

Environment Scrutiny Panel Quarterly Public Hearing with Minister for Planning and Environment

MONDAY, 3rd DECEMBER 2012

Panel:

Deputy J.H. Young of St. Brelade (Chairman)
Deputy S.G. Luce of St. Martin
Connétable P.J. Rondel of St. John

Witnesses:

The Minister for Planning and Environment
Chief Executive Officer, Department of the Environment
Director for Environment/Deputy Chief Officer, Department of the Environment
Business Manager, Department of the Environment
Assistant Director, Policy and Projects

Also present:

Scrutiny Officer

[14:00]

Deputy J.H. Young of St. Brelade (Chairman):

Just to let you know some of the housekeeping things before we do the introductions, the Minister has indicated that he needs to be away for a special meeting elsewhere, an important special meeting at 3.30 p.m. so we are bringing forward the end time of the meeting to 3.30 p.m. Obviously we have issued an agenda and we will be going to give precedence to the 2 main items on the agenda, that is the planning process for the proposed new police headquarters and development control and processes, particularly in relation to Bath Street. We are going to give priority to those 2 items and if we have time we will then go on to energy policies and other matters. By way of introductions, on this side of the table, myself, John Young, Chairman of the Panel.

Deputy J.H. Young:

Thank you for coming along. Welcome to everybody. The first item is the planning processes in relation to the proposed new police headquarters at Green Street. I am going to try and concentrate on process issues because that is what the panel want to try and understand. Minister, if you would please kick us off, if you like, by telling us when did you and your department first become involved or have an input into the decision to select Green Street as the appropriate site?

The Minister for Planning and Environment:

I do not know that I have had an input other than when I was Assistant Minister under Freddie Cohen where I suggested that it would be a good idea if there was a formal link with Planning and Environment in regard to the selection of these sites. I made a request to the various people in authority, if you like, and it was suggested that because there might be an opportunity I would be taking over from Freddie and possibly be in the position of making a ministerial decision in terms of whatever planning application came forward or not, it was inappropriate for me to be involved at all. So, other than seeing a very preliminary list of sites, which was able to be given to me by Jersey Property Holdings, I have played no other part. I also suggested at the time that it would be very useful - this is going back some 18 months - that there should be a formal link, if there was not already, with Planning officers on that group, that a person from the department be seconded to ensure that there was a formal link with Planning so that we did not end up in a position whereby perhaps departments were running off to do things that perhaps would not meet the ideas of the Island Plan.

Deputy J.H. Young:

Thank you for that, Minister. Could I just repeat, you had that conversation when you were an Assistant Minister?

The Minister for Planning and Environment:

I had that conversation, yes. I still have the minute around somewhere and it is at least 18 months ago, if not longer than that.

Deputy J.H. Young:

Can you give us the date of that roughly?

The Minister for Planning and Environment:

At least 18 months ago.

Deputy J.H. Young:

And you had this conversation with whom?

The Minister for Planning and Environment:

I had the conversation ... I had correspondence with John Refault, who was involved in making decisions or liaising and I think I still have an email from him suggesting what I have just told you, that it would be inappropriate for me as Assistant Minister then to have played any formal part in the process.

Deputy J.H. Young:

All right, so this was 18 months ago which would be about August?

The Minister for Planning and Environment:

Yes, about that.

Deputy J.H. Young:

2011?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

So neither you nor your planning officers at that stage were ...

The Minister for Planning and Environment:

No, since that time I do believe, and the officer will correct me as to the dates of which a Planning officer was seconded to the working group, that was being organised by the politicians and the officers behind the scenes. I think an officer was seconded on to the group but I do not have the date at which he was seconded.

Deputy J.H. Young:

Was that much later, Minister?

The Minister for Planning and Environment:

It was later, yes.

The Deputy of St. Martin:

Would you say that the officers have had significant input into the proposals which we now have before us or have they not?

The Minister for Planning and Environment:

I think they have had an input, whether or not it is significant is a matter of judgment and without seeing what has been said by the officers or, indeed, by anybody else, in terms of reports that have been written or the things that have been said at these meetings which have not been open to me, I am not in a position to say.

Deputy J.H. Young:

Minister, it is accepted that you have the decision, the problem of dealing with the application that is on your plate, but would I be right in thinking that the forward planning function, the production of development plans, sits under your ministry as a responsibility?

The Minister for Planning and Environment:

Yes, it does and certainly it has always been one of my major interests that long-term strategic planning is absolutely vital as a part of the Planning Department's functions and remits, and the Minister for Planning's role is not solely to kind of rubber-stamp plans in terms of the building regulations or other issues of that nature.

Deputy J.H. Young:

Thank you, Minister. Now just referring to the Island Plan for a moment, the Island Plan was produced while, I think, you were Assistant Minister, was it not?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

You will be familiar, I would expect, with the section in the Island Plan for St. Helier regeneration zones and the proposal 12 on page 130 of the plan. If I may read and ask you what is the situation in respect of following it ... they list down a number of

areas and Eastern Gateway is listed as the sixth area. There is a map there which appears to show this site in the Eastern Gateway area. Would that be correct?

The Minister for Planning and Environment:

Yes, that would be correct.

Deputy J.H. Young:

It says for that: "To promote and guide desired regeneration and development activity in accordance with the objectives of the plan, the Minister for Planning and Environment will develop, in consultation with stakeholders and the local community, masterplans and development briefs for these areas and key sites within them. Area-based masterplans will include or be supplemented with a design framework." Then it says: "Such plans, et cetera, will be adopted as Supplementary Planning Guidance and then that where there are significant States-owned assets that are key determinants of the delivery of the masterplan, the Minister may refer masterplans to the States." Minister, with that policy in mind, which went through when you were the Assistant Minister, would your expectation have been that such a major development of the site within the Eastern Gateway area under that policy would have been subject to a development plan and a development brief for it?

The Minister for Planning and Environment:

It certainly would be and that is not the only large area that is up for the regeneration process and certainly needs to be looked at in terms of the ministerial remit that you have outlined.

Deputy J.H. Young:

So, Minister, has that happened? Do we have a masterplan for that area?

The Minister for Planning and Environment:

I do not think that it has, in fact, I am pretty sure that it has not. That is not to say that no work has been undertaken in terms of primary assessment as to the potential viability of a police station in that particular quarter.

Deputy J.H. Young:

Has there been a development brief for that site issued, Minister?

The Minister for Planning and Environment:

There has not been a development brief, no.

Deputy J.H. Young:

With a project of this magnitude, would it be normal planning process to give guidance to a developer, setting out the basic parameters and constraints of such a development?

The Minister for Planning and Environment:

Yes, it certainly would be and should be but you have to realise that within the high ideals that were put into the Island Plan, there are budgetary considerations as well as protocol considerations. The work that has been undertaken by the ministerial oversight group, and indeed the working officers to work up a proposition for the relocation of the police station has largely been undertaken prior to coming into the job proper.

The Deputy of St. Martin:

Surely, Minister, if there are protocol considerations you should, at the very least, have considered the protocol? Somebody from the Planning Department should have considered that at the start of the police station potential redevelopment and said: "Hang on a second, there are some protocols that we have to discuss at least before we proceed down this road."

The Minister for Planning and Environment:

I think that is right but the Chief Officer ...

Chief Executive Officer, Department of the Environment:

If I can, Deputy, the planning process allows a number of things to happen. We can either move straight and receive a planning application on any site and the absence or not of guidance for that site does not preclude a planning application being lodged. We often work with applicants, either to go down a pre-application route and then go straight to an application, or sometimes we go for a development brief, which then allows an application; so either is correct. The absence of a development brief does not mean to say that that is wrong, it just means to say that we have engaged with an applicant on pre-application advice and they could submit a planning application. So we do not have to have guidance in place for any site to allow an application to come in.

The Deputy of St. Martin:

It does seem extremely strange that a proposal like we have here for a police station which is going to be of major public interest, that somebody has not, from Property Holdings or wherever, come to your department and said: "Look, this is a major public building. Give us some guidance. Make sure we are ticking all the boxes so that we do not spend millions of pounds trying to get there in the way of planning applications, architects fees or whatever you need and then find at the last hurdle that it does not conform to any of our planning policies and we cannot build it. There is not exactly a lot of joined-up government going on here, is there?"

Chief Executive Officer, Department of the Environment:

No, I think that, certainly from an officer's perspective, what the Minister has just outlined in terms of the process post the reports from the Auditor General on Lime Grove, I think it was fairly clear then that another site was being looked at for the Police H.Q. (Headquarters). At that point we provided officer input on to a number of sites as to the policy implications, whether the development of these sites sat within the Island Plan policies approved. It was fairly clear from the applicant that a preferred site had been chosen. We did engage with the applicant and gave pre-application advice as to some of the site-specific issues that would have to be taken into account in any future planning application. So that did include height, scale, massing, design, proximity to other uses.

Deputy J.H. Young:

When did that happen? Can you give us a date on that, the first time you had an opportunity to input to the development?

Chief Executive Officer, Department of the Environment:

Yes, I do not have the benefit of the notes but it would have been the end of last year, prior to the planning application formally being submitted to us.

The Connétable of St. John:

Can I come in there? Do you think that the preferred site obviously was Lime Grove and this was picked up afterwards by Property Holdings on the back of knee-jerk reaction by the Minister for Treasury who had put all his eggs in one basket in Lime Grove and therefore we finished up with (how can I put it kindly) a boil on the back of a camel, given that this site appears not to be adequate for what is required, given

that what we are told everything will not go on this site and some of it would go down at La Collette.

Chief Executive Officer, Department of the Environment:

Yes, I cannot give you a comment unfortunately on the political side of the application.

The Connétable of St. John:

The Minister might be able to.

Chief Executive Officer, Department of the Environment:

All I can say is that we have a live planning application and we are currently considering - clearly this recent States decision provides a different pressure on the planning system as to what we do with this planning application - but all of the issues in terms of scale, height, massing, how the site will work ... I think the big assumption we make from all planning applications is when the applicant applies for something it is what the applicant wants and feels will work. I would say, back to the applicant on this site and any other site, they would not apply for something that they felt did not work but that really ultimately is a matter for the applicant.

The Connétable of St. John:

Can the Minister answer the question that I put?

The Minister for Planning and Environment:

It is not for me to indicate whether or not I am supportive of the plans that I have yet to see and to determine as to the sufficiency of the plans in relation to the provision of a police station on that particular site. All I can say is that I do not think that the way that we have approached this planning problem is necessarily the best use of the Planning officers' expertise or time and certainly steps have been undertaken in relation to a much larger project in the not too distant past in order to ensure that those problems do not repeat themselves.

The Connétable of St. John:

Can you clarify something? Are we talking about a police station or police headquarters?

Chief Executive Officer, Department of the Environment:

I think the application is for both; it is a single building.

The Connétable of St. John:

A single unit; a police headquarters/police station.

Deputy J.H. Young:

Can I just take you back to pick out some points? Thank you for your openness. The application, as I understand it, came in in August 2012. Minister, you told us that you were involved with the pre-application discussion a lot earlier; about a year before that. Was that the first time that your officers had a chance to provide guidance to the applicant on the limitations of planning factors relevant to this scheme, August 12?

[14:15]

Chief Executive Officer, Department of the Environment:

It would have been, as I say, pre-application. Prior to that we certainly were talking with the applicant prior to the formal submission of the application as to this site and how it fitted within the policy context within the Island Plan.

Deputy J.H. Young:

All right, so you had those discussions at that time?

Chief Executive Officer, Department of the Environment:

Yes.

Deputy J.H. Young:

So would that fit in with this masterplan responsibility? Why did that not involve producing a masterplan at that point? Was it too late?

Chief Executive Officer, Department of the Environment:

No. I think the key of what the Island Plan does allow us to do is a possibility of producing masterplans. It gives us a framework, if we feel a masterplan is going to be useful to then produce one to guide development. Generally we will undertake a masterplan when there is a lot of land coming up available for development in a certain timescale. So in areas where we feel that there is going to be a lot of change

it is relevant and right for the planning system to have a look at the area as a whole and to see, if all of this land came forward within a certain timescale, what the overall gain would be. Where we have an area where only specific sites are coming forward it probably is not right to have masterplanning, because you only masterplan areas which are subject to significant change.

Deputy J.H. Young:

But there is specific reference in that policy about States-owned assets that are a key determinant of the plans being subject to, it did not say States approval but referred to the States.

Chief Executive Officer, Department of the Environment:

Yes.

Deputy J.H. Young:

Would you accept in that area this is a key determinant site?

Chief Executive Officer, Department of the Environment:

I would say it is a key site in the area. I would say that in my honest opinion, my personal opinion, I do not think that area of town needs masterplanning ... if we had to prioritise the areas of town which would require masterplanning, that would not be one of the high priority areas because there is not the significant amount of change likely within the area.

Deputy J.H. Young:

All right, what is the predominant use in that area?

Chief Executive Officer, Department of the Environment:

It is predominantly residential. It depends where you draw the area but it is predominantly residential.

Deputy J.H. Young:

Looking at your 2 documents here, you have issued in 12th August design guidance for St. Helier which includes an area through Havre des Pas. I think this site sits within that area?

Chief Executive Officer, Department of the Environment:

I would say yes, but I do not have the plan in front of me.

Deputy J.H. Young:

Would you agree with what it says in here, that “predominantly residential” describes that area?

Chief Executive Officer, Department of the Environment:

I think it does. I think clearly we are on the edge of the town centre there in the town so part of that area obviously has commercial interests within it but anything south or to the east of this site is all residential.

Deputy J.H. Young:

All right, also bearing in mind, Minister, your supplementary planning rights on community engagement does talk about collaboration in plan-making or including on significant things like that, would that have been consistent with ... if you had had the opportunity to do that broader stakeholder planning task, would that have been consistent with all of these supplementary documents?

The Minister for Planning and Environment:

Yes, I think it would have been. The other example I was alluding to, over which I have recently been called in to express the ministerial viewpoint, is on the site acquisition or potential acquisition for the relocation of the hospital. A similar process is being undertaken which I think has been shown to be detrimental in that large sums of money are being expended on a hunt for particular sites, 3 sites of which have been identified but not publicly mentioned due to financial considerations and other issues, and the Minister for Treasury himself at that point suggesting that none of those 3 sites were sufficiently good in order to deliver what he considered to be a sensible route forward for the hospital process. At that point I have stated at Council of Ministers meetings that the proper process to follow under these things is to embark on a proper, long-term strategic planning assessment for the particular buildings and the locations where they could be possibly accommodated before we tie ourselves or nail ourselves to the mast in terms of any particular site and it becomes too difficult to change your mind. As I said, a large sum of money of the order of £150,000 has been expended conducting a site survey, if you like, for the hospital project and only at the late-stage process when the displeasure, if you like, has been voiced by the Treasury who have overall responsibility for Jersey Property

Holdings over States sites ... only when that displeasure has been mentioned has the opportunity to properly reassess the situation and to allow the Minister for Planning to do the second half of the job properly, has that been looked at.

Deputy J.H. Young:

Has that been put right now?

The Minister for Planning and Environment:

Yes, it has been put right now.

Deputy J.H. Young:

So we have kind of shut the door now where the horse has bolted in Green Street?

The Minister for Planning and Environment:

No, I am not saying that. In relation to the Green Street one, the difficulty is that having changed horses midstream, so to speak, when the process behind the scenes was in full flow, there were things that can only be done by Ministers and Ministers worked together up to a point in order to try and come forward with an integrated set of policies. Now it is not fundamentally right, although I would argue the contrary, that the Minister for Planning should automatically assume that he has the only say as to what should be developed where.

Deputy J.H. Young:

No, I understand that Minister. But you have described a thing called a "Ministerial Oversight Group" a minute ago, making these decisions. Can you just tell us what that is?

The Minister for Planning and Environment:

Yes, it is a group of politicians who have been given the job to oversee a particular process for relocation of facilities according to the diktat of the Chief Minister as to which ministerial responsibilities he thinks would be usefully amalgamated through a working party containing those persons.

Deputy J.H. Young:

So on the police headquarters, how is the membership constituted? Who makes that ...

The Minister for Planning and Environment:

The membership ... the officers can help me. All I can say is that it does not include the Minister for Planning and Environment, as you might expect, and I would not like to say who is on it but it is certainly not me.

The Connétable of St. John:

Can I come in there, please? It sounds to me what you have already said, that the Minister for Treasury says yes or no and then everybody else follows suit because the way you explained a few moments ago that 3 sites were produced for the hospital, for instance, the Minister for Treasury gave the nod or did not and that is it. I have some real concerns if there is just one person making decisions.

The Minister for Planning and Environment:

I have concerns as well but I would not go as far as to say he has the sole voice or say in any of these particular matters. At the end of the day the financial considerations are a major element of any of these very large projects which will require huge sums of money to be spent on them. Our Property Holdings Department and the property portfolio do fall within the remit of the Minister for Treasury so you would expect him to have a viewpoint.

The Connétable of St. John:

So therefore do you think that is the right place for Property Holdings to be sitting?

The Minister for Planning and Environment:

No, I do not. If I were reorganising things I would put Jersey Property Holdings back where it was originally, which is with the Planning Department.

Deputy J.H. Young:

So, Minister, this obviously is a serious organisational defect I think you are describing here.

The Minister for Planning and Environment:

I think there is the potential for it to be read in some cases as a serious defect and I think certainly some time and effort should be made in order to see to what extent changes could be made in order to make the wheels run a little smoother. But in essence, I think the thing that needs to be done is to ensure that any environmental

long-term strategic viewpoint is brought into the equation at the earliest opportunity in order to make for the best efficiencies of officer time and expenditure of any monies.

Deputy J.H. Young:

I want to test you out, Minister, on where that situation now leaves us. Would it be true that if there was not available to an applicant, whether it is public sector or private sector, development guidance to assist that, to deal with planning factors, that would mean risk for the developer in incurring costs?

The Minister for Planning and Environment:

Yes, there would be risks, yes. But on the political side, obviously that risk at some stage is seen to be able to be mitigated by the fact that if you have had a number of politicians working together to work up a particular programme and it requires a look by the Minister for Planning and that look is taken to a later stage, then obviously the emphasis of approach must be for the Minister of Planning to be in a position to rubber-stamp as far as he is able to those particular plans, which is not the best way to deal with it.

Deputy J.H. Young:

Does that mean, Minister, you are saying that you could be ... I do not know if you are telling us that you are in the position that you have very little choice now in the decision ...

The Minister for Planning and Environment:

No, I am not going that far. I am saying that it is a difficult position to be put in, where the cart is being put before the horse.

Deputy J.H. Young:

But it is a risk, potentially. So that if major factors are identified in part of your evaluation of the application, with your other hat on, which could present problems which require you to either ...

The Minister for Planning and Environment:

That would have to be weighed up as material considerations for the decision to be taken or not taken, as the case may be, and certainly those issues would be flagged up and highlighted by the officers in writing the report to recommend or not recommend the application in the first place.

Deputy J.H. Young:

Will you be swayed, Minister, by the knowledge that the costs that have been incurred to get the application that far, are you likely to be? Can you tell us?

The Minister for Planning and Environment:

No. No, I do not think I would be swayed by that point and that is not a material planning consideration. The planning considerations would be mainly to do with the lost opportunities of perhaps considering other sites that might well have been more able or better able to produce the results for the applicant company.

Deputy J.H. Young:

If I just move to other sites for a moment, do you know why, Minister, the position was taken not to proceed with the development of the Summerland site? I think the application was withdrawn at the same time that the Green Street application was put in. Was there not fully worked-up planning application for a new police headquarters on the Summerland site? Do you know why that was dropped?

The Minister for Planning and Environment:

I think from what I have heard from various sources, it was due to an argument within the staffing of the Jersey Property Holdings and the Minister for Treasury.

Deputy J.H. Young:

Would you like to explain a bit more?

The Minister for Planning and Environment:

No, that is probably as far as I want to go.

Deputy J.H. Young:

Minister, in preparation for this meeting I looked at the site area of Summerland. I think if I am right it is some 4,700 square metres whereby Green Street is some 1,750 square metres. It obviously allows you a lot more potential for development there. Was that a factor that entered into the discussion, do you think?

The Minister for Planning and Environment:

Whose discussion and when?

Deputy J.H. Young:

Was this the Ministerial Oversight Group looking at this?

The Minister for Planning and Environment:

I do not know. I have not been to any of the Ministerial Oversight Groups because I am not a member.

Deputy J.H. Young:

Can we ask you, Minister, were any of your officers present at those discussions and meetings, because that would help us?

The Minister for Planning and Environment:

I do not know, I would have to ask the officers.

Chief Executive Officer, Department of the Environment:

I would say whether or not an application gets withdrawn or kept in is ultimately a matter for the applicants. In this case it was Property Holdings' decision not to progress with that site and to progress with another alternative, so those sorts of discussions we will not, and it is not proper for us to, get involved with from a Planning side of the equation.

Deputy J.H. Young:

So you do not know the reasons?

Chief Executive Officer, Department of the Environment:

I do not, no. All I know is when the new application was submitted obviously the other one was withdrawn and that was done at the same time.

The Deputy of St. Martin:

We are discussing various sites here but what we are discussing is building major public buildings and spending public money on services for the public. Do you not feel, Minister, that there is a different role for Planning to play in a process of building a police station, for example?

The Minister for Planning and Environment:

I do, and it has been outlined by Deputy Young and it is embodied in the Island Plan. I am convinced of the usefulness of long-term strategic plans in order to properly

assess the amenity provision of any particular application and the siting and the location of it.

Deputy J.H. Young:

Minister, before we close on this subject, from what we have seen you are in a difficult position because you are in the middle of having to deal with a planning application now which has come late in the day and without advice, I think I am hearing, would you agree that there are significant issues raised by the material that has come across our table, published on your own website, of, for example, traffic impact, parking, and the impact on residential properties and amenities in that area? Would you agree there are significant issues raised by that development?

The Minister for Planning and Environment:

I do not think it is right of you to ask me because I will have to consider the application and certainly if any further comment is made as to the grading of this particular site compared to potential gradings of other sites, which are not being put forward by the applicant, then that would be a material consideration that I am taking into account before I have arrived at seeing all the documentation in front of me, which I am not allowed to do.

Deputy J.H. Young:

All right, thank you, Minister, I accept that. I think I should rephrase my question. Had those questions been made before you had got an application and we were at the masterplanning process, would you have been able to give guidance to an applicant on issues to do with parking and traffic and impact on the residents?

The Minister for Planning and Environment:

The answer to that is yes, and certainly that is what I have been called upon to do in relation to the hospital relocation.

Deputy J.H. Young:

Minister, are you now satisfied that all these problems you have described for us at Green Street have now been put right on the question of the hospital and in fact all major public sector development projects? Are the arrangements now improved to prevent this happening again?

[14:30]

The Minister for Planning and Environment:

I am not happy that there is a general acceptance across the States as a whole of the importance of long-term strategic planning and the fact that most of that remit, if not all of that remit, lies within this ministry.

Deputy J.H. Young:

What do you need to happen, Minister, to get to the point where you feel you can deliver your responsibilities under the Island Plan?

The Minister for Planning and Environment:

I think we need to have that general level of acceptance across the Council of Ministers.

The Deputy of St. Martin:

When it comes to long-term planning, Minister, would you agree that having a States-owned car park alongside a potential police station building site, when that car park could be set for demolition within the next 10 or 15 years, that that is tied with the type of strategic planning you would be talking about where you have 2 States-owned sites side by side where redevelopment of those sites together could happen at the same time potentially or should be at least considered when one is proposed firstly?

The Minister for Planning and Environment:

It is one of the strategic issues that has to be taken into account, yes.

The Deputy of St. Martin:

So it would be a good example of not really thinking very much further ahead than next year?

The Minister for Planning and Environment:

I would not say that because in saying that you are asking me to pass a judgment on something that I am not ready to make a decision upon. But all I can say generally is that there must be given sensible material consideration of transport issues as well as any other issues before the Minister can be in a position to properly assess whether or not whatever is being put in front of him fits the bill or does not.

The Deputy of St. Martin:

Minister, it sounds very much to me that the application here has addressed all the detail of the size of the offices, how many people you can put inside, whether the front door has glass or whether it is made of wood, when we should be considering things like do we have enough parking, can the public access, is there scope for development in the future?

The Minister for Planning and Environment:

This is the 2-headed nature, I think, of the planning function. From a building regulation point of view and a design point of view you are absolutely right, there must be consideration of the exterior of the buildings and the extent to which it ticks the boxes for sustainability or whatever and whether or not it is capable of functioning as a police station or whatever as a public building and the amenities that it offers to its employees. But over and above that, the other part of the remit of the job is the one that is referred to within the Island Plan, which is a proper strategic assessment, which is down to some of the issues that you are considering. That will inevitably mean traffic considerations, the use of the site in perhaps an area that may or may not contribute favourably to the residential aspect of the area, and a whole host of other things besides.

Deputy J.H. Young:

Minister, you have been very frank with us, in view of the unsatisfactory situation that you have been put - you now have to deal with the application - is there a case for you holding a Planning inquiry into this application to bring these factors out?

The Minister for Planning and Environment:

I do not know. I would need advice on that from the officers but I would think probably not.

Deputy J.H. Young:

Minister, I am puzzled as to what is the reason for this? Is it just a mistake, is it error in the transition from leaving from the office of one Minister into a new regime, a new Council of Ministers? What is the reason for it?

The Minister for Planning and Environment:

I think there is a heavy helping of that.

Deputy J.H. Young:

I beg your pardon?

The Minister for Planning and Environment:

I think there is a heavy helping of that among some politicians. I think there is a fear perhaps that their previous incumbent kind of strayed too far into managing the planning situations and that is perhaps something that new members of the Council of Ministers do not wish to see repeated.

Deputy J.H. Young:

So it was an over-reaction, as it were?

The Minister for Planning and Environment:

I think it might well be an over-reaction.

Deputy J.H. Young:

From what you have said, that is now coming back to a more sensible position from your point of view?

The Minister for Planning and Environment:

I am hoping it is, particularly in relation to the hospital.

Deputy J.H. Young:

Will you be telling us, Minister, and making sure that it ...

The Minister for Planning and Environment:

I have a meeting tomorrow to tell me whether or not any of the papers that I have forwarded in relation to this issue to the Ministerial Oversight Group have been accepted or not, so after tomorrow I will probably be in a position to know but I have not had any information back since.

The Connétable of St. John:

Minister, would you consider that Property Holdings, through the Minister for Treasury, have been running headlong into this without your department being involved.

The Minister for Planning and Environment:

I think that is probably going too far but I think it would have been more helpful to have had closer working relationships to iron out any potential difficulties that are being highlighted by the politicians, and those who are not perhaps as close to the issue as those who are dealing with it.

The Connétable of St. John:

Thank you.

Deputy J.H. Young:

I think we have probably covered the process on this one, if we can.

The Deputy of St. Martin:

Yes, I would only say that obviously the hospital is going to cost considerably more money than the new police station and if there are lessons to be learned from this police station mess, if we can call it that, at least we are going to do them before this way and not the other way around because we must learn, if at all possible.

The Minister for Planning and Environment:

Again then, yes, a subjective view that it is a mess. It has not been considered, the application, as yet and it might well prove to be that what is being put forward by the applicant is a satisfactory solution, albeit perhaps not the best solution.

The Deputy of St. Martin:

When I say “mess” I was not specifically referring to the site, I was referring to the States trying to find a site for a police station over what is now more than a decade.

The Minister for Planning and Environment:

Yes, I think the proper process to be undertaken is that it is my general view that planning is a consensus building operation; that is what the officers do best. It does not work up in garret on its own without talking to anybody else. I would have thought that the right organising department is the Planning Department, working with other departments to take on board their needs and requirements and to work up whatever is best in planning terms, which inevitably take on board the viewpoint of not only the individual applicant company but also for everybody and all Islanders as well.

Deputy J.H. Young:

Minister, before we close this item, are you able to give us a guarantee and give the public a guarantee that in the position you have put determining that application you will take into account all those things we discussed - impact on a residential area, issues of parking, issues of traffic?

The Minister for Planning and Environment:

Absolutely, I have to do that and it would be remiss of me if it was suggested or if I suggested, which would be even worse, that I would not be in a position to take those things into account.

Deputy J.H. Young:

That will include the chance to hear what members of the public have to say in that application?

The Minister for Planning and Environment:

Yes, if there is a protocol that allows it.

Deputy J.H. Young:

I am going to close that item and move on now to a second, if I may. We put on our agenda the second item which is planning development control processes. I think there is a relationship here to our first discussion, because what we have also probably been describing is the relationship between forward planning, strategic planning of large developments and the detail of applications. Here, of course, we have a decision which we all learned of last week about Le Masurier pulling out of Bath Street and of course what we, up until now, have gone on is the North of Town St. Helier Masterplan, which I assume is still current for this area, Minister, is it?

The Minister for Planning and Environment:

It is, yes.

Deputy J.H. Young:

So obviously here we have an example of forward planning, would you accept, at its best, setting out guidance for developers and others?

The Minister for Planning and Environment:

I think what you see there is only a tip of the iceberg because following on from the published North of Town Masterplan document are all the other discussions that are underway by officers in Parliament and myself in order to put flesh on the bones of that particular document. Those negotiations and discussions are as important as the framework document.

Deputy J.H. Young:

So the north of town area is a really important area in your priorities?

The Minister for Planning and Environment:

It is absolutely vital for the regeneration of town as a whole, which ties in to the long-term 10-year Plan which has been endorsed in the States, which is the Island Plan.

Deputy J.H. Young:

Le Masurier Limited have sent us notes saying they are happy to co-operate so I have taken it we are able to talk to you about that today. They are a major land-owner in this area, are they not?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

So a very significant component of implementation of that plan would be Le Masurier?

The Minister for Planning and Environment:

That is right, yes.

The Deputy of St. Martin:

The significant question is does their scheme fit into the North of Town Masterplan?

The Minister for Planning and Environment:

I think their scheme does and that is the position that we were at in June, that is probably the position we were at in July, that is certainly the position that we could be in were the officers who are present today to come to the invited meeting to discuss

the final amendments (if any occur) to the Supplementary Planning Guidance document that we have been working together on to put the flesh on the bones.

The Deputy of St. Martin:

So it is almost the complete opposite of where the States are with Green Street. We have a masterplan for the area, you have discussed with the applicants at early stages all the way through how they might fit into getting an approval for their big scheme. Unfortunately we got to the last hurdle and we are where we are.

The Minister for Planning and Environment:

I think it is just a hiccup although people present might disagree.

Deputy J.H. Young:

The Supplementary Guidance, you have mentioned that. Obviously that is something you had to issue on top of this document in order to make ...

The Minister for Planning and Environment:

Absolutely, because the framework document refers to quite a large area and it was always the intention that those areas were capable of being subdivided into smaller areas that add a distinct character of their own, or indeed were big enough to provide a new character as part of the move towards urban regeneration.

The Deputy of St. Martin:

So what changes would you say have come about during the process of the application that may have made the applicant less likely to proceed? Have there been some changes in guidance, some changes in what you will allow and what you will not allow as regards ...

Chief Executive Officer, Department of the Environment:

I do not think there has been at all, no. Going back to the principles of the masterplan, we have a number of significant landowners in the masterplan area, north of town area, who are all wanting to do things with their sites, so that was one of the catalysts for creating the masterplan, that very thing. We have States of Jersey at landholdings centred on the town park, also with car parking requirements. We have at least 3 other significant land owners in the area all wanting to do things with the site, so there are a lot of drivers as to why we created the masterplan. The masterplan is very positive for all of those sites and we have had very positive

discussions with all. We have not yet to receive a planning application on the Bath Street scheme as has been most recently discussed. We have also been speaking with Jersey Gas and other considerable landowners. The purpose of the masterplan also is to catalyse behaviour in the area and to get sites coming forward in a positive framework, so we feel that is his job and that is what he is doing.

The Connétable of St. John:

Who wrote the planning guidelines for the Le Masurier site, for instance?

The Minister for Planning and Environment:

Sorry?

The Connétable of St. John:

Who wrote the Supplementary Planning Guidelines?

Chief Executive Officer, Department of the Environment:

That would have been done by our Planning policy team.

The Connétable of St. John:

By your own selves?

Chief Executive Officer, Department of the Environment:

Yes.

The Connétable of St. John:

Not by Le Masurier?

Chief Executive Officer, Department of the Environment:

Well, working with Le Masurier in terms of we ... I will be very honest; how did we start? We started with a development brief that we had produced for the Jersey Gas Site not many hundred yards away, and we tried to tailor that for other sites. So there is a framework there as to what these things look like, the development briefs. We have been working with a team - our team, their team - as to what their development aspirations are, what our aspirations are to try and get that guidance saying what the future for the site could be.

The Connétable of St. John:

Why I ask the question is because having done a Supplementary Planning Guideline in another area - I am thinking of St. John - we submitted it and expected it to pass and found it was not passed because they signed the wrong document. When we asked your department for assistance to pull the recommendations that you wanted to put in the new guideline we have had very little support whatsoever from your department. Would this be what happened with Le Masurier?

Chief Executive Officer, Department of the Environment:

No. We have a lot of evidence to show ... I think it was a really good experience of joint working between ourselves and Le Masurier earlier this year, building up to consultation in the summer on the documents. I do not know how much detail you want me to go into the St. John example but I think if I can concentrate on Bath Street, a lot of joint working at the highest level; both the Minister, myself and the rest of the team, my honest feeling post that is the guidance is still as flexible and as positive as we would expect it to be at this stage of the planning process. So really only the start of the planning process - let us be clear on that - we have yet to receive a planning application.

The Deputy of St. Martin:

Were there any significant problems that you identified during the process that you have been through so far, where your department is saying one thing and the developer is suggesting something else?

Chief Executive Officer, Department of the Environment:

I think we have had some challenging discussions around how much you could fit on the site, but I think we have some flexible wording in there that we basically have come to the understanding of whatever goes on the site it has to be a design-led approach, it has to be right for the character and what the site can take. That is a job for architects and designers to work with the site and see what is possible.

The Minister for Planning and Environment:

If I could just interrupt there, or introducing a new character that is as valid as the old one if the older one is not in as much existence as people think it is.

Deputy J.H. Young:

Just to be clear, we are talking about the site that starts from the back, from the Odeon site going south and presumably through to James Street, right down to Minden Place, are we?

The Minister for Planning and Environment:

Yes. It is just stopping short of Minden Place.

Chief Executive Officer, Department of the Environment:

I can show you rather than describe it if that is all right?

Deputy J.H. Young:

So it is a very large area?

Chief Executive Officer, Department of the Environment:

Yes, it is. It is a significant area from the Odeon Cinema southwards literally to the land just immediately to the north of the Salvation Army building and the land over to Rue de Funchal and there is also a piece of the site over towards Halkett Place.

Deputy J.H. Young:

So it is a comprehensive redevelopment for a mixture of what? Homes and retail, is that what is planned?

Chief Executive Officer, Department of the Environment:

Generally yes, commercial on the ground floor and residential above.

Deputy J.H. Young:

What about car parking? Was that an issue in your discussions?

The Minister for Planning and Environment:

Do you want me to answer that?

Chief Executive Officer, Department of the Environment:

Yes, the masterplan set out the position on car parking which we feel, through reviewing and later thought that there was probably too much parking mentioned in the masterplan as to what is required now. So we have made sure the brief is flexible on what the transport solution for the site is, because ultimately the site has

to work. It has to work for whoever occupies the site, whether it be commercial premises or in this case residential premises. There needs to be an element of parking to make people want to buy an apartment there, et cetera. We also have to be mindful of what the transport implications are for the town. It is quite a congested piece of the town network there so the latest version of the guidelines downplays the amount of parking required and is looking a bit more flexibly about what the transport solutions for the site would be.

Deputy J.H. Young:

Is that the problem area?

Chief Executive Officer, Department of the Environment:

It is pretty congested, yes, and that is ...

Deputy J.H. Young:

No, for the developer; has that been one of the sticking points?

Chief Executive Officer, Department of the Environment:

I would have thought it would be more positive for the developer, being honest; providing less parking and possibly ...

Deputy J.H. Young:

Less costly to produce.

Chief Executive Officer, Department of the Environment:

Less costly, yes.

The Connétable of St. John:

Yes, less parking is obviously a desirable asset not to achieve.

Deputy J.H. Young:

What about size and scale of the buildings, was that a problem?

Chief Executive Officer, Department of the Environment:

The brief mentions everything from 3-storey up to 6, depending on the design solution for the site. So, as the Minister said, it would need to set its own context, its own character. It has to be mindful it also sits within a piece of town so we need to

see what a finally worked-up scheme looks like. But there is a lot of flexibility as to what it could look like.

Deputy J.H. Young:

What about historic buildings in there? Were there any historic building problems?

Chief Executive Officer, Department of the Environment:

There are ...

Deputy J.H. Young:

Or issues; I will rephrase my question.

Chief Executive Officer, Department of the Environment:

There will always be issues, yes, because there are some historic buildings on the site. What the brief sets out is the process whereby the planning system has to take that into account. The planning system has to start with the position, well, do you have listed buildings on site? Yes you do. There is a presumption in the planning process full stop ...

The Connétable of St. John:

Can I stop you there? How many historic buildings?

Chief Executive Officer, Department of the Environment:

There are 2.

The Connétable of St. John:

Is that including the Odeon?

Chief Executive Officer, Department of the Environment:

No, it does not include the Odeon. The planning system starts with the presumption for all historic buildings that they are retained. That is the base presumption of planning in listed buildings. You then go through a process, through the planning application, to demonstrate whether you are going to change them, either for the good or otherwise. The planning system does allow heritage and listed buildings to be demolished but it needs to come in with a justification as to what the better public gain will be as a result of that. So the brief sets that process in context, but we would expect that to play out in the planning permission.

The Connétable of St. John:

The brief does not say, for example, in words that are written in stone: "These buildings will stay whatever is put forward."

Deputy J.H. Young:

Do you think that is how Le Masurier may have interpreted it?

The Minister for Planning and Environment:

I do not know. Maybe we should ask them.

Deputy J.H. Young:

Well, we probably will.

The Minister for Planning and Environment:

I think maybe they are interpreting it that way but, if they are, these things are certainly able to be resolved if you do have misinterpretation by sitting around a table. As I mentioned earlier, an invitation has been out since 1st October to Le Masurier, their team, to come and speak to me for a post-public consultation round-up before the Minister signs off the document, to resolve any final points before the document is ready to move forward.

Deputy J.H. Young:

But they have not taken you up on that offer?

The Minister for Planning and Environment:

They have declined to attend. The offer of the meeting is obviously still there. It is just at the end of the day it is not a case of, right, this is the end of the line for any further redevelopment in the area. Certainly that could not be contemplated because it is a very large area and it is a large part of the North of Town Masterplan.

The Connétable of St. John:

What about within your Supplementary Planning Guidelines? Are there issues in there which would stretch over into other areas that are not controlled by Le Masurier, for instance?

The Minister for Planning and Environment:

There are, and certainly in relation to Girls' College, and people know that since I have been in this I certainly wrote a planning brief, a guidance brief for the development that is possibly to take place on the Girls' College site. I indicated at that time that there were further elements of building reclamation or refurbishment or regeneration that could and should be considered in any plan coming forward, notably the school to the north - the Janvrin school - the buildings to the west which are owned by the Parish of St. Helier, and certainly some of the other buildings that stretch off towards Clos du Paradis and on the other side by Drury Lane.

The Connétable of St. John:

Can I draw you back to the Le Masurier site, is there anything that is abutting it that would ... say you wanted to put a new road through and say: "Right, we want a road through here but that may be out of the remit of the developer to make sure, yes he could supply his bit of the road but will the developer next door be doing the same thing?"

The Minister for Planning and Environment:

I suppose in relation to the Minden Place car park, it has been suggested by T.T.S. (Transport and Technical Services) that at the end of the Minden Place car park's life it would be knocked down perhaps and other parking facilities be found, relocated in a different part of the town. In that regard the Minden Place car park does represent an interesting, perhaps extra opportunity for any developer in the area perhaps to secure that site into the future in a way that would provide parking or further opportunities for residential improvement with that in mind. But there is no suggestion to say that this has to be a precursor to any consideration of a planning application and that the Minister for Planning will not look at anything unless there were assurances given to him that these things have been undertaken and secured.

The Connétable of St. John:

While we are on that point then, let us move on slightly from that. What about percentage for art within, shall we say, this particular site. What kind of money are we talking about and would you take an alternative to art, given this time where the Island is cash struck and we need to educate young people, et cetera, would you take an alternative for that percentage for art in some other form?

The Minister for Planning and Environment:

I have already done that in relation to another application put forward by that company in relation to offering training possibilities for our youngsters as a percentage for art alternative contribution and indeed the percentage for art contribution scheme is being reworked in order to allow a greater flexibility to spread the scheme to a wider field.

The Connétable of St. John:

As percentage for art is not a legal requirement I do not believe, if the developer can decide once the plans are passed not to go ahead with it, I presume that would affect any future application a developer may have within your department?

The Minister for Planning and Environment:

No, it should not do. You were saying that if ...

The Connétable of St. John:

It should not do but I presume it would.

The Minister for Planning and Environment:

Certainly the applicant would not be entered into my little black book because I do not have a little black book and I do not bear a grudge.

Chief Executive Officer, Department of the Environment:

Yes but percent for art policy is a voluntary policy, the plan makes that very clear. I think it is fair to date that most developers ... I do not think we have had any developers say no to that voluntary policy. Is there flexibility built into the process to allow it to be used for other things or potentially? Yes, the aim is to up the standard of development so working with this applicant in mind, a large scheme in Broad Street, we had a good solution - a bit of art on-site as well as some off-site training as well. So the Minister has indicated he is flexible to see what possibilities there are around that.

The Connétable of St. John:

In this day and age, when every penny counts and everyone's back is to the wall, percentage; what is the percentage on, shall we say, a £75 million project? What percentage would be expected?

Chief Executive Officer, Department of the Environment:

Off the top of my head it is less than 1 per cent of construction cost, so it is probably about 0.5 per cent of the construction cost, I think we work it out as, although it is a negotiated figure so it can ...

The Connétable of St. John:

If it is voluntary how can it be negotiated?

Chief Executive Officer, Department of the Environment:

It is voluntary in the sense that as our starting point we have published some guidance on that. Have we ever refused anything on percent for art? No we have not. We have always had a willing developer say: "Yes, this brings benefit to our scheme therefore we want to do it."

Deputy J.H. Young:

Steve, do you want to get in?

The Deputy of St. Martin:

I am just interested, Minister, in your views on car parking. You seem to dismiss it very quickly and briefly. The current Le Masurier site has some open parking on it at the moment. During discussion we mentioned the possibility of demolishing Minden Place. We know that will happen sometime. We have missed the opportunity to put car parking under Gas Works, under the new park. Do you not see a requirement for any car parking in that part of town into the future? We must surely be looking somewhere for parking.

The Minister for Planning and Environment:

There is a difference between a requirement and an aim or a desire. At the moment one of the difficulties that I think Planning have is that the car parking and the traffic management issues are with a different department. They are with T.T.S. and it has been a regular bone of contention that the T.T.S. estimates were providing underground car parking or other car parking regularly out of kilter with the commercial operators and developers who provide car parking in different formats elsewhere on this planet. So quite often what appears in planning discussions is a suggestion from the T.T.S. Department that they must have XYZ number of cars or car parking spaces and if you apply the capital costs in the way that T.T.S. describe those costs it comes out looking pretty expensive. We ran exactly the same

argument at a seminar that was run a couple of weeks back to determine whether or not some parking could take place on the cut at Snow Hill and I was one of the very few politicians who was present - I think there were 3 of us, by and large, at the outset and for the major part of the meeting - and it was pretty clear that the officers of the department did not wish to entertain any views as to automated styles of car parking or other car parking technologies that could quite easily cut costs and provide car parking in that cut at a substantially less rate than the ...

The Connétable of St. John:

I was one of the politicians that was present at that meeting with you.

The Minister for Planning and Environment:

You were indeed, yes.

The Connétable of St. John:

There was a lot of scepticism about the costs that you provided for the automated car parking.

The Minister for Planning and Environment:

There was not only scepticism, but also I think there was an agreement by the officers from Parsons Brinckerhoff who were doing the work that their surveys were based on a survey sample of one - from one U.K. (United Kingdom) car parking operator - and they did agree that they had not taken into account automated car parking costs in the way that it is done in every other authority on this planet looking at sensible ways to reduce their car parking costs.

The Connétable of St. John:

All right, if we can get back to my original question. Maybe I phrased it badly; it was more centred around the requirement or otherwise for car parking in the Odeon area, for want of a better phrase, not necessarily in Snow Hill or whatever in that part of town. You do not see in the future the requirement for a certain amount of public car parking in the Bath Street area?

The Minister for Planning and Environment:

I have not said that. I said that there is perhaps a requirement for car parking, in particular to accommodate the cars that the residents are going to require. It is not planning policy at the moment to ask for residential accommodation to be built in

town with no access to any car parking. So there is a demand for that but this goes over and beyond to provide commuter car parking or shopper car parking or other car parking for visitors for people coming into the area or into the wider area and that is an entirely different question.

The Connétable of St. John:

Do you think that the placement of car parks in the future, Minister, is a strategic part of trying to rejuvenate or maintain certain areas of town?

The Minister for Planning and Environment:

Yes, it is.

Deputy J.H. Young:

Minister, within this plan do you accept that addressing car parking needs must differentiate between residential car parking, commuting car parking, shopping car parking and what you are trying to find is a mix that suits all those?

The Minister for Planning and Environment:

Yes. By and large, yes.

Deputy J.H. Young:

Would you accept it is more difficult in that area since the States lost the opportunity to put underground car parking below Bath Street?

The Minister for Planning and Environment:

It is definitely more difficult to suit that and we do have a change in policies whereby planning is suggesting that long-term car parking should, as far as possible, within the framework of the North of Town Masterplan, be taking place on the perimeter of the town built-up area, which is towards the ring road, rather than the interior.

Deputy J.H. Young:

You are working on that, are you?

The Minister for Planning and Environment:

Sorry?

Deputy J.H. Young:

You are working on that plan?

The Minister for Planning and Environment:

That is the stated aim of the North of Town Masterplan, yes.

Deputy J.H. Young:

But you are working on implementing that plan?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

Minister, I will just switch to the big picture for a minute. What you have described to us, I think what you have said is that there was a process here. Comparing it with the public sector police project there was a good process; masterplan, lots of dialogue with the developer, and you are satisfied that communication was good. The right issues were discussed and so on.

The Minister for Planning and Environment:

Yes, I think the communication was good and still is good.

Deputy J.H. Young:

But you have made an offer for the developer to come back and you are still hopeful if you can do that the door is open for them?

The Minister for Planning and Environment:

Yes, absolutely.

Deputy J.H. Young:

The developer is also developing other major sites in St. Helier, are they not? Is that the Broad Street scheme?

Chief Executive Officer, Department of the Environment:

Yes, correct. Yes.

Deputy J.H. Young:

Have they expressed to you the same concerns about the planning process on that site?

Chief Executive Officer, Department of the Environment:

That one has planning permission. We are now in December so that was issued just before Christmas last year, so that one has gone out. That was the detailed planning permission. What we are doing on that permission now is working out ... there are a number of conditions obviously associated with any planning permission and there are clearly some bits of work still needing to be done to discharge those conditions but the principle planning permission has been issued.

[15:00]

Deputy J.H. Young:

So did the process work all right on that scheme?

Chief Executive Officer, Department of the Environment:

I think so. I think we had some good, robust conversations, as you would expect between planning authority and applicant, but I think we reached a good resolution.

Deputy J.H. Young:

You never got to the same point that we appear to have reached on the Bath Street scheme?

Chief Executive Officer, Department of the Environment:

No, the difference between the 2 is that that was a long planning application. This one is only the start of the game. We have not yet had a planning application in on this one so they are not the same process at this stage.

The Deputy of St. Martin:

Could you elaborate just a little, you mentioned earlier some work being done post-planning application approval in Broad Street?

Chief Executive Officer, Department of the Environment:

Yes.

The Deputy of St. Martin:

Could you elaborate on that a bit because I know there are people out there who are surprised that the commencement of the work has not started? It is nearly a year.

Chief Executive Officer, Department of the Environment:

Yes, it is normal. I can just comment in the generality of all planning applications, it is normal to place conditions on planning permissions. The larger the permission, generally the more conditions that get placed saying: "Before you start development, before you commence, before you occupy, these sort of tests, you shall do the following." For instance, Transport Skills Plan was one of them, which we previously mentioned, details of the percent for art. I have not got the permission in front of me. There are a range of conditions on there that we then go down the route of discharging. Generally the condition is there, the developer does the work, submits it to us for our further approval ...

The Deputy of St. Martin:

What would a timescale on this size of project be normally?

Chief Executive Officer, Department of the Environment:

It does really vary depending on the commercial pressures, so it can be very quick, it can be more protracted. It depends, to a certain extent, what pressure is being placed on the applicant.

The Connétable of St. John:

In a statement that was released to the media on 28th November, I will read out the 2 paragraphs: "We have offered to review this update brief with Le Masurier and we welcome the opportunity to discuss their concerns in more detail. We believe that the brief offered an excellent opportunity for the area of town to be developed and see no reason why the planning application for this site cannot proceed. While Le Masurier have chosen to blame their decision on the planning process, other factors such as market confidence, demand, and financing opportunities, could well have contributed to their decision." What made you make that comment? Why do you believe that was the case?

Chief Executive Officer, Department of the Environment:

I think I made that comment partly in defence of the planning system. I think we have been working very closely with the applicant and the landowner in this case. It is

unfortunate we find ourselves in a media dialogue and, therefore, positions get taken in a media dialogue. From what I can see, from my own personal involvement and the Minister's involvement and the team's involvement, there has been nothing but positive discussions on the site, hence I am genuinely surprised at the statement that was issued last week by the company to not progress because we have had some very, very positive discussions on the site. So in part it is out of honesty, it is out of defence. I can look at our process and I genuinely do not see anything wrong with the process which would prevent a planning application being submitted. I have read the guidance, if I was a planning consultant I would be looking at this guidance very positively. I think there is a lot of flexibility and manoeuvre within that guidance to generate a very decent planning scheme, hence it has made my mind question are there other reasons behind this decision.

The Deputy of St. Martin:

If there is a lot of flexibility in the guidance do you think the developer might have had a greater level of confidence if the guidance had been a bit more specific? Is he concerned, potentially, that the flexibility might work against him?

The Minister for Planning and Environment:

If that is a comment then I would certainly be happy to sit around a table and to have it expressed. But it has not been expressed as such yet.

The Connétable of St. John:

Do you think there is anything wrong within your department, Minister, because I heard both sides in the television interview last week; I heard Le Masurier's side and I heard the officer's side. Personally I thought it was inappropriate to be passing any comment from within the department. Do you have a handle - for want of a better word - on the control of your officers?

Chief Executive Officer, Department of the Environment:

Yes, I believe so.

The Connétable of St. John:

Totally?

Chief Executive Officer, Department of the Environment:

Yes.

The Connétable of St. John:

Minister, do you have full confidence in your Chief Officer?

The Minister for Planning and Environment:

I certainly have and if that were not to be the case I would certainly be taking steps to make sure it was the case.

Deputy J.H. Young:

Minister, we have discussed 2 major projects now. Before we draw this to a close I want to shift on to planning generally, because obviously planning processes you described are crucial to helping people achieve successful schemes, successful for the town, the environment, and themselves. How well developed are those processes as far as ordinary applicants and their applications? Do you provide the same level of guidance and advance help before submitting applications? Do you routinely do that?

Chief Executive Officer, Department of the Environment:

Yes, we do. We have, I guess, 2 different approaches to pre-application advice. We have a duty planning officer available every day of the week, which is a free service for smaller scale applicants to come in, get advice for the small scale stuff such as extensions, things like that. That is available freely and that is available every day of the week. So we do that right the way up to major schemes where clearly we have to have more of a team approach, more structured meetings.

Deputy J.H. Young:

How do you find the Island Plan policies? Do you find those Island Plan policies from the Island Plan 2011 overly complex and difficult to follow and understand? Do they give applicants the certainty required when they are doing their schemes?

Chief Executive Officer, Department of the Environment:

I can speak honestly, I think the current Island Plan is bigger than the previous Island Plan, it has introduced a number of new polices and new requirements. I think it is very fair and honest to say that we are still in that bedding-in period; we are only 18 months post adoption. There are a number of polices which are being tested through the development control process and it does throw up questions about what do these really mean, how are they implemented. That would be a natural thing for any new policy document. You go through a bedding-in process, you are learning what those

policies really mean in practice and I think that is the critical issue we are now in. To a certain extent it is very good in theory writing an Island Plan and getting it approved as a policy document, but it is when it comes into practice we then need to take stock and understand what the good bits are and what the other bits are we need to work on.

Deputy J.H. Young:

Thank you for that honest feedback. Minister, I remember a conversation I think in our last quarterly meeting, we spoke about whether there was a need for a very long supplementary guidance statement to explain less long but still long policies. I think at the time you thought that was okay. Does that mean there is now some rethink going on that some of these policies might benefit from review and clarification and simplification?

The Minister for Planning and Environment:

No, I do not think so, I think you are possibly taking that out of context. I mean, what the Chief Officer has suggested is that there must be an orderly progress towards redevelopment opportunities within the town, if indeed we want to try and come forward with something that is generally seen to be better. If we allow individual developers to do what they want they are inevitably going to have blinkers on and they are only interested in their tiny part of the whole of the town. The structured planning approach is to try and move away from that and to give owners and people who live in a particular area an opportunity to perceive the advantages and the strengths and weaknesses of living in their own particular neighbourhoods, and to engage with developers who are wanting to come into their areas to find a way and a route to improve the area.

Deputy J.H. Young:

That is where you would like us to get to?

The Minister for Planning and Environment:

But you cannot do that without introducing Supplementary Planning Guidance notes which are putting, as I said, meat on to the bone to the framework documents for master planning.

Deputy J.H. Young:

But from what the Chief Officer said there is scope for reviewing some of these policies?

The Minister for Planning and Environment:

I do not think he meant - and maybe I am putting words in his mouth - that the actual process is a flawed one. I think he is saying that there may well be some individual policies within the Island Plan set of policies that, in the light of experience of application, have to be tweaked. That is completely different, in my mind, to suggesting that this particular process, which is to widen the involvement of the resident community in the planning process for their area, is something that needs to be looked at.

Deputy J.H. Young:

Thank you, Minister, I think I probably put my question badly. I think I was generally dealing with the question of the Island planning policies.

Chief Executive Officer, Department of the Environment:

Can I just further that? When we have a new policy approved - and we can name a number of policies in there which are new to the Island Plan - the decision-making history on those policies pretty much then confirm what that policy means. So over time decisions of the Minister and Planning Panel officers will then give greater clarity to applicants as to what this policy means in practice. So the other fundamental point in the new Island Plan is that we do accept there is an annual monitoring process built into the plan. Is the plan a live document? It is probably not as live as we want it to be, there is quite a bureaucratic process driven method of amending the Island Plan. But there is a process that allows policies to be elaborated on through guidance or ultimately changed through our Island Plan amendments at some later stage. But all I would say is that we need to let decision-making history occur on policies to understand then how they are being implemented.

Deputy J.H. Young:

What about the recession? I mean, this document was produced I think in the previous session, was it not, or gestation?

Chief Executive Officer, Department of the Environment:

The plan was approved in 2011, in effect that meant the plan was formerly drafted for 2010. A lot of the work on the plan was 2007, 2008, 2009. The nature of the Island Plan process is very much that, it is quite a lengthy time-hungry process. So, yes, there is an argument that the inception of the plan was post-recession so, yes, there is a question then how the plan is interpreted in different economic circumstances. But I think there is flexibility in the plan which allows.

The Deputy of St. Martin:

But regardless of the economic circumstances, would you agree that there is a case to be made for policies which are in the Island Plan, which are relatively short, they occur in a small paragraph, which are then elaborated on to give us additional clarity at a later date, which appear to go much further than politicians appreciated when they voted and accepted the Island Plan last year?

Chief Executive Officer, Department of the Environment:

If that is the statement coming back I think we would need to take the political views on that, and naturally if the political view is that the plan is not as it was expected to be I think there are processes that allow the plan potentially to be amended by the Minister for Planning.

The Minister for Planning and Environment:

Could you give me an example?

The Deputy of St. Martin:

Well, my example would be the Employment Land Law where there is employment land discussed in the Island Plan, but when the Supplementary Planning Guidance comes out and decisions are made using that policy it appears to go much further than it would appear to certain people reading that document in isolation.

The Minister for Planning and Environment:

I think that is possibly because those persons who read the original policy did not read it in as wide a context as was intended. It did not state that a particular employment class could or could not be extinguished. It said that you had to have due regard to the building being able to accommodate all employment uses, and I think there was a subtlety of interpretation there that people are just getting to grips with.

Chief Executive Officer, Department of the Environment:

On the employment land issue, there is a pressure in the Island Plan. We do not in the Island Plan zone any new land for employment growth in the Island. As a result of that we have to protect the employment land that we have in the Island in case we need to use it in the future. The policy in the plan does not say that employment land has to stay as it is for ever. There are a number of tests and the guidance just elaborates the process to go through to demonstrate either the employment land is still valuable and should be kept for employment and economic growth in the future, or that it is no longer viable and needed and, therefore, the plan also allows it to come out of that use. So it just sets a process whereby any owner of that land has to go through and prove - which I think is a sensible burden of proof - that this land is no longer required for that sort of use, therefore, it can go to another use. Because, fundamentally, once it is lost to economic and employment use it will not be put back into that use, so all we are trying to do is prevent a problem building in the future where if we do get job growth we do not have the land on which to build premises.

The Deputy of St. Martin:

Minister, there was an area of land in the centre of the Island at Thistle Grove which was taken out of the Island Plan for employment land at the debate. Would you agree with me that the Island desperately needs some land zoned for employment? Surely we need to be looking ahead at light industry and ways of diversifying the economy. Should we not be looking to designate some areas of land for light industry?

The Minister for Planning and Environment:

I think that is chicken and egg. I was on various trade and industry groups prior to the creation of the Economic Development Department in my past and that was one of the things that I was particularly interested in. But it is almost a case of chicken and egg, I mean, do you provide the premises and then hope that businesses are going to be attracted to the Island in order to work in them; or do you wait for demand to build up by a particular business use and a following request for alternative sites? There are 2 ways of looking at things. What would clearly be wrong, in my mind, would be to identify large tracts of land to encourage a type of industrial use that would bring with it other problems to the people living in countryside or rural areas or indeed kind of through poorly sited industrial facilities, creating noise or pollution too close to residential areas?

[15:15]

The Deputy of St. Martin:

We have just signed up, Minister, to an economic growth strategy and, in particular, Digital Jersey which is a direction that we are looking to diversify the economy into. Do you not feel that we should be zoning some areas of land in a ...

The Minister for Planning and Environment:

That is a very good one by way of example because that type of business does not require the provision of large warehousing type facilities or huge tracts of land to be set aside. What the digital economy does need is for the requirement to be met that we have enough people who are capable of operating their computer terminals in office space, perhaps, as work areas within their own residential accommodation, and the ability to network all of those computers into a larger digital kind of framework that does not require the physical space in one physical location.

The Deputy of St. Martin:

I quite agree, Minister. In your energy policy on page 67 it mentions the use of Gigabit Jersey and encouraging working at home. But if I could just come back to you on that point, we have a presumption in the Island Plan that offices will be in St. Helier, if you want to work in an office environment generally speaking you will be in St. Helier. Is that a policy that you will see changing in the Island Plan with Digital Jersey, we will look to encourage people to develop their garage into a small office or something like that?

The Minister for Planning and Environment:

I think it might. I mean, home working is starting to kind of take off in various places and this will be one of the culture changing shifts that the digital economy will engender.

The Connétable of St. John:

While we are on rezoning, Minister, given the loss of many tens of thousands of square feet of fulfilment, do you consider that at this time it would be wise to even be looking as far ahead as the Deputy just mentioned at rezoning other land while we have an awful lot of ...

The Minister for Planning and Environment:

Absolutely not and that is the basis behind the employment clause in the Island Plan, to make best use of the land that has already been designated for employment purposes, to allow it in the way that allows the use of those buildings for multiple kind of occupation rather than just one specific occupation.

Deputy J.H. Young:

Obviously the Island Plan review took a long time. That discussion, I think, brings me to 2 key questions on process before we close this item. Obviously Island Plan policies, how confident do you feel with the new Island Plan, Minister, that we have it right in all areas of those policies on a scale of 0 to 10? Do you feel that this is 100 per cent right or is there scope for some review and adjustment?

The Minister for Planning and Environment:

I think at the moment it is between a 9 and 9.5.

Deputy J.H. Young:

No scope for amendment?

The Minister for Planning and Environment:

That would be the half or the one.

Deputy J.H. Young:

What about where Members have a need to discuss and understand those policies. Do you feel that the commercial world fully buys into those policies and understands them?

The Minister for Planning and Environment:

The drivers for the commercial world are somewhat different to the planning world.

The Deputy of St. Martin:

In the Welsh Assembly, Minister, recently they have changed the rules on planning to allow for decisions to be made not purely in planning terms but also to take into account the economic situation and the requirements of the bigger picture. Do you see something like that happening over here in the near future?

The Minister for Planning and Environment:

I am certainly active in part of it, there were representations made just recently by the team working at the Airport and Harbours to look into grafting on, if you like, further employment opportunities at both the Airport and the Harbour so obviously, yes.

Deputy J.H. Young:

So you are saying we have it right and you are prepared to ...

The Minister for Planning and Environment:

I am not saying it is perfect, I think that would be wrong, but I think for the time that it took to get this document out and the extent we went for the public consultation to ensure that we had tried to dot all the i's and cross all the t's. We are only at 18 months into the running of it, I think it is bearing up quite well at 9.5 or 9. If I had turned around and said it was a 3 then I think we would be out tearing the documents up.

Deputy J.H. Young:

I am going to ask you to score the other part of the scene now. You have talked about policies and you are saying they are robust, what about your procedures in terms of nuts and bolts of handling applications and giving applicants certainty and guidance at an early stage. How confident do you feel that we have our procedures right on a scale of 0 to 10?

The Minister for Planning and Environment:

I think there is some further work to be undertaken in terms of embedding the pre-application that is given or sought, within a wider framework for urban regeneration is an area that needs a little bit more work. It is the thing you were touching on before about developers wanting to receive certainty as far as you are able to give it, but it does not stop them seeking it, in terms of what they want to come forward in order not to spend money on abortive fees or abortive time.

Deputy J.H. Young:

But you were at the Construction Industry Conference, Minister, you heard what was said. Did you go away with a view about whether our processes were 9, 9.5 on the scale as our policies, or do you think there is some work?

The Minister for Planning and Environment:

I got the impression - as you probably did - at all these meetings that when you go to one of these meetings I think that gets people kind of salivating and chomping at the bit as if you are looking around for a big argument over something. I do not think, from the questions asked or the answers given, that any major issues came out of that meeting.

Chief Executive Officer, Department of the Environment:

I think it is very important at a pre-application stage that we give some firmness on principles. We cannot give guarantees at a pre-application stage which is not a public stage of the planning process. I think it is very important that the planning process is seen in the public round. The planning system exists for the public interest, not solely for the applicant's interest. So it is very important that a private discussion, pre-application, is had in that context but the public discussion on a planning application has to be done in public, very often you will see other issues being raised in that public process. So we cannot give 100 per cent certainty at pre-application stage, no planning system should do that, none that I have seen has done that. We need to have the public involved in planning. We are not an apathetic Island when it comes to planning issues, we like to get involved, we have a closeness of community that demands that people get involved in the planning system, and they want to. While we like to give applicants as much firmness as we can, on principles we can never give a guarantee because people want to get involved at the application stage. 85 per cent of what we get through the books gets approved so, in fairness, I think it is a very positive system. We cannot, however, give any statement that this will guarantee you a planning permission because I think that is dangerous when we have a democratic planning system.

The Deputy of St. Martin:

But you must admit that whoever it is giving the guidance, the Bible is there, this is the guidance we have, whether it is pre-application, whether it is officer, whether it is minister, whether it is the Planning Panel. Everybody involved in the process should be singing from the same hymn sheet. They should have all looked at what is available in the way of guidance and they should all come up to the same conclusion, surely.

The Minister for Planning and Environment:

That is why it is important in this process to get all parties around the table until we get to the point where you are in a position to sign off the document, which kind of meets everybody's needs head on.

Deputy J.H. Young:

Do you see there is any need for improvement? You spoke there about the need for pre-application, are you saying to us that there is no scope for improvement, we have it as good as we can?

Chief Executive Officer, Department of the Environment:

No, not at all, no. I would very honestly say that we are good at pre-application discussions on smaller schemes with householders, I think we are really good at that, I think we get a lot of good feedback, an instant response to householders and smaller applications. Let us not forget, the vast majority of applications we deal with are of that nature. Where do we need to improve? I think we can improve on pre-application discussion with bigger developments. The problem we have with those pre-application discussions is often those bigger developments which create a much more either public, political, community interest when it comes to an application stage. So we are for ever balancing the needs of the applicant, who are the fee payer, with a number of other customers who do not pay a fee in the planning process. That is the biggest tension in the planning application system whereby an applicant pays the fee but they do not get 100 per cent of the service, we also have to serve many other people in the planning process who do not pay the fee. It is a unique customer relationship, it is not like any other customer relationship that I can describe where a paying customer gets pretty much what they want. We have to serve many masters.

Deputy J.H. Young:

Thank you. I think we will close the discussion on the planning issues at that point. We have 5 minutes left, Steve, do you want to pick up?

The Deputy of St. Martin:

Well I will open the discussion on planning issues if I might, Minister. Your new energy policy - and we are only going to get a couple of minutes on it - on page 67 again you talk about: "Reducing commuting by car as a result of better land use

planning and use of planning obligations to incentivise solutions.” Could you just go a little bit further into how you would incentivise solutions to get people to drive less?

The Minister for Planning and Environment:

Obviously I do not have a very large budget, or much of a budget, for direct grant systems, but I think the essence of the work that can be used for the undertaking by the department is in sharing the wider environmental experience of other places to the Jersey public, so that message kind of filters through and people realise that in a lot of ways there is not just one way to kind of solve a problem, there are dozens of way. If those ways are all kind of ranked according to some environmental benefit spectrum then perhaps we will be able to nudge the applicant in that direction.

The Deputy of St. Martin:

Minister, in 2 places I have found in your energy policy it says that we are going to, quite rightly, try to improve houses and how we build them when it comes to making them more carbon neutral. On page 39 it says: “By 2014 we are looking to a 60 per cent improvement in 2011 targets for newly constructed dwellings.” Is there some guidance or some bye-laws that you will be coming out with in the next 12 months to achieve that?

The Minister for Planning and Environment:

Certainly and I think we already have bye-laws kind of up and running. Where it is easier to deliver in terms of policy in relation to those building guidelines is that they will be new buildings. The other problem of trying to retrospectively upgrade the existing housing stock, which is both greater in number, and of suspect building technique in relation to modern building technologies, that is a much more difficult problem to engage with.

The Deputy of St. Martin:

But also it says, Minister, that: “In 2014 all new commercial and industrial developments must be 63.5 per cent more efficient than the current building bye-laws.” Would that sort of requirement also be made on something like, for example, the new police station; does that come under commercial?

The Minister for Planning and Environment:

I suppose it would, yes.

Deputy J.H. Young:

Presumably the building bye-laws apply at the time of the application?

The Minister for Planning and Environment:

They do but we do have the building bye-laws that are in and formed to encourage the uptake of the new technologies to make the buildings more efficient.

Deputy J.H. Young:

Are they a law now?

Chief Executive Officer, Department of the Environment:

Yes, the building bye-laws will apply at the time of the building bye-law application, not the planning application. The bye-law application always comes after the planning permission so, yes, it is at that point. We have building bye-laws, the last changes to building bye-laws delivered a 20 per cent energy efficiency improvement to new building stock. What we foresee is that trend going upwards.

The Deputy of St. Martin:

Has there been any discussion with the building industry over that, this 63.5 percent increase?

Chief Executive Officer, Department of the Environment:

Yes, generally the building bye-laws in terms of energy efficiency we apply here are behind those in mainland France and the U.K. The products that the builders are used to using for the building materials are delivering under the systems in those jurisdictions as well. We obviously import building materials into the Island so in terms of their technical nature it is not anything new. Some of the building methods, and certainly if we are going for lower carbon or lower energy use homes, there is a lot of development in the industry to get there now.

The Deputy of St. Martin:

The final one, and I appreciate I had a whole list of ones here that I have not had a chance to put to you but just as a last one, Minister, it does give the public an opportunity to offset unavoidable carbon omissions. It says in your document here that: "We will in the future have the opportunity to offset our carbon by donating to Durrell." Could you elaborate on that? Durrell I know is a "charity", if you like, but

you are encouraging us down one particular road, some of us might not see Durrell as our charity of choice.

The Minister for Planning and Environment:

No, you probably would not but, as you know, it is a consultation document and if views are expressed otherwise then I am sure that particular section can be modified at a later stage. But in essence the attempt has been made within those paragraphs to tell the public - and I am sure they probably know - that there are a number of organisations that do donate to environmental groups to offset their carbon through tree planting schemes, whether it is Save the Amazon or whatever, and it was thought that because Durrell do specialise in that particular kind of sphere of environmentalism that ...

[15:30]

The Deputy of St. Martin:

If I could go to one that is a little bit more serious for my final, and it will be the final one, and it is dealing with E.U. (European Union) subsidies. You discuss here the possibility of selling renewable energy back into an exchange. How confident are you that we may be able to get some money out of Europe to help us with renewable energy, because if we do not get some help from somewhere I do not know how we are going to afford to do some of these things.

The Minister for Planning and Environment:

I am very confident but it would have to be undertaken in a slightly different fashion. I think it would have to be undertaken in a way that allowed European companies to use our resources and then they would apply for the subsidies in order to put the equipment on the seabed or above through those efforts. I think if there is a suggestion or a hint that the only way of developing these technologies is for Jersey to make a direct request to the European parliament to subsidise or find some way of discounting kind of the bringing of these technologies to our own waters then that would be probably more possible.

Deputy J.H. Young:

So we do it through companies?

The Minister for Planning and Environment:

It is through working with European countries and companies to bring their expertise to the Island and through leasing arrangements to allow them to exploit for commercial purposes, while giving the Island a return, the type of thing that they would want to get into.

Deputy J.H. Young:

The sort of thing that is done up in Alderney, for example?

The Minister for Planning and Environment:

Yes, the leasing of the seabed or whatever, that is the way that it happens with all energy resources.

Deputy J.H. Young:

Is it your ministry, Minister, that will handle all those agreements? Where does it sit within our ability to react to these opportunities?

The Minister for Planning and Environment:

What is happening at the moment is that there is a body of work underway to transfer the major part of the remit of agriculture and fisheries back to environment. The suggestion is being made that the quid pro quo, or the £10 million quid pro quo probably, is to pass over the ability to the E.D.D. (Economic Development Department) to take over control for leasing arrangements and seabed arrangements for any companies that might wish to be attracted to the Island to participate in the energy extraction.

Deputy J.H. Young:

So E.D.D. would take those on?

The Minister for Planning and Environment:

Yes, it clearly would not be right for Environment to enter into those agreements, although we would wish to retain some interest in terms of the environmental considerations that have to be looked at when any of these plants operate in our waters.

Deputy J.H. Young:

That transfer, is that just an administrative decision, Minister, or is that something the Council of Ministers can do?

The Minister for Planning and Environment:

That will be down to an inter-ministerial swap, if you like, which has to be submitted to the States by the Chief Minister for agreement.

Deputy J.H. Young:

So that would be an example of a change in order to help us facilitate what Deputy Luce and you have just explained to us?

The Minister for Planning and Environment:

Absolutely. But I think if I can underline going the other way, I think it is fraught with difficulties in terms of ownership of Crown property and this, that and the other, so I think the best way is to go the business route which is what happened with the offshore oil industry for the U.K. and other places. It is standard practice.

Deputy J.H. Young:

Just before we close, because time is now marching on, where does this Renewable Energy Commission that you have appointed, Minister, fit into that?

The Minister for Planning and Environment:

At the moment they are finishing off a body of work which was to secure the motivation and the legal wherewithals to get us to a position whereby parts of the seabed could be leased off or kind of put forward as potential plans for European or other countries to come in and to tender for them. Their work is pretty well finished and I think they have until May next year.

Deputy J.H. Young:

Will that wind them up and then it goes into E.D.D.?

The Minister for Planning and Environment:

At that point, as indicated within the energy plan, is the suggestion that we set up a new group which will take into account other interested commercial partners to loosen up, if you like, the control in the centre to allow more flexible in the bringing of these technologies to the Island.

Deputy J.H. Young:

That will be E.D.D. that do that?

The Minister for Planning and Environment:

That will be E.D.D. and the Minister for Environment, we are still there heading the process.

The Connétable of St. John:

Is this the one that the Constable of Grouville sits on?

The Minister for Planning and Environment:

Yes.

The Connétable of St. John:

Has he ever produced a report?

The Minister for Planning and Environment:

Yes. Not personally, but he has obviously ...

The Connétable of St. John:

Could we be sent the reports please?

The Minister for Planning and Environment:

You can be sent a copy of the reports.

The Connétable of St. John:

Are they more than one page?

The Minister for Planning and Environment:

They are more than one page and they do have colour pictures.

Deputy J.H. Young:

Excellent. I am concerned about the Minister's timetable because he did indicate to us that he wanted to finish early. We have a long list of questions but we are going to have to save them up for another day.

The Minister for Planning and Environment:

I apologise for terminating the meeting early but I am more than happy to come along if you are able to arrange it another date between here and the next one if you want.

Deputy J.H. Young:

We may do that, Minister. Thank you for that.

The Deputy of St. Martin:

I just wanted to thank the Minister and his officers for being very open this afternoon. I wish them all very best in their negotiations with Le Masurier, although negotiation, of course, is a long word to use.

The Minister for Planning and Environment:

I think we have them in the same room and the next stage is to get them around the same table.

The Connétable of St. John:

I hope I did not embarrass anyone by putting any questions to the senior officer in the way I did.

The Minister for Planning and Environment:

It is a storm in a teacup.

Deputy J.H. Young:

Thank you, Minister, for being so open with us, you have given us a very helpful afternoon. I close the meeting formally.

[15:35]