



**THE STATES assembled on Wednesday
16th March 2022, at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Robert James MacRae, Esquire.**

All members were present at roll call with the exception of –

Senator Lyndon John Farnham – en défaut (défaut raised at 9.56 a.m.)
Senator Tracey Anne Vallois – ill
Connétable Philip Bond Le Sueur of Trinity – absent on States business
Deputy Jeremy Martin Maçon of St. Saviour – ill
Deputy Scott Michael Wickenden of St. Helier – excused attendance
Deputy Rowland Edward Huelin of St. Peter – excused attendance
Deputy Carina Soares Alves of St. Helier – ill

Prayers

Standing Order 55A – remote participation

THE STATES, with reference to their Act dated 14th September 2021, in which they had agreed that, notwithstanding Standing Order 55A(1), members who did not wish to attend in the States Chamber might continue to take part in States meetings using Microsoft Teams (until the States had considered and voted upon a proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of the Standing Order), assembled in accordance with Standing Order 55A with members able to participate remotely using Microsoft Teams.

Notification of lodged propositions

Island Plan 2022-25: approval (P.36/2021) – one hundred and third amendment. P.36/2021.
Five Oaks Masterplan Amd.(103).
Lodged: 16th March 2022, *Minister for the Environment*.

Island Plan 2022-25: Approval P.36/2021

THE STATES resumed consideration of a proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and, resuming consideration of an amendment of the Connétable of St. Brelade (P.36/2021 Amd.(45)), rejected an amendment of the Minister for the Environment (P.36/2021 Amd.(45)Amd.) that, after the words “should be deleted”, there should be inserted the words “and, after the words “tourist destination area” there should be inserted the words “; or for new or extended uses associated with daytime economy uses within the defined centre at Les Quennevais.”

Members present voted as follows –

POUR: 19

Senator L.J. Farnham
Connétable of St. Lawrence
Connétable of St. Brelade

CONTRE: 19

Senator I.J. Gorst
Senator S.C. Ferguson
Senator K.L. Moore

ABSTAIN: 0

Connétable of St. Helier
Connétable of St. Ouen

Connétable of Grouville	Senator S.Y. Mézec
Connétable of St. Peter	Connétable of St. Saviour
Connétable of St. Mary	Connétable of St. John
Connétable of St. Martin	Deputy J.A. Martin (H)
Connétable of St. Clement	Deputy G.P. Southern (H)
Deputy S.J. Pinel (C)	Deputy of Grouville
Deputy of St. Martin	Deputy K.C. Lewis (S)
Deputy of St. Ouen	Deputy M. Tadier (B)
Deputy L.M.C. Doublet (S)	Deputy R. Labey (H)
Deputy of St. Mary	Deputy G.J. Truscott (B)
Deputy J.H. Young (B)	Deputy L.B. Ash (C)
Deputy K.F. Morel (L)	Deputy of Trinity
Deputy G.C.U. Guida (L)	Deputy M.R. Le Hegarat (H)
Deputy of St. John	Deputy S.M. Ahier (H)
Deputy J.H. Perchard (S)	Deputy R.J. Ward (H)
Deputy I. Gardiner (H)	Deputy K.G. Pamplin (S)

THE STATES noted that, as there was an equality of votes, the matter had been determined in the negative in accordance with Article 16(2) of the States of Jersey Law 2005.

THE STATES, resuming consideration of the amendment of the Connétable of St. Brelade, acceded to a request by the Connétable of St. Brelade, in accordance with Standing Order 69(4) that his amendment to the proposition of the Minister for the Environment be withdrawn

THE STATES resumed consideration of a proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and, commencing consideration of an amendment of the Connétable of St. Brelade (P.36/2021 Amd.(57)), adopted an amendment of the Connétable of St. Brelade (P.36/2021 Amd.(57)Amd.) that –

in paragraph (a), for the words to be inserted within Policy ER4 there should be substituted the words “including, with respect to buildings in St. Brelade’s Bay, if refurbished or redeveloped through further investment for such purpose”; and

in paragraph (b), for the proposed new paragraph 6. there should be substituted the following paragraph –

“6. Any proposed design for the replacement of the whole or part of any site in daytime and economic use in St. Brelade’s Bay shall be supported by an independent professional assessment of the functionality of the design for its stated commercial purpose (including, without limitation, viability of the proposed operations with respect to storage, delivery areas, adequacy of car parking facilities, quality of disabled access (if relevant) and, in the case of a design for a restaurant or café premises, any other impediments to customer and kitchen service), highlighting any proposed design features that are likely to discourage commercial interest.”.

THE STATES rejected the amendment of the Connétable of St. Brelade, as amended, that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy ER4, at the end of sub-paragraph a. of Paragraph 5, before the semi-colon, there should be inserted the words “including, with respect to buildings in St. Brelade’s Bay, if refurbished or redeveloped through further investment for such purpose”; and
- (b) within Policy ER4, after the final paragraph there should be inserted the following new paragraph –

- “6. Any proposed design for the replacement of the whole or part of any site in daytime and economic use in St. Brelade’s Bay shall be supported by an independent professional assessment of the functionality of the design for its stated commercial purpose (including, without limitation, viability of the proposed operations with respect to storage, delivery areas, adequacy of car parking facilities, quality of disabled access (if relevant) and, in the case of a design for a restaurant or café premises, any other impediments to customer and kitchen service), highlighting any proposed design features that are likely to discourage commercial interest.”.

Members present voted as follows –

POUR: 9

Senator S.Y. Mézec
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Mary
 Connétable of St. John
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy R. Labey (H)
 Deputy K.G. Pamplin (S)

CONTRE: 25

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.W. Pallett
 Connétable of St. Helier
 Connétable of St. Lawrence
 Connétable of Grouville
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Clement
 Deputy J.A. Martin (H)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy G.C.U. Guida (L)
 Deputy of Trinity
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)

ABSTAIN: 0

THE STATES resumed consideration of a proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and, commencing consideration of an amendment of the Connétable of St. Brelade (P.36/2021 Amd.(85)), adopted an amendment of Senator Sarah Craig Ferguson (P.36/2021 Amd.(85)Amd.) that, in the inserted paragraph, the words “offering more than 58 beds” should be deleted.

THE STATES noted that, following the adoption of the amendment of Senator Sarah Craig Ferguson (P.36/2021 Amd.(85)Amd.(2)) to the amendment of the Connétable of St. Brelade, the amendment of the Connétable of St. Brelade (P.36/2021 Amd.(85)Amd.) to the same amendment was deemed to have been withdrawn.

THE STATES rejected the amendment of the Connétable of St. Brelade, as amended, that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “, except that within Policy EV1 the following paragraph should be inserted after the sixth paragraph –

“Changes of use of visitor accommodation will not be supported in St. Brelade’s Bay unless it is demonstrated that:

- (i) there is no market demand for the continued use of the premises for visitor accommodation including if refurbished or redeveloped through further investment for such purpose; and
- (ii) there is no unacceptable adverse effect on the intrinsic character of St. Brelade's Bay as a tourist destination area.”.

Members present voted as follows –

POUR: 14

Senator S.Y. Mézec
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy of St. John
 Deputy R.J. Ward (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 27

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Clement
 Deputy J.A. Martin (H)
 Deputy K.C. Lewis (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)

ABSTAIN: 0

THE STATES noted that, in accordance with the provisions of Standing Order 106, Senator Sarah Craig Ferguson and the Deputy of St. Martin declared an interest in the subject of the amendment of the Connétable of St. Brelade (P.26/2021 Amd.(85)) to the proposition of the Minister for the Environment, in that they were both shareholders in the Biarritz Hotel, and they did not vote on the amendment.

THE STATES noted that, in accordance with the provisions of Standing Order 106, Senator Lyndon John Farnham and the Connétable of St. Clement declared an interest in the subject of the amendment of the Connétable of St. Brelade (P.26/2021 Amd.(85)) to the proposition of the Minister for the Environment, in that they both had an association with a hotel.

Arrangement of public business for the present meeting

THE STATES noted that, in accordance with Standing Order 34(1), Senator Sarah Craig Ferguson had informed the Greffier of the States that her amendment (P.36/2021 Amd.(19)Amd.) to the amendment of Senator Stephen William Pallett (P.36/2021 Amd.(19)) to the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021) had been withdrawn.

Island Plan 2022-25: Approval P.36/2021

THE STATES resumed consideration of the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and, adopting an amendment of Senator Stephen William Pallett (P.36/2021 Amd.(19)), agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that within Proposal 17 (St. Brelade’s Bay Improvement Plan) after the words “improvement plan for St. Brelade’s Bay” there should be inserted the words “by December 2023””.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Deputy Inna Gardiner of St. Helier, agreed that the her amendment (P.36/2021 Amd.(7)) to the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021) would be considered immediately after the amendment of the Minister for the Environment (P.36/2021 Amd.(90)) to the same proposition.

Island Plan 2022-25: Approval P.36/2021

THE STATES resumed consideration of the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and, adopting an amendment of Deputy Kirsten Francis Morel of St. Lawrence (P.36/2021 Amd.(38)), agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) the following should be inserted within the list of protected industrial sites in Policy EI1 – Existing and new industrial sites and premises –

‘9. Bienvenue Farm and land adjacent, (The Fencing Centre and The Hidden Garden Company), St. Lawrence’

- (b) within Policy EI1, after the words “built-up area will be supported” there should be inserted the following new paragraph –

“The development of new; or the redevelopment, renewal, or intensification of existing sites and premises at Bienvenue Farm and land adjacent (The Fencing Centre and The Hidden Garden Company), will only be supported where it is for the purposes of warehousing and storage, or the nature of the proposed use will complement and support an existing rural business; or enables a new business that has the potential to make a significant contribution to the rural economy. Any such proposals must be accompanied by a business plan which justifies the location of the development; and demonstrates its contribution to the rural economy.”; and

- (c) within EI1 after the words “In all cases of light industrial” there should be inserted the words “/ warehousing and storage/ rural economy”.”

Members present voted as follows –

POUR: 40

CONTRE: 2

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Lawrence
 Connétable of St. Saviour

Deputy J.H. Young (B)
 Deputy J.H. Perchard (S)

Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Clement
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy L.B. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy R.J. Ward (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of Deputy Kirsten Francis Morel of St. Lawrence (P.36/2021 Amd.(28)), agreed that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy ERE3 (Conversion or re-use of traditional farm buildings), in the fourth paragraph, after the words “appearance of the building” there should be added the words “or changing or affecting the employment use or the nature of surrounding agricultural land”;
- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraph (a).”.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.Y. Mézec

Connétable of St. Mary

Connétable of St. Lawrence
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of Grouville
Connétable of St. Peter
Connétable of St. Ouen
Connétable of St. Martin
Connétable of St. John
Connétable of St. Clement
Deputy J.A. Martin (H)
Deputy of Grouville
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy M.R. Higgins (H)
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy of St. Ouen
Deputy L.M.C. Doublet (S)
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy of St. Mary
Deputy G.J. Truscott (B)
Deputy J.H. Young (B)
Deputy L.B. Ash (C)
Deputy K.F. Morel (L)
Deputy G.C.U. Guida (L)
Deputy of St. Peter
Deputy of Trinity
Deputy of St. John
Deputy M.R. Le Hegarat (H)
Deputy S.M. Ahier (H)
Deputy J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy K.G. Pamplin (S)
Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106, the Deputy of St. Mary and Deputy Mary Rose Le Hegarat of St. Helier declared an interest in the subject of the amendment of the Deputy Kirsten Francis Morel of St. Lawrence (P.26/2021 Amd.(28)) to the proposition of the Minister for the Environment, in that they owned property to which agricultural land was attached.

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and rejected an amendment of Senator Kristina Louise Moore (P.36/2021 Amd.(61)) that, after the words “the draft Island Plan 2022-25”, there should be inserted the words “except that –

- (a) within Policy ERE6, after the words “will not be supported” there should be inserted the words “; except where a commercial glasshouse site is located in close proximity to existing settlements and utility services, in which instance no more than 50% of that site will be supported for the provision of affordable housing, with use of the remaining 50% to be the subject of consultation by the Minister with the relevant Parish to determine whether it should be restored to agricultural use or, to be made available to the Parish for the benefit of the Parish as a community space”; and

- (b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent to the adoption of (a).”

Members present voted as follows –

POUR: 19

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator K.L. Moore
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Clement
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy K.F. Morel (L)
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 26

Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. John
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)

ABSTAIN: 0

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and commenced consideration of an amendment of the Minister for the Environment (P.36/2021 Amd.(90)).

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 17th March 2022 to continue consideration of the proposition of the Minister for the Environment entitled ‘Island Plan 2022-25: Approval’ (P.36/2021), as amended, and the remaining amendments listed for the meeting.

THE STATES rose at 5.35 p.m.

L.-M. HART

Deputy Greffier of the States