

STATES OF JERSEY



DRAFT STRATEGIC PLAN 2015 – 2018 (P.27/2015): SEVENTH AMENDMENT

**Lodged au Greffe on 14th April 2015
by the Connétable of St. Helier**

STATES GREFFE

PAGE 2 –

After the words “in the attached Appendix” insert the words –

- (1) “, except that in the chart on page 12 of the draft Plan in row 3.1 in the column headed “Desired outcome”, after the words “growth sectors” insert the words “without disadvantaging the retail, hospitality and service industry sectors.” and in the column “Key Area of Focus 2015–18” after the words “leading international finance centre” insert the words –
 - “Create a level playing field to ensure that businesses wishing to employ staff with less than 5 years” residency, are treated in the same way regardless of sector.”.
- (2) “, except that in the chart on page 14 of the draft Plan in row 4.1 in the column “Key Areas of Focus 2015–18” –
 - (a) after the words “facilitates investment” insert the words “, and provides, in particular, for the use of funds generated by the development of the Jersey International Finance Centre to pay for urban regeneration projects”;
 - (b) after the words “improving Fort Regent” insert the words “, seeking to acquire the land currently in the ownership of the Jersey Gas Company in order to extend the Millennium Town Park to provide additional open space and public parking as appropriate”.
- (3) “, except that in the chart on page 14 of the draft Plan after row 4.1 there shall be inserted an additional row as follows –

	Desired Outcome	Key Areas of Focus
4.2	St. Helier offers safe, clean and peaceful surroundings, with a quality of life comparable to that in other parishes	Develop an efficient regime of street cleansing, litter collection and public toilet maintenance; implement co-ordinated strategies to tackle noise and air pollution and to reduce anti-social and dangerous behaviours

and renumber the remaining rows accordingly.

- (4) “, except that in the chart on page 14 of the draft Plan in row 4.6 in the column “Key Areas of Focus 2015–18” after the words “in and around the town” insert the words “, including safe and convenient cycling and pedestrian routes”.

- (5) “, except that in the chart on page 14 of the draft Plan in row 4.7 in the column “Key Areas of Focus 2015–18” –
- (a) for the word “core” substitute the word “area”;
 - (b) after the words “cultural activities” insert the words “and heritage assets”;
 - (c) after the words “regeneration of the town” insert the words –
“Develop the evening economy to ensure the town is a welcoming place for all, with an effective and efficiently administered licensing regime.”.
- (6) “, except that in the chart on page 14 of the draft Plan in row 4.8 in the column “Key Areas of Focus 2015–18” –
- (a) for the words “to deliver services and best value for tax and ratepayers” substitute the words “for efficiency and fairness in the delivery of services to the public which does not disadvantage St. Helier ratepayers when compared with the ratepayers of other parishes”;
 - (b) after the existing Key Areas of Focus insert an additional Key Area as follows –
“Provide in the next Medium Term Financial Plan for the payment of rates on States’ properties.”;
 - (c) after the existing Key Areas of Focus insert an additional Key Area as follows –
“Delegate authority to the Parish of St. Helier for the licensing of small-scale events within the parish, including in its public squares and precincts, after appropriate consultation with the relevant authorities and subject to all necessary safeguards, risk assessments being in place”.
- (7) “, except that in the chart on page 14 of the draft Plan after row 4.8 there shall be inserted an additional row as follows –

	Desired Outcome	Key Areas of Focus
4.9	St. Helier voters have equity with voters in other parishes	Agree reforms of the States to give St. Helier voters the same political influence via the ballot box as voters in the other parishes

CONNÉTABLE OF ST. HELIER

REPORT

Amendment (1)

In recent years I have tried to help various business people get over the barrier to recruiting non-licensed staff. The need to recruit locally is fully understood; no one wants to bring staff into the Island unnecessarily as this imposes extra demands and costs on the employer, quite apart from other considerations. Employers also understand their responsibility to fill vacancies by training local people.

However, I know of several businesses in the hospitality, service and retail sectors which are unable to grow because of their inability to find licensed staff with the suitable experience, skills and/or motivation. The problem appears to be affecting the hospitality industry most severely, with restaurants, in some cases, unable to serve customers due to shortages of skilled and experienced chefs.

Business people in the non-financial services sector might find this problem slightly easier to deal with, were there to be a level playing field across all sectors of the economy, and a transparent process when it comes to appealing against a refusal to grant a licence to recruit non-local staff to fill a position which cannot be filled locally.

I am concerned that the emphasis in the Draft Strategic Plan on promoting 'additional jobs and growth in the Technology sector, with a particular focus on Fintech' will only make the situation worse. The emphasis on increasing productivity in 'Our Ambition' on page 11, could lead the Panel that now controls the issuing of job licences to support a request from a 'Fintech' business while turning down a restaurant, hairdressing salon or fashion retailer, each of whom may be able to demonstrate that they have been unable to fill a vital position with a local job-hunter.

It is accepted that financial services is the most important sector in the Island's economy and that that we will continue to need to recruit expertise for Jersey to maintain its pre-eminent position in this field, but if we are to do more than pay lip service to the need to diversify the economy, and to grow our tourism market, in particular, I believe that we need to judge all applications for non-local staff by the same criteria.

Amendment (2)

I welcome the fact that for the first time the Council of Ministers has produced a Draft Strategic Plan that makes the improvement of St. Helier one of its priorities. It is a pity that previous Councils (and before them previous Policy and Resources Committees) were not so clear-sighted about the importance to Jersey's future of 'getting St. Helier right', particularly as during some periods during the past 2 decades there was a surplus of funds that could have been invested in improving the infrastructure of the Island's capital. This is not to say that improvements have not been made over the years, but they have been piecemeal, with essential measures being overlooked, in spite of amendments which I and others have made to previous strategic plans.

The last Medium Term Financial Plan actually removed funding from St. Helier, agreeing instead to spend hundreds of thousands of pounds on 'village improvement schemes' in the rural parishes. Residents of such parishes are now coming to terms with what spending priorities of the then Ministers for Treasury and Transport and

Technical Services meant in concrete – or should we say, granite and bronze – terms. But quite apart from whether it was appropriate to introduce essentially urban traffic management features into the countryside, the cutting back on investment in urban renewal projects which would benefit tens of thousands of people in order to pursue schemes where the beneficiaries can be counted in the hundreds suggests that the reasoning behind such prioritisation of taxpayers' money was political.

However, we now have a new Council of Ministers with a triumvirate of Ministers, in particular, heading up the Planning, Transport and Technical Services and Treasury Departments, which seems determined not to repeat the mistakes of the past. Cynics might argue that St. Helier is being prioritised because the Council, wishing to build thousands of new homes in town, is trying to 'sweeten the pill'. I do not share that view: having already had several meetings with the new Ministers and having led the key Ministers concerned with improving St. Helier around the town on a 'walkabout' to see the kinds of challenges faced on a daily basis by the thousands of shoppers, workers, visitors and residents who use the town's streets and open spaces, it is clear to me that there is a genuine desire in the Council to build on the improvements that have already been made in St. Helier. But such improvements to urban infrastructure cost money.

Some of the funding for urban regeneration schemes in town can come from the use of planning obligations on the developers that are proposing to build as many as 2,000 new homes on brownfield sites; the Parish will also continue to play its part (the restoration of the bathing pool at West Park and the creation of a pedestrian and cycle link between the Millennium Town Park and Belmont Road are 2 recent projects in which St. Helier has acted as catalyst for improvement). But a sizeable amount of public funding will be required if the pictures of leafy, traffic-calmed streets painted in several recent masterplans are to become a reality, especially in the northern and eastern parts of St. Helier. Such funding was promised by the former Minister for Planning and Environment, then Senator F.E. Cohen, when he successfully sought States' approval for the Esplanade Quarter Masterplan, with sums of between £50 million and £70 million being offered.

The purpose of part (a) of this amendment is to ensure that the States does not forget the promise that was made to use the receipts from the development of what is now called the Jersey International Finance Centre (JIFC) to fund urban regeneration. Apart from this being a promise that was made to the Public which needs to be kept by politicians, the rationale for such a commitment is as clear now as it was when the arguments were made in the States several years ago: with the relocation of financial services companies in the JIFC, which in some cases will involve consolidation of a number of premises in the 'old town', and the tendency for footfall to move south, it is vital that the parts of St. Helier are improved in order to attract interest in the re-use of vacant, outworn office accommodation, whether for commercial or for housing purposes.

Of paramount importance to the future of St. Helier is the improvement in the quantity and quality of open space. During the recent debate on the petition to extend the Millennium Town Park (P.156/2014), I was heartened by the number of speakers who, while unable to support the proposition as it was considered to be an unacceptable interference in the planning process, indicated their support for the general principle of there being a need for more green space in town. Now that the planning process has run its course and permission for the development of the Jersey Gas Company site has

been granted, the time is right for the States to consider the benefits of increasing the size of the park.

Of course, development land is not cheap; the ‘Talman’ site, the private car park along Bath Street, was purchased by the States to add to its own Gas Place car park; at the time there were arguments that the Talman site would serve as a park by itself, with Gas Place being used for a multi-storey car park; Hopkins’ North of Town Masterplan went so far as to recommend that 5 storey apartments be constructed around the new park. It was unfortunate that the States could not find a solution that would have delivered the park with underground car parking, but at least the idea of building apartments around the park was not pursued, and the Millennium Town Park, after a dozen years’ wrangling, became a reality.

The case for extending the Millennium Town Park over the Jersey Gas Company site, and providing much-needed visitor and shopper parking – being on the Ring Road, this is consistent with the transport policies of the Island Plan and the Sustainable Transport Policy – was made during the recent debate on P.156/2014; and I would refer States Members to both the Report and to the debate on Hansard (20th January 2015). Part (b) of this amendment requests that the States give equal priority to achieving the extra open green space in the North of St. Helier as it does to the improvement of Fort Regent. The Jersey Gas Site offers clear marriage value to the present park whose facilities are already strained by the thousands who use them. An extension of the Millennium Town Park is an essential quid pro quo for this part of town, earmarked as it is for hundreds of new homes on surrounding development sites; it will provide better quality of life for its present residents, shoppers, workers and visitors, as well as for the occupants of the new homes.

During the debate on the States’ acquisition of Plémont holiday camp, I was a keen supporter of the argument that that site should be returned to nature in order to keep Jersey’s north coast special. I believe that the arguments for seeking to acquire the land adjacent to the Millennium Town Park are at least as strong.

Amendment (3)

Progress has been made in recent years towards a cleaner St. Helier by removing the duplication that used to exist between Parish and States (Transport and Technical Services) cleansing operations. However, there is more work to be done as both parties readily admit, not least because standards of street-sweeping and litter collection can vary depending on where one lives or trades in the Parish, while public toilet maintenance is still carried out by both agencies.

Residents of St. Helier frequently complain that their quality of life is affected by noise nuisance, particularly that occurring as a result of building work. There has been little let-up in the amount of construction taking place in the Parish during the years of the recession, but with the amount of major housing projects planned for St. Helier, the situation could get worse if there is not a cross-departmental approach to ensuring that St. Helier’s residents can enjoy peace and quiet, especially in the evenings and at weekends. Air quality monitoring needs to be stepped up, and data made more available, with action taken to tackle poor air quality where vehicle emissions can be shown to be a contributory factor.

A similarly joined-up and proactive approach needs to be taken to protect town dwellers from the anti-social or dangerous behaviour of a minority of people. The States of Jersey Police have a good working relationship with the St. Helier Honorary Police, but this needs to be developed further alongside other initiatives such as Residents' Associations, and the valuable work carried out by Third Sector organisations in order to enhance the ability of town living, to provide peaceful and supportive communities.

The question of how improved municipal services should be funded is addressed in my amendment (6).

Amendment (4)

I am sure that the Ministers for Planning and Environment and Transport and Technical Services will have no objection to the proposal that the 'Key Areas of Focus' in respect of travel and transport are strengthened with the addition of this amendment, having already had several constructive meetings with them, discussing 'Future St. Helier.'

For that reason I do not wish to expand upon why promoting safer and more convenient cycling is important, or, indeed, overdue. I am anxious to work with the new Ministers and their Departments, and look forward to making progress together so that walking and cycling, whether to school, to work or for pleasure, becomes the mode of transport of choice for those who are able to do so.

Amendment (5)

- (a) There has been a tendency amongst certain senior States' Members in recent years, encouraged perhaps by expensive reports by retail experts and consultants, to seek to draw a line around what is St. Helier's 'core' retail area and what is not. The assumption, perhaps, and the risk of such thinking, is that retail areas outside the 'core' are less important and need not be supported with the same level of public services or grants or other initiatives designed to drive footfall as is the case with shops within the 'core'. Much of the resilience of St. Helier's retail offer, in spite of the recession, is due to market forces, and there is no call for retail experts, economists or politicians to start drawing red lines around what constitutes 'core' and what does not.

Such thinking also neglects the facts of the matter: St. Helier has a generous amount of retail, with a number and range of outlets far in excess of that which one finds in similar-sized towns in Europe. Colomberie alone boasts more than 50 separate businesses, and is developing a 'distinctive' identity already, while shoppers and visitors who restrict their experience of town's retail offers to the precinct, i.e. King and Queen Streets, are missing out on what makes shopping in St. Helier such an interesting experience. Thanks to the activity and initiatives of successive Town Centre Managers, St. Helier's 'side streets' and 'back streets' now have their own trader groups that are successfully developing the identity of these 'non-core' retail and hospitality destinations: Bath Street, West's Centre, Halkett Place (now with its own annual music festival), Don Street, Colomberie – the list goes on and on. Each group of traders has a shopping list of improvements they wish to see happen, and has in place measures to ensure that vacant premises are filled as soon as possible.

It is therefore unhelpful, at best, and at worst damaging, for the Draft Strategic Plan to enshrine in its 'Key Areas of Focus' the development of a Retail Strategy around the concept of a retail 'core' which is why I propose the Plan refers instead to a retail 'area'.

- (b) The Council may well intend the phrase 'cultural activities' to include the pivotal part 'heritage assets' can make to the regeneration of the town, but I believe that the contribution of heritage is worth being specific about in the Strategic Plan, underpinning, as it will, the protection of our built heritage provided by the Island Plan.
- (c) In spite of statistics which show that St. Helier is relatively safe in the evenings, there is no doubt that among some Islanders there is a perception that it is not. The evening economy offers, on the one hand, a rich variety of places to go out to after work or on holiday, and is an aspect of Jersey life which is increasingly used to attract tourists. On the other hand, and especially where there is a concentration of pubs and nightclubs, the evening economy imposes several disbenefits on the community, not only in the direct costs to St. Helier ratepayers in cleaning up after a busy Friday or Saturday night, and the cost to taxpayers of the drain on the resources of the emergency services, but also in the indirect costs that arise when visitors make negative reports about their experience of the town centre after dark, and the noise nuisance caused to many town residents by revellers making their way home.

The Minister for Economic Development is pressing ahead with changes to the Licensing Law, which if adopted by the States should improve the licensing procedure, create a more level playing field between 'on' and 'off' licence premises, and allow for some of the profits received by the trade to be used to offset the costs of the industry to the Public. I believe that this is quite rightly to be regarded as a 'Key Area of Focus' in the Strategic Plan.

Amendment (6)

- (a) A dozen years on from the 'Machinery of Government Report: the relationship between the States and the Parishes', only the unequal burden of welfare payments across the Parishes has been resolved by the replacement of Parish welfare with Income Support. The unfairness of 'the position of St. Helier', as identified in that report, in respect of the provision of municipal services for the Public, has not been addressed, however. As is often pointed out, everyone uses St. Helier, but it's the ratepayers of the Parish who pick up the bills. The problem has been the subject of a number of amendments of past Strategic Plans but to no avail, so the inequity continues to this day: some parks enjoyed by the Public are funded out of general taxation – Winston Churchill Park and the seafront gardens in St. Brelade, Millbrook Park in St. Lawrence, Howard Davis Park in St. Saviour, Devon Gardens in Gorey – but First Tower Park, People's Park, Parade Gardens, La Collette Gardens, all of these are paid for by the ratepayers of St. Helier. A similar situation affects public toilets, which Transport and Technical Services maintain across the Island (including some facilities in St. Helier), but requests to past Ministers that his team also maintains the Parish's toilets have fallen on deaf ears.

There are at least 2 potential solutions to be considered in order to end this unfairness: the States could provide financial support to the ratepayers of the Parish of St. Helier in respect of the municipal services it provides for the benefit of all Islanders; alternatively, the States could cease to fund municipal services in the other Parishes out of taxation, and require ratepayers of the other Parishes to fund such facilities in their Parishes, as has always been the case in St. Helier.

- (b) I have lost count of the number of times I have brought the subject of the States' non-payment of rates to the States Assembly in the form of questions, amendments and propositions. Fortunately, senior politicians have gone on record in recent months as agreeing with the findings of the Committee set up many years ago to look into the matter that the States should indeed pay rates on its property portfolio, and hopefully steps are already being taken to ensure that meeting this long-overdue responsibility will be included in the forthcoming Medium Term Financial Plan. For this reason, I do not see the need to rehearse the arguments set out in previous documents and debates, and look forward to this amendment receiving the Council of Ministers' full support at the time of the debate.
- (c) This amendment seeks support for giving the Parish of St. Helier responsibility for vetting, licensing and monitoring small-scale public entertainments which take place in selected locations in the Parish, including, for example, the holding of a weekly market on Thursday evenings in the Royal Square. Such events will enhance the vibrancy and attractiveness of the town for locals and visitors alike. The Royal Square is, of course, the former market place of the town, and our Town Centre Manager would like to hold a market on Thursday afternoons and evenings, both to coincide with the ongoing 'Love Shopping, Love Thursdays' initiative, as well as to avoid any potential conflict with the Central Market, which is closed on Thursday afternoons. Other locations suitable for small-scale events include Liberation Square, the Weighbridge, West's Centre, Charing Cross, the Cenotaph and the pedestrian precincts, subject to permission being received from the relevant authority where it is not Parish land (e.g. Transport and Technical Services and the Jersey Development Company).

It is accepted that the current procedure involving an application to the Bailiff's Entertainment Panel is appropriate in respect of large-scale events, where the scrutiny and advice of the emergency services representatives and other bodies is vital to ensure public safety and the avoidance of public nuisance; major events where large numbers of the Public are expected to congregate, such as food or music festivals, fall into this category. There are many events, however, short in duration and small in scale, in terms of the numbers of people involved, which could be licensed by the Parish authorities, subject to the necessary precautions being taken and other safeguards being put in place, such as public liability insurance, risk assessment, consultation where appropriate, and so on. The Parish will also monitor and evaluate the events it licenses so that improvements can be introduced where necessary.

Currently, any business wishing to offer a promotional event involving public entertainment inside or outside its premises must apply for a Bailiff's permit; this is a time-consuming process which may involve significant delay. I believe that allowing the Parish of St. Helier to manage the licensing process

in respect of small-scale entertainment, whether within a business or outside it, will be an improvement on the current procedures for reasons of accountability, transparency, efficiency, simplification, enhancing the role of the Parish, and the reduction of red tape.

The Parish of St. Helier's Honorary Police Force has considerable expertise and experience in advising the organisers of events of all types and sizes, and has also increased the number of its officers trained and capable to police them. While the Parish would expect to advise the States of Jersey Police of small-scale events taking place in St. Helier, it would be responsible for any policing required for the events, such as a procession through town, etc., while the Parish's Technical and Environmental Services Department is more than capable of putting the necessary procedures in place if the Parish has this authority delegated to it.

In conclusion, it is relevant to note that the Carswell Review considered the control of public entertainment as part of its investigation into the role of the Crown Officers and recommended that: 'The Bailiff should cease to be responsible for giving permission for public entertainments.' The following reasoning was given –

'The Bailiff is responsible by long-established custom for giving permission for certain public entertainments, notably theatre, cinema and cabaret performances. In this role he has to ensure adequate standards of safety – which he delegates to departments of the States – and to act as censor over the content of performances, concerning which he consults other bodies. It is recognised generally that this is an executive function which is not appropriate for the Bailiff to carry out, and successive Bailiffs have wished to be relieved of it. The States have given this consideration, but it has not yet been possible to decide on an appropriate replacement, which raises difficult questions, not least of cost. Nevertheless, it is incorrect in principle for the Bailiff to hold this responsibility and we must express our opinion that a way should be found to remove it from him.' (5.3.2)

A review into the control of public entertainment was begun by the Education and Home Affairs Scrutiny Panel in April 2013, and evidence taken from various agencies, but it was not concluded.

Amendment (7)

The subject of States' reform has been raised during Question Time in the States, with one St. Helier Deputy pointing out that if the Council of Ministers' avowed intention of concentrating most new housing development in St. Helier is realised, the position of St. Helier's voters will become even more unfair than it is at present. St. Helier is already under-represented in the States, and increasing the number of electors in St. Helier can only make that position worse.

But does it matter? For many Islanders, the preservation of the 'Parish System' in its current form means that every parish Constable must have a seat in the States, even though that makes it impossible to achieve voter equity. This is presumably why the referendum last October on 'keeping the Constables in the States' was won by the

‘B campaign’. (St. Helier supported the ‘A campaign’, albeit by the slimmest of margins.)

Equality of votes may not sound important as a concept, but what it means in practice is that in Jersey the amount of representation a person has – their influence over their government – and the amount of attention they can expect from their States’ Members, depends on where they live. It has a particularly important effect when it comes to key votes in the States whose outcome affects the lives of St. Helier residents, such as whether the States should pay rates.

Perhaps Estate Agents should state, alongside ‘quiet country location’, that the owners of a particular property being offered for sale will enjoy more political power than if they buy a house in town. Joking aside, this is surely an unacceptable situation for an Island which wants to continue to develop its international reputation, and it needs to be rectified as a matter of priority.

Financial and manpower implications

As stated by the Council of Ministers in the financial and manpower statement accompanying the Draft Strategic Plan, any additional financial and manpower implications for this amendment will need to be brought forward in specific policy proposals and the Medium Term Financial Plan.