



Future Hospital Review Panel

Future Hospital

Witness: Chief Minister

Friday, 19th October 2018

Panel:

Deputy K.G. Pamplin of St. Saviour (Chairman)

Deputy M.R. Le Hegarat of St. Helier

Connétable J.E. Le Maistre of Grouville

Witnesses:

Senator J. Le Fondre, Chief Minister

Connétable, C. Taylor, Assistant Chief Minister

R. Sainsbury, Group Managing Director, Department of Health and Community Services

P. Bradbury, Director, Corporate Policy

[12:03]

Deputy K.G. Pamplin of St. Saviour (Chairman):

Welcome, everybody, to today's public hearing. A bit of housekeeping to start with. Just a reminder, if you have your mobile phones with you, just pop them on silent. Also for those of you who are new or returning to this process, we are now livestreaming via the website with our cameras. Just to let everybody know that that is now happening, and will be available to view. Thank you for coming. Just to remind everybody the process today. This is a public hearing to give the opportunity for our witnesses today to respond to our questions and I am sure you know this, and with respect, quiet as we go through this process to allow it to run its course. I would also like to say, at this stage, publicly, given by the number attending today and the amount of correspondence we have had, that we have tried to listen and take on board all the interaction we have had from questions and try and incorporate them as much as we can into our questioning in this panel because there is going to be

more than one, as we go through this process. It is obviously just a reminder to our witnesses of parliamentary procedure but given who is sitting opposite me, I do not think you need reminding of the process. We will kick straight off. We will start by the process of saying who we are. So I am Deputy Kevin Pamplin. I am chairman of this panel. I am also vice-chairman of the Health and Social Services Scrutiny Panel.

Deputy M.R. Le Hegarat of St. Helier:

I am Deputy Mary Le Hegarat of St. Helier and I am on this panel but I am the chairman of the Health and Social Services Scrutiny Panel.

Connétable J.E. Le Maistre of Grouville

Constable John Le Maistre, a member of this panel.

Deputy K.G. Pamplin:

If you could just introduce who everybody is and why they are here.

The Chief Minister:

Senator John Le Fondré, Chief Minister.

Assistant Chief Minister:

Constable Chris Taylor, Assistant Chief Minister and chair of the Policy Board.

Director, Corporate Policy:

Paul Bradbury, Chief Minister's Office.

Group Managing Director, Department of Health and Community Services:

Rob Sainsbury, the Group Managing Director of the Department of Health and I am here as the Hospital Managing Director at the moment.

Assistant Chief Minister:

There is no filming in here, I understand?

Deputy K.G. Pamplin:

Yes, for the first 5 minutes he will be filming and then we have no media filming, as their right to do for the first 5 minutes, so we will proceed if everyone is happy. I thought I would just like to start because of where we are, this panel's work, and where we are in the process. Just I think it will be good for everybody as a refresh, as we get started. So at the end of 2017, the former States Assembly agreed proposition 107, the Future Hospital: approved of preferred scheme and funding.

By doing so that States Assembly agreed to the current preferred site of the hospital and the arrangements for funding the scheme through a combination of borrowing and drawing on the Strategic Reserve Fund. The total amount that the States then agreed to spend on building the hospital was £466 million, minus £23.6 million, which had already been spent. A planning application was submitted prior to the States agreeing P.107. Following the States agreement the planning inspector recommended that the then Minister for the Environment rejects the application. That Minister subsequently refused planning permission. A new planning application was submitted in April 2018, the following month there was the Jersey General Election. A new public inquiry was run on Monday, 17th September 2018. The planning inspector has indicated that he will report within 6 to 8 weeks, and we are presuming that will be early November. In parallel with that process, the new Chief Minister established a board to review the evidence that supported the previous States Assembly's decision to build a new hospital on the site of the existing hospital. The board will undertake an initial review of evidence by 31st July 2018 with a view to determining any next steps and overall to aim to conclude by 31st October 2018 to coincide, as far as possible, with the outcome of the planning inquiry. In between that process, the new Scrutiny Panel's work is slowly being put together. There is obviously myself, being one of them, a new States Member, and we were all assigning ourselves to various panels. It became very clear that the Future Hospital Scrutiny Panel was effectively paused during the election period but was always going to come back in place. During that process obviously this panel was established as well. That is a bit of background to where we are at for everybody. So let us kick off with the questions. I am going to start with you, Chief Minister ...

Assistant Chief Minister:

Sorry, could I just make a correction? You said the hospital was £466 million. What the Assembly agreed was that the hospital was £392 million with £74 million of contingency. There are restrictions on how that contingency can be used. Just for clarification.

Deputy K.G. Pamplin:

Thank you very much. Chief Minister, what is the status of the current proposals for the Future Hospital?

The Chief Minister:

The status, as of today, is obviously we are awaiting to see what the planning permission is. Obviously, as you pointed out, we have had various States debates that took place. As I alluded to in the Assembly, there are 2 political dimensions. One is that during the elections the previous Chief Minister gave what I would have said would be interpreted by the public as an undertaking that a vote would come back to the Assembly. That was, I think, at the St. Lawrence hustings. I think it was you that asked me the question last week, and as far as I am concerned it could be open to

interpretation. My view is the public would have said it was an undertaking a vote would come back to the Assembly, and I am committed to honouring that commitment, and that is what I said in the Assembly.

The Connétable of Grouville:

Sorry, a vote to decide what?

The Chief Minister:

Well, that is the interesting thing, I think it is basically to confirm or endorse the decision of the States. The comment was made in the elections to a question asked and my recollection - I have not gone back and looked at it - is it was along the lines of I would expect any future Minister for Health to bring a proposal back to the Assembly once planning permission has been had. I assume that was to endorse the decision. Certainly I think it was Deputy Pamplin asked me a question in the Assembly and my view is that that commitment needs to be honoured.

Deputy K.G. Pamplin:

Before I ask you my next question, I just want to read something.

The Chief Minister:

Sorry, to just add. There was a further dimension, which you may or may not be aware of, and I will give you further details in private, because I am not too sure what the status of advice is that panels receive or previous panels received, but there was a previous bit of advice received by either the Hospital Review Panel of the day or the Corporate Services Scrutiny Panel, which gave some indications on the status of the last debate. I will just make the point that there is political advice and there is legal advice. Legal advice is there is nothing to stop Ministers building a 20-storey tower in St. Ouen's Bay. Politically that might be a different story. So there is a difference between legal positions and then the political position versus the Assembly. So it might be something you wish to ask me about later.

Deputy K.G. Pamplin:

As part of the 2017 hospital public inquiry the then Deputy Le Fondré made his support for the waterfront option clear, noting the lower cost and suggesting that the savings be put towards architectural improvement of the resulting building while also noting that it would avoid sufficient disruption to patients. I quote: "While I assume that alternative sites do not fall within planning deliberations I would just note that I still consider that the site next to the Radisson Hotel in the south side of the waterfront, with sea views, to have been a preferred option." Chief Minister, what is your personal view now of the current proposal?

The Chief Minister:

Let us make it very clear between personal view and what might be the view of the Ministers. Ultimately, the Council of Ministers will obviously have to have quite a significant discussion from the outcome of Constable Taylor's board and obviously what happens with the planning permission. To an extent, from your point of view, we are a little bit premature because we cannot obviously talk terribly much on the terms of the work of the board until they have finalised their positions. Obviously, that is down to Chris. That is the ministerial view, if that makes sense. My personal view remains unchanged, I think, in that I remain concerned. It is always a combination of cost versus disturbance. Cost, we have done some, as an individual and as the board, we had quite a good session 2 or 3 weeks ago which was to really go through the costs of the present scheme, and we have asked for a piece of work just to give us an indication of what any alternative might look like. I am expecting a further piece of work that officers are going to come back to me on. I am expecting to get that information probably at the end of next week, maybe the following week, bearing in mind times and people being away. So that is the cost side. I do remain very concerned about the disturbance side to patients.

Deputy K.G. Pamplin:

Are they your personal views?

The Chief Minister:

That is my personal view. But ultimately that will be a matter for the Council of Ministers to have discussion around.

Deputy K.G. Pamplin:

You mention the Council of Ministers. What is the collective view of the Council of Ministers, your new Council of Ministers?

The Chief Minister:

At this stage, we have not yet had a proper meeting around it, so I cannot give you a collective ... do not forget we do not have collective responsibility on the Ministers. There will be people who are adamantly for the present site and there will be people who do not support the present site. That is a discussion we have to have. Bear in mind the previous commitment that has been made, it will ultimately come to the Assembly.

The Connétable of Grouville:

Can I just ask a question, just to go back on the costs? Were not all those costs taken into consideration when the original decision was to go to the existing site?

[12:15]

Was that not all acknowledged? Do you disagree with those figures?

The Chief Minister:

That is really reconfirming what the position was. The question, and this is a piece of work Chris has been possibly considering, is what was the decision process behind. If you look at some of the earlier Scrutiny reports that were done, those questions were asked at the time about the status of the waterfront site. I mean, use the waterfront site as the example, what the status was and why was it rejected.

The Connétable of Grouville:

I just thought the costs were originally professionally done of all the sites so all that information was available before the decision was made last year or in 2017.

The Chief Minister:

It is a case of at what point in time and what would it be now. It just refreshing what the position would be. At the time, the waterfront was, from memory, around £20 million cheaper.

Male Speaker:

Mr. Chairman, are these microphones switched on or off?

Deputy K.G. Pamplin:

They should be on. Are you struggling to hear us?

Male Speaker:

We can hear you, Mr Pamplin, but we are struggling to hear the Chief Minister.

The Chief Minister:

Sorry, shall I speak up?

Deputy K.G. Pamplin:

Sorry, my previous career precedes me.

The Chief Minister:

I shall speak louder.

Deputy K.G. Pamplin:

Can I just clarify? So you say the Council of Ministers have not yet had that discussion round the Council of Ministers?

The Chief Minister:

I think to an extent, part of it is allowing the work of the board to be completed and also then obviously to ... we will have to then consider do we want to do that at the time the outcome of the planning inquiry is taking place or do we want to do it in advance of it.

Deputy K.G. Pamplin:

It leads on to my next question. You have not yet initiated that conversation with the Council of Ministers about this subject.

The Chief Minister:

No.

Deputy K.G. Pamplin:

However you did set up the Hospital Policy Development Board very quickly. Why did you do that?

The Chief Minister:

In terms of why did I do it so quickly?

Deputy K.G. Pamplin:

Yes, why did you establish it and why so quickly?

The Chief Minister:

Off the top of my head, I think it was a political commitment I made at the time. I would have to go back and check. In terms of why it was done so quickly, mainly because we are in a timeframe here. So the planning process was in play. It is no good waiting until October to say we are going to review the process.

The Connétable of Grouville:

Was it a Council of Ministers' decision to set up this board?

The Chief Minister:

The Council of Ministers endorsed it. Actually, sorry, I say that. I would have to go back and check. The Council of Ministers definitely endorsed the establishment of boards.

Assistant Chief Minister:

Whether it was this one particularly I cannot remember, but the Council of Ministers did endorse the setting up of policy boards.

The Connétable of Grouville:

But not this specific one?

The Chief Minister:

I think Paul might remind me, from memory, the principle behind the boards, because this is a newish process, is that I think ... the Council of Ministers accepted the principle behind the boards is that I approve them. This was one I was setting up effectively to do that project. But, for example, the Minister for Education is in the process of setting one up and I have seen the terms of reference, and said I am happy with them, and that is going to carry on. It is just that there is a little bit of an oversight, but without it having to go always back to the Council of Ministers because of potential delay, depending what you are doing.

The Connétable of Grouville:

So this board was set up by you?

The Chief Minister:

Yes, I think. So the principle of the board is approved and within that principle is the fact that I approve them and I establish this one. It was not exactly a great secret at the time.

The Connétable of Grouville:

No, I just wondered whether it was a Council of Ministers' initiative or yours?

The Chief Minister:

No, it was an initiative that I set going. But I think, from memory, that was passed ... sorry, it was a while ago. I think from memory it was a political commitment I made at the time.

Deputy K.G. Pamplin:

Given your experience with Scrutiny, and indeed this panel, why then or what is the benefit of doing this over Scrutiny, a review the current proposals, especially as this panel was going to come back and constitute?

The Chief Minister:

The overall principle, and this applies across, is trying to get some better engagement with the ability firstly of obviously bringing the Ministers in from the different portfolios. The principle being able to use in appropriate circumstances - I do not like the expression "Back-Benchers" or "non-Executive

Members” or whatever - and also then the ability to bring in external people to give their views or their advice. It was about giving better communication, a little bit of better working together at an earlier stage. It does depend. Sometimes what was happening is that the Council of Ministers previously was working on a project, not quite by itself but near enough, and then it would then go out to the wider States perhaps. Obviously, there would be consultation but this is to get that interaction earlier.

Deputy K.G. Pamplin:

Could we argue though that Scrutiny could have done that because of how we were establishing, and also there has been a big change, has there not, because the election, for the first ever time, was in May and we got to a summer period where the Assembly, as such, broke. It allows Scrutiny to really get going and so we established this panel. Just curious because ...

The Chief Minister:

I think we established the panel in July, so it was set fairly swiftly, and that was the point. To try to hit the ground running, given the timeframe that we are operating under.

Deputy K.G. Pamplin:

Sure. But you must have been aware that this panel was going to come back and it could have been a concern that our panel could have done that work at the same time because we had a body of work handed over to us from the Future panel, which you were obviously part of, and given the high level of interest and the election we just had that this was going to be something that, as Scrutiny very quickly identified, was going to be something to start work on. That there could have been an overlap of duplication, is what I am referring to.

The Chief Minister:

There is always that risk. I think one is trying to avoid it. What we are also saying is that in terms of how the boards work as a principle we obviously look at it in 6 months’ time and see where the wrinkles have been and if we need to improve things. Let us let it run for the 6 months and see how we go.

Deputy M.R. Le Hegarat:

Could that not also be perceived though that there is a lack of independence? Because you have put forward a board so therefore it is not independent, so it is not an independent type of board whereas Scrutiny would be independent of the Council of Ministers totally.

Assistant Chief Minister:

The board reports to the Chief Minister and assists the Chief Minister in his research and in his decision making. So our reporting line is to the Chief Minister and then to the Council of Ministers, which is different to Scrutiny, that is reporting to the Assembly as a whole.

Deputy M.R. Le Hegarat:

That is what I meant. From the point of view of having the Chief Minister set up a panel or board and therefore there is not the independence that there is in relation to Scrutiny. What I am saying is: do you not think that that could be an issue or perceived issue by the public when you are setting up a board, which is set up by yourself, to look at something that was done by, okay, a previous Council of Ministers but you have got a totally independent Scrutiny facility? That is what I am asking.

The Chief Minister:

I think standing back from it, the principle is not particularly different to the previous ministerial working groups. It is just a wider participation. Not everything can be done by Scrutiny in terms of that timing. You are right, if you want a completely ... when you say "independent view", I am pretty certain I have not got any shrinking violets on the board and therefore they will express their own independent views. That is the objective, to give me ... it is meant to be a fairly quick process. In general, looking forward, it is at an earlier stage of development. Ultimately, it is to advise the Minister and it is to try and get that kind of more round decision making. But you are right in terms of making sure that the complete independence of Scrutiny is well understood and appreciated. Scrutiny does report to the Assembly and this is obviously reporting to me.

Deputy K.G. Pamplin:

What is the current status of the Hospital Policy Development Board, if you could take us ... what is the current status of where you are at, meetings, minutes? What can you tell us? Where are you up to?

Assistant Chief Minister:

We have had our ninth meeting yesterday. We have interviewed, I believe, everyone who has come forward and asked to be interviewed or has been listed by the officer anyway. That stage now is drawing to a close. We have gone through mountains of paperwork, which has been given to us, and we are now formulating our ideas. Over the next - it is not even a fortnight - 10 days we will be fleshing out the body of the report. We have a got a skeletal outframe for our report. We will be putting flesh to that ready for a completed report by the end of the month. But obviously that report then has to go to the various people who have contributed to ensure factual accuracies and so on. The publication of the report will be, I suspect, the middle of November.

The Chief Minister:

Approximately.

Assistant Chief Minister:

Approximately.

Deputy K.G. Pamplin:

So when I started I said you were aiming to conclude by 31st October?

Assistant Chief Minister:

Conclude our work, yes. But then it is up to others to factually check our report before we can publish it.

Deputy K.G. Pamplin:

Just for clarification, you are saying the final report, which will be handed to the Chief Minister, will be mid-November?

Assistant Chief Minister:

I would hope so, yes.

Deputy K.G. Pamplin:

Would you argue that is a delay compared to what was originally stated?

Assistant Chief Minister:

No, I would not say it is a delay. We have had to have the addition that was not foreseen at the time of the factual checking and it is something that has only come forward recently. I had not programmed it into our original programme.

Deputy K.G. Pamplin:

If I can through conjecture. If the planning inspector puts forward his report next week would you not then say there could be a delay if he theoretically gives full planning permission and the authority back to the Minister for Planning. That could cause a delay. Would you in that process then bring it further forward as quickly as possible?

Assistant Chief Minister:

We are bringing it forward as quickly as we can anyway. As for delays, there are still a number of things, as I understand it, to go through. I do not see that this report is going to cause any delay, no.

Deputy M.R. Le Hegarat:

When the board was set up, what were the actual aims and objectives of that board?

Assistant Chief Minister:

The aims were to factually check the decision making. To look at the decisions that had been made and to make sure that the decisions made were supported by evidence. When you make a decision it does not matter; at any time in the future you can go back and review that decision. If the evidence supports that decision then it holds true. You may not like the response from that decision, but if the evidence supports it, I think most people accept it. We have found a number of decisions that have been made without evidential support and that is what our job is and to then weigh that up. It does not mean necessarily that the decision is wrong. It is just that it has been made without the evidence at that time. I will give you an example. In 2013, Warwick Farm was ruled out due to the additional time for blue light services to get there. But the ambulance service tell us they were not consulted until 2015. If they had not consulted the ambulance service how can they make the decision that there was an additional time getting to Warwick Farm? I am not saying that that was a right or wrong decision but the decision was made without, I believe, the proper evidence to support it. So this is what we are looking at and we are going through to make sure that the decisions taken are supported by good evidence.

The Connétable of Grouville:

I presume such examples exist, and that is one you have given us. Are there loads?

Assistant Chief Minister:

You could not speculate on that.

The Chief Minister:

We do not want to kind of discuss the report when it is still in the process of gestation at this stage.

The Connétable of Grouville:

You could tell us the number of these examples there would be. I mean is it less than 10?

Assistant Chief Minister:

I have not counted them. I could not tell you at all.

Deputy K.G. Pamplin:

Maybe this is a good point to raise the investigation by the Comptroller and Auditor General because in 2017 she concluded: "I am concerned that arrangements for making decisions on the sitting of

the Future Hospital were poor and that the decision took too long. Through this work I have identified a number of areas where urgent changes needed if better value for money is to be achieved.” Has that not already been concluded, what you are saying?

Assistant Chief Minister:

Very much so. Certainly her report is excellent.

[12:30]

Her report only went up to February 2016. It is the subsequent decision making that we are also looking at. We are refreshing part of what she did and then we are examining the decisions that had been taken subsequent to that.

Deputy M.R. Le Hegarat:

Who helped to make the decisions in relation to the aims and objectives of the board? Who made those decisions about what your aims and objectives were going to be?

Assistant Chief Minister:

Terms of reference. They were agreed by the board as a whole.

Deputy M.R. Le Hegarat:

So the whole board had an input into those processes?

Assistant Chief Minister:

Yes.

Deputy M.R. Le Hegarat:

In relation to the selection process for your board, how was that decided? How was it decided about who would be selected for the panel?

The Chief Minister:

Ultimately, I made some ... I discussed it through Chris. I made some recommendations, in conjunction with Chris, is where we formulated the team together. In future I will say I would envisage that there will be a bit more constructive process but bear in mind this is the first one in which I hit the ground running. It is a case of getting it done.

The Connétable of Grouville:

So the selection process was you and Constable Taylor as to who would be on ...?

The Chief Minister:

I think it was a combination of that. We discussed it briefly at officer level. There were some recommendations in there, which is, say, for example, making sure that the Minister for Health is on there, which does give a balance. It was discussed at officer level as well.

The Connétable of Grouville:

With the views of the various Members prior to it being set up taken into account; Constable Taylor has some very strong views?

The Chief Minister:

I think you have got ... you are not going to find ... you can have views both ways, if that make sense. You can have strong views both ways. The fact we have got the Minister for Health on, as far as I am aware, has views in opposing direction. You have got Deputy Pointon and Deputy Alves, who I am not aware that they particularly expressed a view previously. You have obviously Deputy Huelin and Deputy Buchanan who have obviously expressed their views. So there is a mix. The idea is to try and get people who are going for it, are sufficiently motivated to have a good look at the thing and come back. If they come back and say it is all fine then we have got some satisfaction that it has been gone through well. If they come back and say: "Actually, there might be these following issues" then we would have to have that discussion.

Deputy K.G. Pamplin:

Just to clarify, Deputy Alves was not originally on the original board; she came in at a later stage, did she not? In fact, Deputy Alves and Constable Richard Buchanan did not attend the first meeting so we do not have their declared interests on record. Apart from what they said during an election.

Assistant Chief Minister:

They did join us later. Essentially it was over the holiday period and we had communication problems trying to get everybody together. So she did join late but she has turned out to be a vital member of the board.

Deputy M.R. Le Hegarat:

You are quite confident as a board that you have a good cross-section of the States Assembly in order to give you a balanced view of the outcome?

Assistant Chief Minister:

Yes. Although Constable Le Maistre said that I have a firm view on the waterfront. Yes, I brought a proposition to the Assembly going for the waterfront. But if you then look at my voting record, I

subsequently supported the current site. My view is that the urgency of building a new hospital is paramount. That is number one. It is a matter of how quickly we can deliver it. If you refer back to P.82, it says “safely”, and that is number one. Affordability, and that is number 2. Sustainably, in other words a hospital that is going to be big enough for the future. Those are the 3 guiding principles.

The Chief Minister:

For my purposes, just to be clear - it is a personal position, I suppose, but it is in the public domain - so I have reservations on the present site. I note that if people come back to me and say: “Actually, it is absolutely fine” then that is okay. If they come back and say: “Actually, there are issues” I am agnostic as to where an alternative site is. I have always used the waterfront as the example because on the information we have previously seen the waterfront had to come out, as I think, at that point the chief option. What is interesting as well is the ... I think you are aware we have seen the updated timescale of the current site versus any future potential. Although, broadly speaking, overall the time difference in the end is about 6 months.

The Connétable of Grouville:

Constable Taylor said that he voted in favour of the existing site. What has now changed your mind?

Assistant Chief Minister:

Did I say I have changed my mind?

The Connétable of Grouville:

You intimated that you were in favour of the existing site because you voted for it.

Assistant Chief Minister:

Yes.

The Connétable of Grouville:

Now you are not in favour of that site or you are not in favour of going ahead with the project despite agreeing to it. What has changed your mind?

Assistant Chief Minister:

I have not said I am not in favour of going ahead with the site. I have expressed personal opinions but I am trying to remain as neutral as I can as chairman of the board. I do not believe I have expressed publicly opinions that it should not be on the current site. I do have obviously opinions going back, as the Chief Minister has. The original waterfront site, and it is no big secret, I made it

in my proposition, it is £20 million cheaper. It is less disruptive and I believe, at that time, it was a better site, but one has to go with the majority. That is what I did. That is what I have supported.

The Chief Minister:

Standing back from it, you have had the new elections. There was significant public concern expressed during those elections. Certainly I would suggest we would all have experienced that on the door-knocking or in the hustings. Therefore I do not think you can just not do anything in terms of satisfying ourselves that the right decision was made. We have to be clear it is the biggest capital project this Island is going to have. It is roughly a 50-year project, shall we say. So it has to be right Not just for us but, picking up members of your panel, the gentleman to your right, Constable. Because he will be facing the consequences far longer than we are. So we have to make sure it is appropriate and that the right decisions were made. Part of that is obviously the monetary side and part of that, a significant part of that, is: is it fit for purpose in terms of has anything changed, is it appropriate for new technologies and what is the impact on staff and patients as it gets constructed?

The Connétable of Grouville:

The board itself, what sort of expert advice does it take leading up to the States approving the existing site? A lot of work was done by professionals who know about these things. What advice is the board taking? Who have they got on board that can help them in such a specialist area?

The Chief Minister:

I think it would be fair to say that at the moment, getting input from the officers, from the Future Hospital team, they are going through the existing documentation. So it is not re-evaluating. We are not trying to redesign a new hospital. It is trying to see what was put together that ultimately fed into those decisions that were made.

The Connétable of Grouville:

As laymen effectively?

The Chief Minister:

The specialist reports will be there already.

Assistant Chief Minister:

There was no point in reinventing the wheel and having another specialist come and advise us what the other specialists had already said. It is a matter of going through the ministerial oversight group minutes, where a decision was made, find the evidence that supported that decision. Find out was there any evidence that supported that decision or not. If there is, to examine it, to see if that was a decision supported by the evidence or whether there is no evidence at all. So that is our process.

The Chief Minister:

For example, when we ... I say "we" because it was particularly the day I stepped down, and I invited the board into it, but when we went through the costs analysis that already exists, the representatives from Glebes was present for certainly three-quarters of the day. Then it is just a spreadsheet exercise. I do not need expertise to watch an officer put the spreadsheet together, as an example.

Deputy M.R. Le Hegarat:

Do you publish all the meetings of the boards? Are you publishing all the meetings?

Assistant Chief Minister:

All the minutes, once they are signed off, do go online, yes.

Deputy M.R. Le Hegarat:

Are they currently up to date as to where you are at in relation to the process?

Assistant Chief Minister:

We had meeting number 9 yesterday, and as I understand it, up to meeting 6 is online. Seven was still awaiting factual checking from those people who had submitted to the board, as was meeting 8, again, was still under factual checking. But as soon as they are, and they are agreed by the board, they do go up on the website.

The Connétable of Grouville:

What is the budget for the board, and where did that money come from?

Assistant Chief Minister:

There was a budget from ... it was loosely £150,000, which came from, as I understand it, the Future Hospital budget.

The Chief Minister:

We should just point out we are nowhere near that spend.

Assistant Chief Minister:

No.

The Connétable of Grouville:

I am sorry?

The Chief Minister:

It is nowhere near that sum that has been spent.

Assistant Chief Minister:

Nowhere near.

Deputy M.R. Le Hegarat:

Are you able to tell us how much so far?

The Chief Minister:

I would have to look to my right here.

Director, Corporate Policy:

I could not give you a precise figure.

The Chief Minister:

But we can dig that out if you wanted it.

Director, Corporate Policy:

I would say less than £10,000.

Deputy K.G. Pamplin:

I am assuming the unspent money will go back to the project?

The Chief Minister:

Yes. I just reiterate again, it is very much a decision ... we took the decision to look at this based on the public concern that was certainly expressed and this is just to make an informed decision or, sorry, to form a view to where we get to and then that will then go to the Council of Ministers and ultimately comes to the Assembly.

Deputy K.G. Pamplin:

We are just going to pause proceedings at the moment because we do have a problem with our audio. So we are just going to pause and see if we can fix the gremlins.

[12:42]

ADJOURNMENT

[12:48]

Deputy K.G. Pamplin:

It is a little bit out of our hands. It is not so much the webcast audio, it is the overall audio for us to get a transcript of this meeting, which of course is very important. But this has happened before, I have been informed by the team, so we will endeavour to get a transcript from today's meeting. The options were to postpone or decanter to the other room, but there was another panel, and considering how many there is of today and how far along the process, we have taken the decision to carry on, so we shall carry on.

Male Speaker:

If it is any help I could film what is happening. **[Laughter]** Will you have transcript, you will have that, will you?

Deputy K.G. Pamplin:

We will produce a transcript with the means that we are doing. I have been reliably informed this has happened previously. We are taking many notes.

Male Speaker:

Could you persuade the States to invest a bit of money in a loud speaker system?

Deputy K.G. Pamplin:

I have added it to my very long list. I just want to clarify timescales again. In terms of your decision making, because I am acutely aware that we only have a certain amount of States sittings for this year. The last one being 4th December. Just going ahead a little bit. You conclude your work, you conclude your report, you pass it to the Chief Minister, when do you envision, if you were thinking ahead, to bring that to the Assembly to vote?

The Chief Minister:

It is certainly not going to be before Christmas. Realistically, as you say, it is going to be a 4-week at least lodging period, is it not? I do not even know if it would stretch into a 6 week. But I believe the deadline for 6-week lodging is Tuesday. I know officers are saying it is today. So it is not going to hit 4th, 5th December, and therefore I would say at this stage you would be looking into January. The point is, it depends what the outcome is do not forget. Because if the outcome is it is all fine then you are into an endorsement situation. If it is a case of there are other issues, we will have to evaluate what that does and what a proposition might look like.

Deputy K.G. Pamplin:

So if there are no issues you finish your report, does that mean the project goes ahead and you would not bring the vote back to the Assembly?

The Chief Minister:

We were having that discussion earlier over the last couple of days and my view is that the States, as a whole, would expect a final say. The political commitment was given to the public that there would be, so I think we have still got to have that debate. I will say that is the view I gave to the Assembly. I suspect there will be individuals who do not agree with that so we are just going to have that discussion. But as I said, a political commitment was given during the elections that would take place.

Deputy K.G. Pamplin:

So that does run the risk of delaying public perception because if the planning inspector in the next couple of weeks gives full endorsement to go ahead with the planning site, the agreement is there, they are ready to build, that is what they have been working for the next few weeks, but it will not start because it is definitely going to come back to the States, is what you are saying?

The Chief Minister:

Yes. As I said, it was not me that gave that commitment at the time. I said I will honour that commitment because I think that is appropriate. That is the consequence of where we are.

The Connétable of Grouville:

Currently the project team working is carrying on as if the States original decision was ...

The Chief Minister:

Yes, at the moment we have been aware of this whole issue around delay. As I said, on the diagram I have just passed across, the worst-case scenario seems to be that if you are at the other end of the extreme it might be 6 months' delay at the end of the project but I do not think a few weeks either way at this stage is going to make too much problem on the overall path. That is my take as a layman. It would be something we would have to assess. But that said, at the end of the day, it is the biggest capital project we have ever had. We have had a change in the Assembly. We have had a change in Government. There was definitely very large concern expressed by the public during the course of those elections and a political commitment was given. I think you have got to stick to that commitment because otherwise we will get even more criticism.

The Connétable of Grouville:

If the board recommended the current project does not go ahead the first thing you would have to do is to bring a rescindment to the existing proposition, which ...

The Chief Minister:

My take would be that you would do ... let us deal with one problem at a time. I think whether you would do a combined thing, in other words, you do a full debate which would be a rescindment and a suggestion on site selection process or something along those lines, and get an endorsement from the Assembly. Either way the Assembly has got to make a decision. I would rather not have 2 debates, shall we say. I think we will try and bring it, now there is one.

The Connétable of Grouville:

Are you saying that this board, when it makes its recommendation in a fortnight's time, if it decides that the existing hospital site is the wrong one, that they will tell us which site they think is the right one?

The Chief Minister:

No, I was not saying that. I was saying that presumably there will be some observations on there but the question will be then ... and I think that is a case to discuss a little bit with States Members, with the Council of Ministers to say: "Right, do we say okay, we are back to square one or do we say we are on 2 sites." Ultimately there were 4 key sites, there might have been 5, sorry, I am certainly not keen on inventing or reopening the 41 sites originally evaluated because I think that would be ridiculous. So I think your choices, if there was a suggestion that you do not go for the current site, are the limited ones that made that top evaluation process. That was work gone through previously. I think then it is a limited decision between those sites.

The Connétable of Grouville:

But if the board recommends that it does not carry on where it is you will then not have a preferred site, you will merely have a choice of, one assumes, the remaining 4 sites and the process of choosing a site will begin from that point?

The Chief Minister:

Certainly my position is that it would not be a good use of time to go back to the 41 sites and therefore you have to have a limited number that you are working from. Ideally, in my view, you would limit that down as much as possible to ensure that any delay is reduced. If you look on that chart I have passed to you, in that process which arrives at 6 months, according to this, at the end date, bearing in mind that is the end of the construction, we do get other deliverables during the existing scheme, they have allowed 2 and a half years for site selection. Now, my take would be, I would hope, as a layman, that we could do that a lot quicker. Most of us ... the issues are there, it is just a case of updating them and consolidating down. Planning and approval is another year and a half and then you have contractors, which is about another year and a half by the looks of things, it might be 2

years. So there is quite a lot of project development before you start building in there. I am curious, and this is just my personal opinion, it would be subject to understanding the intricacies of it. I would have thought you could get a site selected and sorted out before 2 and half years. That would be my ambition. I would hope that you would be back in the position ... in fairly short order because most of the sites and the aspects around them are already known.

The Connétable of Grouville:

But in January if this review board decide the existing site is not the right one, you have to rescind the States decision to carry on and you will not have a site. You will have a choice of 3 but you will not have a site.

The Chief Minister:

To an extent, that is an outcome of the discussions that we need to have if that is the recommendation of the board.

The Connétable of Grouville:

Discussions?

The Chief Minister:

If their discussion is backed and ultimately leads to: "What does that proposition look like?" So if the proposition comes out and they turn around and say: "Look, yes, the report sets out that the reality is X, Y and Z indicates that a particular site is the best option of those 3" let us see how we deal with that in the States. The more certainty you can get on that decision the better and the quicker we can do it.

The Connétable of Grouville:

The point is that carrying on with the existing project is costing, we are told, £1 million a month, I do not know if that is correct.

The Chief Minister:

Yes.

The Connétable of Grouville:

If it is not going to go there, the sooner you make that decision the better. The longer you delay it ...

The Chief Minister:

You will have to rescind ...

The Connétable of Grouville:

The first thing you will do, if you decide it is not going there, is rescind that decision before you have a site. The site could take another 6 months.

The Chief Minister:

Bear in mind that some of those costs that are coming through are things that have already been decided. So obviously the catering facility, there is other bits and pieces, is happening. Some of the site acquisitions are included in those costs.

[13:00]

So whichever way you look at it, we have an asset that we have acquired. But, yes, one would have to make the decision. We have an interesting few weeks ahead waiting for the outcome of the board and see what that looks like and then we will make some decisions in fairly short order after that.

The Connétable of Grouville:

If the board's recommendation is to carry on you do not have a problem. But what I am asking you is what will you do if the board says it should not go there. You have to stop the existing project then and there otherwise you are spending money for no reason.

The Chief Minister:

It is a case that you take it to the Council of Ministers and that is where you make the decision.

The Connétable of Grouville:

Also ultimately the States, because the States have already made the decision ...

The Chief Minister:

Ultimately it has to be States. As we said, the States, because the commitment was given during elections, the States will have to have a final decision whatever the outcome is.

Deputy M.R. Le Hegarat:

Could I just ask, following on from that, we are told that the contractors have been working alongside the current site, if you like. What will happen in relation to the contractors if all of a sudden, come January, we say we are no longer working here and we are 2 and a half years away? What will happen to those contractors?

The Chief Minister:

I think we would be in the same position as if ... I do not think this would be the case, but what happens if planning permission is not given. I think that is when you have to discuss the outcomes. That is, again, about having a realistic idea of what the timeframe would be. I do believe Constable Taylor is having a brief discussion with the contractors in the next few weeks.

Deputy K.G. Pamplin:

Can I just clarify? When you say 4 sites, which 4 sites you are referring to?

The Chief Minister:

Yes, that is a good test of memory, is it not? The St. Saviour's Hospital, the waterfront, Overdale, Warwick Farm, I think People's Park is in there. I have to say my personal view on People's Park is politically that would be very, very difficult to deliver I would suspect and that St. Helier would be highly against that as an outcome. That has always been the case.

Deputy K.G. Pamplin:

Forgive me for getting a bit of déjà vu, was that not the case last time around?

The Chief Minister:

When it was put in?

Deputy K.G. Pamplin:

Yes. People's Park was seemingly, as the evidence suggests, a preferred political decision but given the proposal by the Constable of St. Helier at the time, it was swiftly taken off the table. Is it therefore a waste of time doing it again?

The Chief Minister:

The People's Park, we had that discussion at the time and it was the advice at the time that People's Park should be included purely for effecting objective comparison and we will see what that does look like. I have given you my personal view, which is a political judgment, and that is saying that there are 11 votes in the States for St. Helier and I would be very surprised if one of them voted for People's Park as a starting point. Looking at the Deputy on your left, I do not know.

Deputy K.G. Pamplin:

As long as Howard Davis Park does not get included as a site. Would it be fair to say that when this process started way back when that these sites that you have mentioned have changed? The surrounding areas have changed. There has been a lot of work in the waterfront area, there has been a lot of work outside People's Park for example and there is a question mark about the deliverable service of mental health in St. Saviour Hospital, and how long now ... considering the

dangerous site at the hospital and given the fact that there is a lot of talk about formal housing and we have the Island Plan coming on, is it fair to say that when we talk about those with the chosen 4 sites we will have to review how they sit now as opposed to when they were suggested way back when?

The Chief Minister:

Bear in mind you are right in terms of there being some construction, they have not fundamentally changed in that area so I do not know if I would agree with that particularly. As I said, to me, I think the danger is what you cannot do is keep going round and round in circles discussing more and more sites, if that makes sense. I think if you are going to have an issue on the present site you have to then have a limited scope of options because otherwise we just reopen the whole thing and we are way down the line, which is not going to work for anyone.

Deputy K.G. Pamplin:

But is there not a risk that ...

The Chief Minister:

The 4 sites were ... sorry, the 5 sites we talked about were the preferred options that came through, so it does seem to ... I do not think we want to be reinventing the wheel.

Deputy K.G. Pamplin:

However, you could be denying, in the space of when this was first decided by the previous Assembly, an even better site may have presented itself. I am not saying which it is but would it be fair to say that would be denied unless you see a good case for why that was not part of the original decision in the last few years, it is worth a look?

The Chief Minister:

Do you have one in mind?

Deputy K.G. Pamplin:

I wish I did. Just as a connection, let us just say there is new ... you know what the Island is like, things change all the time. If a new site became available or something happened and it was new and it was not in the previous selection, you would discount it because you are focusing on the original 4?

The Chief Minister:

If somebody came up tomorrow and said: "Here is this site, it is blindingly obvious, and you can do it in 3 years" you would have to consider it. I am not aware of any such site because ... I think we

are into hypothetical there. We have to deal with reality and the reality is there were 4 or 5 sites that it was limited to and that is what we have to focus on. Otherwise we end up back in the ether essentially and it not happening. That would not be acceptable. Let us be very, very clear, we all want to deliver a hospital and it has to be fit for purpose and we have to do it in a timeframe. As I said, there has been lots of public concern around the present choice and the process. Let us see what the outcome of Constable Taylor's report is, let us not prejudge it, and then let us go with those results and have a sensible discussion once we know. This is the difficulty having a discussion this end of the outcome of the report versus 2 weeks after. Let us see what the outcome is and then, depending on that outcome, let us have a very sensible discussion afterwards.

Deputy K.G. Pamplin:

One site has just sprung to mind. The former Little Sisters of the Poor residence which is now obviously available. Would that area, which is now available, ever be a consideration, do you think if it is viable? Now it is on the market, which it was not originally.

The Chief Minister:

Genuinely do not know. I do recall an email that came through recommending that site and somebody did respond on that. I cannot comment on that site other than what was sent out in an email to the individual.

The Connétable of Grouville:

Can I just ask about the planning permission? As we understand it the planning inspector is looking at the design rather than the situation of the existing site. The hospital team have tried to address all the problems that he has put in front of them so that site effectively can be passed. Although he may reject it this time and give some reasons, which the project team would have to address, in essence the hospital can go, from a planning perspective, on that site?

The Chief Minister:

There is nothing to stop that scheme happening on that site. Obviously subject to planning approvals, you can build on the existing site. The question is, on the basis of the 50-year lookout and also over the next timeframe, which I think is 9 years, of construction, is it the right site given any updated information that obviously Constable Taylor may have come across as he is going through.

The Connétable of Grouville:

The point I was trying to make was that planning is not going to be an issue in a year's time because the project team can overcome anything that the planning inspector suggests needs to be done. Because the site itself is acceptable from a planning point of view, it is really what form the building

takes that ... so planning cannot stop possibly on its existing site, however if the Council of Ministers decide it is the wrong site, that is the only way that the hospital on that site could be stopped.

The Chief Minister:

I try not to get dragged into the planning process and what it can and cannot do because that is well out of my area of expertise.

The Connétable of Grouville:

I understand that the planning inspector said it was not the wrong site, it was the wrong build and so now the project team have addressed - or hopefully have addressed - all those issues and if they have he will say yes, if they have not he may then put some more obstacles, if you can call it that, in their way.

The Chief Minister:

As I said, I genuinely do not want to comment on the planning process and I do not know. That is not an area I get into. As I said, there is a political decision that will have to be made and that is where it rests. Ultimately, the Council of Ministers will have an influence on that and ultimately there will be a decision that comes to the Assembly. I know that is not going to be universally welcomed in certain categories or in certain quarters but that was a commitment that was given at the time.

The Connétable of Grouville:

I do not have a problem with it coming back to the States and the States deciding it does not go there. What I am saying is it will be the Council of Minister's recommendation that says it should not go there.

The Chief Minister:

I think you are probably right.

Deputy M.R. Le Hegarat:

Okay, a couple of questions for Constable Taylor. In press interviews in September you discussed the merits of a 2-site solution and potential alternative sites. Are you able to clarify your comments at that time?

Assistant Chief Minister:

I think that is what was picked up from the minutes that we were looking at, the feasibility of 2 sites. The evidence that has been put forward so far - and I do not want to prejudge the report - the decision taken previously in 2013 not to have a 2-site hospital is still very relevant today.

Deputy M.R. Le Hegarat:

Is that your own personal view or the view of the board?

Assistant Chief Minister:

I think that is my personal view at the moment and I am not going to speak for the board on that.

Deputy M.R. Le Hegarat:

You are on record in relation to the *J.E.P. (Jersey Evening Post)* on 3rd September 2018 suggesting that evidence that proves alternative sites may be better and information is being intentionally ignored. Are you able to clarify those comments for us, please?

Assistant Chief Minister:

Certainly. Those were the press comments, it is not what I said. I never used the word "intentionally". But there is evidence, which will be in the report, that some evidence was not made freely available.

Deputy M.R. Le Hegarat:

Do you think that any of the civil servants working on the current proposals have any vested interest in relation to the current proposal?

Assistant Chief Minister:

I have made it very clear, I am clearly minuted, the Future Hospital team are very dedicated, they are very hardworking and they are doing an exceptional job.

Deputy K.G. Pamplin:

Can I just clarify, just so I can pick it up? What you said on the front of the *J.E.P.* where in commas, as in quotations, "intentionally ignored" was incorrectly reported by the journalist?

Assistant Chief Minister:

The word "intentionally" was not my word.

The Connétable of Grouville:

The project is going ahead at the moment, who is the political oversight group for the project board?

The Chief Minister:

The present structure, as I understood it, is the political responsibility is ultimately as a capital project sitting with the Minister for D.f.I. (Department for Infrastructure).

The Connétable of Grouville:

Under the previous Council of Ministers there was an oversight board consisting of the Minister for Infrastructure, the Minister for Health, does that still exist?

The Chief Minister:

The board itself does not yet, and part of it depends on the output that is going to come from Constable Taylor's report as to where it goes. If the project carries on, yes, there will be something we put back in its place. At the moment, if you think about it, everything that has been happening has been allowing the previous positions to run without inference.

The Connétable of Grouville:

But the actual project board are not answerable to a political oversight group at the moment?

The Chief Minister:

No, they are answerable to the Minister for Infrastructure. It is now a capital project, is it like any other capital project in how it has been put together, they are not changing things particularly, as far as I am aware, so it is going through that normal process. But you are right from the point of view of wanting to get through where we are, what the position is on planning permission, and there will need to be ... we will want to put something back in its place and might just look at how that comes together. But basically I want to see what the position is on the planning permission and the outcomes of the work by the Policy Development Board before we have yet another group seeing where it is going. There is political oversight which is at the D.f.I. level.

The Connétable of Grouville:

They are working on this project, probably the biggest project that the Island has seen and is likely to see, how much time are they spending giving information to the review board?

Group Managing Director, Department of Health and Community Services:

I can answer that. There has been around a dozen representations from key members to the board. There has been some significant pieces of work and evidence that we have needed to present to the board and most of that information is already there but there has been some significant time requirement to attend to the board, around an hour and a half myself, and other key members have been required more frequently than I.

[13:15]

The Connétable of Grouville:

Is it a distraction for the project board to have in the background going on when one could argue they should be concentrating on the biggest project the Island has ever seen?

The Chief Minister:

I think you have just answered the question in the last part of your sentence. It is the biggest project we have ever seen and politicians in some shape or form need to be brought up to speed on it, so there is going to be officer involvement for the time that they are spending. For example, the time they spent with me the other day is not time wasted, it is time bringing me up to the level of knowledge I need in that particular area.

The Connétable of Grouville:

That is on the existing project.

The Chief Minister:

Yes.

The Connétable of Grouville:

Looking broader than the existing project, the board is looking at other alternatives and looking at the evidence in the past. What I am saying is, is that not a distraction for a project board that are trying to get on with a major project.

The Chief Minister:

At the end of the day, a political commitment is made in 2 shapes or form and that is the work that comes out of it. We can work in a vacuum and not do it but political commitments were made and that is what we are sticking to and that is the consequence of the actions. So they have to accommodate that time.

The Connétable of Grouville:

So the consequence of the political action is a distraction for the board, is what you are saying. It is inevitable but is nonetheless the case.

The Chief Minister:

I was just trying to say, we can always not live up to promises we made to the public but I do not do that. Therefore, there are consequences of that action. Now, does that cause time, of course it does, but there is no way around it. As far as I am aware ...

The Connétable of Grouville:

But you are admitting it is a distraction?

The Chief Minister:

As far as I am aware it is not causing delay. The other question is ... if a request for information from the Assistant Chief Minister, a number of other States Members, including the Chief Minister, is a distraction I hope it would be treated somewhat differently.

Deputy K.G. Pamplin:

They are obviously still in place but they are working so they are spending money and that is the concern as the A.G. (Attorney General) referenced in her report ...

The Chief Minister:

The A.G.? The C. and A.G. (Controller and Auditor General)?

Deputy K.G. Pamplin:

The C. and A. G., sorry, thank you. "For all major projects established at the outset clear and effective arrangements for political oversight, including compact and focused groups established for political oversight and terms of reference of such groups that include responsibilities for reporting." Just to clarify, you are saying it is the Minister for Infrastructure at this stage? It is not a political group?

The Chief Minister:

There is no political group at this stage because obviously the Council of Ministers was put in place in June and there is quite a lot of ... when I say "routine process that is occurring" because a lot of that was in place before the Council of Ministers was established, so that has been left to run without interference, but obviously with a political responsibility, which is the Minister. Once we get to that point of outcomes from the planning permission and the report of the board, we will have to look at what the political oversight becomes. What I will just say is obviously that takes into account the C. and A.G.'s remarks which was around the previous processes in place.

Deputy K.G. Pamplin:

But obviously, to play devil's advocate, I know the project team are not with us today but trying to see it from their point of view, they are still working, they are still going, how would they feel if they have to spend a large majority of money but there is a little bit of hesitance around because of the board's work that has thrown up the issue that this may not continue through. Are you hearing from them any concerns about the responsibility they are under at the moment whether to spend money or not to spend money because if they do spend money and the board recommends and the States decide to rescind the decision, the consequences on them become very serious?

The Chief Minister:

I think the officers have got a process that they ... the States have made a decision that there is a process that has been going forward and that decision has not been changed at this stage. It very much depends upon what the outcomes are of the 2 factors we have to take into account.

The Connétable of Grouville:

What effect is it likely to have on them, though, that they think: "Well, we are doing all this work, we are pushing the project forward as we have been asked to do but in 2 months' time the whole thing might be scrapped"?

The Chief Minister:

I think we have to go back to the point that the crucial things are political commitments that were made to the public, making sure we get the project right and bearing in mind a 50-year perspective. It has to be right for a significant period of time. Now, if there is a view that politically there might be a different outcome that comes to it, that is unfortunately the consequence of that decision politically. Obviously, we have to manage things because, as Chris has said, we have a very good team in place and we will have to manage those expectations. Let us deal with one issue at a time and let us see what the outcome of the planning permission and Chris's report is first.

The Connétable of Grouville:

You see what I am getting at, they are working hard, they are trying to deliver what they had been asked to deliver a year ago and all that work might be thrown out the window.

The Chief Minister:

There is no doubt they are doing a lot of hard work but we are interacting with them and I think they are understanding where we are coming from and they understand what we are trying to do.

Assistant Chief Minister:

I think what is important is that when the board was appointed at the end of July the question came up: should everything be put on hold? I said: "No" because the decision is that we continue because the States have made a decision and therefore it should continue until and if a change of direction is made.

The Chief Minister:

We are open to criticism either way.

The Connétable of Grouville:

No, I am not criticising. All I am saying is if I was working on that project, putting a lot of effort into it, thinking: "In 2 months' time all this work could be a waste of time because we are now going to start from square one."

The Chief Minister:

I think the other point we should make is that I would expect that not all work will be wasted. Things like the adjacencies and things like that, if it has been done right - which I understand it has been - will be ... you would just translate that across to a different scheme.

The Connétable of Grouville:

Not all of the work.

The Chief Minister:

No.

The Connétable of Grouville:

But much of it is now site specific.

Group Managing Director, Department of Health and Community Services:

If I may? I sit on the project team and I think there are clearly components which will be relevant. The project is not just about a building, it is about a way of working and so those elements will still be as relevant and we continue to work on that. There will be some specific components which relate to the site and the plan which I think we have to acknowledge that people put in significant effort in developing and so I can imagine they probably will feel demoralised about that but it is twofold. We cannot describe the whole project as wasted time. We have continued to work on the existing plan with all the conditions.

Deputy M.R. Le Hegarat:

I just want to throw something in here. Chief Minister, you keep saying about: "We made a commitment to the public during the elections." Who made that commitment because I do not recall having that conversation while I was out ... you keep saying that we committed to the public that we would look at it. Well, who committed to the public that we were going to review the hospital site?

The Chief Minister:

The previous Chief Minister in the hustings at, I believe, St. Lawrence stood up and said, in answer to a question: "I would expect any future Minister for Health to bring back a proposition to the States should it be approved by the planning permission." I do not think that is a verbatim quote, you will

have to go back and look at the video links. I think it is that hustings but was broadly speaking what was said.

Deputy K.G. Pamplin:

Had he not said that, what would your opinion be as the newly elected Chief Minister inheriting this project?

The Chief Minister:

I am not going to get into hypotheticals. That was said.

Deputy K.G. Pamplin:

But that is the only reason. You are saying what he said in a hustings, which we were not privy to, and I appreciate I asked the question in the States Assembly myself personally ... I think it is important, as your own man, as the new Chief Minister that based on what the former Chief Minister said in the hustings, would you have still come forward, set up this board, and then said: "I am going to bring this to the States Assembly"?

The Chief Minister:

The board would definitely have been established because again this is based on ... ultimately this is a political decision and I would hope that most people would turn around and say there was not unanimous public support ... some people say you will never get that, but certainly at the hustings I attended, and some of the ones that were reported to me, was that there was not unanimous public support and there was quite strong public concern being raised. That means you have a choice. You can either ignore and carry on, but if you want to try and attempt to take the public with you, which is not always easy, I think you have to have something in place. What that outcome would look like I am not going to go into a hypothetical scenario based on something that did not happen, that was a response that was made at the time by the previous Chief Minister and it is up to him how it was phrased and all that type of stuff but, I think, ultimately - and as particularly you asked me the question in the Assembly the other day - that is a commitment that I, as Chief Minister, have to honour.

Assistant Chief Minister:

I think also, if I can come in here, during the hustings in Trinity, I think it was the Deputy's hustings, a question was asked on the floor: "Can we have a show of hands?" If my memory is right, the show of hands was approximately 15 in favour of continuing and the remainder of the 150 in the Parish Hall were against continuing. I believe another poll was taken, I think it was at St Peter's Parish Hall, so that this was a very a contentious subject at the elections.

Deputy K.G. Pamplin:

I take that point because also there is an online media poll asking the public of their opinion and a high percentage of the turnout at that the poll was just to get on with building the hospital. At my hustings a similar question was asked and the will in our husting was to get on with it. So I think we could all sit here and pull every hustings and we have got to keep remembering there is a broader viewpoint out here that, yes, I think generally we are all agreed we want to see this done. There is frustration at the time it takes so there are some people saying: "Get on with it; build it" and there are other people saying: "We do not like this. We do not like that." So we want to avoid all that and just drill down as a form of leadership where we are heading, where this new Assembly is heading so the public have a clear understanding of who is doing what and where we are going.

Assistant Chief Minister:

Precisely. At one of the first announcements that we made from our board was that we definitely need a new hospital and I believe coupled with that was the degree of urgency in providing that new hospital. Our biggest concern, obviously, is that if we look at an alternative site, a very big "if", what is the delay factor? The delay might be in starting the build but that is not the question. It is, when is the finished product going to be ready? The chart we have here shows that it is within months of the 2 finishing dates.

The Connétable of Grouville:

Can we ask about this timeline because we were given to understand, and you can put us right, that the latest project on the existing site was a 2-stage project; the first stage would be completed by 2022 and the next stage by 2024?

The Chief Minister:

When you have got the diagram in front of you that gives you that ...

The Connétable of Grouville:

I am asking you to confirm or otherwise whether it is 2022 and 2024; we have got the dates right.

The Chief Minister:

Here you have got the phase 1a, and I received this, as I said, last night. So this is an interpretation of what we have got in front of us but I am given to understand that broadly speaking it stands that in phase 1a we finish in 2021. Phase 1b would start in 2022 and be finished in 2025 and phase 2 would finish in 2027. The potential, and it is just a hypothetical new site, if that was where one went, there is 5-year lead-in but the build, according to this, would finish in the middle of 2028.

The Connétable of Grouville:

Can we establish the existing project, because the information we have been given is different to that, we were told that the first part of the project would be completed in 2022 and the second part 2024?

Group Managing Director, Department of Health and Community Services:

That is the brief from the project team and in fact 2022 will be stage 1 in 2024. I have not seen the timeline that has been presented here.

The Chief Minister:

I only received this last night so we have not ...

Deputy K.G. Pamplin:

Can we ask who you received it from?

The Chief Minister:

It has been put into the pack so I presume it has been received from the project team. We agree we need to understand but I am looking at this saying: "This is what I have been given" and I would hope that they do get the information to us ...

The Connétable of Grouville:

Your officer seems to think that what I said was the correct figures.

Group Managing Director, Department of Health and Community Services:

That is the original brief, yes.

The Connétable of Grouville:

2024? The new hospital site, because we have not got one in January, if we decide to go elsewhere, will be 2028; finish 4 years later not 6 months later.

The Chief Minister:

No. Well, on this it says that the scheme ... and I do remember that phase 2, which was the Parade site, is a separate phase, and on this it is saying that that phase would finish in 2027 and on here it is saying: "On the basis of that any new hypothetical project would finish midway 2028." It is approximate.

Group Managing Director, Department of Health and Community Services:

I think what it might refer to is the very latter stages of the programme which is the third stage around the Parade block and the Granite component.

[13:30]

The Connétable of Grouville:

I think this is quite crucial because it seems to me that if the existing site is going to take to 2028 then so be it but if it is 4 years earlier then we are talking a massive difference in timescale.

The Chief Minister:

The phase 1a and phase 1b, according to this, finishes in 2025.

Director, Corporate Policy:

The fundamental difference is if you went to a clean site you would have a different approach. So on the current site you have the phasing approach which delivers some things sooner and it might continue out longer but that is the final pieces, if you like, so I am not sure we are comparing like with like here.

The Connétable of Grouville:

The bulk of it will be done by 2024. There might be some other work that continues.

The Chief Minister:

Well, all I can say is, from the thing I have got in front of me, which is what I have given to you, it says that the bulk of the work will be finished in 2025, and I said that the actual final thing would end in 2027. I have not gone into the components of that but that is what I have been given as an update. We can find out what the difference is and I can make sure with officers that we get that clarity. I was just passing this to you and said: "This is what I have been given." I am happy to be told I have been given something wrong although I would have a discussion with them to find out why or something different. Obviously, what is very clear is that this has gone to a phased approach and whereas if you remember the previous scheme that got rejected was a single build so obviously they have gone to a different way of doing things. Now, the single build, and I cannot remember what the timeframe is on there, is on a different hypothetical site; that single build, according to this, the build process would be quicker.

The Connétable of Grouville:

Yes. On the phase site or the existing site the first phase is finished, that will then be used. It will be in use.

The Chief Minister:

Yes, but you have still got ...

The Connétable of Grouville:

The second phase, when it is finished, when it will be in use. With a completely new site nothing will be used until it is finished the build in 2028. So we could have new operating theatres, brand new in 2022 that are functional ... I am not a clinician but that is what I understand one of the things that is going in there, whereas if we go on a new site we will not get anything until 2028.

The Chief Minister:

Firstly, I defer to Rob on exactly what is in what phase so I do not think you do get theatres in 2022. But the second point I would make is that, and this is where we have to make an understanding, is the demolition and construction will still be carrying on on that site during that period because you will still have demolition, you will still have construction and you will still be having an operating hospital happening on that same site. That is the trade-off someone is going to have to make a decision upon.

The Connétable of Grouville:

I accept that. The timescale though; if you have a completely new build nobody will be moving into that hospital until 2028. Nothing will be moving into it.

The Chief Minister:

The point I would make is that is subject to whether it is 5 years before you can get on to the site. That is the discussion and we need some clarity on that because it is important, you are right, but this does illustrate in terms of the end point ... no, there is not that much difference. That was the point I was trying to make.

Deputy M.R. Le Hegarat:

But based on those sorts of things what are you going to do to mitigate the risks of those delays if this panel says: "Do not build there"? What are you going to do to mitigate those delays from the perspective of the building companies and the experience that you have got already in relation to those contractors? What are you going to do to mitigate that if we go and say: "Right, total build" and it is 2½, say 3 years away, what are we going to do to mitigate those factors?

The Chief Minister:

I think the scenario, as I understand it, here is, as I said, a hypothetical scenario and this is saying if you are restarting from day one we will have ... if that was the case you would have some sort of discussions with the contractors and see what the position is but you are into a ... this says it is a 5-year programme before you can get on to the site. As I said, 2½ years of that is new site selection process. I would really hope that we could speed that process up quite significantly. Bearing in

mind that the revised application - I am speaking as a layman here obviously - this is looking at a diagram that has been put in front of us ... the revised planning application for the scheme that was rejected, I think it was January of this year, was in place in April. So one would hope that you could try and speed that process up because we are not starting from square one. The adjacencies have been sorted out. Some of the things from the O.B.C. (outline business case) must be capable of being reused. That is the discussion one has to have to understand that position. So I cannot comment on that today because we need to have a greater understanding of what is in that process.

Deputy M.R. Le Hegarat:

What sort of implications will that be on the ability to get the money to for pay it, because obviously that is something that has not been completed yet. So the borrowing of the money, but also on top of that the delay in relation to the building if we went to a new site for example, the implications on continuing to maintain the current site we have, because obviously that is significantly deteriorating probably on a day-to-day basis ,so effectively what I am asking now is the ability for us to borrow the money to build but also the implications on the significant delay and where the costs will have an impact in relation to the current maintenance of the hospital we have.

The Chief Minister:

Right, to an extent this is a bit too early for me to be able to give you an answer to that because I am waiting for some of the information to come back to me, which I think is in the next couple of weeks, and see whether they took account of the questions we asked. In terms of the funding, you may recall I referred to a difference between legal advice and political advice when I referred to something else that was in the possession of previous panels. I would kind of like to discuss that offline if that is okay because I am not too sure what the status of that is. Okay. In terms of the ability to talk about it in public.

Deputy K.G. Pamplin:

I just want to touch on the impact of the current staff and things because the longer this process goes on the longer the impact goes on to the staff who are currently working there. I know part of your process talked about a survey and I just wanted to touch upon that, how it has been received and where are you at with that?

Assistant Chief Minister:

We have the first draft back of the survey and there were one or 2 questions, we saw it yesterday, that we posed and so the work is done essentially and it will then be part of our report when it comes out at the end of the month.

Deputy K.G. Pamplin:

It is fair to say - I attended the public hearing of the planning inspector - that there seems to be some split decisions as externally as we have expressed at different hustings, different opinions, different viewpoints, different sites but within inside the staff that there is some difference of opinions. Is there not a danger that the culture of the people who work together are having to be forced to take sides, dare I say that we may be creating a sort of Brexit for ourselves that the culture of the impact of decision making, of taking sides, could be detrimental to the health of an already overstretched and sort of staff who feel very vulnerable at the moment?

Assistant Chief Minister:

I think it is fair to say everybody is aware of this and the staff in the hospital are very hardworking. They are very dedicated and anybody who has been to hospital will know just what a fantastic service they are. We can put up a building anywhere on the Island and it is a great big monolith. What works in a hospital is the staff and it is vital that the staff are taken with us through the journey of building a new hospital and that, to me, is absolutely key. In our visit to Bristol, to Southmead Hospital, it was emphasised that you can only build a new hospital if the staff are taken with you through the experience and this is what needs to happen.

Deputy K.G. Pamplin:

Because of that decision to do that are you saying that in previous decisions that was not the case?

Assistant Chief Minister:

I do not think there was as much communication as perhaps there should have been or consultation as there should have been in the past. It has changed and I am delighted that things are progressing significantly better than they were before.

Deputy K.G. Pamplin:

As you are here today, as an effective new person, how are you viewing, now established in your role, the impact on the staff as to where we are now and the overall project if you could share your thoughts?

Group Managing Director, Department of Health and Community Services:

It is clearly quite a divisive issue among the populace. We have staff who are very supportive of the current scheme and then we have some staff with significant concerns. I think the thing I must stress is that all clinical, professional and operational staff continue to discharge their duties day by day. I do not think that we have any interruption in patient care at all but I do feel that the current position has definitely exposed that there are different quarters and there are different views, and I think we need to take more effort to work with the staff to try and understand those collective views and to

work with them in a different way, in a more transparent way particularly to understand why they have their concerns and to work through them together.

Deputy K.G. Pamplin:

As coming into this new project you were only, of recent months, been appointed and stuff, how do you view the project compared to your experience working in the mainland and the future of hospitals and where the Island sits, you will now have got a fair amount of responsibility ... I am just curious as you are here with us today, your view.

Group Managing Director, Department of Health and Community Services:

It is a very well-designed project. The project team are very good and very efficient. The outline business case in my view is sound. It is based on clear projections of activity and it is matched to the White Paper. I think that is incredibly clear to see. I think that there are always changes in the way that we deliver health and care and you have to make sure that your project is able to adapt to those changes. I think with the calibre from the team and from the clinicians who are inputting to that my view is that we are fortunate here in that we are able to have that flexibility. I think the projections around the activity are based on good judgment. We have some good patient level activity that we have undertaken recently which confirms the original assumptions. The ageing demographic particularly is becoming a real problem for the Island and it is really good see that the White Paper and the outline business case really acknowledge that level of activity. I am genuinely impressed with the calibre and the quality of the plans.

Deputy K.G. Pamplin:

As opposed to the building where the hospital is at the moment, how it can function during this timescale, what would be your concern clinically and medically for the health and safety of the patients the longer this continues? How long can the hospital continue in its current state until we really need to have a replacement do you feel of your opinion?

Group Managing Director, Department of Health and Community Services:

I am not sure I am able to give a definitive timeline on that but what I would say is that we would need to undertake some remedial action in key areas. We know that within the existing site I think that the case for the change around the hospital remains. We have some clear infection control issues. We do not have enough capacity when it comes to caring for those persons who are at the end of life. Those are changes that we need to address as soon as possible. There are other structural conditions that we would need to overcome and I think we would need to undertake some remedial action if there was any delay in the scheme going ahead, in all honesty. We would need to undertake a repeat suite survey in another exercise to understand how that would look.

Deputy K.G. Pamplin:

Also, because it is quite relevant to our other panel, mental health, and there is a lot of talk about it alongside the hospital during the election, we are undertaking a Scrutiny review of that. In the project, as it stands and going forward, is it fair to say there needs to be a review of the mental health services because before the election there was talk about Overdale becoming a centre? That seemingly slipped away. We have been to St Saviour's Orchard House, how that is still provided as a case for delivering good mental health, how do you view, as this project evolves, the impact of how we handle that?

Group Managing Director, Department of Health and Community Services:

Yes. That is a really key point for me. We have undertaken quite a lot of work over the summer to look at our position statement in relation to mental health and it is obviously a key priority in the Common Strategic Policy. We need to invest some time to address the way that we deliver on mental health services and that is not really about buildings. That is more about community and that is more about how you wrap around your services to those patients. That said, from the work we have undertaken in the summer, it is very clear that in any Future Hospital configuration we should be considering that facility with mental health at the front of our minds, and our mantra on that is that there should be no health without mental health and we should be giving parity to mental health and physical health.

[13:45]

The Future Hospital is going to have to consider how it will provide shared care support. I think we have got some work that we would need to undertake about the future inpatient need for mental health beds and that it would be fair to say there are some differences of opinion around that; whether that should be in a physical acute hospital environment or a specific dedicated facility, and we are undertaking that work now. The majority of our focus around the way mental health services will be shaped is mainly around crisis prevention and crisis intervention and a great deal of that is outside of the building, so that is the real foundation of the work that we are doing with mental health.

Deputy K.G. Pamplin:

In closing then, what is your message today to the staff, to the public and I guess in a larger respect the States Assembly of where we are at and where we are going?

The Chief Minister:

Where we are going is we will deliver a new hospital. We need to standby, in my view, the commitment that I made to the public, and therefore ultimately to States Members, and that is that we are either endorsing the scheme or revising it. That is very much subject to the work that comes

out of the Policy Development Board in the first instance and then that will feed into discussions that are going to have to be held at the Council of Ministers. But it is most important that we remember this is a 50-year project. We have got to get it right and that is taking into account not only the financial impact but also the needs of staff and patients. That is one of the reasons the survey was run to understand that perspective because I am not aware that that had been done previously, or certainly not in recent times, and so from that point of view I hope we are sending a message that we are looking at it properly. We are fully committed to delivering. We have just got to make sure that for the biggest couple of projects in the Island that we are satisfied that we have got it right.

Deputy K.G. Pamplin:

I guess as a caveat to that, having read ...

The Chief Minister:

You said that as a ...

Deputy K.G. Pamplin:

I know. I am learning quickly. Having read your previous ... with your Scrutiny hat on this panel is going to continue probably along those 50 years one would imagine, depending on what happens next, so your importance of our panel working alongside this project, whatever happens next, are going to be crucial in making sure that the project is deliverable. So, therefore, how do you see the relationship with Scrutiny and this panel going forward in achieving that?

The Chief Minister:

I would hope that we will work well and closely together. No objections from my end as I hope that is the same from your end, and hopefully we will work together on this moving forward.

Deputy K.G. Pamplin:

It is just good to have that on public record. Opportunity for anybody to have any final remarks. Constable Taylor.

Assistant Chief Minister:

No, not at the moment. Thank you.

The Connétable of Grouville:

I wonder whether the Chief Minister could not furnish us with a bit more detail as to this timeline for the existing hospital because there was some confusion as to when bits and pieces were going to be finished. I only got this piece of paper half an hour ago in the middle of the meeting. The last 2

years on the current programme is to build the entrance, which sounds rather flippant, so I would be quite interested to know what phase will contain what elements.

The Chief Minister:

So will I, on the basis I got this paper at 7.00 p.m. last night I think it was. So, yes, there is an understanding. I did want to pass it to you forward because I think for me it was a very useful summary. I am assuming it has not been put together carelessly or anything along those lines; that it is a reasonable projection of where things are except in the point you are making about possible anomalies within information that has previously been provided, but now I want to have to look at it. I do want to understand it but it does, as a summary - and there maybe shifts in a year or 6 months or whatever it is - I found it rather useful and very interesting and it may be that it is a summary document. Can I just say I will obviously want to be concerned first?

Deputy K.G. Pamplin:

I thereby conclude today's hearing. Thank you very much for attending and thank you, members of the public, for respecting the process. Thank you very much.

[13:50]