

#### **4.14 The Deputy of St. John of the Minister for Planning and Environment regarding the use of local Architects, Landscape Architects, Quantity Surveyors and Engineers in the creation of the North of Town Masterplan:**

As the town park has progressed, will the Minister give an undertaking that whenever possible, local architects, landscape architects, quantity surveyors and engineers will be employed to carry out the professional consultancy work and that this will apply to any future works in the north of town master plan, and, if not, will he explain why not?

#### **Senator F.E. Cohen (The Minister for Planning and Environment):**

I am happy to give the Deputy the assurance he requests, not just in relation to the town park project. When work cannot, for whatever reason, be undertaken within the Planning and Environment Department, then, whenever appropriate, we will appoint local practices in preference to out-of-Island consultants. However, there are 2 caveats to this assurance. (1) In the Island's best interests, we cannot be expected to appoint local consultants and practices that do not have the necessary skills, experience or capacity to undertake the necessary work within the required timescales, and (2) for the same reason, they must be competitive on price. It should be pointed out that, as the town park project progresses, the responsibility for the implementation will not rest with the Planning and Environment Department and that we will have no responsibility for the appointment of any consultants. Thank you.

#### **4.14.1 The Deputy of St. John:**

Yes. Could the Minister enlarge, please, and give us details of the skills and capacity he is referring to, because I - having been directly in the building line for many years - believe that the professionalism of our architects and surveyors, engineers, *et cetera*, are second to none because most of them have been trained in the United Kingdom or been aligned with United Kingdom companies for many years. Will he please enlarge on those comments he made?

#### **Senator F.E. Cohen:**

I, too, have great confidence in the competence and ability of local firms but there are exceptional circumstances where local firms perhaps do not have as much experience as those elsewhere because of the nature of our Island community. One example is master planning. While there are some architectural practices in the Island that have experience in master planning, there are none that I am aware of that would claim to specialise in master planning. Thus, for master planning it is appropriate to go to a practice outside the Island. But in that principle I have also tried to adopt a policy of encouraging a partnership between a local practice and an outside Island practice, although I do accept that the local practice in the case, for example, of the North of Town Masterplan, was minor in terms of the percentage of fees attributable to them.

#### **4.14.2 The Deputy of St. John:**

Yes. Would the Minister not agree that the use of (j) category employees, as happens within the finance industry, if you have not got a specific person to carry out a specific job, would be the way forward? Therefore any monies paid would go into the local Exchequer, not off-Island.

#### **Senator F.E. Cohen:**

Where appropriate, yes, but the problem is that often the commissions are commission-specific, so, for example, it would not be appropriate to bring in a (j) category master planner for a single master planning project and then have no future employment for them on a case-by-case basis. But the principle is understood. Thank you.

**4.14.3 Deputy G.P. Southern:**

Would the Minister inform Members how many contributions he received from members of the public popping into St. James' Centre over the North of Town Masterplan?

**Senator F.E. Cohen:**

I do not have the information to hand. I will ensure that the department produces a summary of consultation responses to date and will circulate it to Members either today or tomorrow. Thank you.

**The Deputy Bailiff:**

No supplementary? No. That ends oral questions with notice. We now come to questions of Ministers.

**Deputy R.G. Le Hérisier:**

I have a got a situation where my mind is basically exploding. I felt on the earlier decision we made, and on which Deputy Power has commented, that, totally by accident rather than by design, we have made totally irreconcilable decisions. I am not for a moment impugning the integrity of Deputy Trevor Pitman in bringing the matter forward. On the one hand, the public have been informed and I am constantly assailed about this in the streets and when I get about they have been informed many times by Senator Syvret that he is in, essentially, indefinite political exile because he believes he cannot get a fair trial here and there is general corruption and so forth. On the other, by acknowledging by our procedures that he is sick, there is a clear implication that when the sickness is over he will return to this Assembly. I think the public are going to think us utter fools in having backed ourselves, by accident, not design, into this situation. I make no comment on the merits of the case of the individual. But I think, logically, we look utterly stupid.

**The Deputy Bailiff:**

Deputy, if I may say this. The Assembly has taken no decision in relation to Senator Syvret this morning, no decision at all. What has happened is that, in accordance with Standing Orders, a Member has said on oath to the Assembly that Senator Syvret is malade. I asked him before he took that oath to satisfy himself that he had made recent inquiry and that Senator Syvret, he was satisfied, would have been here had he not been malade. The Member, that is Trevor Pitman, said that Senator Syvret was malade and he took the oath. That, really, seems to me to be the end to it, unless there is further inquiry, which would be made by the Privileges and Procedures Committee if requested to do so. But otherwise that is an end to it. The Assembly has taken no decision this morning about the matter at all. They simply did take a decision 2 or 4 weeks ago in relation to whether Senator Syvret's absence should be marked "excuse" and decided it should not. So that is the Assembly's position at the moment.

**Senator P.F.C. Ozouf:**

May I ask a question? Is it the case that ... and I think there may well be a genuine misunderstanding and there is unease among Members, certainly the Members I have spoken to. Was your suggestion to Deputy Pitman that he could take the oath if Senator Syvret was not here because he was ill and that that is what you directed and that is what you ruled, was that he was not here because he was ill as opposed to being absent for other reason but also being ill? Because there is an important issue which is, I think, at the heart of what Deputy Le Hérissier is saying.

**The Deputy Bailiff:**

Hansard will show that I said what I said.

**Deputy M. Tadier:**

Can I also make a point or seek clarification? I believe that the oath in French simply says that the individual is so sick that they cannot attend the Assembly because if they did it would put their health at even greater risk. I think simply that is what the Deputy, when he took the oath, was attesting to. Is that the case?

**The Deputy Bailiff:**

We are not going to have a debate on what may or may not have not motivated the Deputy in the oath that he took this morning. I think that I made it clear to the Deputy what he had to take into account before he took it. He was obviously satisfied that he could properly take it and that, as far as the Chair is concerned, is where matters currently stand. I think, as I said a moment ago, the Assembly itself has taken no decision on the matter today.