

5.5 The Deputy of St. John of the Minister for Home Affairs regarding the disposal of a container full of fireworks:

Following the disposal by the bomb disposal team in 2010 of a container full of fireworks, which had been stored in St. John since 2007, would the Minister advise whether the department notified both the owner and the importer of the disposal and whether the Home Affairs Department accepts any responsibility for the situation and has given any consideration to reimbursing the owner who is out of pocket by £50,000?

Senator B.I. Le Marquand (The Minister for Home Affairs):

The Home Affairs Department's initial goal through the Fire and Rescue Service was merely the licensing of the initial importation of fireworks and the Home Affairs Department does not accept any liability for the overall situation. I am going to adopt the terminology of the questioner by referring to the owner and importer although, in fact, we were never clear as to who was the owner of the fireworks once they got to Jersey. The department wrote to the owner on 16th April 2009, 24th April 2009, 20th May 2009, 31st July 2009 and finally on 20th January 2010 advising the intention to destroy the fireworks. The owner replied to the first letter. The department wrote to the importer on 16th April 2009 and then on 20th January 2010 advising the intention to destroy the fireworks. The importer replied on 9th February 2010 that he was happy for this to happen. The fireworks concerned consisted of 125,000 rockets which weighed approximately 5 and three-quarter tonnes and were effectively abandoned on the site in the container. The owner of the site was very patient but clearly wanted the fireworks to be moved and there was no other suitable available site. The decision was, therefore, made by the Minister to intervene on public safety grounds. In order to avoid possible air safety and site pollution issues, the destruction had to take place in batches under controlled conditions.

5.5.1 The Deputy of St. John:

Is the Minister aware that it was his department or his officers from within his department, the Fire Service, who 2 hours prior to the pyrotechnics arriving on Island changed the goal posts from the pyrotechnics being stored at St. Ouen and having to be found another site, i.e. in St. John, at the time?

Senator B.I. Le Marquand:

I am not aware of the precise circumstances in which it changed. My recollection, such as it is, is that there was a safety reason why they could not be stored where they were initially going to be stored but this has had absolutely no effect on the way things have gone because, in fact, they were stored elsewhere for approximately 3 years.

5.5.2 The Deputy of St. John:

Is the Minister aware that certificates were issued from the Fire Service, other departments, and a Bailiff's certificate or Bailiff permit for the importation of these fireworks and, therefore, action taken from within his department and other departments have caused the importer and owner to be out of pocket by the action taken by his department?

Senator B.I. Le Marquand:

I totally disagree with that.