think we should be looking to buy it. It has run successfully for years. I do not see any reason why we have got to spend a fortune on it. I mean it needs refurbishing. Somebody will certainly snap it up and run it as a café restaurant. I am down there all the time and the place is heaving with people all the time. We are getting permanent problems with ... I know everyone is talking about car parking, but we permanent problems with car parking and I think it would be an asset to the Island, it would be an asset to certainly St. Ouen's and

St. Mary's, and I am fully supportive. What I would say, if we are successful in negotiating the price and the purchase of it, then contrary to what is suggested by Deputy Stephenson, that this should come back to the States and we should then decide how it is to be utilised. Then if there have been negotiations with a third party, which is noted as the Bosdet Foundation, then we should know about what these are because what we do not want to see is, as somebody has suggested before, that we end up with a club, an expensive club, which is not for the benefit of the Island. People want to go to the beach, they do not want to have to spend a fortune. Some of the facilities that this foundation run are very, very well-organised but very, very expensive and I do not think it is for the benefit of the public.

5.1.13 Deputy L.V. Feltham:

As many Members have said, I was not intending to speak on this, but actually Deputy Le Hegarat gave me quite a bit of food for thought. We tend to be on the same wavelength quite a bit as we have found, perhaps not politically but we do think similarly at some points. I think given some of the reservations, and I am supportive of this proposition, but I am also mindful that we have not actually received an official Government comments paper on it and that seems to be quite unusual given the cost involved and the potential impact. So I would like to hear more from Ministers so that Members that are concerned about this proposition can gain some level of assurance about the financing, the ability of the Government to manage the site and who will do any work entailed. Because I do share, I think, the concern of Deputy Le Hegarat that potentially we could end up with the site being worse than it could be. I think we need some comfort that it is the intention of the Government to maintain this site for public use. I also think, in fairness, you know, if it had been any one of us, other than an Assistant Minister, that that had brought the amendment, and I say this within mind that of course the amendment from Deputy Stephenson was brought in her own name rather than the Council of Ministers. I am conscious that the code of conduct for the Council of Ministers does ask Members of the Council, of which Deputy Stephenson is, to bring potential ... Deputy Gorst is shaking his head. My understanding was that Deputy Stephenson did have a place around that table. [Aside] She is a Member of the Council of Ministers. Maybe Deputy Gorst or one of the Council of Ministers could clarify. But my understanding is, is that Members of the Council of Ministers should indeed bring potential propositions to the Council and offer it to the respective Minister if they wish to bring it. So I am left wondering why the amendment itself was not a formal amendment from the Council of Ministers. I am also left wondering why we are lacking a formal comments paper from the Government either in support or not in support or at least giving us some information about how the outcome of this proposition will be implemented, how it will be funded and how we can ensure that the land will be safeguarded for the benefit of Islanders. So I would urge Ministers and Assistant Ministers to speak to this proposition and give Members who are concerned about it some more assurance about what will happen should it be successful.

5.1.14 Deputy T. Binet:

I did not really want to speak on this, but I note that it falls to Deputy Gorst and myself to try and make some sense of it. I would just like to point out to Members that if we are sent in to bat with the proposition as currently worded, if we vote for all 3, I think we are put in an impossible situation because we will be going in to talk to an individual who is extremely commercially minded. No intention of becoming a philanthropist. We have told him that we are desperate to buy his property and then, once we go to the negotiating table, we have got to tell him that we have got to buy it at a price that represents value for money for us. So I think Deputy Le Hegarat might be right. I am not the right person. I am obviously not experienced enough to handle this sort of endeavour and perhaps Members might be minded to advise me how to go about that. I describe this as a complete dog's breakfast. It should never have come to the Assembly. I did ask Deputy Farnham not to bring it along, but I did not really realise quite how complicated it was. Trying to make some sense of it, if I could suggest that we take it in 3 parts and I would recommend to Members to perhaps vote for parts 1 and 3 and leave aside part 2, which requires the value for money. I think the best we can try

and do, particularly ... sorry, but being a sort of fairly commercially-minded person myself, if I owned a property and I had people in the Assembly talking about compulsory purchase, it might make me look at my desire to sell a little bit more sharply. So on that basis, we could go forward and conduct a negotiation, see what price might be available, and then just bring that back to the Assembly to see whether that makes sense to them without the constraint of insisting that we have value for money in our terms. So sorry, I cannot offer more than that. But I just think if we take things as they are, we are just going to go round in circles and we will come back with nothing and we will waste the summer, and during that time somebody else might well have bought it. So I will leave it there. I really do not know how to vote myself, it is very confusing. But I think to try and make sense of it, 1 and 3, if people want us to come back with something, would put us in the best position to do so.

5.1.15 Deputy I.J. Gorst:

I do not want to unnecessarily prolong the debate. I do not think there is a conflict, as some have perhaps indicated, between representing the 3 Parishes of St. Mary, St. Ouen and St. Peter and being the Minister for Treasury and Resources. I always wish to deliver value for money. That, as the previous speaker has just said, is challenging. But it really should be a marker from which any negotiation takes place. I am also on public record, as is the Chief Minister, of saying that in an ideal world, Deputy Farnham, having lodged his proposition, would then just have delayed it to allow Ministers to go away and have those negotiations unencumbered. But we are having our debate today. We are getting towards the cut-off time. Although having said that, there might be another school of thought that says we just get on with the vote. It might be that he and I could have a conversation overnight and resolve that particular difficulty because I think that many Members have said they agree with the principle of negotiating for the site. The Minister for Infrastructure is right to remind us that within his or the Minister for the Environment's arsenal is compulsory purchase, and I would see that there are a number of - how can I describe this - approaches that one could take to these conversations and to these negotiations without saying too much more than that in public. Nor would I, of course, want to say too much about money and the source of money for all of those reasons, because it is very important that if Ministers are to do this work that we are not restricted and we are not tied to a belief that there is just an endless purse of money, because there is not. It is right in everything that we do that we should seek to get value for money. So I support the principles. I disagree with the Minister for Infrastructure. I think out of all of the Members of this Assembly, he is the very person to be able to negotiate such a thing because of his vast commercial experience. But he is right to say that it will not be straightforward and it will not be an easy task. That does not mean to say that the task should not be started upon.

Deputy M. Tadier:

I have a question for the Attorney General, which he may be able to ponder overnight or he might be able to answer it now. It relates to paragraph (a) and I have been re-reading paragraph (a) wondering whether or not paragraph (a) allows for the option because it says "to negotiate the purchase of the former Seaside Café", et cetera for particular use. But it does not say explicitly that the negotiation of the purchase has to be for States ownership. So is it possible that an interpretation of that paragraph could be that the States negotiate a purchase for a particular use but that they do not have to be the ones actually owning the site, so they could facilitate a third party to purchase the site providing it is restricted to a particular use, or am I completely misreading that?

The Deputy Bailiff:

It says to negotiate on behalf of the States of Jersey the purchase.

Deputy M. Tadier:

But it is asking the Minister for Treasury and Resources to do that on behalf of the States of Jersey, but it does not ... I am wondering whether it is implicit in that the ownership should be ... I think the first reading is that ...

The Deputy Bailiff:

I think it is expressed that there is a request on the part of the Minister to negotiate but on behalf of the States of Jersey the purchase. So the buyer would be the States of Jersey. That is the intention, I am sure. If no other Member wishes to speak, I call upon Deputy Farnham ... Deputy Renouf, do you wish to speak?

Deputy J. Renouf:

Yes, I do.

The Deputy Bailiff:

Well, please, unless the adjournment is proposed.

Deputy R.J. Ward:

Sir, can I suggest that we continue until we finish, if there is only one more speaker tonight?

The Deputy Bailiff:

Well, let us see how many more speakers there are. Deputy Renouf has said he wants to speak. Anyone else? Is there anyone else who wants to speak apart from Deputy Renouf?

5.1.16 Deputy J. Renouf:

Thank you, I am very sorry to keep everyone who thinks they were racing away. I will keep it brief, if I can, but I do think it does raise some interesting questions, which apply to my area. I was, along with Deputy Curtis, one of those who opposed the application in a previous life.

[17:30]

We met actually for the first time at that planning policy meeting when I spoke and he spoke. It is always depressing of course when you lose a thing like that, but maybe some good will come of it. This debate is an interesting outcome of that, many steps removed. I would say that there are several points that arise in relation to points that people have made about the car park, for example. The car park lost 60 places under the planning application that went ahead and there were not in fact enough spaces for the café that was proposed, never mind the visitors that would come to the beach. I think that raises the question about what the purpose of this might be. Why might we want to own this site? There are good reasons why we might want to own this site. It is also about opportunity. We do not necessarily want to go around buying up loads of sites, although there are possibilities where we might want to do that. But there is an opportunity here, so the question is do we turn down the opportunity or not. The opportunity is there because the site is for sale. I think for me part (c) is the most important part of this because it is to consider options for how we might move in this area in the future. There have been many sites that have come up over the last few years where we have had to consider this kind of possibility and we have not always had the option to buy. So I think of it in terms of what the opportunity might be. I am pleased that the amendment from Deputy Stephenson mentions the possibility of community use and so on. I have always thought that when we have sites like this, they do offer opportunities for use that is useful for the public in specific ways, depending on the site. At St. Ouen's we have El Tico with a surf shop next to it, and that combination works really well in terms of both being complementary to each other. At Grève de Lecq it is the centre for the Island's coastering industry, such as it is, and the car park was used by the businesses that worked there to offload all the equipment and so on. So there is a specific history there to a site that could

be used with a café and a coasteering, a centre for coastal exploration, environmental education and so on. So there is an opportunity. That, I think, is the reason why it is potentially a very exciting possibility. But the key issue it raises, which many people have raised, is about funding and we do need to think about where we are ... do we have a policy and an idea for how we want to do strategic property purchases? It would not necessarily just relate to the countryside. Town could also benefit from strategic purchases. Sites that we might want to buy for a youth club or for parking or for other things such as that, where we currently do not have that option. It does feel to me that there is a wider opportunity here to think about how do we approach the strategic land purchases. I do not entirely agree with those who say because we have got an awful record of looking after some legacy properties, that does not mean to say that we cannot reinvigorate our property policy. I know that the Minister for Infrastructure is very keen on looking at that and that we should think about how we deal with that kind of issue. It is a missing tool in our arsenal really that we do not have the ability at the moment to very easily buy sites. We have a J.D.C. (Jersey Development Company) who can develop sites we already own and we have Property Holdings who manage sites that we already own. Is there some mechanism that we can come up with? It may involve property disposals in one area in order to fund purchases in another. I would not want to commit to what that is at the moment, but I do think that that is something very worth considering. So I do think that part (c) of the amended proposition is helpful in that regard because it asks us to make those bigger questions. But we are at a very early stage. This proposition only sets in train a series of possibilities. I think on that basis I feel able to support it. But I do think there is an awful lot more that needs to be done to bring it into fruition. I am sorry to have kept everyone from their tea.

The Deputy Bailiff:

Standing Order 47 does require me at this stage to invite Members to decide whether you wish to continue or to adjourn. Does someone want to propose a continuance or adjournment?

Deputy R.J. Ward:

I would like to propose that please, Sir, because I think there is only one more speaker and that is the person summing up.

The Deputy Bailiff:

Is that seconded? [**Seconded**] Does anyone wish to object or speak on that proposition? In that case, the Assembly will continue and I invite Deputy Farnham to reply.

5.1.17 Deputy L.J. Farnham:

I hope the Deputy of St Clement is not going far because I am not going to be long. The Constable; I beg your pardon. I thank all Members who have spoken. I think we have had a good debate in a relatively short period of time given the nature of the subject. I need to address one or 2 speakers. First of all, the Constable of St. Mary, whose Parish this involves, questioned why the Government did not know. I did not know. Government did not know. I do not believe at the time the site was advertised for sale. We have to remember that between 2020 and 2022 we were running through the pandemic and at stages, especially in 2020, we were working to put in place hundreds of millions of pounds worth of reserves because we did not know what we were facing. Even if we had known, I am not sure the purchase of this piece of land would have taken the same importance at that time simply because of the unknown territory that we found ourselves in and later on. Certainly, if we would have found out, if I would have found out as a Member, I would have been prepared to act. Deputy Alex Curtis asked me why I was not at a planning meeting on 13th January 2022. Well, I cannot remember what I had for breakfast this morning, but I have consulted my diary of the day and my diary states that between 10.00 and 11.00 there was a target operating sport briefing for Economic Development Ministers. At 11.00 there was a Council of Ministers meeting. At 12.00 I dealt with some oral question responses. There was also a States Members briefing on incapacity benefits.

1.00, there was a regeneration steering group meeting. At 4.00 States Members received a briefing on rehabilitation services and at 6.00 in the evening there was a Council of Ministers meeting. So that is probably why I could not quite squeeze in the Planning Committee meeting. But I would have done if I could have. Deputy Scott recalls our lively conversations about that. But she is wrong. I think she is wrong because she said I said something along the lines of: "You do not scare me." Well, she terrifies me. **[Laughter]** So if I did say that, it must have been in a moment of nerves or something. But we did have, I like to think, some productive conversations. Deputy Scott has always been a proponent for tourism destination areas. We disagreed on the issue. We had some lively conversations. Some of them ended abruptly, but we picked up shortly afterwards and I respect her for that position. But I am not going to go in and discuss the detail of the tourism destination area issues. But my department, at the time, with the full backing of the Assistant Ministers, did put our views into the interim Island Plan against a policy which originally was in place to protect tourism areas to an extent that we felt was detrimental to the future of the industry. I do welcome Sir Philip's speech and I have here ... Deputy Bailhache's speech. I have here, of course, the proposition he presented for the grant to the National Trust, which enabled the ... I think it was just short of £8 million ultimately to be invested in Plémont, which is, as he said - and he summed it up perfectly - what a fantastic job National Trust have done with that and how different it would be today had we allowed 28 homes to be built there and not protected that important part of the Island. The financial investment, it is difficult to value pieces of land like this. As the Constable of St. Clement said, they come up very, very rarely, but it is difficult to value them. I think the Minister for Treasury and Resources or the Minister for Infrastructure, who is well-versed in land transactions and property negotiations, I cannot think of anyone else better to send into bat than the Minister for Infrastructure to come back, and I am sure he would come back with a really good deal for us. But he must come back with the best possible deal to the Assembly and ultimately the Assembly will make the decision and that is the time, I think, the opportunity to come back with some plans. There have to be some really good opportunities to do something really special with this piece of land. I think that, although privately-owned, Café Romany, Grève de Lecq, together with its large car parks, has become a de facto public amenity that brought a great deal of structure and continuity to the bay. And we miss it. We all miss it. The bay misses it. The businesses miss it. The users miss it. I think without doubt it has changed the whole character of the bay. What concerns me, while we talk about these things, and talk is cheap, meanwhile the property and the land is on the market for sale. I am sure that a good deal for the people of Jersey can be struck if we get on with it. That is why I brought this proposition. I know Deputy Stephenson, Deputy Binet and other Members have been talking about this. The desire from us all, I think, is to acquire this and do the right thing with this. We have a great opportunity to perhaps learn from what we have lost in the past and get hold of this piece of land and let this new Assembly, elected by a new electoral system, then show the people of Jersey that we can do something really positive and really good when we turn our mind to it. I could go on. There is lots to say and discuss, but I think it is clear, this proposition simply asks in good faith for the Government to go out and negotiate the purchase of this valuable piece of land for the benefit of the people of Jersey and come back to us with a good deal that we can approve, and then we can spend the time to make sure we do what is right for Jersey and what is right for the people. Thank you. I am pleased to bring this proposition and I ask for the appel.

The Deputy Bailiff:

Deputy, do you want to have separate votes on (a), (b) and (c), or not? It is a matter for you, it is your proposition.

Deputy L.J. Farnham:

I think I would propose to take it *en bloc*.

The Deputy Bailiff:

It is your proposition.

Deputy L.J. Farnham:

Thank you.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce the proposition has been adopted: 32 votes pour, 10 votes contre and one abstention.

POUR: 32	CONTRE: 10	ABSTAIN: 1
Connétable of St. Lawrence	Connétable of St. Brelade	Deputy T.J.A. Binet
Connétable of St. Clement	Connétable of Trinity	
Connétable of Grouville	Connétable of St. Peter	
Connétable of St. Ouen	Connétable of St. Martin	
Connétable of St. Mary	Connétable of St. John	
Connétable of St. Saviour	Deputy S.G. Luce	
Deputy G.P. Southern	Deputy M.R. Le Hegarat	
Deputy C.F. Labey	Deputy S.M. Ahier	
Deputy R.J. Ward	Deputy M.R. Scott	
Deputy C.S. Alves	Deputy M.E. Millar	
Deputy I.J. Gorst		
Deputy L.J Farnham		
Deputy K.L. Moore		
Deputy S.Y. Mézec		
Deputy P.M. Bailhache		
Deputy T.A. Coles		
Deputy B.B.S.V.M. Porée		
Deputy D.J. Warr		
Deputy H.M. Miles		
Deputy J. Renouf		
Deputy C.D. Curtis		
Deputy L.V. Feltham		
Deputy R.E. Binet		
Deputy H.L. Jeune		
Deputy A. Howell		
Deputy M.R. Ferey		
Deputy R.S. Kovacs		
Deputy A.F. Curtis		
Deputy B. Ward		
Deputy K.M. Wilson		
Deputy L.K.F Stephenson		
Deputy M.B. Andrews		

The Greffier of the States:

Those voting contre: the Connétables of St. Brelade, Trinity, St. Peter, St. Martin, St. John, Deputies Luce, Le Hegarat, Ahier, Scott and Millar, and Deputy Tom Binet abstained.

ARRANGEMENT OF BUSINESS FOR FUTURE MEETINGS

The Deputy Bailiff:

That concludes the public business of this meeting and I invite the chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangement of business for future meetings.

6. The Connétable of St. Martin (Chair, Privileges and Procedures Committee):

The arrangement of public business, at the moment there are only 7 items lodged for the next sitting on 12th September. We have not yet reached the lodging deadlines for the next meeting and so it is very likely that other items will be added to the arrangement of business. Members, however, should be mindful of the continuation days that have been set aside. I propose the arrangement of business.

6.1.1 Deputy E. Millar:

I just wondered if I could ask a very quick question of the chair of the P.P.C. Given some of the debate we have had today about absences, my recollection is that the dates for this year were set quite close towards the end of last year and I was wondering if P.P.C. could consider bringing dates for next year's meetings forward, perhaps by September, because lots of us, particularly people with children, like to book their travel quite far in advance. There is no reason why we should not know next year's sitting sooner rather than later.

[17:45]

Deputy R.J. Ward:

It was not to do with business but I would like to say something about the next sitting and the C.P.A. (Commonwealth Parliamentary Association) A.G.M. (annual general meeting), if I may.

The Deputy Bailiff:

Any more questions for the chair of P.P.C.?

6.1.2 The Connétable of St. Martin:

I can confirm that at the P.P.C. meeting on Monday we discussed the dates for the next sitting and so they will be released very shortly.

The Deputy Bailiff:

Is the proposal for public business seconded? **[Seconded]** Are Members content to adopt the proposition of the chair of P.P.C.

Deputy R.J. Ward:

I would just like to inform Members that the plan is for 13th September to be the A.G.M. of the C.P.A. and it would be very, very good to see all Members attend for some short presentations of the work that has been going on. We also have, we hope, a presentation from a young person who went to the Youth Parliament - represented Jersey absolutely brilliantly - and coming along and listen to her speak. I think it is really quite inspirational and I would recommend. Further details of what we will be planning to do will be emailed to you shortly. If you could put aside 13th September after this sitting in your diaries, that would be much appreciated.

The Deputy Bailiff:

Anything else to be raised? I do hope that Members have a chance to enjoy some time off over the summer a brief time to down tools but not, of course, any buckets and spades as they will be required on the beach. The States are adjourned until 12th September at 9.30 a.m.

ADJOURNMENT

[17:47]