

**WRITTEN QUESTION TO THE MINISTER FOR TREASURY AND RESOURCES
BY THE CONNÉTABLE OF ST. JOHN
ANSWER TO BE TABLED ON TUESDAY 24th SEPTEMBER 2013**

Question

Could the Minister update members on any claim by Harcourt against the States of Jersey, or any states owned Company in respect of the Waterfront and Esplanade Square/Quarter and explain how the States of Jersey Development Company can arrange deals for 'anchor' tenants for proposed new office blocks on a site which is subject to court action?

Would the Minister detail what security, if any, is being given to proposed tenants and whether the prospective tenants were told of the Harcourt dispute at the start of negotiations?

Would the Minister provide details of the companies and the area lease, annual rental, and money received to date from such 'anchor' tenants?

Answer

The States of Jersey Development Company Limited ('SoJDC') has been completely transparent with regard to the litigation. Its publically available accounts for the year ended 31 December 2012, which were laid before the States on 16 April 2013 (R32/2013), clearly state at Note 11 entitled "Legal Action" on page 26:-

"Harcourt Developments Limited ('Harcourt') has filed an action against the Company. Harcourt is claiming that the Company should not have terminated what it alleges to be an agreement relating to prospective development projects and is claiming damages for breach of contract. The Company will defend the action brought about by Harcourt and does not envisage the action will delay any of its current plans and activities."

Unexpectedly, the then Minister for Treasury and Resources in 2008 was joined in to the action at a late stage.

The Solicitor General has brought two strike out applications to court already which has resulted in significant changes to the pleaded Order of Justice. A third strike out application is presently being prepared.

The States of Jersey set up SoJDC as a 100 per cent States owned property development company for it to operate on a commercial basis at an arm's length from the States of Jersey. The prospective tenants that SoJDC is in discussion with are confidential and any financial terms are commercially sensitive and not for public disclosure. What the Minister can disclose is that SoJDC is in discussion with potential tenants for a total of 150,000 sq. ft. of new office space and SoJDC expect to receive further requests for another 50,000 sq. ft. before the end of the year.