

4.9 The Deputy of St. Martin of the Minister for Planning and Environment regarding claims of planning corruption within his Department:

Will the Minister inform Members whether the Minister has asked the Chief Minister to launch an investigation into claims of planning corruption within his department and, if so, when the request was made and the response he has received?

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

Shortly after I became aware of the allegations as reported in the *Jersey Evening Post*, I contacted the Chief Minister to suggest that he consider investigating the matter. I emailed the Chief Minister early on the morning of 2nd October. The Chief Minister took immediate action and obtained officer advice on the way forward. The Chief Minister decided that, as the allegations were potentially of a criminal nature, the matter should be referred to the police.

4.9.1 The Deputy of St. Martin:

Is the Minister in a position to inform Members how wide that investigation will be in light of the headlines on Saturday's *Jersey Evening Post*?

Senator F.E. Cohen:

Even though I was not personally implicated in the allegations, it would be completely inappropriate for me to have any involvement whatsoever in the investigation of the allegations or to influence the investigation in any way. So I am going to be keeping out of it.

The Deputy Bailiff:

Nor, I think, does the Minister have responsibility for the ambit of a police investigation. The Deputy of St. John.

4.9.2 The Deputy of St. John:

Will the Minister delay the planning permits on any of the sites mentioned in the corruption case until police investigations have been undertaken on account that, if fault is found by the police on one party or another, that might influence the value of the sites that they have obviously purchased or are purchasing from another person and, therefore, could in fact create problems in the future as to the value of those sites? Would we be putting money into people's pockets through an illegal act?

Senator F.E. Cohen:

I hope the Deputy will not think I am being rude but I think it would be inappropriate for me to comment further in this matter. I have gone as far as I possibly can in answering the written question. That pretty much covers the issues the Deputy has raised in his oral question. But this is a matter that is being, as I understand it, investigated by the police and I really do not think I should comment any further.

4.9.3 The Deputy of St. Mary:

Does the Minister not agree that the root problem behind the atmosphere of corruption and the allegations of possible corruption is the massive increase in the value of land when it is zoned or becomes available for building, and can the Minister make any comments about this in the sense of prevention is better than cure?

Senator F.E. Cohen:

I am not really sure how to answer that question. Very clearly the rezoning of land can, in cases, create many millions of pounds of value and with the creation of that value comes all sorts of problems. But rezoning has been part of the structure of planning in the Island and, as far as I am aware, up to this point it has been carried out without allegations of corruption. But, as I have said, it would be inappropriate for me to comment on the current allegations and investigations.

4.9.4 Deputy J.A. Martin:

I think it is just to push the Minister for Planning and Environment just a little bit further from what the Deputy of St. John was asking. Is there anything under the Planning Law or under the Minister for Planning and Environment's powers to hold up planning permission while a police investigation is carried out? Which comes first, the ... as you say, it will be very disappointing to everybody if 2 years down the line we find out that a lot of money has been made. So, basically, has the Minister got any power to stop anything being developed on these alleged sites that are under corruption?

Senator F.E. Cohen:

I am afraid the honest answer is I do not know. I am not aware of the interaction of the Planning Department when a current police investigation is ongoing. I think it is probably better that I do not comment any further but if I am able to do so I will circulate further information to States Members at a later date.

4.9.5 Deputy C.F. Labey of Grouville:

Will the Minister enter into negotiations with the Minister for Treasury and Resources to set up a mechanism whereby if sites - Green or Countryside zoned sites - are rezoned for housing (say if they have changed hands in the last 10 years, for example), they will be taxed; thus removing the huge profit involved in rezoning sites?

Senator F.E. Cohen:

I am always happy to negotiate with the Minister for Treasury and Resources. However, in this area the matter, I think, has been largely covered by the proposals for affordable housing creation within the new Island plan. I do not think that it would be feasible to introduce a mechanism requiring the allocation of 12.5 per cent to 15 per cent of property value through an affordable housing mechanism and then add additional taxation on top of that. I think you would risk the development industry grinding to a halt.

4.9.6 The Deputy of St. Martin:

I am grateful to the Minister and I do understand his situation. Again, I would just like to mention the fact that these are just allegations and I would remind Members of the House, allegations do not mean findings of guilty, and I shall also make that clear where a certain chief police officer has been found guilty of allegations without a trial. But could I just ask the Minister whether in fact he will be taking steps within his own department to ensure that there is greater aligned supervision to ensure when applications are dealt with, there is some form of oversight of those applications rather than being delegated to one person making the decision?

Senator F.E. Cohen:

We have a planning process review ongoing at the moment. In fact, the planning inspectors who are carrying out the review are presently in the Island. I do not think that one can ever have a perfect planning process and I will endeavour to improve the planning process as much as possible. But there are always going to be holes in it and there is always going to be the potential for errors and that is the very nature of planning, I am afraid.

The Deputy Bailiff:

We come on to question 10, which the Connétable of St. Helier will ask of the Chief Minister.