



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 7th June 2018

*All published Official Reports can be found on the
official States of Guernsey website www.gov.gg*

Volume 7, No. 15

ISSN 2049-8284

*Published by Her Majesty's Greffier, The Royal Court House,
St Peter Port, GY1 2NZ. © States of Guernsey, 2018*

Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

R. M. Titterington, Q.C. (H.M. Comptroller)

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
B. L. Brehaut, R. H. Tooley

St Peter Port North

Deputies J. A. B. Gollop, C. N. K. Parkinson, M. K. Le Clerc,
J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett, G. A. St Pier,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe, L. B. Queripel,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,
M. H. Dorey

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. de Lisle, S. L. Langlois

The South-East

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,
R. G. Prow

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (H.M. Senior Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur); Deputy L. C. Queripel, (*relevé à 9h 32*);
Deputy M. P. Leadbeater, (*relevé à 10h 36*); Deputy J. P. Le Tocq (*absent de l'île*);
Deputy V. S. Oliver (*indisposée*);

Business transacted

Evocation	1099
VII. Replacement of Cremator and Emissions Equipment – Debate continued and adjourned until after lunch break.....	1099
Procedural – To debate Schedule of Future business as next business – Proposition carried	1133
IX. Schedule of Future Business approved.....	1134
<i>The Assembly adjourned at 12.25 p.m. and resumed its sitting at 2.30 p.m.</i>	<i>1136</i>
VII. Replacement Cremator and Emissions Equipment – Debate continued – Propositions carried as amended.....	1136
VIII. Optimising the Use of the States’ Land and Property Portfolio – Propositions carried	1142
<i>The Assembly adjourned at 5.36 p.m.</i>	<i>1175</i>

PAGE LEFT DELIBERATELY BLANK

States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Senior Deputy Greffier

EVOCATION

The Bailiff: Deputy Lester Queripel has entered the Chamber. Do you wish to be relevé?

Deputy Lester Queripel: Sir, please.

5

The Bailiff: You may be relevé.

STATES' TRADING SUPERVISORY BOARD

VII. Replacement of Cremator and Emissions Equipment – Debate continued and adjourned until after lunch break

Article VII.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Replacement Cremator and Emissions Equipment' of the States' Trading Supervisory Board dated 16 March 2018 they are of the opinion:-

1. To approve Option 1 as the preferred option for the replacement of Cremator and Emissions Equipment and to authorise the States' Trading Supervisory Board to appoint the preferred equipment supplier at a cost not exceeding £867k, to be funded by a capital vote charged to the Capital Reserve.

2. To authorise the States' Trading Supervisory Board to approve tenders for the other works required to deliver the preferred option, subject to prior approval of a full business case by the Policy & Resources Committee and to authorise the Policy & Resources Committee, upon its approval of such a full business case and the approval of the relevant tenders by the States' Trading Supervisory Board, to increase the Capital Reserve vote to a maximum of £3.88m.

The Senior Deputy Greffier: Billet d'État XVI of 2018 – Article VII – continuation of the debate.

10

The Bailiff: Who else wishes to ... ? Yes, Deputy Merrett.

Deputy Merrett: Thank you, sir.

Sir, I believe this is a simple case of having no policy with regard to the expectations of this Assembly, and I am still unclear as to what the policy actually is, or even which Committee could

15 or should be responsible or accountable for it. What I do know though is every Member of this Assembly will be accountable for the decision they make today.

Therefore I ask Members, sir, do they have enough information, enough choice to enable them to make an informed decision? As an absolute minimum have they actually read the OBC – the outline business case?

20 I resonate with the comment made yesterday by Deputy Yerby, just how accessible is the outline business case to not only Members of the Assembly, to our community? I respectfully suggest that if Deputies have *not* read the outline business case then *how* are they able to make an informed intelligence-led decision? The policy paper alone would certainly *not* enable them to do so.

25 Nevertheless they are content to make a decision mainly on an economic case, but even then the economic case is not clear. As Deputy Yerby said yesterday, we know how much we are paying up front for two different options; we do not know about the value for money over the lifetime of the different options. If Option 2 provides us with sites that are suitable for the next 40 years and Option 1 is only suitable for the next 20, then will it be cheaper over the lifetime to progress Option 2 rather than Option 1? You have to look past the upfront numbers.

30 What has helped me though, sir, is by having criteria listed that will hopefully be determined by Proposition 2 of the *sursis motivé* – criteria that I broadly agree with.

I believe that STSB have used the wrong criteria, have used the wrong emphasis, have tried to find a cost-effective and practical solution with not enough emphasis being on the social and cultural requirements. The emphasis appears to be on the economical requirements. 'Do the minimum', the 'path of little resistance' attitude measured against the criteria stressed in Proposition 2 could lead to a different outcome. What it would enable is a more informed and intelligence-led debate and therefore potentially different recommendations or options laid before this Assembly.

40 Much has been said so far of the risk of delaying a decision. Well, I will say this, sir: the risk of only having one cremator and the breakdown or failure of this cremator has always been there. We only have, as far as I know, ever had one cremator. Furthermore, as acknowledged this risk has heightened since 2014 so four years ago. So why such hurry now when deciding to try and mitigate the long term historical risk? Why has STSB waited until 2018 to submit a policy paper?

45 I move on to weaknesses. Appendix IX of the outline business case very usefully gives Members the opportunity to receive the strength, weaknesses, opportunities and threat (SWOT) analysis. Broadly, sir, the option that STSB are proposing – do the minimum, Le Foulon, at a high level, sir – Le Foulon has only eight strengths and 18 weaknesses; whereas in complete opposition to this being an alternative site, the only alternative site the STSB have a SWOT for has 18 strengths. So 18 strengths against Le Foulon's eight, and weaknesses – well, 11. Or are there only five, as many of them listed are the same whether adapting a building or new site?

50 Deputy Brouard asked Deputy Hansmann Rouxel if she could identify an alternative site or what her preferred alternative sites would be, sir. I am sure Deputy Brouard has seen the outline business case and would have noted that over 100 alternative sites have been identified with a shortlist of over 20, and many, sir, I should add are not in the north. Some, sir, are in the peace and tranquillity of the west.

55 But, sir, my expectation would be that Deputy Hansmann Rouxel and every Deputy here will not base a decision on their personal preference, but what they believe is best for our community and for future generations, based on information and intelligence before them looking forward not backwards and not just standing still.

60 So Le Foulon has eight strengths but 18 weaknesses, an alternative site has 18 strengths and 11 or 5 weaknesses – high level, sir, but maybe that alone should have started to ring warning bells for Members. It did for me.

65 So what are some of the weaknesses of Le Foulon as recognised in the SWOT? There are 18. I will assume Deputies *have read* the outline business case and they have done their homework, so I will only elaborate on a few.

The first one listed is that and I quote, sir:

The crematorium is surrounded by existing cemetery graves making the future expansion or inclusion of any additional features extremely difficult.

In order to do so significant numbers of graves would need to be exhumed and presumably reinterred in existing unused burial space which would reduce the burial capacity at Le Foulon further still. This would be costly, it would be disruptive, it will create negative publicity, and it assumes that surviving members of the deceased would even give permission to do so. Yes, that is definitely a weakness. Future generations, future Assemblies will need to address this, if this Assembly does not. If we do not it is arguable that we could be accused by future generations of spending too little on future proofing this essential service. Accused of spending less in the short term only to spend far more in the long term.

The crematorium may be required ... actually another weakness – this is stated later in a long list of weakness of Le Foulon – states and I quote, sir:

It is likely to result in continuity issues in order to maintain gas supply to the existing cremator during transition.

So may be required or likely to result in the crematorium being required to close for a period of time. STSB do not appear to know yet how long that might be. But the concern appears to be that there will be a loss of revenue. Well, sir, that is not my main concern. My main concern is the effect it will have on our community.

It continues with:

The costs and inconvenience of diverting cremations to alternative locations.

Locations; don't they mean jurisdictions?

It finishes with:

The quantum of this is still being accurately calculated.

So we do not know. So STSB are expecting and will be planning for a complete failure of service and they do not know how long for. Forget the argument, 'Well, you do not have to follow the coffin of your loved one to Le Foulon, you can have the service in one place and send the hearse off to another', because not even a hearse will be going with the coffin, where will it be going? The cost and inconvenience yes, that is pretty inconvenient and who will bear the cost? So realistically there will be a short or long failure of service, but it will be planned.

Part of the mitigation or future-proofing of a long-term failure is to have two cremators. Okay, so how will that help mitigate a failure of service at Le Foulon if there is a power outage, under the weaknesses of the Foulon site? Why? Because and I quote, sir:

There is currently no provision to connect an emergency generator in the event of power outage at the site. The topography of the site and convolute access roads make it doubtful that it would be easily possible to be able to deliver and position a generator of sufficient capacity.

So if I understand this correctly, sir, the suggestion is that we invest in two cremators in case one fails, but actually in a failure of power with no back-up generator, not even on a temporary basis via a commando socket, it makes no difference if you have one or two cremators because neither will work. I do not understand the logic of having two cremators but not ensuring there is an alternative power source to actually back them up.

There are 18 such weaknesses. I trust Members *have* read all the other weaknesses of the STSB's preferred option. Some are long-term weaknesses and some are whilst in transition. All the strengths of Le Foulon appear to revolve around the fact that it is already a known location, there is an existing cemetery and it will be the path of least resistance. Spend less now but arguably, or maybe realistically, we will spend an awful lot more in the future.

So how about that long list of strengths of a different site? Well, one is:

There would be no disruption to service at the existing site until the new facility –

105 I am quoting, sir –

was fully completed and tested, so no requirement to shut down or transfer coffins off Island.

Now, wait a minute! Has this changed then? Because previously a weakness of the Foulon site was that it *may be* required, or it is *likely to result* in continuity issues, because if an alternative site is chosen, then it now appears there is no requirement to shut down or transfer coffins off Island, so was there a requirement before then? It is only stated as maybe or likely. Now it is a
110 requirement. A bit of a contradiction – it is certainly misleading. So is it a short- or a long-term risk or a short- or long-term reality?

How about a long-term strength? Again, I quote, sir:

Having a modern and more energy efficient site would more easily and reasonably allow fees to be increased if desired as the public would receive a better outcome.

So the public, our community, would receive a better outcome from an alternative site. In everything we do, sir, should that not be our main aim, for our community to receive a better
115 outcome?

In summary, I will support the *sursis motivé* because I want our community to receive a *better* outcome from the one proposed by STSB.

Furthermore, sir, those who have worked with myself, Deputy Yerby, Deputy Hansmann Rouxel will know only too well that we do not do the minimum. We do not take the path of least
120 resistance even if we are told that resistance is futile. I fear, sir, that I may just have been the first Deputy to quote from Star Trek! But, sir, Star Trek is about future generations. What we want to do is seek the best outcome, the best outcome for our community so that future generations can have the best outcome.

Sometimes, sir, I feel we know the cost of everything and the value of nothing.

125 Thank you.

The Bailiff: Deputy Tindall.

Deputy Tindall: Thank you, sir.

130 Sir, as a Member of the Development & Planning Authority I wish to set out the Authority's position regarding the options available to STSB. It appears, sir, it is not the IDP or the planners that limit the choice, indeed remove the choice, but as has been pointed out, it is STSB's objectives that limits the choice.

I would like to start with noting that STSB has placed reliance on pre-application advice from
135 the planning service. All pre-application advice is without prejudice to the consideration of a formal application, so we should not therefore use pre-application advice as definitive. However, as mentioned any application of this nature would have to be assessed under IDP Policy S5, Development of Strategic Importance, as part of which it is necessary for the applicant to demonstrate that there is no alternative site available that, based on the evidence available to the
140 Development Planning Authority, is more suitable for the proposed development. The important wording here is 'no alternative site available that is more suitable for the proposed development'.

The DPA can only give advice on what is or is not more suitable on the basis of what they are asked to advise on, the actual development being proposed. If the proposal is to provide the best
145 cremation service to Islanders rather than simply replacing the equipment, then that is what they will advise upon.

So STSB returned to the original States' direction which was to provide for the reasonable needs of those persons attending funerals, and the objectives in the *sursis motivé* sites other than Le Foulon may be more suitable, and can then be progressed, as Le Foulon must also pass the test in Policy S5 of having no alternative site more suitable.

150 I know Option 2 would have significant planning risks but wish to point out that Option 1 also has those significant planning risks which although the development may not involve an environmental impact assessment still have not been fully identified and it would be a crematorium without the benefits of facilities that a UK crematorium would be expected to have.

155 Any development naturally would be subject to the actual planning application being considered on its merits, which of course would include looking at the local infrastructure around the proposed development, something I am sure that other Members would very much welcome.

I should also add that Deputy Ferbrache when referring to Deputy Parkinson's speech referred to the need for a planning inquiry. Although I do not recall Deputy Parkinson saying so, for clarity I can confirm no planning inquiry would be needed.

160 So the DPA wish to make it clear that the planners have not said that Le Foulon is the only choice for Guernsey's crematorium, as clearly there are a number of possible options, although some likely to be more complex than others, and may require this environmental impact assessment.

165 Also political Members of the DPA have been advised that any vote in this matter is not intimating a preference for any particular option of site, so we can support or oppose according to our preference.

I wish to finish with an acknowledgement that the cremator is in dire need of replacing, and replacing with one that can accommodate a bariatric coffin size – a situation made very clear to me by a parishioner when I was canvassing.

170 However, the crematorium needs to be fit for purpose for Islanders for many years to come, and that in my view is the most important objective at this time. So I will support the *sursis motivé*.

The Bailiff: Deputy Gollop.

175 **Deputy Gollop:** I of course concur with the expert position that Deputy Tindall has put across, and agree too with much of Deputy Merrett's arguments; although I would say that she identifies several Deputies who never take the easiest path of least resistance, and to some extent I do particularly when I am climbing up a hill to a place that it is difficult to access.

180 What I would say is perhaps an unspoken argument in this debate, but Deputy Hansmann Rouxel hinted at it in her excellent speech when she mentioned the wider question of secular versus ecclesiastical, the State versus religion, and to a certain extent I would point out that one of the advantages of the crematorium procedure is it does particularly facilitate humanist and other types of services more so than the infrastructure of a church.

185 I she think she also meant in a metaphorical way about the operational versus policy making and having sat in this Chamber, sir, and enjoyed it for 20 or more years now, I have seen a very long term drift away from States' Members being encouraged to interfere in operational matters to one of a more narrow philosophical and policy based approach.

190 Actually I have never been entirely comfortable with that, particularly in such a small jurisdiction, because with some issues, transportation being one of them, there is a very slim dividing line between operational problems and a failure of a policy. (**A Member:** Hear, hear.) Here I would point out that we do as an Assembly – and many of us very much appreciated the Commonwealth Parliamentary Association's AGM last night and the excellent talk we had from the Deputy Speaker of the House of Commons, Sir Lindsay Hoyle – but we are made aware, quite rightly, that we are a parliament, and some of the time when we are working on legislation, or for
195 example on the very complicated questions of assisted dying and their equivalents, we are acting very much as a parliamentary assembly with a national mandate, arguably even an international mandate, because of the impact our decisions can make on other communities.

200 On this occasion we are acting really as a municipality and quite a small one at that because we are talking about a specific site, albeit for a very powerful purpose. Whilst I cannot disagree with the case the States' Trading Supervisory Board have made for the existing cremator plant is

fast becoming obsolete and there is a spare parts option, whether there are similar facilities elsewhere that could be resourced I know not.

205 I was around, I think, not in the 1920's, in 2001 when the States Board of Administration, which Deputy Trott regards as one of the best committees we have ever seen in this Assembly, and rightly so, brought the last stage of modernisation.

210 What is interesting, one or two arguments yesterday against the *sursis motivé* hinted that perhaps we were being speculative if we start to consider more ecological or alternative approaches to cremation in the future. Well, that may be the case, but if one goes back to that brave States in the 1920's, they in creating the first cremation facilities on the Island in 1928 were acknowledging that the traditional Guernsey method of burials was clearly not becoming acceptable to everybody in the community, and they were therefore being brave because they had no evidence on which to base their view conclusively that there would be a change in people's behaviour, but of course there was. So that is another reason to not jump the gun on this and go at a measured pace.

215 I appreciate 2.6:

The recommendation based on the output of cost benefit analysis is to install two new cremators in place of the single existing unit ...

for reasons of capacity and resilience. But I perhaps, again like one other Member, questioned the tone of the paragraph when it says

Because Guernsey only has one crematorium, it is not viable to economically re-route cremations to another nearby facility due to logistical, geographical and legal reasons.

220 Well, we have had the point about the jurisdiction – of course Alderney has to live with that problem because of its small size – but I do think that in reality from a political and personal point of view, the argument is not just about logistical, geographical, transportational maybe, and legal reasons; it is about the human consequences. There is a lot of grief, there is a lot of emotion, local families surely would not like the expense of travelling to the UK, as I did on two occasions last year to what were modern crematorium facilities. In my instance, like many others, I have a close relative commemorated at Le Foulon and might like to see that continue.

230 They mention the Isle of Wight, the Isle of Man and Jersey. Of course it brings the point home that we do suffer in Guernsey from slight diseconomies of scale because those three communities have a larger population. But coming on to population, I am privileged to be a member of Deputy Le Clerc's excellent Employment & Social Security Committee, which seems to win every issue these days, and with roughly unanimous support, but one of the interesting information we get transferred to us are excellent statistical demographic projections which are useful to us in planning social security uprating and other areas.

235 Now it does appear, dare I suggest, that unlike some businesses in Guernsey which are uncertain, if one professionally decided to become an undertaker it could be, with respect, a growing business, because the population is aging and the number of people of a certain generation will be significantly greater, perhaps double in 20 or 30 years' time.

240 Now, unfortunately they do not live for ever but they do pass to perhaps a better place, they will require facilities and we therefore may see an increase in the number of people of a certain age and stage going from perhaps 3,000 or 4,000 to 8,000. We therefore have to build for the future and consider that the current infrastructure would not be sufficient anyway; nor would a replacement on a like-for-like basis.

245 Therefore I do not particularly like or find helpful the phrase 'do minimum', because we cannot 'do minimum'. I do not think it is what the public want nor is it in line with our demographic and economic projections. There is no reference to that in this short policy letter, it has to be said.

We then go through the objectives. I presume that this is the right Committee to place it before the States, Deputy Merrett raised that as an issue. But of course it is not one of the

250 Principal Committees as defined by our new system and that itself I think gives strength for
Environment & Infrastructure looking at it. Although yet again I would point out that E&I are not
an island politically and they do have to work closely and they usually do with the Development &
Planning Authority.

255 Deputy Tindall pointed out in some fair detail the nuances and subtlety of our planning
processes. I would add to that that we politically have a difficult role, arguably with hindsight we
perhaps some of us not all of us made a wrong judgement call in not participating in the recent
sea wall debate and that part of the Island, and having considered the matter further we sit today
as Members of the Legislature looking at the overall holistic nature of the project and not getting
distracted by individual sites.

260 I have not looked in detail at all of the sites in the big binder because I do not want to be
distracted by that as an issue. The focus I have is on the overall concept of the project and I do
not want to show prejudice. Nor can I offer any undertaking of any kind that anything passed
today, the site at Le Foulon or any other would receive planning permission, because there are
many bridges to cross, and I also say it is somewhat misleading in this policy letter for the
Committee to suggest that the planners effectively gave a nod of approval to the strategy being
265 pursued, because we, our Committee, have political responsibility, we get consulted on significant
issues. We also of course have the open planning meeting process and at a political level the five
Members of the DPA have certainly not adjudicated at any level on this issue. Indeed, I asked a
question, I recall, about six months ago about the methodology of the idea being put forward
entirely independently to the Committee and its officers.

270 So when one looks at all of the wider perspectives what really makes me weigh up the
Propositions is this: yes, there might be a risk of planning permission not occurring, but then there
is that risk with the current scenario, especially if the plan is changed *en route* or developed
further. I also have to consider though the bigger picture here. One element of the bigger picture
is the cost that Deputy Ferbrache particularly considered as an issue, but then as Deputy Merrett
275 pointed out there are long-term and short-term costs and we are in an expanding situation of
growing expectations here.

The other side of it is the logistics, although there is talk loosely without planning permission
or extra additional parking and a larger facility, there is no clarity about a holistic outline for the
site and how it will look and how it will feel and how it will be, and its public acceptability. There is
280 no policy in that sense.

But what concerns me more – putting on one of my other political hats – is I was for two years
proud to be the Island's Disabled People's Champion and realised that this site is not at all
disability friendly. Its topography is wrong, the road is narrow, the turning circles are difficult, the
siting is difficult. I do agree with Deputy Brehaut and some other Members that a little mini bus or
285 shuttle could be provided, but that should be looked at at this stage, and it is not necessarily the
ideal solution. Having gone to modern crematoriums in other places, it is obviously better if they
have more space, if they have waiting rooms, if they have areas for flowers, if they have greater
facilities for the public, if they have a more secular philosophy.

290 So for many reasons I think we are going too fast on this project, and a cooling-off period
when politically we appraise all the other sites in a manner outlined by the *sursis motivé* is the
right way to go.

I also think that if we run the risk of a half-baked scheme, we would perhaps undermine our
attraction as a Locate Guernsey place of ideal residence.

295 So I do come down on the basis of supporting this *sursis motivé* providing that the work is
done quickly and efficiently and comes back to us in a timely fashion.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

300 Sir, at the beginning of this debate there was reference to the STSB being a policy taker here and indeed Deputy Hansmann Rouxel has cited the absence of policy. With respect to all involved in that argument, I feel it is a little overplayed. I think the policy question is do we have a crematorium or not? And if we are, then STSB go away and make it happen in the context of our other strategies and policies, including of course the Disability & Inclusion Strategy.

305 I thought Deputy Brouard yesterday gave a very typically common sense and pragmatic speech. Deputy Ferbrache, and I hope he will take this as a compliment because it is intended as such, I thought gave a very good analysis of why the STSB's recommendations may not be ideal but they are the most practical. Clearly if we had a completely blank sheet of paper I think it is unlikely that we would be choosing Le Foulon as our preferred site, but I think as both
310 Deputies Brouard and Ferbrache said yesterday we are not starting with a blank sheet of paper.

I think as Deputy Brehaut has said on several other occasions in this term, we have to have trust in the process. And that it is the reason why Policy & Resources cannot support this *sursis*, we have invested hundreds I imagine, at the minimum hundreds of man hours in this process on this project which we as a group feel through a couple of hours debate is appropriate to ignore
315 potentially.

I think one of the other risks which has not yet really been identified, but I think is relevant, is that the land for the preferred alternative site is not presently in public ownership, so that also needs to be considered as well.

If we are to rerun this process we have to think of the resource implications of rerunning the
320 process. As Deputy de Sausmarez and Deputy Dorey were making clear yesterday in the context of the Committee for Environment & Infrastructure's policy demands there are severe constraints on resources. We cannot be surprised that there is pressure on resources if we constantly ask our staff to go away and do it all again. We simply do not have that capacity to do that, and we cannot expect them to enthusiastically do so without very good reason.

325 We also cited in the Policy & Resource Plan debate the slow pace of capital spending. Well, again, how can that be any surprise to us if every time we try and engage in any capital spending we put the brakes on it in this placar in the manner that we do?

Sir, I met with Deputy Hansmann Rouxel on Monday, and I do thank her for the time; unfortunately Deputy Yerby was in the meeting that I was supposed to be in so she was unable to
330 join the meeting. The purpose of that was as an effort to try to find a route through this, and I am grateful for her willingness to engage in an effort to do so. My suggestion to Deputy Hansmann Rouxel and indeed to Deputy Parkinson is that I think an amendment to the substantive Propositions which makes clear – it is implicit I am quite sure of that, but I think it would make it quite clear – that the STSB is directed, in the details at this stage and in the development of the
335 full business case, to consult with all relevant interested parties and the opportunity is taken to ensure that reasonable adjustments are made and that we obtain the best possible access under the circumstances.

I think we have to keep the question of reasonable adjustments very much in mind, that absolutely underpins the Disability & Inclusion Strategy, and indeed all the other discrimination
340 legislation which will follow, following the decision that we made a couple of days ago.

Now, sir, neither Deputy Hansmann Rouxel nor Deputy Parkinson have seen fit so far to take up that idea, but I mention it now in the hope that perhaps others will feel that that is a suitable route through – I am nearly finished so I will not give way – and in the hope to shorten the debate that some felt – perhaps actually Deputy Ferbrache might feel that it would be something that he
345 might wish to second.

So I mention that, sir, but I do not feel that the *sursis motivé* is the right process. I think it should be rejected and then an appropriate amendment laid.

The Bailiff: Deputy Roffey.

350 **Deputy Roffey:** Sir, like Deputy Gollop and I think probably quite a few other Members of this Assembly, I do find myself torn. But I think I am coming down on the other side of the fence to Deputy Gollop, and I think his last few words summed up my reason for doing that. He said I am going to support this *sursis motivé* so long as I can be sure this work will be done in a really timely way that we will crack on with it and before too long it will be back before the Assembly. I can see
355 this taking a hideously long time, to be honest, to find a site that will tick all the key criteria for what we really want.

But I am torn not least because my seconder at the last election the Very Rev John Guille has made absolutely patently clear to me that in his long experience Le Foulon is a supremely unsuitable site for us to have our only crematorium.

360 I find myself a little bit frustrated because the reason I am coming down on the other side despite that is because of the reasons, the three reasons really put forward by Deputy Parkinson in his opening – the planning risk, the cost, and the risk of critical failure in the meantime. The reason I am having to go against what I really want to do is because I am being put in a timescale where I think we need to do this fairly quickly. How much better it would have been if we had
365 been having this discussion three years ago ... or it would not have been me, it would have been the last Assembly where we had the luxury of time, rather than being put in a position where we do not have the luxury of time at all.

There are just a couple of points that I would like to pick up on. It has been said that in relation to cost, and I think cost is something we have to consider, I know we went into surplus last year,
370 but we have to consider in absolutely everything that we want to do if we want to stay that way, that we are comparing £3½ million or whatever it is for a short-term solution for the next sort of 15 to 20 years against nearly double that for a long-term solution. I do not think that is quite right because even if we find the right site, the equipment that goes in there is not going to last 40 years. You are still going to need the extra cost in 15 to 20 years' time to put in the new
375 cremators.

Another thing in this *sursis* relates to environmental alternatives. I suppose world-wide now the biggest environmental alternative is resomation and I know a fair amount about resomation because until two week ago I was on the business performance committee of a UK organisation which is also the UK's biggest undertakers, biggest funeral providers, and actually held the patent
380 in the UK for resomation for a number of years.

I think Deputy Gollop is wrong in saying that if we went for something like this we would be really in the same position as our forefathers when they first brought in a crematorium to Guernsey, because resomation is great, I think. Deputy Parkinson referred to it as dissolving the dead, people tend to think it must have acids involved in the process. Absolutely the opposite is
385 true, it uses very strong alkalis and it is extremely eco-friendly. Once the soft flesh has been dissolved it can simply go down the drain without any problem whatsoever. Medical implants – there is no problem with mercury going up the chimney because there is no chimney. The teeth in fact are left behind. You can actually reuse things like pacemakers that have been put instead of them being burnt. How many people want a second hand pacemaker I do not know (*Laughter*)
390 but if they do, particularly if you are a bit short of money, Health & Social Care, that would be a real saving. So resomation is great and I would love to see – and what you get left with is basically the equivalent of ashes from a cremation.

The trouble is we are a small community. It has become really popular in the US now, it is just starting to become popular in the UK, and it is fine if you have got Hampshire where you can have
395 five crematoria and one resomation centre – that is fine because people can make their choice. But in Guernsey really we are not going to run a resomation service alongside a cremation service so we have to have one, and we have to have one that at the moment the vast majority of people are more likely to prefer, which is cremation. I hope by the time that we replace it in 20 years' time or whatever we can go for a far better option.

400 So I have to really reluctantly and feeling that I have got a gun against my head because I am told that even from next year the risk of a critical failure is going to start to increase because we

are getting towards the end of the lifetime of this equipment, and probably I think I am going to have to go with the proposals as they stand. I do not feel particularly happy about doing that, but I do feel if we go down the deferral route and the *sursis* route we may well be talking about one or two years and there is absolutely no guarantee that anything will come back to the States, having identified a site that ticks all the boxes or the strength concerns.

If I can be slightly flippant, can I recommend to Trading Assets that if they can find the time, and if it is not too much trouble, they go on a fact-finding tour to Marigot Bay in St Lucia (*Laughter*) where there is a superb arrangement, it has been there for about 40 to 50 years I think. It is a lift that goes on a rail up a steep hill and it is really good for the elderly or people with a slight disability. They get in it and it trundles up the hill. I am sure they would enjoy finding out all about it. Alternatively they could just look it up on the internet, I suppose.

The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

I would just mention a point relating to timing and how long it has taken to get to this stage. We are two years into the term and obviously STSB have it on its agenda. I go back to the previous term when I sat on Treasury & Resources and the Property Services Sub-Committee and it was on *our* agenda. I asked somebody who was a member of the previous term's Committee, that is the 2008-12, and *they* were talking about it. So we have been reviewing this for more than six years, maybe seven or eight now, I am not sure when it started.

I think the hope that if we *sursised* this and went back to square one it would not take as long – well, I do not think there is any chance of a rapid resolution of the issue, and for that reason, and the risks associated with delaying, I cannot support the *sursis*.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

Sir, if I heard what Deputy Parkinson said in his opening remarks accurately, more than 30 of us based on the present statistical use will utilise the crematorium. More than 30 of us in this Assembly. Now sir, ending my days in an incinerator in St Sampson's does give me a warmer feeling (*Laughter*) than the Foulon option, particularly, sir, if it towards the end of the next facility's useful life, i.e. in 40 years or so.

Deputy Roffey referred to Rev. Guille, a man he is close to. I am also close to someone who has a keen interest in this, the former Dean of St Sampson's, the very capable John Foster. Now, Members will now that John is one of the Island's most senior funeral directors, and he like Deputy Roffey believes very strongly that Le Foulon is the wrong site, particularly because of the difficulties of access, parking and the like.

However, sir, the former Dean of St Sampson's is as acutely aware as I am that when matters of incinerators are presented to the people of St Sampson's, there is widespread public outcry, and let's not lose sight of the fact that the location is in Les Sauvagées for the alternative. (*Interjection*) Well, it is a matter of public record, isn't it? (*Interjection*) Well, it is now anyway! (*Laughter*) Sorry, I thought it was widely known. (*Interjection*) Indeed, indeed.

Public opinion has not widely been assessed on this issue hitherto, but I predict there will be very significant opposition to that site. (*Interjection*)

But leaving the somewhat flippant remarks that I have made so far, sir, I think there is one – notwithstanding the comments made by the President of the DPA and the Vice-President – there is for me this fundamental question and it is this: how do you prove that a functional crematorium is unsuitably located at Le Foulon when one already exists? It seems to me that that is a strategic hurdle that would be extremely difficult to overcome.

For that reason and the reasons given by the President of the STSB I shall be rejecting the *sursis motivé*.

The Bailiff: Deputy Lowe.

455

Deputy Lowe: Thank you, sir.

Like others, I have sort of listened to the debate and I have gone, 'Yes I will support; no I won't support,' and I have taken on board what the President of the STSB said, that we are against the clock really because of the worry of failure.

460

Well, we have heard that many times before over many issues. Over 20 years ago if we did not vote for taking down the end of the Alderney Breakwater, it was crumbling into the sea, it would not last the following year, we would not get insurance, and that was 23 years ago – hey-ho and it is still standing up fine. So I do not worry too much about some of the pressure that we get in here about it is failing, it is going fall and everything is going to crumble, forget it. You make a decision how you think it is appropriate on that day and for that respect.

465

I accept we have to take note of risk. There is risk in everything – there is risk in our sitting here, there is risk in us crossing the road. We have to be realistic, I do not see there is a risk of this actually collapsing and not being able to operate. If it is, we will have to deal with it in exactly the same way we would have to deal with any other emergency. There is a contingency there to deal with that.

470

So for that reason at this present moment in time, unless anything drastic comes before me, I will be supporting the *sursis*.

Deputy Brehaut: Just a point of correction if I may, sir.

475

I spent some time in Alderney at the beginning of the month simply because the end of the Breakwater has fallen away and it will need a significant repair.

The Bailiff: Deputy Prow.

480

Deputy Prow: Thank you, sir.

I will be exceedingly brief as I do not want to prolong this extremely interesting debate.

My thoughts have swayed one way and another. I think the speech of Deputy Merrett has perhaps persuaded me one way.

485

I listened to Deputy St Pier when he was talking about the level of resource that has gone into this and I accept that is the case. I sit on two Committees where we talk about transformation and we talk about doing things differently.

490

I was at the same event as a lot of Members last night, the CPA, where a discussion around how this is conducted in the UK went on, and as I understand it, it is done by government and private partnership agreements through county councils, and I think the debate then went along the lines of, is this really an essential business of government? Yes, it should be overseen by government, but perhaps the real interesting way that discussion went was to ask the question whether the cremation services should be a full government function or not, and I think that is something that we should consider.

495

I will be supporting the *sursis*.

Thank you, sir.

The Bailiff: Deputy Soulsby.

500

Deputy Soulsby: Sir, I would just like to start by thanking Deputies Yerby, Hansmann Rouxel and Merrett actually for the amount of research that they have undertaken in this matter, because I think a lot of us have probably been distracted on other matters over the last few weeks, and very few of us, I suspect, have read the outline business case.

505

Now Deputy Merrett made one interesting point made a quote from Star Trek and I thought that perhaps we ought to change what our mantra is for the States of Guernsey from 'happiest and healthiest community' to 'live long and prosper'. (*Laughter*)

But I have been struggling with this. I am struggling both with the policy letter and the *sursis motivé*. I would like to thank the proposer and seconder of this amendment for discussing this with me this morning, because right up to this point indeed I am still struggling with the *sursis*.

510 For a start, I do not think that this issue has had the public airing it should have, and which may reflect the fact that matters have taken over the media in recent weeks. I think this actually really is a concern for this particular issue. It goes to the heart of people have real issues over this in the community, now it might satisfy States' Trading Supervisory Board now but what I would say is wait until the development application is made. I think Deputy Tindall made a really excellent point in this regard. We might approve this now but I am pretty sure because, reading
515 from the outline business case it is not straight forward that Le Foulon is the best place to be. There are alternatives and it is not an overwhelming tick box for Le Foulon.

Deputy St Pier talks about we need to trust the process, but that is the actual point we will be trusting the process, the development application and I would not be surprised if this could by supporting this policy letter now and the site proposed that it will not make things happen any
520 faster than should the *sursis* be approved.

Deputy Lowe is talking about all these points which I heard the full argument in the *Leopardess* debate, the same arguments were used again me then. Oh, we do not need to look at it any more, it might not be perfect but we need to do it, it is on its last legs, it is going to fall away tomorrow, we have got to do it now. All those points were used. But at the same time we have got a dairy
525 which has got equipment which is older than I think the incinerator. From what I know, we have to go off to the UK and get custom parts made for various aspects of the dairy. I do not think that has changed since I was on the Dairy Board, but Deputy Parkinson might be able to fill me in on that point.

Those are concerns that I have, but putting that fundamental point to one side, I have got a
530 few other points I would like to pick up on from the policy letter. The first, that this will be a solution for 30 to 40 years. Now, I think that is highly optimistic given the current cremator is less than 20 years old, and we know things are always meant to be built to last in the past and we know that obsolescence is built into everything even more and more nowadays. So the idea of it lasting for 30 to 40 years does surprise me, because the reason we are saying that we need to
535 replace this cremator is it is really hard to get the parts because it is nearly 20 years old and the manufacturer has gone bust. Well, I do not know if he has got any ideas that the current manufacturer is going to last 30 to 40 years long; it might be 30 to 40 years old now, but there are no guarantees there. So from 20 years to 30 to 40 years I think is highly optimistic.

Secondly, why two incinerators? I suppose probably because Jersey and Isle of Man have two, I
540 do not know because that seems to be a reason for doing quite a lot of things nowadays. But the reason is supposed to be resilience but that makes no sense unless we decide we need ... do we do that across the whole of the States then? Do we need two cattle incinerators, two CT scanners, that would be nice, two X-ray machines? All manner of different pieces of equipment out there –
(A Member: Two schools.) (Laughter) Yes. Indeed. Thanks for making my point for me! (Laughter)

545 We have also got the issue here of buying two cremators at the same time, so okay, if you believe the point about resilience having two cremators but they are both going to age at the same time so they are all going to need to be replaced at the same time. I do wonder why we need two incinerators when we are just replacing one, why do we need to have two brand new ones at the same time when surely reliability would be better at the start?

550 Anyway, so I do not think this is a 30-to-40-year solution. Will we be around to be able to see whether we are right or wrong?

Just to pick up on what Deputy Parkinson said regarding resomation: I know Deputy Roffey thinks this is a good solution. So do I. That is a bit of a pun there, a good solution! Anyway, it is an environmentally friendly solution. Deputy Parkinson said in his opening speech, well it is very new.
555 But it will not be very new in 10 to 20 years' time, and we will be able to see and there will probably be variants on that which will be even less –

Deputy Parkinson: Point of correction, sir.

560 **The Bailiff:** Deputy Parkinson.

Deputy Parkinson: I did not say it was very new. I said that there would still be a need for cremation because lots of people specify in their wills that they want their bodies to be cremated.

565 **Deputy Soulsby:** That leads me to the point that I was next going to make. When Deputy Parkinson said that in his opening speech, I thought well, that is odd. It did not sound right to me. I did ask HM Comptroller about this, because I thought how can an individual's wishes oblige the States to do something? Clearly people can say they do not want to be cremated. HM Comptroller advised me we do not necessarily ... you cannot bind the States in your letter of wishes if you say
570 that you want cremation, if we are not providing cremation. It does not mean we always will have to provide cremation. People could say in the time well, I would like to have a ritual burning on Port Soif Beach but we do not allow that, so that might be in their wishes but they cannot do it. (*Interjections*) So I do not think the fact that people have within their wills a request that they are cremated is any reason why we will also need to have cremators, at least in the next 30 to 40
575 years.

However, I do have issues with the *sursis motivé*. I do have issues that it is today and this is where I do have concerns about is it going to cause more expense at this moment in time? Could it mean more delay? I find it really difficult, but I have real concerns that there is very little in this policy letter, there is very little detail on which to make a decision and it has not satisfied me.

580 I am tempted to support the *sursis*.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

585 I like many have been undecided and I swayed one way and the other as I listened to debate.

I would just like to make clear a couple of points, firstly it is the death grant payable from the Guernsey Insurance Fund, it is £610 for 2018, but that is based on a full contribution record, and the majority of people do not have full contribution records. So if there was going to be any increase in costs, and I refer back to something that Deputy Lester Queripel said yesterday
590 £728.50 that is going to be a significant increase.

Something that comes up often in St Peter Port Parish meetings are the costs of cremation and burial, because we have no parish facilities we can only use the Foulon site, so for parishioners of St Peter Port cremation is usually the cheaper option as it were. So I am concerned that although the capital costs will come out of the capital account that actually this is going to have ongoing
595 increased costs over time for the parishioners of St Peter Port as well as the rest of the Island.

One of the questions I would like to ask Deputy Parkinson perhaps when he is responding is what is the current life time of the Foulon site for burials, because I know that it is rather full at the moment and then what will the alternative site be for that, because if we are saying that we want to have everything on one site I think that is quite important to know that.

600 If the purchase of the alternative site in St Sampson's is in perhaps private ownership at the present time has there been any conversation with the owners of Havilland Hall which has a significant amount of land next to the Foulon site. Not ideal but is there some way that a small purchase of land could be made that will adapt that site and make it more user friendly for some of the needs of our community.

605 So those are just a couple of questions that I have got, and I am still undecided but probably looking to give support at the present time to the *sursis motivé*.

Thank you.

The Bailiff: Deputy Meerveld.

610 **Deputy Meerveld:** Thank you, sir.

I will be supporting the *sursis*. Whilst I am not in any way endorsing additional building in St Sampson's (*Laughter*) I believe alternative ... I have never been against development in the north, I just want to make sure that we have the infrastructure to take it. (**A Member:** Hear, hear.)

615 Whilst I am not endorsing any particular site, I have attended services at Le Foulon, I have had to offer to help push wheelchairs up that hill, and it is a totally unsuitable site in my opinion, when we are just about to look at disability and access legislation, to build a facility in that place.

Also, I pick up on one of the points I think Deputy Mary Lowe pointed out, the design life and the fact that Deputy Brehaut mentioned the end of the breakwater is now failing 23 years after it was predicted. We have a maintenance contract in place for the existing facility, it may be at the end of its design life but that does not mean it is facing imminent failure, and also if this States takes the policy that it automatically renews infrastructure when it reaches the end of its design life then as Deputy Trott quipped about two schools, I would like to know why in his first term they did not rebuild La Mare de Carteret when it reached the end of its design life in the year 2000.

625 I will also be supporting this *sursis* on the basis that it will help us with public engagement. I believe there should be more engagement on this subject, and resomation could be explored as an alternative. You could do one incinerator and one resomation plant, therefore dealing with all options.

Thank you.

630

The Bailiff: Deputy de Sausmarez and then Deputy Fallaize.

Deputy de Sausmarez: Thank you, sir.

635 I might start actually with a thank you to the staff at STSB because anyone who has read the full outline business case will know that an awful lot of work has gone into it, and it is acknowledged the additional work by Members of this Chamber, as has already been stated by others.

640 That said, without wanting to criticise because I do not, the value of the work that has gone in and the quality of the work that has gone in, if the fundamental criteria for that work were not right in the first place, then that does have to throw into question the results of that work. That is what I am struggling with.

I think the STSB's policy letter and their proposals are seductively attractive in their ease in many respects. But it does come down to how did we arrive at this outcome? How did we arrive at these proposals? I am not convinced that the original questions were the right ones to have been asked, and therefore even though the process of answering those questions through the process of the outline business case has been incredibly thorough and logical I am not sure we have necessarily reached the right conclusion for that reason.

645 Deputy St Pier, possibly in an attempt to gain my support, I am not sure, referenced my criticism yesterday about resourcing, and I am going to throw that back at Deputy St Pier because when he was facing criticism from others in the Assembly about the amount of time that things were taking to happen with regard to the Policy & Resource Plan, he reminded us all that it was within our gift to do something about that. Well, not only is the timing of work within our gift, but actually even more so is the resourcing. So if resourcing is an issue, my request is that we address that issue, and that problem then goes away. (*Laughter*)

655 Ultimately it is about outcomes, and it is about value for money, and in the P&R Plan Phase Two last year, this Assembly unanimously supported an amendment that said that we as an Assembly were going to bear in mind the impact on current and future generations and for me value for money is an important part of it, and outcomes are an important part of it, and I think we do probably need to look at those issues again under better criteria than we started with.

660 For that reason, although like many others I too have swung one way and the other throughout this debate, I think I cannot get past those two fundamental issues, and so for that reason at the moment I am going to support the *sursis*.

The Bailiff: Deputy Fallaize. And Deputy Leadbeater, do you wish to be relevé? Thank you.

665

Deputy Fallaize: Thank you, sir.

I think the *sursis* will win. Deputy Parkinson and his Board are sort of caught in a pincer movement between Charter 18 and Non-Charter 18 and so I do not think he has got any chance of getting this policy letter through unscathed.

670

I do think the *sursis* is slightly problematic because it is based on a sort of vague idea that there might be a better site somewhere. I think the arguments – I think it was Deputy Parkinson making them yesterday – that even if theoretically one could identify a better site, the processes that would have to be gone through in terms of planning – not a planning inquiry perhaps I accept, but still planning processes – and not least of all public opposition, which would be inevitable, I think would be quite considerable.

675

My instinct is to support the *sursis* one needs a bit more, not certainty, but some more assurance, greater assurance that it is a least likely that there would be a better site that could be developed and it could be done in a reasonable time frame, and it would not be hideously expensive, otherwise I do feel as if I am doing it a bit on a wing and a prayer, saying well look, Le Foulon is not ideal, there must be something better somewhere and I am not sure that that is satisfactory assurance.

680

I also think it is slightly unfair to criticise the States' Trading Supervisory Board for their policy letter as Deputy Merrett suggested that there were aspects of the outline business case which concerned her. But I think it is unrealistic. I am sure other Members were sat here thinking this while Deputy Merrett was speaking but they are probably not stupid enough to say it, but I am. I think it is unrealistic to think that every Member should read every single detailed business case in respect of every matter that comes before the States –

685

I will give way to Deputy Yerby.

690

Deputy Yerby: Would Deputy Fallaize not however agree with me that it is quite reasonable to expect Committees to include all salient matters arising from the business case in the policy letters that they bring to the States?

Members: Hear, hear.

695

Deputy Fallaize: Yes. But I do not think that the Board has particularly failed to do that on this occasion. (*Laughter*) I think that they have set out – clearly in summary, but how else do you put together a policy letter? – the case for using Le Foulon, which is based very largely on the fact that it is the existing site.

700

If you take the view that Le Foulon is the right site largely because it is the existing site, and there is no certainty that any other site could be developed, then actually the policy letter does make the case for the proposals that are before the States.

I do not think that every Member should be required to read every single outline business case. I mean if we get ourselves into that position we might as well abandon every Committee and just set ourselves up as a giant committee of 40 and come in from nine to five every day, every working day of the year – and Deputy Gollop nods furiously, but I do not think that is a very appetising prospect.

705

I will give way to Deputy Tindall.

710

Deputy Tindall: I thank Deputy Fallaize for giving way.

I should point out that I did not read the whole business case; however I did read the pertinent parts with respect to the planning, and that is where it fell down in my view.

715 **Deputy Fallaize:** And I do accept if Members feel that if there is not a good case for building a replacement cremator at Le Foulon then I accept that is a good reason to chuck out the Propositions. But that is not what we are debating. We are debating the *sursis* and the *sursis* is based on the idea that there might be a better site somewhere, which might be developable – if that is a word – at an unidentified cost. I am not sure there is. I would need some kind of – in fact Deputy Trott has deliberately on purpose revealed the site, and –
720 Oh I will give to Deputy Trott.

Deputy Trott: I was only able to reveal it because I had read the outline business case. *(Laughter)*

725 **Deputy Fallaize:** Now we are getting into the realms of fantasy. *(Laughter)* I know that is not true. *(Interjections)*

Now the thing is so Deputy Trott has deliberately, on purpose revealed the site, and so we are debating a *sursis* which presupposes that there is a better site, but we are not really allowed to know where that site may or may not be.

730 I will give way to Deputy Lowe – this does tend to happen ...

Deputy Lowe: I know.

It is just that Deputy Fallaize, you are concentrating on St Sampson's site because that has been mentioned. But as Deputy Yerby quite rightly said the *sursis motivé* is not tying them down to St Sampson's site. **(Several Members:** Hear, hear.) So they need to remember that and stay focused on that I think.

Thank you for giving way, but I think it is important that Members remember this is not about St Sampson's site, it is about having a look again at what is available across the Island not just necessarily down St Sampson's.

740

Several Members: Hear, hear.

Deputy Fallaize: I accept that point but doesn't that make it even worse because what we are really saying is we are going to go on a trawl of the Island to see whether there might be a better site?

745 Oh, I have now got a choice of people to give way to. I will give way first of all to Deputy Merrett.

Deputy Merrett: Thank you, Deputy Fallaize.

750 If Deputy Fallaize *had* read the outline business case he would see we have already trawled the Island for alternative sites, over 100 were identified, more than one alternative was suggested in the outline business case, there are maps included and they include various, I think it is 20 plus, different sites that are potentially viable.

755 Furthermore, I believe what Deputy Trott may be referring to what I referred to in my speech, that in the SWOT analysis only one site has been compared to Le Foulon at this stage. All of the work has been done in identifying alternative sites. We are not going out again to SWOT analyse the whole Island; it has been done.

760 One further point please – I do thank you for giving way Deputy Fallaize – is this a reason to throw millions of pounds after a few hundred thousand pounds, so we are going to throw more good money after bad money because 'We're on this path now, so let's just throw a few million at it'? I would say not.

Deputy Fallaize: Okay.

I will now give way to Deputy Hansmann Rouxel.

765

Deputy Hansmann Rouxel: Just to continue Deputy Merrett's point, those sites have been looked at, the criteria that discounted them were flawed. That is why the *sursis* is necessary. The criteria that were used to discount them were based very heavily on that advice that Deputy Dawn Tindall has advised us – the weighting of that discounted a lot of those sites. Therefore by changing the criteria, by voting for the *sursis*, those sites can be reassessed under those different criteria, because all the extra work and that information is already there. It is that assessment of the criteria.

770

Several Members: Hear, hear.

775

Deputy Fallaize: Yes, it is very late in the day though, isn't it, to try and change the policy basis on which to make this decision? Because as, I think it was Deputy Dorey who said yesterday the original identification of this project has already been to the States and was in a list of projects approved by the States. I think that is what Deputy Dorey said when he spoke yesterday ... No he didn't. Okay. Well, I do think it is rather late in the day to be trying to reassess entirely the criteria against which this decision should be made.

780

In relation to the point that Deputy Merrett made, I accept that there has been the trawling of sites, but that necessarily must have been quite theoretical. If it was dozens and dozens of sites there were not planning applications made, all of the neighbours were not approached to see what their view would be in relation to the site –

785

Oh, I will give way now to Deputy Inder.

Deputy Inder: Thank you for giving way, Deputy Fallaize.

I might actually be able to help you out. Last time I saw States' Property Services going for a trawl of the site was the storage facilities and what they did, they went north of the Island from ... for some reason I do not quite understand why States Properties decided that they wanted sites which were north of La Vallette area. They identified seven, so identification is one thing. They then I believe approached a number of the owners of the property: two or three said no. They got down to two – Pulias Vinery was one of them. There was a substantial objection to it, which I wrote. That was rejected and they finally got down to the one along Route Militaire.

790

795

So the fact that States' Property Services might have seen 800 sites is absolutely irrelevant because planning will ultimately kick in, ownership, there are lots of details. So the fact that even Deputy Trott has mentioned Les Sauvagées: unless it has been through a planning process, again is irrelevant. The only identifiable site we have here today is Le Foulon.

800

Deputy Fallaize: I will give way to Deputy Yerby.

Deputy Yerby: I do apologise to Deputy Fallaize but if he insists on theorising so assertively about a document he has not read, he can expect a few interjections and it might help him to know that there is within the outline business case a shorter list of sites, 12 or so which I copied out by hand for Deputy Roffey yesterday, which includes initial advice from officers within planning and within traffic about the sites, so a level of detailed assessment of sites that is more than just the hypothetical has taken place.

805

At the same time, no community engagement around any of the sites, including the one that is recommended has taken place, and at the point where we reach that, if we make the decision in front of us today, that STSB would have us make, then we can expect that community engagement to come with more push back than if we support the *sursis* and the process that involves organisations and funeral directors, and bereavement charities, and so on in helping to reach that conclusion.

810

815 **A Member:** Hear, hear.

Deputy Fallaize: I will give way to Deputy Le Pelley.

820 **Deputy Le Pelley:** Yesterday when I spoke mentioned talking and double talking and I think we have got a little bit of it here. There is talk about things being done too late in the day, costing a lot more, not sure about who owns land, we have had Deputy St Pier mention it earlier as well. What happened in the Education debate – perhaps you would like to remind me?

Deputy Fallaize: One day they might let go. *(Laughter)*
825 Right. I do think it is quite late in the day, and I also think that there is a slight difference in terms of ... 'perspective' is not quite the right word, but if the States are going to spend this much time, go in to this much detail on projects of this size, then I think it is a fact that we are going to achieve very little during this term of office. I think there does have to be some kind of sense of perspective. I do not say we should just trust the States' Trading Supervisory Board to do the job,
830 but I do think that the promoters of the *sursis* really are trying to do the Board's job for them, and I am slightly uncomfortable with that.

If Deputy Hansmann Rouxel as the proposer of the *sursis* can convince me in her closing speech that there is a reasonable likelihood that there is a particular site or at least a small set of sites which are likely to be preferable to Le Foulon, and could be developed at reasonable cost
835 and that the local opposition and the planning processes would not delay the whole thing unduly, then I may well be prepared to vote for the *sursis*, but I doubt that Deputy Hansmann Rouxel is going to be able to provide that assurance.

So what we are left with is opposition to the development to the replacement cremator at Le Foulon because the site is far from ideal.

840 Now this is where I think I could be critical of the States' Trading Supervisory Board. What I am not certain about is just how far from ideal the site is and what it would cost to make the improvements to the site which I think would be reasonable – the reasonable adjustments.

845 Now I went over to see Deputy Parkinson half an hour ago in an effort to see whether there might be a concession here from the States' Trading Supervisory Board and whether they might be able to do some work in relatively quick order to advise the States how much it would cost to make reasonable adjustments. Deputy Parkinson will say, well it depends what adjustments you want, but I do not see why they could not set out how much it would cost broadly speaking and how much it might delay the project to make various reasonable adjustments.

850 I think if they did that, they might have a chance of protecting their policy letter. If they do not do that, I think the *sursis* is going to succeed. But to me that is the issue. I think there is quite a strong case for saying Le Foulon is the right site on the grounds that that is where the cremator is at present, and to bring it back to the matter of schools. I think there is a strong case in relation to the development of the two sites, to start from the premise that it would be preferable to develop two of the existing four sites. It would be possible to go on a trawl of the entire Island and look
855 for other sites that you could start from if you had a blank sheet of paper, but it is preferable to start from the existing sites. I think there is a not dissimilar argument in relation to Le Foulon.

As Deputy Trott said, it is functioning and has functioned for a long time as the crematorium. To move away from that site I think one needs quite a powerful and persuasive case, which has not really been put before the States today. *But* the site in its present form is unacceptable in
860 various ways. I do not think that Deputy Parkinson's Board, and I do not blame them for not doing this in advance of the debate, but now that they are being challenged in the way they are, I think they need to give something and try to help those of us who want to support them and to explain to us ways in which this site could be adapted to provide some of the reasonable adjustments, in particular for mourners and for disabled people which are concerning some States' Members.

865 If I can put it this way, we are not going to get Le Foulon to the point where it is 100% right. I am not sure we are going to get any site to the point where it is 100% right. I would be happy to

get about 80% of the way there, and I think a picture is being painted in this debate that Le Foulon at the moment and under the proposals put before the States is about 60% of the way there.

870 Well, what is it going to cost, and what is the time delay to make some reasonable improvements, not to make it perfect but to make reasonable improvements? Now maybe Deputy Parkinson is going to say he cannot give any sort of answer to those questions in this debate, but I think that would help those of us who would rather not defer the decision but who have some reservations that we are not going as far as we could go at Le Foulon to improve the site.

875 I will give way to Deputy Parkinson.

Deputy Parkinson: Sir, the point is the next phase, if the States give the go ahead for this project, is the design phase, and in the detailed design of the project adjustments will be made to accommodate the needs of for example the disabled as best we can. It is very difficult for me in response to Deputy Fallaize's question to say how much would they cost, at this point I do not know what they are.

885 Obviously a number of things could be done quite easily, we could have a mini bus that goes from the lower car park up to the upper car park; there may be some aspects of levelling surfaces to improve wheelchair access. But I do not know what we are talking about here. If it is a fundamental redesign it might be quite expensive. So all I can say, and I have said it in my opening speech, is the STSB would consult widely during the design stage, because the impression seems to be given by some Members here that we are trying to make this place as awkward and inconvenient as possible. Nothing could be further from the truth. We want it to be as accessible as possible, but the detail of that would come at the design stage.

890 **Deputy Fallaize:** There are two responses to that. I think listening to several speeches of Members who are not exactly passionate about the *sursis* but may be persuaded to vote for it. I do not think that Members have been provided with even an initial assessment of the kinds of modifications that could be made to this site in order to improve the experience for those who are using it.

895 I do not know how long this debate is going to go on, but if it goes through lunch maybe Deputy Parkinson and his colleagues could use that period to circulate at least an initial ... One does not expect anything in great detail but at least an initial assessment of the kind of improvement that could be made to this site, because if there is no concession about making improvements, then the policy letter is going to lose, the *sursis* is going to succeed, and if Deputy Parkinson is saying that is going to inject considerable delay and it could all cost a lot more and it is highly unsatisfactory, then surely it is worth trying to provide these reassurances to Members.

900 The second response to the point Deputy Parkinson has just made is that Proposition 2 includes a capital reserve vote to a maximum of £3.88 million. If the States vote in favour of putting a maximum expenditure of £3.88 million on this, which presumably is based on the original design, then it is quite difficult for us to have too much confidence that there is going to be any kind of slack in the budget to make reasonable adjustments.

905 Now actually the Policy & Resources Committee does have delegated authority up to a point, in percentage terms on a project like this to move that budget northwards. So maybe the Policy & Resources Committee and the States' Trading Supervisory Board could come up with some kind of form of words which would give P&R the flexibility to use its delegated authority if the STSB is able to present a list of reasonable adjustments.

910 Really I am getting back to where Deputy St Pier started his speech. I think there are some concessions that could be given here. I think there is a form of words that would help Deputy Parkinson's Board to get this through the States but if they are not prepared to entertain that, I think the *sursis* is going to succeed.

I will give way to Deputy Ferbrache.

920 **Deputy Ferbrache:** I am very grateful to Deputy Fallaize for making extra points, but this debate is now becoming a complete mess.

We are likely going to have a *sursis* that is going to be accepted, which is going to send us off to some kind of delay to trawl for some site that we do not know. It might be the one that Deputy Trott inadvertently – I fully accept inadvertently, I can see the innocence on his face for the first time in a long time – (*Laughter*) has disclosed and we may come back.

925 What concerns me it is a point that Deputy Fallaize has very well made which frankly I did not appreciate before. I thought the £3.8 million was it, and they bore in mind all of the contingencies and they made provision – I have looked at the business case, I have not read every page but I have had a look at it – for disabled access etc. It now seems from Deputy Parkinson’s interjection that that possibly is not the case.

930 Now, one of the reasons that I am still going to vote against the *sursis*, because we have got to make decision, we have got to trust the body that is responsible for doing the job, and they have put a lot of work in, but one of the things that influences me was that £3.8 million against £7 million, and then it might not be £3.8 million, it might be £5 million – that is still a lot of money £2 million, it is still a heck of a lot of money, the difference between £7 and £5 million. But if you

935 are not getting an ideal site and you get an ideal site somewhere else for a little bit more, that could influence people.

But goodness me, people listening out there must think when they listen to this debate we are going off into cul-de-sacs of time, we have got no idea what the cost is going to be, the *sursis* will be passed even though I am going to vote against it. They must have lack of confidence in us.

940

A Member: Sir, could I invoke 26 – sorry, you are not finished

The Bailiff: Deputy Fallaize is still –

945 **Deputy Fallaize:** It is not that boring, is it? (*Laughter*)

Sir, yes, I agree with all that Deputy Ferbrache has just said, although there is £2 million or £2½ million it is still quite a substantial sum of money.

950 So I think the position for me is my bias is in favour of developing at the existing site, but I think it is possible to make some improvements to this site to reflect the kind of concerns which Deputy Hansmann Rouxel has brought to the States. I think it is possible for the Policy & Resources Committee, given the delegated authority it has, and the States’ Trading Supervisory Board as the sponsor of the policy letter to come up with a form of words which would allow the States to accept the principle that it would be developed on this site, to accept that it is not perfect but there will be further reasonable adjustments made and to proceed on that basis and

955 to have some degree of trust in the States’ Trading Supervisory Board and the Policy & Resources Committee to do the best job they can for reasonable expenditure on this site.

Otherwise I do fear the *sursis* could set off years of re-examination and re-assessment and considerable additional expense.

Thank you, sir.

960

Deputy Brehaut: Can I speak, sir.

The Bailiff: I just thought there might be a Rule 26(1) application.

965 **Deputy Brehaut:** My speech is very short, sir, so I will thank you, sir.

Thank you, if I could –

The Bailiff: Alderney representative McKinley was actually up on his feet first. I was wondering whether one of you who is standing was bringing a Rule 26(1) application but you are not. So I will call Alderney Representative McKinley who was on his feet first.

970

Alderney Representative McKinley: Sorry, I am rising to request a Rule 26(1) –

The Bailiff: Sorry? I can't hear.

975 **Alderney Representative McKinley:** I am rising to request the invocation of Rule 26(1).

The Bailiff: In that case, will those who have not yet spoken but would wish to do so, please rise.

Do you still wish Rule 26(1) to proceed? There are four people standing.

980

Alderney Representative McKinley: Yes please, sir.

The Bailiff: Right. I put it to you then that debate be closed: Those in favour; those against.

Members voted Contre.

The Bailiff: I believe that is defeated.

985

I will call Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

I will call the Rule when I sit down, if that is okay? No, I have got no intention of doing that!

990 So just very quickly on the breakwater, because it is important to clarify, in 1986 when the British Government pulled out of maintaining the breakwater, they did so because it could potentially have cost them £600,000 to repair. They did pull out of the maintenance of the breakwater. Since that time, Guernsey has spent, from 1986 to the present day, re-inflated, £23 million on the Alderney Breakwater and we are duty bound to do that. We do not see it as a burden and we will be repairing the breakwater over the summer.

995 Sir, when I left the States' meeting yesterday I stayed behind to attend the CPA and actually on the walk home, I walked around Le Foulon Cemetery, and I have to say it is incredibly picturesque. It is very peaceful, it has a wonderful Victorian picturesque charm to it, there is something very fitting about this setting of the Foulon crematorium. I live in the shadow of the crematorium, it is no inconvenience to the people living there, it is actually a very nice setting to live by. I always say to my family when the time comes if they could just arrange a boson's chair, it should not be any undue inconvenience to them, it would not take long at all.

1000

But it is a very good setting now for a crematorium, it is not perfect but the crematorium exists, it is there today, and it is *not* an unattractive building.

1005

If you were to build a new facility – and they are everywhere around UK and France obviously – what do they look like? They are cold, they are clinical and they are functional, and you do have to be particularly imaginative with design, which is always difficult in the Guernsey context, of designing something that is pleasing on the eye with the Guernsey generic design in mind.

1010

Now, I actually feel like an interloper when I go to the crematorium and funerals because I am a non-believer. I am a person that does not have faith and I find myself in a chapel and even though I have attended a few funerals of people who are actually clearly non-believers, nevertheless the crematorium is set in a chapel and there is the obligatory service. That does not necessarily need to happen. There is a trend these days for people having memorial services in venues all over the Island, celebrations of life, then they have private cremations and they have private burials. I think there is a move towards that and we should not necessarily build a huge facility without having due regard to what the – for want of a better word – trends are currently.

1015

So you can mark the passing of somebody intimately in a meaningful way without necessarily being in a sort of faux-gothic facility.

The issues that need to be addressed, a number of them should be addressed by funeral directors, not by the States. When you take a funeral package from a funeral director, you might

1020 ask them, 'How are my family going to get to the chapel, how do you intend to get my elderly
relatives to the building, how do you intend to get the person who has disabilities or whatever to
that building?' No, I am sure funeral directors will want to do that, because being a funeral
director is actually quite a competitive market and you could have – and I do not jest, I think it is a
serious proposal – buggies that are kept at Le Foulon to take people from the lower carpark to the
1025 crematorium itself.

But the reason ... and by the way, these debates are formulaic. These debates that we are
having now are formulaic, I have sat through hundreds of them, which is: 'there must be a better
way to do this, there must be an alternative, you do not need to do it this way.' I take on board all
the research. I know that – as Deputy Ferbrache may say – the people proposing the *sursis* have
1030 integrity, it is well meaning and it is sincere. But somebody stand up and now and give me the
site, the parish, the Members of this Assembly who will support a crematorium somewhere else.
Nobody will.

You have the acquisition of land, that is one thing. You have the design phase, you have the
build, you have the opposition, and that opposition regardless ... It amazes me sometimes, and I
1035 have made this point several times, that there is good will in this Assembly, that out there is an
alternative and when we are in the moment debating these things, we always believe that
something will turn up. The reality is when it is designed, when you know what it looks like, when
you know where it is going to go, when the public knows what it looks like, what it does and how
long it is going to be there for, they will not want it.

1040 Mark my words, if you support the *sursis* today, we will be in the debate some months from
now and an amendment will be accepted that will say, revert to the proposals put forward to you
by the STB ... sorry, STSB, not the bank – because the proposals were the most workable. That is
the point I think that overshadows this debate for me, the idea that there is a form of alternative
and an alternative that the community will collectively embrace.

1045 So please oppose the *sursis* and go with the proposals from STSB.
Thank you.

The Bailiff: Deputy Tooley.

1050 **Deputy Tooley:** Thank you, sir.

I began to think the only way to make my speech was going to be to join the 'Deputy Fallaize
and Friends Show'.

I do think, sir, that like many others I have swung back and forth in this debate almost like a
pendulum, and if there were in play an amendment such as those mentioned or suggested by
1055 Deputy Fallaize which would give us comfort that the needs of the participants and supporters
within funerals were being addressed and were committed to being taken on board, then I could
vote for the proposals put forward. But I think I am going to support the *sursis motivé*.

I wanted to say something about the existence of the cremator on the site of Le Foulon
meaning that clearly that site is suitable for a cremator. When I was at primary school I played
1060 netball and to play netball we required a flattish bit of playground with a hoop on a pole at either
end and a ball. When I moved to secondary school and again played netball our requirements
were similar but not identical. It was now important that we had a pitch that was 30.5 metres by
15.25 metres and it was marked with the correct lines. Now not very good netball at secondary
school was the extent of my playing ability, but for those that were better than me, league games
1065 required team benches and other run-off areas and so on. At ESC we were recently informed of
the need for better netball facilities on the Island because if our teams are to play in the leagues
for which they are qualified we must also make space available for spectators etc. Can you play
netball on a tarmac court in a small school playground? Yes. Is it a suitable site for the
requirements of the game as it is now played, giving regard to the participants and their
1070 supporters? No.

1075 Can we site a cremator on Le Foulon? Clearly yes. But is that the best site for cremations and funerals as they are currently marked, giving full regard to participants and their supporters? I do not think it is. I believe we need to go back ask those questions again readjust the balance of informers to the process give full regard to the needs of the living when attending funerals, which actually is more important than the needs of the dead when attending funerals.

So unless there is an amendment which I can vote for which will give certainty that those things will be looked at, I will support the *sursis motivé*.

Thank you.

1080 **The Bailiff:** Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

1085 I agree with a lot that Deputy Brehaut said. I have attended two funerals since Easter at Le Foulon and it is a beautiful setting, it is lovely round there. But it is this elevated position that I have got an issue with. We have heard two suggestions of how we could combat that. One was from Deputy Parkinson who said we could have minibuses and Deputy Brehaut suggested buggies. Deputy Fallaize suggested that at the design stage these things could be taken into consideration, but that is a massive hill to climb and to put it this way, it is a feat of engineering to try and solve this problem. Nothing springs to mind. I have been in the construction industry all my life and I cannot think of one single thing that is going to cost-effectively solve that problem.

1090

So this is the massive stumbling block for me. I would love to see the cremator back at Le Foulon. I would love to see it remain there because I think it is a beautiful site, but it is past its sell-by date, we need to look on.

So I will be supporting the *sursis*.

1095 Thank you.

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you Mr Bailiff.

1100 I will also be supporting the *sursis*. Having looked at the outline business case, there are two points I just wish to pick up on. One is it is very clear, it says Option 1 provides a medium-term approach as it can be implemented relatively quickly at a lower capital cost than alternative sites. But certain drawbacks relating to the Foulon site remain; while Option 2, alternative site, says it provides a long-term approach as it provides all the facilities that UK crematoria are expected to have.

1105

But the real point why I wanted to speak was reacting to Deputy Fallaize's speech and he talked about reasonable adjustments. Well, with the outline business case, there is a risk potential assessment at it has done a SWOT analysis. One of the weaknesses, the first weakness actually, which is listed is in relation to the Foulon site is:

The crematorium is surrounded by existing cemetery graves making the future expansion or inclusion of any additional features ...

1110 and those are the words I wish to relate to:

... extremely difficult. In order to do this a significant number of graves will need to be exhumed and presumable reinterred in existing unused burial space which would reduce the remaining burial capacity of the Foulon site further.

I think that sums up the problems of the site and the inability to make those reasonable adjustments that will be needed to produce it to the right standards.

Also in those weaknesses there is one other point I wish to make – it says:

The crematorium may be required to close for a period of time so there would be a loss of revenue as a result and of course the inconvenience of diverting cremations to alternative locations. The quantum of this is still to be accurately calculated.

1115 That is again one of the problems of the restrictions of the site that in order to do the work, they say that it will probably have to close between that period. It then goes on to say a further weakness is:

Retaining the existing site will make the future replacement of crematorium equipment difficult, time consuming and very restricted, which is likely to create further continuity issues.

I think those sum up why I believe that we should look for a long-term solution, not a medium-term solution, which is why I will be supporting the *sursis*.

Thank you.

1120

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Sir, thank you.

1125 I was not going to speak and I was very interested in listening to all the arguments that have gone back and forth over this debate, so I have just jotted down some points. First of all and quite importantly, I wanted to commend and recognise the hard work that has clearly been done behind the *sursis* from those who have brought it and also their supporters.

I do however agree with many of the points raised by Deputies St Pier, Fallaize, Ferbrache and now Brehaut in regard to pushing on with the work as proposed by the STSB policy letter.

1130 I am really concerned by the length of time and the extra unidentified cost that will be entailed by sending the STSB Committee away as the *sursis* requires.

1135 The impassioned speeches that we have heard I cannot help feel would have been better supporting an amendment which could have been brought in regard to changing some of the design elements around the STSB policy letter, and I am afraid that I am not going to be supporting the *sursis* despite its clear well intentions, because I really would like to be pushing on with this because the costs have been identified, the timeframe has been identified, and I think that the people of Guernsey want us to get on, rather than flip-flopping backwards and forwards with decisions.

So I am afraid, sir, that will be my decision today.

1140

The Bailiff: I see no-one else rising.

Deputy Parkinson, do you wish to make what will be the penultimate speech?

Deputy Parkinson: Yes, sir, I do.

1145 Well, I would first of all like to thank Members for what has been a long and interesting debate, and for the eloquence with which various arguments have been put forward. Many people have spoken and I will try and touch on or respond to any points or questions that have been put to me. If I inadvertently miss out anyone's key points, then no doubt they will bring that to my attention.

1150 So I shall start first of all with Deputy Hansmann Rouxel, the proposer of the *sursis* motion, who said essentially there should be a separation of policy and delivery, and of course the STSB, as has been said by others is not a policy making committee; it is a doing committee, so the creation of policy would not rest with the STSB. But as my colleague, Deputy Smithies later said, the States has made a number of policy decisions on cremations over the years and of course we try to
1155 follow those instructions.

Most notably Deputy Hansmann Rouxel referred to the debate in the States in March 2001 when the deficiencies of the then cremator were drawn to the attention of the Assembly and the Board of Administration composed a course of action to address those deficiencies which was

1160 approved by the States and therefore presumably the States considered that those directions had been discharged at that point when a then new cremator was installed in 2002.

1165 But that cremator with a single chamber had an estimated lifespan from the beginning of 15 years, and it must be said there was no future proofing in terms of the design of the building. The building was effectively constructed around the cremator. So it is difficult to extract and replace the cremator within the existing compound which is why in effect we have to build a new shell or part rebuild it.

1170 Deputy Hansmann Rouxel may be correct that there is no committee responsible for policy in this area. I do not know whether it would rest within E&I or whether it is a P&R matter, but of course in terms of the activities of the States' Trading Supervisory Board there are many parts of our activities for which there is effectively no policy, because these are executive functions, if you like. For example, there is no policy driving the activities of the States' Works Department, we just get on and do stuff. In this particular case the States has provided a cremation service for the last 90 years. The policy here is to continue to provide a service and we have come up with proposals to enable the replacement of aging equipment to enable this to continue into the future.

1175 Deputy Hansmann Rouxel referred us to critical success factor 7 in the outline business case, which is that the site should ideally be level and success factor 8, that there should be available parking. Well, we have been very frank from the beginning that if you were starting with a clean sheet of paper, you probably would not design the Island's crematorium on the top of a hill in Le Foulon, but that is where we are. We perfectly accept and I said in my opening speech, it would be possible to build a better crematorium somewhere else. The question is given the extra cost and the planning risks around that, therefore the delay around that, and the attendant risk of a catastrophic failure while that process is ongoing, whether it is worth taking those risks and incurring all that extra expense. The judgement of the STSB is that it is not worth taking that extra risk and incurring that extra expense, it would be better to rebuild at the Foulon site and accept the limitations of the site.

1185 There is parking around there, Route Isabelle is used of course by people attending funerals, and for very large funerals, if they are going to exceed the capacity of the local parking, as has already been mentioned, there is nothing to prevent people holding funerals elsewhere on the Island in other churches or community spaces and then perhaps the family and intimates of the deceased attending a smaller cremation service at Le Foulon. That is the way the Island has basically worked round the problems up until now.

1190 Deputy Hansmann Rouxel said we should not let planning dictate our policy and of course we are not letting it dictate our policy. What we are saying is that there are additional planning risks associated with going back to other sites and that that inevitably will incur some delay but also probably a greater risk of failure.

1195 Deputy Ferbrache said he believed that planning permission could be obtained for a crematorium on another site, and I certainly do not dispute that. All we have said is that we think it would be more difficult, and that although planning permission would be required at Le Foulon, as Deputy Tindall says, we think that would be easier to obtain given that that is what the site is currently used for.

1200 We also note that if we went to a greenfield site there would have to be an environmental impact assessment and all of that adds to the potential delay.

1205 I thank Deputy Smithies for his support and he was the first person to note that the second choice site is in St Sampson's and Deputy Trott has inadvertently disclosed where that is, we suspect increasing the price of the land since it is not in States' ownership, so the cost of the alternative site is whatever it will be.

1210 Deputy Queripel said he could not support the *sursis* because he did not know what the effect on the cost to the consumers would be under our proposals and I can advise him of that pretty accurately. The cost to the consumer of the capital rebuild will be zero, and that is because the capital cost is being charged to Capital Reserve and not to for example the Bond Fund, and therefore the cost of the build will not be charged to consumers. It will of course be borne by

taxpayers and the additional cost of developing any other site will also be borne by taxpayers. So as Deputy Brouard later said, this is not a free ride; it is simply that perhaps other capital projects would be impacted.

1215 Deputy Brouard – yes, as I have said – noted the greater costs of any alternative, so I thank him for his support.

Deputy Inder asked why we want to install two cremators and the answer of course is to provide resilience for when one is being serviced or is out of action. The cost of the second cremator is actually £150,000. Now, I was tempted to say 'only' £150,000 but obviously £150,000 is a large sum of money –

1220

Deputy Inder: Point of correction, sir.

The Bailiff: Deputy Inder.

1225 **Deputy Inder:** In an email exchange last night from Deputy Smithies, I was informed that taking one of the incinerators, that would actually be £320,000.

Deputy Parkinson: Well, the information given to me by my staff is that the second cremator is £150,000. All I can do is pass on what I have received.

1230 In terms of a project of £3.88 million whether the figure is £150,000 or £320,000, it is less than 10% of the cost of the project

Deputy Yerby said Le Foulon is a short-term solution and I think this has been mentioned by other Members, so I think there is a misunderstanding here about actually what the timeframe or the lifespan of Le Foulon project and any other alternative site project would be. The consultants noted that the existing buildings on the Foulon site are already 90 years old and that is why they described Le Foulon as a short-term solution.

1235 But we think they are missing a vital point. Firstly the new extension that would be built on the Foulon site will last for as long as new build anywhere on the Island and the cremators themselves will last 15 to 20 years. That is the case wherever the cremators might be installed.

1240 But the point that we think the consultants have missed is that the STSB will have to maintain the historic part of Le Foulon wherever the new crematorium is sited. The choice here is not between us using a brand new crematorium in St Sampson's or wherever it might be or using Le Foulon. If we build a new crematorium somewhere else, we will be maintaining both buildings. The old part of Le Foulon fortunately was built to last and will survive as long as the new extension, if not longer. By the standard of churches on the Island, it is a spring chicken.

1245 But this raises another point that needs highlighting and was highlighted by other speakers later in the debate. The Foulon has a special place in the minds of many Guernsey people, it is the place where many of us have said our last goodbyes to people that we loved. There is no alternative use for the buildings. Whether or not the cremation equipment is removed we simply cannot pull the buildings down. STSB will be maintaining those buildings effectively for ever, whatever the outcome of this debate.

1250 We do agree with Deputy Yerby that we should try to be as accommodative as possible for people with disabilities, but where we disagree with her is on the meaning of 'as possible'. We think that we have to provide accommodation for disabilities as far as is reasonable practical. We believe that because of the other arguments around retaining Le Foulon as the site for the crematorium, that imposes some limitations on accessibility which are compromises that we think we have to make.

1255

Deputy Lester Queripel: Point of correction, sir.

1260

The Bailiff: If it is a point of correction, Deputy Lester Queripel.

Deputy Lester Queripel: Yes, it is, sir.

1265 In his speech just a few moments ago Deputy Parkinson said that in my speech I had focused on capital costs; I did not. As far as I recall, I once focused on capital costs; I focussed on operating costs; I focused on the increase in cremation and burial costs; I focussed on the increase in the Death Grant, I questioned that, I did actually say that the Death Grant was £592, Deputy Le Clerc corrected me and said it was well over £600. On the business case on page 8 it says the Death Grant is £592 so STSB have got it wrong.

1270 I also focused on the running costs, will the running costs be increased, and I would like an answer from Deputy Parkinson on that please, because if they do not have enough money in their budget to pay for the increase –

The Bailiff: This is becoming a speech, Deputy Lester Queripel.

1275

Deputy Lester Queripel: This is a question, sir, will they have to go to P&R –

The Bailiff: Well no, you cannot raise a question – you are on a point of correction – I said you could only speak if it was a point of correction. That does not entitle you to raise a question.

1280

Deputy Lester Queripel: I appreciate that, sir, but it is a question –

The Bailiff: Will you resume your seat, please, Deputy Lester Queripel. It is the second time now in this debate that you have raised points of correction that are not points of correction.

1285

Will you resume your seat.

Deputy Lester Queripel: I will, sir.

The Bailiff: Deputy Parkinson.

1290

Deputy Parkinson: Well, I digress to respond to that. The figure of £592 per cremation in the report is the 2017 figure which corresponded to the numbers of deaths and cremations. In other words all the data was for 2017 for consistency, as Deputy Le Clerc has pointed out to the Assembly, the rates for cremation have gone up. The Death Grant has increased and so on. That is why the numbers in the outline business case are 2017 figures.

1295

I will come back to the effect on operating costs later, but broadly speaking we would expect the new crematorium to be at least as efficient as the old one.

Then we came on to yes, we are still on Deputy Yerby's contribution where she said we should make the new facilities as accessible as we can. Yes, we want to do that and as I have said repeatedly there will be scope for adjustments at the design stage and we would welcome the input of Deputies Yerby and Hansmann Rouxel or any other Deputies who want to contribute at the design stage to refinement of the design. But the issue of course we have is that this is a crematorium on the top of a hill, and ultimately the topography of the site does compromise certain issues like accessibility. It is not a perfect site for a crematorium and we have made no bones about that at any stage.

1300

1305

Deputy Merrett asked why the STSB has only brought these proposals forward now. Well, the STSB was formed in 2016 and unfortunately suffered a hiatus for the first six months of its life due to the death of its first President. I became President in September 2016 and it has taken this long to produce the outline business case, do all the work we have done to bring a policy letter to the States. I do not think we have been unusually tardy about that, but the States' processes are very thorough and take time and so that is why we are where we are today. I might add that we were ready to bring this policy letter to the last States' meeting but were told not to in view of the other subject matter of that meeting.

1310

1315 The cremator reached the end of its 15 years life in 2017. Deputy Merrett was saying, 'Well, we
have lived with the risk of it failing, why can't we live with the risks of it failing for a bit longer?'
We are now beyond the end of the anticipated or originally planned life of the cremator, so the
risks of failing are increasing. Indeed it took six resets earlier this week to get the cremator up and
running this week, and the possibility of the thing failing completely obviously increases with time.
1320 I do not want to exaggerate or dramatise that point, but the reality is we are dealing with
equipment that is beyond its useful life and which already breaks down on a regular basis. So
when we say there is a possibility of a critical failure, without over-dramatising it, we mean that
there is a possibility that the thing will collapse completely.

1325 There is a discussion about or misunderstandings about how long a redevelopment at Le
Foulon would last compared with a new-build development somewhere else. I think people are
getting confused. There is a lifespan for the buildings and there is a lifespan for the cremator
equipment in the buildings. In both cases, under both of the options that we have looked at, the
lifespan of the buildings is anticipated to be 40 years. But the lifespan of the equipment within the
buildings is 15 to 20 years. That is just how long cremators last.

1330 So at some point during the next 40 years –, half way through, roughly speaking, the next 40
years – the cremator equipment, whether we go for a new build or at Le Foulon, the cremators will
have to be replaced again. What we are doing in the redesign of Le Foulon is making it possible to
do that. In other words, the access to the building will be adequate to allow the existing
equipment to be removed and for new equipment to be installed. That is unfortunately not the
situation we face at the moment where, as I mentioned earlier, the building was effectively
1335 constructed around the cremators and so there is no real facility for getting them out.

Deputy Tindall advises us that both options would require planning permission. Well, we know
that. She says Le Foulon is not the only option. Yes, we know that too. She says effectively there is
a risk that planning permission would be denied at Le Foulon. Yes, that is also true. What we are
saying is we think the risks of planning problems are higher around any new site than around the
1340 historic site that we currently use.

Deputy Gollop rightly highlighted the emotional cost of having to attend cremations off-Island
and that is a serious concern to us. With the single cremator that we have now, if there is a
catastrophic failure, the reality is people will have to leave the Island to deal with the mortal
remains of their loved ones. It is not just the financial costs for them of doing that, there is a
1345 considerable emotional impact, which plays on our minds.

He confirmed the DPA have not considered any planning application. This is good because
none have been made. *(Laughter)* He thinks the outcome of the Island – could it affect the Island's
attractions for immigrants and could affect the work of Locate Guernsey. I personally think that is
a little bit far-fetched. I do not think people in making their choices about where they are going to
1350 live actually often give much consideration to what might happen to their mortal remains after
they die.

I thank Deputy St Pier for his comments on the resource implications of the *sursis*. These of
course would be considerable because the terms of reference would be widened, we would have
to go back and score all of the potential sites against new criteria, and bearing in mind obviously
1355 the comments made in this Assembly. Fortunately for me it will not be me doing the work
because after this States' meeting, as you all know, I will be resigning as President of the States'
Trading Supervisory Board, so to an extent I am disinterested in the outcome of this *sursis*.
(Laughter) Members who have an interest in joining the Board of the STSB might want to reflect
on the implications of their votes today, *(Laughter)* because some future Board, whether the
1360 Ferbrache Requête is successful or not, the Board will be differently composed by the time this
comes back or this workstream returns to STSB and the new Board whoever it may be will just
simply have to cope with the consequences of the *sursis* if it is successful

Deputy St Pier was one of the first to suggest we move an amendment to clarify that
reasonable adjustments will be made at the design stage. I am very happy to do that if Members
1365 feel it would affect the outcome of the debate. I noted that Deputy Tooley placed considerable

weight on this and it might sway a few votes. I am afraid, however, that the reality remains that whatever reasonable adjustments can be made at Le Foulon it was always be a compromised site, and for many of the people who have expressed support for the *sursis* that will always be a stumbling block. We can talk about minibuses to go up the hill or ski lifts or whatever Deputy Roffey had in mind or other provision, and STSB has said all along that we are perfectly open to any of those discussions and we feel the right place to have those discussions is at the design stage. But if Members feel that it would actually affect the way they are going to vote on the *sursis* I am perfectly happy to move an amendment to confirm what we have said many times which is that we will consider any reasonable adjustments at the design stage.

To jump to Deputy Fallaize's later comments, of course it is very difficult for us to give you an estimate of the cost of those reasonable adjustments because we do not know what they are and we would have to do some research having clarified with Members what they considered to be reasonable. But those numbers can be obtained, they would have been obtained and supplied to anyone interested at the design stage in any event, and I reiterate that if making that pledge in the form of an amendment is something that would affect how people are going to vote, then I am very happy to move the amendment. I fear however that the fact that Le Foulon will always be a compromised site whatever you do with it is not going to change some minds, or is going to prevent some minds from changing.

Deputy Roffey did say that the *sursis* would delay the process considerably, and I agree with that assessment. I think we have put in this that we think a delay of one to two years is quite probable. It will obviously incur some extra costs which I cannot possibly comment on, or attempt to estimate.

Now Deputy Kuttelwascher commented on the time this has taken and said this has been an issue identified back in the days of T&R, which I think is true. The need to replace the cremators was identified in 2013, so it has been on the sort of risk register, if that is the right term, for a long time, and clearly if it had come to the Assembly back in 2014 or 2015 before the cremators had reached the end of their useful lives or estimated useful lives we would not be in the place we are now, and we would possibly have had more time to have the kind of discussions we have been having today and to tease out all the nuances that Deputies have been asking about today. But it did not happen, I do not know why it did happen, I was not even in the Assembly in 2013-14 so that is where we are. STSB, as I said in my opening speech, inherited this situation when we were formed in 2016 and as I have said earlier in this speech, I think we have brought the matter to the Assembly as soon as we reasonably could have done.

Deputy Trott comments that the funeral directors are of the view that Le Foulon is not an ideal site, and that is certainly true, and their view is well substantiated because it is not an ideal site and we do not pretend that it is.

Deputy Lowe said she does not think we should be put off by the risk that the current equipment could fail. Well, that is an assessment that each and every Member of this Assembly will have to make for themselves. All I can do as President of the STSB is point out to you the risk that the current equipment could have a catastrophic failure and the fact that there is no back up facility on the Island. If it does fail, incidentally, I am going to wash my hands of the consequences. That will be a decision for ... If it fails during the period that any reconsideration is taking place, I am going to wash my hands of the responsibility for that, that will be down to the majority in the Assembly.

Deputy Yerby: Point of correction, sir.

The Bailiff: Yes Deputy Yerby.

Deputy Yerby: Deputy Parkinson cannot absolve himself of the responsibility for the decision that is taken as a result of a policy letter that he has brought to the States.

Deputy Parkinson: I can absolve myself of a decision that is taken on a vote on the *sursis*, and that is what I would do.

1420 Now Deputy Prow asked whether the cremation service should be provided by the States at all and whether it could in effect be outsourced. Well that is an interesting possibility. Of course having the equipment there at the expense of the taxpayer does not mean that the States necessarily has to operate it, and having installed the equipment we could privatise that service if the States chose to do so. I think that the point we would make is that there are roughly eight
1425 cremations a week, and we doubt whether that would be a commercially viable business for any private sector operator. These crematoria in the UK which people are holding up as ideal designs etc. for cremation, the crematorium here would be doing typically 12 cremations a day. We simply do not have the volumes I suspect to form the basis of a viable private sector business. But certainly nothing we are being asked to decide today rules that in or rules it out.

1430 Deputy Soulsby says the outcome of the planning application is not certain. Well that is quite true, and says well, the dairy has old equipment and that could fail. That is also true and the STSB I suspect under its new Board will probably be coming back to the Assembly in the not too distant future with proposals to do something about the dairy, but I will not stray off into that debate now.

1435 What I would point out to Deputy Soulsby is that if the dairy equipment fails there may be a shortage of milk for a few days, if the cremation equipment fails Guernsey families are going to have to go off-Island for cremation services in Jersey or the UK I do not know where and actually the emotional impact and the personal costs and inconvenience to the families concerned I think cannot be compared with the cost of living on imported milk for a few days. *(Interjections)*

1440 So she said she was after a solution or she pointed out the solutions for 30 to 40 years, and I have referred to this before, the builds are supposed to last 40 years. Irrespective of whether this is on the Foulon site or any other site, the equipment within them will not last 40 years.

Deputy Soulsby: I thank Deputy Parkinson for giving way.

1445 I am just going to ask a question in regard to that. Although the building will last 30 to 40 years and he is quite right regarding the cremators lasting 15 to 20 years. Does he know whether after that 15 to 20 years there would be space for resomation facilities or would it have to be a cremator?

1450 **Deputy Parkinson:** I believe the answer to that would be that the Foulon site itself has very limited room for expansion and if the two cremators were replaced by two new cremators there would probably in my opinion not be additional space for resomation facilities on that site. But as I say, that is an off-the-cuff response and if she wants more detail on that, I could only try and obtain it for her.

1455 Deputy Le Clerc asked about the costs. She said what is the expected life of Le Foulon cemetery? Well, I can advise her that there are 377 plots unused in the existing cemetery and another 1,500 on the other side of the access road. So at the rate of interments at Le Foulon Cemetery and bear in mind it is not the only cemetery used for internments, there are 47 years' worth of graves available in terms of the 377 plots and if the other 1,500 plots on the other side of
1460 the access road are taken into consideration the life expectancy of Le Foulon Cemetery is very extensive.

She asked whether land could be purchased from the owners of Havilland Hall, which did make me smile because at one stage I owned the house next door to Havilland Hall and indeed bought my house from the previous owners of Havilland Hall, and I find it amusing to think what the
1465 reaction of those people would be to a request to buy part of their estate to build a graveyard on it. *(Laughter)* Anyway.

Deputy Meerveld says he is not against development in St Sampson's which I am pleased to hear, but somewhat surprised. So he is going to support the *sursis*. Well, okay, that will be an interesting conversation at the next election if he stands again. *(Laughter)*

1470 Deputy de Sausmarez wanted to change the criteria and says STSB have done a great job but evaluated against the wrong criteria. Fine, if this is the will of this Assembly that the criteria be adjusted as directed by the *sursis* then the future Board of STSB whoever that may be will have to go back and do all the work again against those new criteria.

1475 Deputy Fallaize doubted that there would be a better site effectively and said that the movers of the *sursis* have not proposed anything else that realistically looks more likely to succeed. Personally my gut political instinct is that building a crematorium anywhere else in Guernsey would encounter massive local opposition. (*Interjections*) So that is – Deputy Tindall.

1480 **Deputy Tindall:** Thank you, Deputy Parkinson, for giving way.

I would like to point out that all planning applications are dealt with according to the law and therefore representations are obviously listened to but only within the law. So public opposition of a planning application is a different matter to what is considered in this Chamber.

1485 **Deputy Parkinson:** Well indeed, but ultimately politicians have to be responsive to public opinion. I think it will be for a future States to deal with the public opposition which I think would undoubtedly arise to an alternative site, and I am sure Deputy Tindall will be there to lead the defence of the States' decision.

1490 Deputy Fallaize rightly said in my view, to some derision it has to be said from Members of the Assembly, that the STSB cannot be expected to include the entire outline business case in its policy letter. Now to me that is a simple and self-evident observation, and he says we should not become a committee of 40 to deal with every matter, every decision the States has to make. I agree with that comment entirely.

1495 He finally observed that this Assembly is likely to achieve very little in its term of office. I also agree with that observation. Part of the reason why we will achieve very little is because of the processes that we tie ourselves up in and the interest in scrutiny of every decision which the Assembly appears to possess. That is for Members to decide. How the public will view the decision taken today, if the public think that we should be capable of making a decision and getting on with it they may take an adverse view. But if Members think that going back relooking at all of this, and quite probably delaying a solution to Le Foulon problem until beyond the next election, if they feel that that is the right way to go about it, then that is the way they will vote.

1500 Now we have had a discussion about what would it cost to make reasonable adjustments, and it has been slightly circuitous. Yes, we have repeatedly said we are very willing to make reasonable adjustments. To some extent, we look to people like the Guernsey Disability Alliance to propose adjustments that could be made, and then we are very happy to go and consider how those could be effected and how much they would cost. If Members at that design stage want to know what options are being considered and how much each of them cost, then I am very happy to inform Members – well, I will not be doing it; someone else will – what the options are and what the bill would be.

1510 Deputy Brehaut says that Le Foulon is an attractive building in an attractive setting and I really think this point – I have emphasised it already – the Guernsey population is heavily emotionally invested in Le Foulon building, and removing the crematorium facility to some more industrial type of building in St Sampson's frankly is not going to be popular with any part of the public, (**Several Members:** Hear, hear.) never mind the neighbours of the building.

1515 He speculates that when if a future STSB comes back to this Assembly with proposals to build a crematorium in St Sampson's, in the Vale, in some other part of the Island, that someone will move an amendment to move the crematorium back to Le Foulon, and actually I am kind of with him on that. I think that is a highly likely scenario, and then we will have yet another flip-flop and the States will go slowly nowhere.

1520 So Deputy Tooley talked about an amendment. I have covered that. We are actually probably getting on towards lunch so I do not think I am going to have time in the lunch break to draft an

amendment but if Members strongly feel that with such an amendment they will vote against the *sursis* and support the original Propositions, then of course I have said I would be very happy to move that amendment.

1525 Deputy Leadbeater very accurately says the topography of the site cannot be overcome, and that is a simple fact. We can do anything reasonably possible on the Foulon site but it is a crematorium on the top of a hill, and quite a steep hill and that is not going to change.

Deputy Dorey referred to the weaknesses of the Foulon site, which we do not need to rehearse again, they are there that is a fact of life.

1530 Deputy Dudley-Owen was concerned by the extra time and costs that the *sursis* would entail, and she is absolutely right but I cannot give her any accurate estimate. We are saying this will delay the project by one to two years, that is a finger in the air estimate, but it is probably the best sort of number that we can come up with at this point in time.

1535 So there it is, Members, I do not think I can add any more. As I said at the beginning, the choice here is quite simple. It is: do we design the perfect crematorium and then decide where in the Island we want to locate it; or do we decide that we are going to work with the Foulon site and do the best we can with that site? I think it really is as simple as that. I think we can get diverted on a whole load of sort of academic exercises on what is the policy and should we provide alternative burial facilities for disposing of the mortal remains of the dead. Actually the reality is we will still need a crematorium somewhere and there are basically two options.

1540 So I would ask Members to oppose the *sursis*. I think we have made the arguments why we want to get on with redeveloping on the Foulon site very clearly. If Members choose to support the *sursis* and put the project back one to two years, then that is their decision, and a future Board of the STSB will have to deal with it. I think I can say no more other than to urge Members to support the original Propositions and reject the *sursis*.

1545

The Bailiff: Deputy Hansmann Rouxel.

Deputy Hansmann Rouxel: Thank you, sir.

1550 There has been a lot of debate, so I will try my best to solidify on a couple of points. One is that a lot of people have mentioned value for money and when I first approached this yes, it was about accessibility, but then looking at the business case there were elements of that which did not present value for money, and increasingly over the whole picture that that business case creates, there are elements that have not been assessed and therefore the process is flawed.

1555 What I tried to outline in my opening speech – and Deputy de Sausmarez did outline that point quite well – was that a lot of the work has been done on this operational level and those decisions have been made but we have not actually looked at value for money. Because value for money means that you need to look at costs, it means the consideration of the whole life costs and a couple of Members have mentioned this – Deputy Soulsby and her concern over the 15-year lifespan, the change of crematoriums. Deputy Ferbrache mentioned it and in the policy letter it mentions the 15-year and Deputy Parkinson has again alluded to that. But the whole life costs have not actually been calculated in the business case, because of the issues with the current site when it comes for renewal. If we go ahead with Le Foulon there are risks and mitigations that cannot take place and those costs cannot be quantified in a whole lifespan of 30 to 40 years.

1560
1565 Another part of value for money is that quality means meeting a specification which is fit for purpose and sufficient to meet the customers' requirements. Le Foulon through the business case does not meet its fit for purpose and it is not sufficient to meet the customers' requirements.

1570 The last part of value for money is that the saleability means economic social and environmental benefits need to be considered in the business case. We have heard again it is very skewed towards an economic case, the social and environmental benefits have not been given equal weight in the business case.

That brings me to the process and I am grateful to Deputy St Pier for arranging for me to have a meeting with the officers at STSB and I appreciate the work that has gone into this process. You

1575 can see it throughout the business case and that is not the issue here, and it is not about politicians meddling.

I was quite disappointed in Deputy St Pier's stance that we should just trust the process. The process here is flawed. The *sursis* would not have been necessary if the process was right.

1580 On the operation side, yes, those decisions have gone through the business process but there should have been more consultation with other Members of other Committees that hold policy responsibility, because you cannot expect STSB as an operational committee to reflect policy. But they made no effort (*Interjections*) – in a second – no effort to engage with other Committees through the process

I will give way there to Deputy St Pier.

1585 **Deputy St Pier:** Sir, I am grateful to Deputy Hansmann Rouxel for giving way, but I was rising to pose the question to her that does she not accept that that consultation can take place during the development of the detailed plans and the full business case before the project is actually signed off? There is plenty of opportunity for that to happen.

1590 **Deputy Hansmann Rouxel:** That is precisely my point. That is what the President of Policy & Resources believes and that the process that has brought us to this point has led to myself and Deputy Yerby looking at the business case, because initially we had looked at an amendment but looking at the business case there were far too many areas that had not ... There were gateways where policy should have been looked at which were missed, because it was only looked at from
1595 that business case from the economic side and the weighting there. Those gateways and that interaction with the parliament not coming and, as Deputy Fallaize alluded to, it is not about bringing it to the Assembly at that point it is about not working in silos, which we had an entire debate on, with the P&R plan. Now these elements of working within Government need to be addressed: if we are not having those policy gateways we will not always be bringing things back
1600 to the States. Those conversations between Committees and the expertise of those Committees and the policy directives of those Committees need to feed in to the process. So the process itself is what was flawed.

In response to one of Deputy Parkinson's allusions to if the *sursis* is passed, the resource implications could be considerable. We tried to engage with STSB to shape the *sursis* as
1605 constructively as possible and like other amendments we had been trying to engage with STSB but that is where Deputy Parkinson stands they would not help and the instruction to re-run the evaluation is written as non-prescriptively as possible in the *sursis* so that STSB is not forced to redo the work which can easily be re-used.

I might be a layman looking at that business case and the amount of work that is in there, the
1610 amount of evidence that is in there, if it is going to take that long to redo the work then I would say our processes are flawed to not be able to re-use work that has already been done. (**Several Members:** Hear, hear.)

Deputy Fallaize made quite a few points but there were lots of extra interjections. So I just want to get to the numbers. The very clear choice apparently we have is between £388 million and
1615 £7 million – £3.88 million rather, sorry; if it was that choice we would be out of here! Sorry, £3.88 million or £7 million. However, the £3.88 million has been worked and the numbers are far more accurate because they have got much more detail around – they have developed that. In the outline business case, it does refer to the fact that £7 million is very much an early estimate and we do not know the full costs. Yes it would be more, if we then start including an amendment for
1620 reasonable adjustments as Deputy Leadbeater had pointed out an engineering solution may be possible, but for all the other reasons that building elsewhere which has been looked at, at Le Foulon. They looked at ideas of just having the chapel moved elsewhere and to rebuild the cremator at the existing site and therefore taking out the accessibility issue because if they could find a flat place ... but building on a cremator, you are going to have the same problems with the

1625 reasonable adjustments that could be made, because you cannot build over the land where there are gravestones, and the engineering technical, how much would that cost to make it reasonable.

1630 Unfortunately there would be no trust that those adjustments would not be knocked out on economic grounds. So as the site exists and the business case shows, those are possibly the most adjustments that they can get. There are not any magic money boxes that are going to come out of that. If there was a genuine will to do something to radically alter the accessibility to that site, we would be looking at £2 million possibly, and therefore if you have got £3.88 million plus £2 million for reasonable adjustments, if you are adding on and you have got all these extra mitigations within the site, you start to build a picture that actually it is not value for money and it is not as simple as £3.88 million versus £7 million. The two values are very similar.

1635 One of the things I would just like to pick up on is in response to the possible critical failure, the idea that mourners would need to go off Island for a cremator. Well, we have been told that it is perfectly acceptable to say to somebody, 'Well, unfortunately Le Foulon is not accessible so you can use a different site, and there are many sites that you could use for the service and then the body will get taken to the cremator.' Yes, it is a slightly different thing to take it all the way
1640 overseas, but why is that so substantially different? When you weigh those two options up, when you start playing on people's emotions, that for me is a concern but it does not outweigh needing to re-evaluate the work that has been done.

1645 I will just see if there is anybody else. (*Interjections*) Those are the main points. Unfortunately I cannot go through everybody, but I recognise the value in the work that has been done, and I trust that the officers who have gained knowledge and experience through the process will be able to effectively re-evaluate the options, should the *sursis* be passed. So please vote for it. (*Applause*)

The Bailiff: We now vote on the *sursis motivé* and there is a request for a recorded vote.

There was a recorded vote.

Not carried – Pour 18, Contre 20, Ne vote pas 0, Absent 2

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Lowe	Deputy Fallaize	None	Deputy Le Tocq
Deputy Hansmann Rouxel	Deputy Inder		Deputy Oliver
Deputy Green	Deputy Laurie Queripel		
Deputy Dorey	Deputy Smithies		
Deputy Yerby	Deputy Graham		
Deputy Soulsby	Deputy Paint		
Deputy de Sausmarez	Deputy Brouard		
Deputy Prow	Deputy Dudley-Owen		
Alderney Rep. McKinley	Deputy de Lisle		
Deputy Tindall	Deputy Langlois		
Deputy Tooley	Deputy Roffey		
Deputy Gollop	Alderney Rep. Jean		
Deputy Lester Queripel	Deputy Ferbrache		
Deputy Le Clerc	Deputy Kuttelwascher		
Deputy Leadbeater	Deputy Brehaut		
Deputy Le Pelley	Deputy Parkinson		
Deputy Merrett	Deputy Mooney		
Deputy Meerveld	Deputy Trott		
	Deputy St Pier		
	Deputy Stephens		

1650 **The Bailiff:** Members, the voting on the *sursis motivé* was 18 in favour and 20 against I declare the *sursis motivé* lost.

Is there any request for debate then on the Propositions themselves?

Deputy Tindall.

1655 **Deputy Tindall:** Sir, as a member of the Development & Planning Authority I am unable to support the Propositions, not only because it refers to a specific site, but because the basis for the choice of that site is fundamentally flawed.

The Bailiff: Deputy Dudley-Owen.

1660

Deputy Dudley-Owen: Sir, I am not rising to speak, but Deputy Parkinson did offer if Members were in sufficient numbers to draft an amendment during the lunch hour. Now we are 15 minutes away from that and I just wonder if there is an opportunity for Deputy Parkinson to honour that offer. I suggest we broke early or...

1665

The Bailiff: Is it still your intention, Deputy Parkinson?

Deputy Parkinson: Sir, I am very happy to lay that amendment, but I have not drafted it.

1670

The Bailiff: Would it be sufficient time if you were to draft it over the lunch hour?

Deputy Parkinson: Yes, I imagine so, sir.

The Bailiff: Deputy Hansmann Rouxel.

1675

Deputy Hansmann Rouxel: If I could interject. – Deputy Yerby and myself anticipated problems with this and early on we had looked at an amendment which we would be happy to share with Deputy Parkinson, if he wants to lay it.

1680

The Bailiff: Well, perhaps you could do that over the lunch hour.

Just before I put to you the Proposition to adjourn, I am aware that the Alderney Representatives approached me first thing this morning to say that they have a choice, they either leave now by 12.15 p.m. they said or they will not be able to leave until I think it was Sunday, is that right? (*Interjections*)

1685

They had asked that before they leave, they would like to have the opportunity to vote on the amendment to alter the order of the Schedule of Business. So I am going to put to you that we adjourn this debate and we will vote on that, and then I will put to you a second vote that during this gap that we will have between our lunch time, we actually deal with the Schedule of Future Business. There will be two separate votes.

1690

I will put to you first that we adjourn this debate on the States' Trading Supervisory Board Replacing Cremator and Emissions Equipment until after lunch. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare that carried. So that debate is adjourned.

**Procedural –
To debate Schedule of Future business as next business –
Proposition carried**

1695

The Bailiff: I now put to you the Proposition that we debate now the Schedule of Future Business and the amendment that has been laid, and I just draw to your attention that under Rule 3(18) there are only two people who can speak on the amendment, that is the proposer of the amendment, who also happens to be the Lead Requérant, Deputy Ferbrache; and Deputy St

Pier is also able to speak but the Rules do not permit anybody else to speak and their speeches will be limited to two minutes each. So it cannot be a long debate.

1700 What I put to you is that we deal with that item now. Those in favour; those against.

Members voted Pour.

POLICE & RESOURCES COMMITTEE

IX. Schedule of Future Business approved

Article IX.

The States are asked to decide:-

Whether, after consideration of the attached Schedule for future States' business, which sets out items for consideration at the Meeting of the 26th June 2018 and subsequent States' Meetings, they are of opinion to approve the Schedule.

The Bailiff: Well, we move then to the Schedule of Future Business.

Deputy St Pier.

Deputy St Pier: Thank you, sir.

1705

The Bailiff: Do you wish to lay it before we lay the amendment?

Deputy St Pier: Yes I will, sir, if I may.

1710

Sir the order of the recommended schedule of business I think is, as ever, fairly self-explanatory. I think it is worth drawing attention to the fact that the substantive business includes the Committee for Economic Development's States of Guernsey Economic Development Strategy, which was obviously referenced during the Policy & Resource Plan debate on Tuesday and Wednesday and, in particular, this does provide the opportunity for the States to discuss at length, if it wishes, the Economic Development Strategy which was referenced by Deputies Langlois, de Sausmarez and Prow.

1715

Of course, Members will notice that the recommendation is that the Requête for the amendment of the Constitution of the States' Trading Supervisory Board is debated in September rather than in June, but I will defer further comments until the amendment is laid, sir.

1720

The Bailiff: Deputy Ferbrache, do you wish to lay the amendment?

Deputy Ferbrache: I do, sir, it is seconded by Deputy Dudley-Owen. Could I read it briefly, sir?

The Bailiff: Yes, and then you can speak for two minutes.

1725

Deputy Ferbrache read the amendment:

Amendment:

To insert the following at the end of the Proposition –

'subject to –

(a) inserting in paragraph (g) of that part of the Schedule headed "Items for Ordinary Meeting of the States commencing on the 27th June, 2018" immediately after the item entitled "The Libya (Restrictive Measures) (Guernsey) Ordinance, 2016" an additional item entitled "P.2018/47 – Requête – Amendment to the Constitution of the States' Trading Supervisory Board", and

(b) deleting in paragraph (g) of that part of the Schedule headed "Ordinary Meeting of the States commencing on the 26th September, 2018" the item entitled "P.2018/47 – Requête – Amendment to the Constitution of the States' Trading Supervisory Board".'

1730 **Deputy Ferbrache:** Sir, the issue is quite simple. We want to debate it three months earlier. We have heard from Deputy Parkinson that he is going to resign at the end of this meeting in any event. So there is going to be a changing of the seats, we are saying it is such an important committee/body – I do not think that was perhaps appreciated when the reforms were taken under consideration last time. We now know it is such a vitally important body it should be subject to the same number of States' Members as would be any other Committee and equally as
1735 with Education, as with Health, as with Policy & Resources, the States should be able to elect its President, whoever he or she may be, on the nomination and seconding of any Members of the States.

1740 **The Bailiff:** Deputy St Pier.

Deputy St Pier: Sir, yes the Policy & Resources Committee believe that a review of the governance of the States' Trading Supervisory Board is indeed timely. However, we wish to have the time to consult with the States' Assembly & Constitution Committee, the Committee *for* Environment & Infrastructure and the Committee *for* Economic Development. We have not yet
1745 had the opportunity to do that, and to obtain their views or to meet with them. So we believe that the review is timely but it is not urgent. I think I would just quote from the STSB's letter of comment to us which has been circulated to Members.

Policy & Resources Committee undertook to review the States' Trading Supervisory Board its constitution once it had been sufficiently bedded in. I can confirm that my Board is of the view that the review is now timely after some 19 months. However, rather than that review being carried out by the STSB and the Policy & Resources Committee or through a Requête my Board is of the view that it should be more appropriate for it to be carried out by SACC, given its duties and powers and in the context of a wider review of the Committee Board and Authority constitutions. This would allow for a proper measured and objective analysis of the facts that can be laid before the States.

1750 We do feel we need further comment from the other Committees before the States debates the Requête and therefore urge Members to reject the amendment.

The Bailiff: We go to the vote on the amendment. Those in favour – *(Interjections)*
Just for clarification, Deputy Dudley-Owen, you do formally second the amendment, do you?

1755 **Deputy Dudley-Owen:** I do indeed, sir. Yes.

The Bailiff: You have no right to speak.
We will have a recorded vote on the amendment.

There was a recorded vote.

Not carried – Pour 19, Contre 19, Ne vote pas 0, Absent 2

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Inder	Deputy Fallaize	None	Deputy Le Tocq
Deputy Lowe	Deputy Smithies		Deputy Oliver
Deputy Laurie Queripel	Deputy Hansmann Rouxel		
Deputy Green	Deputy Graham		
Deputy Paint	Deputy Dorey		
Deputy Dudley-Owen	Deputy Brouard		
Deputy Yerby	Deputy de Lisle		
Deputy Prow	Deputy Langlois		
Alderney Rep. Jean	Deputy Soulsby		
Alderney Rep. McKinley	Deputy de Sausmarez		

Deputy Ferbrache	Deputy Roffey
Deputy Kuttelwascher	Deputy Tindall
Deputy Gollop	Deputy Brehaut
Deputy Lester Queripel	Deputy Tooley
Deputy Leadbeater	Deputy Parkinson
Deputy Mooney	Deputy Le Clerc
Deputy Le Pelley	Deputy Trott
Deputy Merrett	Deputy St Pier
Deputy Meerveld	Deputy Stephens

1760 **The Bailiff:** Members, the voting on the amendment was 19 in favour and 19 against, it is a tied vote and therefore I have to declare it lost.

So we then vote on the Schedule for Future States' Business unamended. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

We will rise and resume at 2.30 p.m.

*The Assembly adjourned at 12.25 p.m.
and resumed its sitting at 2.30 p.m.*

**VII. Replacement Cremator and Emissions Equipment –
Debate continued –
Propositions carried as amended**

1765 **The Bailiff:** Well, Members, over lunch there has been circulated an amendment to be proposed by Deputy Parkinson and seconded by Deputy Smithies.
Would you like it to be read, Deputy Parkinson?

Deputy Parkinson: Yes please, sir.

1770 **The Bailiff:** Greffier, could you do that.

The Senior Deputy Greffier read the amendment.

1775 **The Bailiff:** Deputy Parkinson.

Amendment:

To insert, after Proposition 2, the following Proposition:

'3. To direct the States' Trading Supervisory Board to consult with stakeholders (including disabled people's and older people's representative groups) to develop and put in place, before the implementation of Option 1, a full plan of measures to mitigate the disadvantages of the Foulon site, especially in respect of accessibility. Such plan may include physical adaptations to the site, and/or other appropriate adjustments (such as, e.g., the provision of an on-site shuttle service for mourners).'

Deputy Parkinson: Thank you, sir.

Well, these fine words are not my words, although I have adopted them. The amendment was drafted by Deputies Hansmann Rouxel and Yerby. So I think the meaning of the words should be pretty self-explanatory, and I hope we do not need to have very much debate on this, sir.

1780

The Bailiff: Do you formally second the amendment, Deputy Smithies?

Deputy Smithies: I do, sir, yes.

1785 **Deputy Kuttelwascher:** I would like to invoke Rule 26(1) and go straight to the vote on this, please, sir.

The Bailiff: Does anyone wish to speak on it? Four.
Do you still wish to invoke Rule 26(1)?

1790

Deputy Kuttelwascher: I will give it a go. Yes, sir.

The Bailiff: Okay. I put to you the Proposition that debate on the amendment be closed. Those in favour; those against.

Members voted Contre.

1795

The Bailiff: Well, I think that is lost, unless you are going to call for a recorded vote.

Deputy Kuttelwascher: No.

The Bailiff: I will call first Deputy Ferbrache, he was on his feet.

1800

Deputy Ferbrache: Well, sir, I am sorry to have to say it but out there in the public when you look at the ordinary people, this kind of amendment brings this Assembly into disrepute. Because wouldn't this have been part of the normal process anyway when the matter went before the Planning Authority for consideration and general discussion?

1805

So, I am not going to vote for it. I am sure it will be passed overwhelmingly but it is an absolute nonsense. We have rejected by a narrow margin a *sursis*, we were faced with a simple decision of whether we approved the Trading Supervisory Board's provisions or not, and if we did not we would end up probably in the next two or three years with no working crematorium. We have this lovely building that has been there for 90 years that is part of Guernsey's fabric, but would not be able to operate it and people would have to be cremated in Jersey or England or wherever.

1810

So these are meaningless words, I have to say sadly, because they would have been part and parcel of the process anyway. I know it is tokenism and I am against tokenism normally, but I cannot vote for something that is nonsense.

1815

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

1820

I am not really going to speak to the amendment as such. It is just I have noticed a theme surrounding this whole debate. We were talking about the access to Le Foulon Cemetery and people have always been referencing disabled people and access to Le Foulon Cemetery, but it is not every disabled person who has got mobility issues. I just think the language, the terminology has been wrong. We should be referencing people with mobility problems, not specifically disabled people. That is just the point I was trying to make.

1825

Thank you, sir.

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

1830 Sir, I am not sure if I can support this amendment, even though I am sure Deputy Parkinson and Deputy Smithies have laid it with the best of intentions. But the reason I do not think I can support it is because of the way it is worded it does not give me any confidence that the concerns regarding the costs I referred to in my speech during the debate on the *sursis* will be addressed. I appreciate it says in the amendment:

'to develop and put in place... a full plan of measures to mitigate the disadvantages of the Foulon site ...

1835 But then it goes on to say:

... especially in respect of accessibility.

I guess it could be argued by saying to mitigate the disadvantages of the Foulon site may well mean my concerns about future costs will be addressed at some stage in that consultation, but there is no guarantee of course that they will.

1840 I suppose in fact it makes perfect sense for me to ask that question of Deputy Parkinson. So I will do that, sir. The question to Deputy Parkinson is this: will my concerns about the possible increase in future cremation and burial costs, my concerns about the possible increase in Death Grant; and my concerns regarding the possibility of STSB needing to go to P&R to ask for an increase in their budget to cover any increase in running costs. Will all of that be addressed in this consultation?

1845 I fully understand, sir, that when he responds Deputy Parkinson could say I could submit my views and concerns to STSB during the consultation period and it will be considered. But the reason I am asking is because we were told in the business case that any possible future increases in the costs of cremations and burials and the Death Grant went beyond the scope of the business case.

1850 So I am in need of clarification and assurance on those points, sir, please from Deputy Parkinson when he responds. If he is unable to give me that clarification and assurance, then as I said in my previous speech I am not in favour of voting for something in the hope that it may happen.

1855 I would also like to hear Deputy Parkinson's views please on whether or not STSB will need to go to P&R to ask for an increase in their budget in the not-too-distant future.

Finally, sir, I realise again I might be missing a fundamental point somewhere along the line and I apologise if I am, but there is no reporting date on this amendment, so I just wonder if Deputy Parkinson could say, will STSB be reporting back to the Assembly with the results of the consultation and when will that be?

1860 Thank you, sir.

The Bailiff: Deputy Gollop.

Deputy Gollop: Yes thank you, sir.

1865 Of course this has the nature of an amendment drawn up in haste that would not have had necessarily the benefit of detailed discussion or consideration. It just says of course that the STSB would wish to:

... put in place, before the implementation of Option 1, a full plan of measures to mitigate the disadvantages of the Foulon site ...

It clearly recognises those disadvantages, particularly

... in respect of accessibility. [which] may include physical adaptations to the site, and/or other appropriate adjustments (such as, e.g., the provision of an on-site shuttle service for mourners).

1870

Whether that be a lift or a minibus or a mini-taxi or whatever, we do not know.

1875 Now clearly the physical adaptations to the site and other adjustment might have an implication for parking provision of some kind and it might also have an implication of the aesthetics of the site. So certainly any discussion the STSB has already had with planning officers will be materially changed by, I would assume, the acceptance of this amendment.

On the grounds that I speak up like many Members to aid the lives of elderly and disabled and other people who might need assistance, I will support this amendment but leave options open for the final policy letter.

1880 **The Bailiff:** Deputy Graham.

Deputy Graham: Thank you, Mr Bailiff.

1885 To a certain extent, I share Deputy Ferbrache's view that this amendment is really otiose, or if it is not, it should be really. There should not really be any need to do it. But I would ask him to reflect on his decision to vote against it for that reason.

1890 When you look at Guernsey historically we have always prospered as an Island by being fleet of foot, pretty nimble in our response to events and certainly decisive. Historically that is the case, but here am I an Englishman arguing that actually Guernseymen and Guernseywomen should do less of the propagating the theory that they are slow to change, because when you look at it historically Guernsey has always been very quick to adapt. But in recent years I think we have become more and more the victims of process. I have used the phrase 'paralysis by process' before in the States and I think we have had an example or a near example of that today.

1895 I would say to Deputy Ferbrache and to other Members of the Assembly that I regret that the process this time has involved a policy letter and then a *sursis motivé* which has been defeated and then rather than go to the unsursised original Proposition we have to come up with, what I think and I agree with you is an otiose amendment. But it is there. Having gone through the process, let's not now say no merely because we have been through it. We have been through the process: let's take advantage of it and get on with it.

1900 **The Bailiff:** Deputy Lowe.

1905 **Deputy Lowe:** Mine is just a query please, sir, following something that Deputy Gollop said. I think he said when the report comes back. When I read this I do not think it is coming back, I think it is a case of this is approved and it is across to States' Trading Board and indeed Policy & Resources, once you approve it today. I need some clarification please from Deputy Parkinson how I have read it or if it is definitely coming back. I would appreciate an answer to that, please.

The Bailiff: Anyone else?
Deputy Hansmann Rouxel.

1910 **Deputy Hansmann Rouxel:** Thank you, sir.
I will be very brief.

1915 I will be voting for this amendment and then voting against Proposition 1 and 2 in the letter. It is just adding a Proposition. Yes, it is just doing what should be done already. However, these things were not done during the process, so even though there were assurances from Deputy Parkinson that during the design phase they would look at making it more accessible they have not fully consulted with the appropriate stakeholders through the process and found these through the process.

1920 So just having that direction, that little extra nudge that this entire debate has not been for nothing.

The Bailiff: Deputy Parkinson will reply.

Deputy Parkinson: Thank you, sir.

1925 So Deputy Queripel wanted various assurances, the background being that we will under the terms of this amendment develop a full plan of measures to mitigate the limitations of the Foulon site, and if it satisfies his curiosity on this point, we will obviously cost those measures and we will need approval from P&R to incur the expenditure that may be required.

1930 At this point I cannot say what the value of those additional measures might be and whether P&R do have delegated authority under their mandate to vary the amount of the capital vote by a certain amount. I would hope we will be within that and that the additional costs will be within their approval limits. I guess if theoretically the additional expenditure was outside their approval limits they would need to bring the matter back to the Assembly. I assume that is the Rules. Certainly as long as we are within the approval limits, I would not expect us to be coming back to the Assembly for approval of the additional expenditure and that also answers Deputy Lowe's question on that point.

1935 So I hope that satisfies Deputy Queripel. We will obviously engage with all stakeholders, we have already engaged with stakeholders extensively. At the top of page 6 of the policy letter you will see that consultations have been undertaken with key stakeholders including funeral directors and with the full benefits and risk workshops run by external specialists. That has already been done, but we will consult again with everybody who we think has an input including, as the amendments says, representatives of the disabled and elderly peoples bodies. So I hope that answers Deputy Queripel's question I think it is the most complete answer I am able to give him.

1945 **The Bailiff:** We vote on the amendment proposed by Deputy Parkinson, seconded by Deputy Smithies. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.
Then that brings us to general debate.

1950 **A Member:** I assume, sir, that my speech earlier will stand in *Hansard*, I do not have to repeat it.

The Bailiff: No, you do not have to repeat yourself. Certainly not.
Deputy Dorey.

1955 **Deputy Dorey:** Thank you, sir.

I made a point in the debate on the *sursis* and it was not replied to by Deputy Parkinson, so I would just like to ask it as a question, where I was reading from the risks and the weaknesses of the Foulon site, where it said:

... the crematorium may be required to close for a period of time, so there would be a loss of revenue as a result of costs and inconvenience by diverting cremations to alternative locations.

1960 As a lot of the debate was on the risk of failure and it closing due to that for a period of time, can he confirm whether the design done so far will involve it closing or not?

Thank you.

The Bailiff: Deputy Ferbrache.

1965 **Deputy Ferbrache:** I am now concerned. I will be voting for it as amended, even though I did not accept the invitation put forward by Deputy Graham, because a nonsense remains a nonsense and I am not going to vote for it just as a compromise. But I will vote for the amended Proposition.

1970 But what I would like to know from Deputy Parkinson when he sums up is: we were told a cost
of £3.88 million as the upper cost, bearing in mind the successful amendment which should have
been encompassed anyway in the planning process that will have to be gone through, are we still
looking at £3.88 million or are we looking at something more than that? And are we still looking
at the same timeframe so that we can get the crematorium up and running with its new kit in
1975 good time before it breaks down on a permanent basis? Is that going to be expanded?

The Bailiff: Any further debate? No.
Deputy Parkinson.

1980 **Deputy Parkinson:** Thank you, sir.

Well, in response to Deputy Dorey, yes of course there is a possibility that if the cremator is out
of action completely during the process of building the new facilities that there may be a period
when cremations have to take place off Island. That I think is inevitable. Once the new facilities are
constructed of course we hope that they will be very resilient because there will be two cremation
1985 chambers and normally if one of them is out of action for any reason, including routine
maintenance, the other one should be able to cover for it. So if there is a risk of people having to
have their cremation ceremonies performed off Island I hope it will be a temporary one and we
will manage that situation as best we can.

In response to Deputy Ferbrache, yes, I very much hope that the total cost of the project will be
1990 unaffected by the amendment. As he rightly says we were going to consult with people anyway
during the design phase and the cost of doing that is factored in, so I am hopeful that we will not
end up with a significantly larger bill than £3.88 million, which is a figure which obviously will
include some contingency anyway.

At this point when we do not know what the mitigations may be that are introduced into the
1995 design, it is not possible for me to give an absolute assurance that the costs will not increase. If we
find that it is necessary or desirable to do some very expensive work in mitigation then, as I was
saying earlier, the costs might go over the £3.88 million and we would be relying on the delegated
authority of P&R to sanction the overspend.

2000 **The Bailiff:** We vote now on the Propositions. If I heard Deputy Hansmann Rouxel correctly
she wants to vote against 1 and 2 and for 3. So I propose to put Propositions 1 and 2 to you
together, unless anyone requests differently.

Deputy Lester Queripel?

2005 **Deputy Lester Queripel:** Recorded vote, please, sir.

The Bailiff: A recorded vote. So we have a recorded vote on Propositions 1 and 2, which are
the original Propositions.

There was a recorded vote.

Carried – Pour 25, Contre 10, Ne vote pas 0, Absent 5

POUR

Deputy Fallaize
Deputy Inder
Deputy Lowe
Deputy Laurie Queripel
Deputy Smithies
Deputy Graham
Deputy Green
Deputy Paint
Deputy Brouard
Deputy Dudley-Owen
Deputy de Lisle

CONTRE

Deputy Hansmann Rouxel
Deputy Dorey
Deputy Yerby
Deputy Tindall
Deputy Gollop
Deputy Lester Queripel
Deputy Leadbeater
Deputy Le Pelley
Deputy Merrett
Deputy Meerveld

NE VOTE PAS

None

ABSENT

Deputy Le Tocq
Deputy Oliver
Alderney Rep. Jean
Alderney Rep. McKinley
Deputy Mooney

Deputy Langlois
Deputy Soulsby
Deputy de Sausmarez
Deputy Roffey
Deputy Prow
Deputy Ferbrache
Deputy Kuttelwascher
Deputy Brehaut
Deputy Tooley
Deputy Parkinson
Deputy Le Clerc
Deputy Trott
Deputy St Pier
Deputy Stephens

2010 **The Bailiff:** The voting on Propositions 1 and 2 was 25 in favour with 10 against. I declare them carried.

Then Proposition 3, the Proposition inserted as a result of the successful amendment from Deputies Parkinson and Smithies. Those in favour; those against.

Member's voted Pour.

The Bailiff I declare it carried.

STATES' TRADING SUPERVISORY BOARD

VIII. Optimising the Use of the States' Land and Property Portfolio – Propositions carried

Article VIII.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Optimising the Use of the States Land and Property Portfolio' of the States' Trading Supervisory Board dated 26 April 2018 they are of the opinion:

- 1. To agree that the future operating model for the management and administration of States land and property shall be such that the States' Trading Supervisory Board acts as Landlord (unless there is a good reason for it not to do so) and the Policy & Resources Committee the Tenant, on behalf of itself and other Committees of the States as Occupiers.*
- 2. To note the intent of the States' Trading Supervisory Board, over the course of a two year transitional period, to develop and adopt a new operating model for land and property (to include that described in Proposition 1) within its Estates Plan, with the purpose of rationalising and optimising the management and administration of land and property owned and leased by the States.*
- 3. To note in particular the intent of the States' Trading Supervisory Board in connection with the foregoing, to clarify the distinct roles and responsibilities, in respect of property services, of the States' Trading Supervisory Board, the Policy & Resources Committee, and other States Committees.*
- 4. To delegate authority to the Policy & Resources Committee to approve funding from the Transformation and Transition Fund of up to £1 million to facilitate the work set out in Propositions 1 to 3.*
- 5. To note the intent of the States' Trading Supervisory Board to return to the States of Deliberation at the end of the two year transitional period to-*
 - (a) update the States on progress achieved, and*

(b) seek approval for any mandate changes that are necessary as a result of the foregoing Propositions and that cannot be made by other means.

2015 **The Senior Deputy Greffier:** Article VIII – States’ Trading Supervisory Board – Optimising the Use of the States’ Land and Property Portfolio.

The Bailiff: This is becoming the Parkinson show. I call Deputy Parkinson. *(Interjections)*

2020 **Deputy Parkinson:** Not Michael Parkinson, sir. But anyway.

This venerable building in which we sit today was built around 1800 and it is one of the protected buildings which, as part of over 2,000 sites owned by the States, makes up our property portfolio.

2025 Like all States’ properties it requires constant upkeep and regular expenditure to function efficiently. The management, operation and servicing of all of our built assets, both now and in the future requires considerable change to face the demands of the 21st century. This must however be change for the better and not just change for its own sake.

2030 The evolution of a better system of managing our property assets to optimise our Estate has been slow progress. Despite efforts over recent years to bring clarity and regularise the management and maintenance of our property assets this remains an area in which much still needs to be done.

2035 As many Members will be aware during my previous term of office in 2009 as Minister of Treasury & Resources my Department brought a corporate property plan to this Assembly. This document was a high level plan which set out the direction for corporate good practice in construction and property management.

Whilst this set the direction of travel and you will recognise some of the terms from this in today’s policy letter such as space and cost standards, target budgets and notional rental charging, how, when and who will implement many of these changes still needs to be developed.

2040 Within the body of this policy letter you will see references to a more commercial focus for the States’ numerous and varied property assets. A commercial approach can mean different things to any of us. It can cover running a business, profit making, sales, trading and being customer focused.

2045 For the States of Guernsey too it means many things. As well as owning and caring for 12% of all the land in the Bailiwick, the States must balance a stewardship for its land and property role, maximise value of the assets rather than always looking for immediate financial returns, and wherever applicable and appropriate enable and assist the delivery of States’ policy priorities.

This policy letter has been brought to the Assembly to build on previous work which covered the setting up of a property asset register, a condition survey, and set the scene for individual asset performance analysis.

2050 In the next stage of developing our understanding and use of our assets we are starting to appreciate that to provide a better service we need to be more business-like in our recognition and delivery of property services. High achieving businesses whether they be providing goods or services put customers at the centre of their strategic planning. After all they are both judge and jury on the quality of service delivery and customer experience they receive. This is why we need to establish roles and responsibilities for our built assets and ensure these service needs are delivered at best cost and to best advantage.

2060 Because we are better at managing our assets than say 10 years ago does not mean we have achieved best. This policy letter covers the areas my Board believes will be of greatest benefit and shape the changes that are required to achieve best fit for our property delivery once the proposed two-year programme of work has been carried out and the outcomes of this work integrated into our working practices.

To achieve a greater return from the States' property assets my Board strongly believes we need the commitment of the Members of this Assembly. Without it we can only edge forward with little discernible progress or meaningful changes.

2065 Prior to bringing this policy letter to the States for your consideration there have been more than two years of research and investigation into how other similar jurisdictions manage and deliver their property portfolios.

My Board then joined with the Policy & Resources Committee to form a joint steering group which examined the work required for changes, including the drafting of an Estates' plan. Deputy Victoria Oliver was also invited to be a member of this group due to her professional expertise as a chartered surveyor.

2070 Having assessed the work needed to deliver the workstreams my Board decided that the amount of work required to carry out detailed further analysis and design of a better method of managing and administering our assets was way beyond that of business as usual, and that States' Property section staff could not absorb this additional demand on their day-to-day resources.

2075 So in addition to the outline of our work so far we have brought to you today, we have also covered the scope of work and resources needed to develop this far reaching project. The results will lead to the design and implementation of a new operating model for the delivery of property services for our portfolio.

2080 Change is never easy, often resisted, and occasionally dismissed as the latest fad, or yet another attempt to try and upset the *status quo*. Whilst we will try to minimise any negatives change will not be without cost, with the consequent impact on both current resources and the requirement to enhance for a limited period of two years the existing Property Services staffing.

To ensure that all Members appreciate the scale of the work required I specifically wanted to provide further details on the uses to which these funds of up to £1 million will be directed.

2085 Within the projects to be addressed the task were broken down into six main areas, referred to in the policy letter. All the strands of work are important, most are linked, some are interdependent and all have been analysed according to their priority and synergy.

2090 The workstreams will be delivered by a team of up to seven dedicated officers appointed for varying lengths of time on limited contracts over the two year span. When and where required there will be the need for specialist consultants to be employed for short term projects. Such as the examination of facilities management service design standards.

The primary bedrock study will cover data recovery and analysis. Whilst we currently have various amounts and levels of details of data on our properties it needs, collecting, collating, analysing and utilising as a States' wide resource.

2095 Data improvement includes collecting details for every major building we own to produce a property performance report rather like an end-of-term school report with value-for-money costs included. This will form the basis for comparison of the buildings, related costs and efficiency and crucially on its fitness for purpose.

2100 With added costs and values into our detailed information collection together with the updated conditions survey, maintenance backlog, maintenance needs, we can use this snapshot of our property assets to make significant decisions on the use of property in an appropriate manner, supported by the evidence we will hold within our data systems.

2105 The need for data to support investment in the portfolio is well illustrated by the current backlog maintenance requirement, which was shown by the completion of a five-year rolling programme of re-surveys of all the properties to have increased over the last five years from around £30 million to over £40 million as elements of the properties continue to degrade prior to replacement and other elements become unviable in the interim.

2110 Currently too many bodies are involved in property matters, so work tends to be largely uncoordinated which leads to some inefficient use of buildings. However, the issue which needs to be addressed as a matter of urgency is that the current system does not encourage preventative maintenance and some buildings have been allowed to fall into disrepair. This is illustrated by the increase in the backlog maintenance estimates.

2115 The need for clarity of responsibility is an accountability for all proper functions is all the more important to the proper running of the Estate, given the effects of neglecting to carry out repairs and refurbishments in a timely manner.

2120 We also need to investigate the way we use our properties throughout the States' portfolio. Applying modern space standards is work in progress. You are all aware of the moves which freed up two buildings, Grange Road House and the Income Tax Building on Cornet Street, and increased the use of and improved facilities in Sir Charles Frossard House and Edward T Wheadon House.

2125 There is more to do in developing the tools and techniques for space analysis and usage for all our core properties. This needs to be extended to all buildings utilised by the States for general use. Core service specialist use properties such as schools and the Hospital will be the subject of further discussion and agreement with the relevant Committees.

2130 There are also many opportunities within the current portfolio that could and should be explored in a prioritised timescale, where both efficiency and cost savings could be made subject to resources and being able to investigate and implement the findings. These have been structured into an opportunities register which will be overseen by an opportunities management group run by the States' Trading Supervisory Board in conjunction with the relevant Committees.

2135 However, improvements must genuinely provide benefits not just financial benefits. We also need to improve the service delivery and recognise the public facing aspect of the service we provide in supplying and maintaining property and land to the States, residents and visitors to our Island by supporting and enabling the provision of amenities on the Island.

2140 In terms of managing and administering our Estate it is imperative that the landlord/tenant/user occupier roles are recognised and the responsibilities that accompany these roles are understood and actioned by the relevant parties. We have outlined and illustrated these distinctions within this policy letter.

2145 The value of our Estate is intrinsically limited to the bricks – or perhaps granite in many cases – and mortar of our buildings, and also the land we own. However, few of our buildings currently have any value attributed to them when considering their use or when accounting for our assets, apart from an insurance rebuild sum. This needs to change so that current fair value is reflected within the amount invested back into the maintenance of our property.

2150 Commercial returns from many of the properties we hold purely for the income that they generate have been doubled in the last 10 years from around £1 million to more than £2 million of revenue per annum. We are determined to ensure that the portfolio works harder for the Bailiwick and that these returns continue to grow and that risk is managed. This will be done by investigating the rebalancing of the portfolio and setting up the infrastructure to actively seek out new innovative ways of financing property projects and utilising public initiatives such as joint ventures to develop land and buildings that would otherwise have to wait to be prioritised.

2155 By utilising upgraded data and streamlining and improving our property management systems we intend to also increase and enhance our master planning and focus the co-ordination on amenity development; areas such as La Vallette Bathing Pools are a prime example of the States and the third sector working together for the public good.

2160 Developing and managing all these workstreams I have outlined is a big task. In our investigations we broke down the projects required into the six main areas of action and these workstreams are further subdivided into specific often co-dependent tasks. Each action area represents a major project. Carrying out this programme of projects is not for the feint hearted and also is far above and beyond any resources currently available within the States' Property Services.

2165 Over the preceding years the emphasis has been on retaining a core staff within this section to provide the day-to-day, business-as-usual services of property and facilities maintenance and management. Indeed if we did have the spare scope, skills and capacity to carry out this two-year work plan we would not have been working at maximum efficiency within the property section over the past few years. Therefore it is the requirement for temporary additional staff to augment

those already within the section and backfill if necessary that will require the bulk of the funding requested.

2170 Within the two-year duration of this work the shape and structure of the most appropriate target operating model will be evaluated and developed in parallel with the emerging results from the workstream projects. To deliver the more commercial approach to the portfolio management, it may be that a suitable trading model, which could be called Guernsey Real Estate, will emerge. Whatever the best fit model is decided, it must align with the policies and vision of the States set out in the Policy & Resources Plan.

2175 What is clear to all of us involved in the investigations into the performance of our property is that a more commercial approach to asset management is vital to attain best practice and a better return from our Estate. It is only by knowing the costs, what they are and where they are incurred that value for money can be obtained for expenditure and the worth of assets, services and goods provided by the Bailiwick that the States will be in a position to use this information to best serve the people of Guernsey.

2180 Knowing the true costs of our buildings will not only help us to provide accommodation appropriate to the services we provide, but it will also identify buildings that are unsuitable or for which there may be better alternative uses within or outside the public sector.

2185 There is no getting away from it: good property management and maintenance is expensive. However, bad property care is much more expensive, and has many more widespread repercussions than simply the degradation of our property assets.

I encourage you to help us to support our Island's property assets, and show your support for what we are trying to change, the way in which we propose to change it, and to approve the necessary resources to do this.

2190 In summary, the States' Trading Supervisory Board is committed to obtaining a better return from the States' land and property assets. To do this requires change. To ensure the most suitable method of dealing with the implementation of change requires work over and above business as usual. This needs resources over a two-year timescale to investigate, assimilate and implement the changes that will best suit the needs of the States. This is a more commercially and customer focused delivery of property services through the development of a new target operating model for this function.

Please, I ask Members to give us their support to do this and the tools to get on with the job.
Thank you, sir.

The Bailiff: Deputy Ferbrache.

2200 **Deputy Ferbrache:** Sir, I like the use of the word, 'commercial'. I like the ethos to try and increase the return for the value of States' assets. Of course I like all that, because although money has got absolutely no intrinsic merit in itself, it allows the States of Guernsey, if it spends that extra money wisely, to build better schools, to provide better pensions to give better hospital facilities and all the other things that we want in a diverse society such as ours.

2205 But what we are being asked to do is to approve the expenditure of up to a million pounds to employ seven more people, on short-term contracts as Deputy Parkinson has explained, to create a bureaucratic, ineffective quango – because that is what we are asked to create.

2210 Now there is no criticism of ... well, there is criticism of the States' Trading Supervisory Board in bringing something that is just – which I assume may well be passed – but we will spend a million pounds or so of public money and create bureaucracy and achieve no purpose, when that purpose which is commendable, to enhance, to do good property management, and to realise the sale of certain States' assets that are no longer needed both in the short term, the medium term and the long term, and that is a commendable aim. That is where I criticise them.

2215 Where I do not criticise them – because they have only been in existence for two years as a body – but where I criticise the States, not necessarily this States; the States, to use a phrase that I use, going back donkey's years for the poor, pathetic, inept management of States' property. (A

Member: Hear, hear.) I am sorry, I know you are not supposed to criticise, you are never supposed to mention the phrase 'civil servant' and criticise them, you are not supposed to do that because that is beyond the pale. But we have had civil servant after civil servant over a period of time, and we have had politician after politician and States' Assemblies after States' Assemblies over a period of time that have been grossly inefficient, grossly negligent and grossly useless in connection with managing the States' portfolio of property.

Now we cannot ... just because it has been useless, negligent and whatever else, whatever other adjective I have used, over a period does not mean you can let it continue. You have got to improve it, but you do not have to create a bureaucratic miasma at great public expense to improve it.

Now the States – I think I have read somewhere – and we have had a lot of figures bandied round in different things over the last two or three days, so if I have got them wrong I apologise, but we are told that the value of the States' property portfolio is about £2½ billion. Deputy Trott is either showing me a finger or telling me it is going upwards, so I think he is telling me it is going upwards. It is a lot of money, but most of that, although we need to have it, is not commercial property in the sense that the average person would think about. We need schools, we need hospitals, we need police stations, we need offices where our civil servants can carry out their tasks, but they are not really commercial properties, because we are not by and large – certainly not the hospital and the schools etc. – we are not going to sell them. They have to be administered.

The actual core property that we have opportunity to see is significant but it is much less than £2½ billion. I am not even going to guess whether it is £100 million, £200 million, I have got no idea. What I do know is that the aspirations expressed in this policy letter are pretty limited because it talks about sales and long leases over the next several years of £10 million. Now that is a lot of money but it is not a lot of money in the context of what we are going to do. So we are going to create something, a bureaucratic thing which is going to administer these things and is going to tell us what we are going to do and it is going to emerge from the ashes in two years' time into some credible body.

Now our property portfolio falls down into various categories, and if I miss some of them I apologise. We have got the amenity properties, if I can call it that, which will be like parks, roads, things such as that. They are never going to be sold but they need repair and maintenance, and they need progression and development in due course depending on where they are.

We have very important functional social buildings that I have referred to such as police stations, schools, etc. They equally need maintenance, development and repair.

We have social housing type properties that we get an income from; they are there for the long term.

Then we have the odd site, more than the odd site, like King Edward, Castel Hospital, various others, Rue Marguerite that have commercial value both in the short and the medium term.

We have all, of those, but the key thing is that properties need repair.

I can remember when I was first elected to the States and became a States' Member on 1st May 1994, I was a Castel Deputy, and I can remember shortly thereafter walking around with the other Castel Deputies at the time – a Conseiller walked us – walking round the various schools in the Castel Parish. Each and every one of them was in a terrible condition: little or no repair had been done for many years.

Now, why can't we say to our civil servants ... and where they need to get expert advice they can go to the very able local surveyors that we have got, the very able local estate agents we have got, and say 'Which properties should we sell now?' For example, this reference to Rue Marguerite being possibly for sale, and some other properties. Well, why can't we phone up an estate agent this afternoon, or at the latest tomorrow morning, and say, bearing in mind how these are currently zoned, because they are obviously subject to various planning restrictions quite properly, 'How would you market them? How much would you market them for? What do you think they could be sold for in the mid to long term?' You may well be told by an estate agent, 'Well, look, I

2270 think', and I am plucking a figure from the air, I have got no idea if it is the right figure, but 'Rue
Marguerite is worth £1½ million.' Now I do not know if it is worth £1 million or £3 million, I am
just plucking that figure from the air. 'But if you were to hold on to it, you might get £2 million in
a year's time. So my commercial advice to you is sell it for £2 million, sell it in a year's time', or my
2275 commercial advice, as Martell Maides or Swoffors or whichever of the other able estate agents we
have got, is that you had best take a £1½ million now because it is not going to go up etc. They
would give you that advice for free, because you then no doubt, if you accepted their advice,
place it with an estate agent and they will only get paid a commission if they sell the property, and
you would be able to sell, if they came along and said, 'Well actually I know we have had it at £1½
2280 million; it is really only worth £900,000', you would be able to say, 'Come on, chappy or chappess,
six months ago you were telling us it was worth a lot more than that!'

So why can't we do that without having seven civil servants over a period of time and spending
up to a million pounds over two years?

Why can't we sit down with the individual departments like the health department, like the
education department, and say, 'Okay, let's have a condition analysis of your properties', and La
2285 Mare de Carteret is in a terrible state. The Castel School is in a terrible state. The cost of those
repairs would be £10 million, and they are going to have to be funded because you then liaise
with P&R, the finance committee, they are going to be funded over a period of time by £2 million
here, £3 million there whatever, you have a concerted and regulated and ordered finance
procedure doing what the Government can afford to pay for that over a period of time.

2290 Do the same with the health, because the Hospital, you go to Deputy Soulsby in her office and
you say, 'Well, actually this', and by the way, we are going to need a new hospital wing or
something in five years' time and somebody costs that out, we have got able architects and
surveyors who say that is going to cost £20 million or whatever it may be.

Why can't we now – now, without going to a quango or a bureaucratic nightmare, or a
2295 bureaucratic black hole would probably be a better way of saying it – why can't we say to the
professionals on the Island or if there is a massive scheme that is beyond the wit and the skill of
the local providers, we go to somebody in the UK, like ... [inaudible] etc. I just mention them and
say, 'Okay, we need to develop this, we need to develop that. How can we maximise our assets?'

For example, you do not have to be a property expert to say, 'Why can't we have a body that
2300 decides without having to set up this kind of body that ... '? For example Cornet Street where the
Income Tax Office has recently vacated very successfully, as has been said, in a very proficient
manner, and commendable. I commend the Civil Service and everybody else involved in that, they
did an excellent job. We have got good civil servants, we have got really good civil servants who
do really good day-to-day jobs, but why can't we say ... ? Well, we know that Jersey's economy,
2305 whether we like it or not, is doing better than ours at the moment, in my view – I may be wrong,
39 point something ... [Inaudible] but lots of other people in this room may disagree with me. But
I know what I think and we look at the Premier Inns – I am just mentioning that, no preference, it
could be another budget hotel group – and we say actually the States needs to get income so
what it could do is it could enter into a long-term contract with e.g. Premier Inn and say, 'We will
2310 lease this to you, we will build it, we will lease it to you for 21 years at £300,000 a year rent.' Okay,
these are figures that I am just plucking from the air. That would enable the States to get income,
it would hold the residual value of the property because in 21 years' time, it would get it back or it
might do a commercial deal over that 21 years and sell it to Premier Inn because you might
decide seven years down the road they are going to buy it for £5 million or whatever the figure
2315 might be.

Why do we need to go to bureaucrats to do something a bit different? It is bureaucratic.

We have all had a letter from a Mr Marshall sent to all States' Members recently, and I am just
going to quote – I am sure we have all read it, everybody has read it – the type of approach that
he advocates to me is so much more sensible, so much more practical and so much less expensive
2320 than we are talking about. I just quote from two paragraphs of the letters he wrote. He said:

What I have read in the policy letter of the States business item [this one] after extracting all the civil service speak and circumlocutions with which it is peppered is that the STSB is seeking authority to spend at least two years and a million pounds of States money solely in order to make a decision about which way to go in order to restructure the existing States' property department so as to attempt to maximise that internal department's efficiency.

And another paragraph he says and he sets out his structure and I am not necessarily advocating his structure; I am just saying it is a much better structure than the one that is set out in the policy letter. He says this:

The above structure could be implemented within months rather than a minimum of two years and be fully operational before the end of this States' term. By the STSB seeking help from local professional chartered surveyors it could be identified within the space of a week whether the necessary advice and assistance for any particular matter could be gleaned from those on the Island, or whether there might be the need to seek specialist advice and assistance on certain aspects from a wider field.

2325 Within a week. Now I know that person has got experience of dealing with a very large public body, if I can call it that, in the centre of London, so perhaps he is not used to Guernsey where our week is not 168 hours; it is more like 168 days. But we have to look at where we are. Because as I say I do not think anybody else more than me, or some may be equal with me, I accept, in the States is more interested in getting better value for our assets.

2330 I know you cannot do it, somebody I quoted yesterday and Deputy Queripel whispered to me who the people were ... You cannot do anything about yesterday; you can only do something about tomorrow, but I do not want us to go from a yesterday that was clearly unsatisfactory where the States over 20, 39, 40 years was woeful in its administration of its property assets, to something that is not going to make it much better. That is just going to be more bureaucratic, create more process and not create very much substance.

2335 Indeed we see, and I quote from again the policy letter, I just mention something I mentioned before paragraph 4.14 which talks about the value of:

... short-term opportunities (achievable within 3 years) such as selling Fort Richmond, maximising the value from Rue Marguerite ... and areas for temporary or permanent light industrial use.

I do not know why we need a body to do that; we can get on with that now. But there are others, another five or six bullet points.

But what it says paragraph 6.1 under the heading costs of the transition:

There will be a cost to the examination, design and implementation of the changes to the strategic operating methods and their opportunity management. Funding for this programme of work is therefore required. It is estimated that a sum of up to £1 million will be required for this two year transition programme. The estimated costs should be considered in the context of the value an estate where the insurance rebuild valuation is in excess of £2.5bn ...

2340 I have explained what I meant by that £2.5 billion because that includes, we need to insure it obviously but that has got nothing to do with its resale value:

...from which the current income derived is around £3.5m.

2345 I just pause there, I do not think it was until relatively recently the States even had a list of the properties they owned, which I find absolutely amazing and completely inexplicable. For goodness' sake, you do not need masses of computers, because we still learn to write at school, we still learn to write on bits of paper – you could write down on a piece of paper, if your computer fails, as to what property you own and how long you have owned it and what the terms and conditions of it were!

But over the page paragraph 6.5:

Change will not be immediate. There will be a gradual transition over the *minimum* period of two years

so not maximum; minimum –

required to develop, evaluate and evolve the work streams. The tasks include the design of the most suitable Target Operating Model for this service delivery, which will take into account best practice and best value requirements from the States' estate.

2350 Not quite sure I understand that jargon. I have done my best but I am not quite sure I understand it. Continue to quote:

Once the new Target Operating Model ...

I do not really understand what that means –

... for property has been designed, the new structure can be staffed and implemented from existing posts within the current Property Section, albeit in some cases with adjusted and re-focussed roles within the transformed service structure.

I have no doubt that Deputy Parkinson, because I am asking him so to do, when he responds will tell what is meant by that last half sentence,

2355

... albeit in some cases with adjusted and re-focussed roles within the transformed service structure.

Does that mean we are going to have more people beyond the minimum of two years? People at what cost, what are those people going to do, and how is it envisaged that this process will develop over the next two years?

2360

Now why can't we do all of this by – if we have not got our properties as I say properly conditioned, we do not know what the condition is – going out to chartered surveyors and get them done now? Because that is going to have to be done anyway, civil servants are not going to be able to do unless he or she is qualified in being a surveyor. Why can't we do all of these other things? Why do we have to spend 'like that' a million pounds of hard earned money from the people of Guernsey (**A Member:** Hear, hear.) and Alderney on something that is not going to take us to the Promised Land at all? It is going to take us down this cul-de-sac where the tarmac ends and the wall begins.

2365

The Bailiff: Deputy de Sausmarez.

2370

Deputy de Sausmarez: Thank you, sir.

This is a little unconventional because I stand not to put across my own points but actually Members will be aware that Deputy Oliver is not well enough to be in the Assembly today but she was an integral part of this process and so if Members will allow me I would like to put across her words. So I will do my best to adapt them so it does not sound like this is me talking, this is very much from Deputy Oliver. But I do think it is important that her voice is heard in this debate today. (**Several Members:** Hear, hear.)

2375

Deputy Oliver was part of the joint steering group that worked on this policy and she is sure that the majority if not all of the Assembly is thinking that these proposals here today are common sense and good practice.

2380

The States need to examine what we are doing now and see how we can include as many of the practices we are already carrying out to enable us to achieve the best use of our Estate.

I think it is also appropriate that I stand after some of Deputy Ferbrache's words actually because Deputy Oliver has of course been a qualified chartered surveyor for more than 10 years and has worked primarily in the world of commercial lease consultancy with asset management. Having noted how the States uses and runs its property Estate her reaction was: what are we doing? Our property is one of the biggest assets we have got and it is not really being looked after. We need to be looking at the property more as an investment and getting better value out of our assets and we need to be transparent.

2385

At the moment the States' property provides Estates Management, Facilities and Resources Management and Project Services for some but not all of the States' Estate. The major part of

2390

managing the States' commercial properties, the ones that bring in more than £2 million per annum in revenue is done by the Estates Management with some help from other specialist services when required.

2395 However, this Department does not have the resources to assist to any great degree with other Committees' properties over and above what they do today because, in Deputy Oliver's opinion they do not have the information they need. So Chief Secretaries have to try to fix roofs and negotiate leases, which is not really in their job description, nor should it be.

2400 This is just not how business should be conducted. In commercial situations Deputy Oliver would ask how and where better value could be obtained from them not doing this work. What this requires is a piece of work that can help the bigger picture. These objectives for our property assets have been set out in the Estates plan which is referenced within the policy letter.

2405 Deputy Oliver stresses that we need to have the basic information of the same standard in one place to allow comparisons and to see where we can use our resources to achieve the best outcome. She was in fact surprised and very disappointed to find out that this did not already exist. She equates it to it being a bit like Deputy Meerveld not having foundations when building a house, or Deputy Ferbrache not knowing what the offence that he is trying to defend someone against is. *(Interjection)* I am sure it makes no difference. *(Laughter)* Sorry, I should probably stress those were not Deputy Oliver's words, I misrepresented her! *(Laughter)* Anyone in the States needs this information as a fundamental starting point.

2410 However, while they were investigating the opportunities for the better use of our properties the day-to-day work must still go on, and that is why the funding is needed for some temporary resources to deliver this additional work load for the transitional period of around two years. Deputy Oliver is personally hoping that it will not take this long.

2415 The funding for this work has been quite rightly the subject of detailed discussions, this cost is being incurred so that a two-year programme of projects can be carried out as an interim measure to bridge the current knowledge gap. This is not just a property exercise collecting vital property information, it is also IT to develop the existing software to produce reliable reports and manage information. In other words, to be able to find all properties we own over 10,000 square feet for example, or all properties which cost over £20,000 a year to maintain, and this kind of information is required for future decision making. It will involve surveyors, project managers, and IT.

2425 Once this property data is collected it will not only be beneficial for our property needs but also for accounting. Deputy Oliver says having attended a meeting on the work currently being carried out within Treasury on implementing the International Public Sector Accounting Standards, she understands that they too need this information.

2430 So she explains that funds are essential to take this work forward in this two year transitional stage. An increase in the backlog maintenance on the States' portfolio for which the forecast spending requirement has risen by £10 million compared to five years ago is inevitable if the right amount of money is not being spent on the right buildings in a properly prioritised way. Some Committees are good at spending the budget they are allocated on their required maintenance but others are not and in the long run it ends up costing us more.

2435 In times when we are cutting back it is vital resources may not always be directed into the most cost effective areas of property maintenance.

2440 Once the workstreams that have been identified have been completed the results should enable a more commercial professional approach to the management of our property assets. This will lead to better working locations, improved value and much more focused use of the opportunities register and leading to the proper prioritisation of these projects and the overview and integration of States' resources into the management of public amenities.

2440 For these reasons Deputy Oliver therefore asks the Assembly to support these Propositions.
Thank you.

The Bailiff: Deputy Green.

Deputy Green: Sir, thank you.

2445 I fear that I am probably closer to Deputy Ferbrache's position rather than Deputy Oliver's position, through Deputy de Sausmarez; but anyway ...

2450 First of all, sir, I am grateful that Deputy Parkinson and his staff were able to attend the meeting of the SMC earlier this year in order to try to explain the rationale behind this policy letter, and I certainly do agree with the high level aims and objectives of this element of transformation, because this is clearly a transformational programme. I certainly agree with the idea of having greater clarity of responsibility and accountability. That is all to the good.

2455 But it is fair to say that I do have some concerns about this report. I for one, sir, was rather expecting to see a policy letter on this which was actually a properly formulated and detailed blueprint for our Estate, but that is not what we have. This policy letter is a direction of travel document and we have these sorts of documents so often, it was only the other day we were talking about the P&R Plan and I was saying on that occasion that the P&R is in my view not really a plan and the simple point is I was expecting rather more than what we have here.

2460 Of course that is all against the background that we know that things are happening already. Transformation of States' property is happening already, we have already seen staff being decanted out of the Grange we have already seen staff being decanted out of the Income Tax Office, and reconfiguration of Charles Frossard House and Edward T Wheadon House. So those things have been going on irrespective of us having a plan in place in the first place. We know that those changes have been made and that money is being spent in that regard.

2465 I do think it is worth making the point that it has taken us two years or so of this term to get to this point with this policy letter and why is it that these things do seem to take so long? So I am slightly surprised that we are not further along the road with this transformational project two years into this States' term, and indeed many years since the States' Asset Management Plan was effectively parked in the last States' political term.

2470 But in terms of the details, sir, of this policy letter, I am not personally persuaded on the evidence that I have seen so far in this report and elsewhere that there is a full justification set out for the development of this Guernsey Real Estate model within the public service.

2475 I would ideally like to see a real business case setting out the full arguments for why it is that the States necessarily has to perform that role in-house because I would have liked to have seen at least some consideration of the possibility of it being outsourced to either a not for profit organisation or indeed the private sector if we are genuinely talking about a more commercial approach to the handling of our Estate and our portfolio.

2480 Bearing in mind for many years we have probably mishandled our own Estate portfolio, we do not have a terribly impressive record in this regard. We know that there is a significant backlog of maintenance within our Estate and given that lack of an impressive record on what basis exactly do we believe that we can actually handle this ourselves in-house effectively. At the very least I would have expected a proper argument setting out the different options.

2485 Indeed the direction of travel in many areas of Government is towards the outsourcing of activity to not-for-profit arms and that kind of thing. So it would have been nice to have seen some further details about that, and in terms of why those alternatives have not been considered and why they have not been pursued? Why have they been discounted, especially when they could arguably be more cost effective in the long run?

So I do entirely support a more professional and commercial approach to the handling of our vast property Estate more generally, but we need to make sure that what we are going to be putting in place is the optimal approach for our needs. I think that needs to be addressed.

2490 The other issue, sir, is the issue that Deputy Ferbrache talked about which is the cost of up to £1 million and in the cost of the transition paragraph 6.3 sets out in sub-service speak I think was the reference the different workstreams that are going to make up that money. I think it is incumbent upon Members to at least try to get some sense of what it is exactly that this money is going to represent, and is it going to represent value for money?

2495 So I would be grateful if Deputy Parkinson could perhaps put into plain English some of the things that this is actually going to represent. Because I am not entirely sure myself having read it and reread it and indeed having had the presentation from Deputy Parkinson, I am still not 100% clear on what it is representing. I think that for the sake of accountability we should just talk in plain simple language about what this money is for and have it on the record, and if we have it on the record then at least everyone is clear on what this represents.

2500 I think it is probably fair to say that the sum of up to £1 million from the Transformation & Transition Fund probably could have been delegated authority without the matter coming to the States. So I think in a sense we do need to give some credit to the STSB for actually bringing this to the States because this is a level of accountability here and transparency that possibly they did not need to do. So for balance I think we do have to throw that into the mix.

Yes, when Deputy Parkinson sums up I would be grateful if we could just have a little bit more clarity of what the money exactly is going to represent and some suggestion of how that is value for money. I take into account the fact that that the overall value of the Estate is significant and this is up to £1 million, but nonetheless I think it is important to hammer out that very clearly.

2510 Finally, sir, just in terms of the issue of the timeframe, we are told this is a two-year programme and I do not really understand why this is going to take two years to do effectively.

I would like to think that this could be done more rapidly once we are clear on what our requirements are.

Proposition 5 says:

To note the intent of the States' Trading Supervisory Board to return to the States ... at the end of the two year transitional period ...

2515 So the only kind of firm obligation is that STSB would return to this Assembly at the end of the two-year transition period, but I guess would Deputy Parkinson consider whether his successors at STSB could update regularly the Assembly over that two-year transition period. Because I think a two-year period is potentially a very long period of time and I think it would be helpful if the Assembly could have some insight into how this is developing over this two-year period.

2520 So in conclusion, sir, I think it is surprising that we are not further along the road than we are, but I suppose in a way it does constitute a first step, but given the scale of the potential transformational savings which will be up for grabs here, I think we do need to get on with this rather quicker than what we are doing.

2525 **The Bailiff:** Deputy Inder has been waiting a while.

Deputy Inder: Sir, I am basically going to support in some way both Deputy Green and Deputy Ferbrache's speeches inasmuch as I am disappointed with this policy letter. I really am. When Deputy Parkinson said that he was going to stay on as President of STSB to deliver an Optimisation of the Use of States' Land and Property Portfolio I was expecting so much more.

2530 What we have got in front of us is a two-year programme, a £1 million spend, and what looks like it is heading towards a sort of quasi-privatisation of our real estate, which may or may not be a good thing. It looks like we are separating Property Services out into Estate Management Facilities and Resources and Project Services. So all in all, in likelihood, another layer of management positions creation, resource costs, and of course charges to the taxpayer in the long term.

2535 What I really was expecting, maybe I got tripped up on the word 'optimisation', because my idea of optimisation and everyone else's – some other people might be different.

2540 In my hand, sir, I have a list, I think Deputy Parkinson said there were 2,000 properties owned by Guernsey and what I have got in my hand is a public document which actually has two columns split between land and buildings so in land alone and what this is it includes from hospitals, schools, fields, kiosks, small triangles and strips of land, and we own eight million square metres of land. That equates to 2,500 acres and for the benefit of Deputy Barry Paint that is 5,000 Jersey

2545 vergées and 4,800 of the Guernsey vergées. I have got to get that in. So we have got 873 pieces of real estate.

What I was actually expecting was some creative thinking and we know that STSB are capable of it because they have recently disposed of the Platte Fougère lighthouse station and store, which is known colloquially as Doyle House. Actually, and as I have mentioned in the media and what I will say here is that when I look at the explanation delivered by I think it was Deputy Smithies that responds by email, just so we are clear, it is not the fact that you disposed of it was the problem it is how it was disposed and we will have that conversation another day. So what they cannot claim is they need to spend all of this money on bits of land which they could look at and dispose of because they are absolutely capable of doing it themselves in their own Committee. It is possible.

2555 Now if I refer back to the spreadsheet there are many things missing from it, they may be commercially sensitive I accept that, but where is the colour coding for what would be strategic, developable, disposable? Where is the column that shows the rentals on each of the properties, the TRP costs, who is responsible for what and various other things which they appear to be saying they need £1 million for a two-year period to effectively develop?

2560 STSB may claim that the £1 million spend for a two-year period may in part get us to the point, and they may claim that they do not have the resources, but under Rule 14 Questions I could write to ESC today and I could find out every single piece of information that is required, which they would have to respond in 14 days. I could find out the rentals, I could find out the TRP on each of the buildings, I could find out the maintenance costs, I could find out everything that STSB seem to claim they do not have, so if they want not to spend £1 million, just ask me I will write to Deputy Fallaize and I will get the information out before them. *(Laughter)*

2570 Now, I will pick some obvious ones from the spreadsheet which is a public document, I think we have all had the link sent to us, and I must ask, sir, if the President of the STSB and his Committee ever wrote to the President of Economic Development for their view, because had the two Presidents ever been in the same room they may have discovered that Economic Development might have some views on how some of the property could benefit the greater economy. I will go through a few. I am not one other committee but here are some ideas.

2575 Property Services are responsible for a number of coastal kiosks around the Island. I think there are 12 in all, it might be 14, but there are a number of coastal kiosks. Some are in public and private partnership, Vazon Café is public-private partnership, as is Pembroke; others are traditional kiosk providing wonderful services to residents and tourists alike.

2580 They are, however, restricted by their conditions of contract –locked in a sort of 1890's vision of what Guernsey was, actually by Tourism, by Property Services' own contractual ... Some of them are not allowed to sell chips and it is in the contract. When you ask why you do not get an answer, they are just not allowed to sell chips. They are not allowed to open after the hours of dark, you ask why, 'We don't know,' they are not allowed to open after the hours of dark. They do not reflect how the visitor and resident expectations have moved on over the last 20 or 30 years.

2585 Take a look over the water to Jersey, look how Jersey have done it: we have got funky beach side cafés selling Thai food, fusion food, heaven forbid they are actually serving alcohol in a booming beach lifestyle attitude towards the outdoor lifestyle! I mean did the two Presidents of STSB and Economic Development ever get together to consider the selling off of the kiosks to a younger funkier community that could have benefited the mandate of one or the other? Did that ever happen? I will be listening later to see if I get a response to that.

2590 The whole thing just looks actually quite lazy and quite introspective, to be perfectly frank with you. Really simple stuff, imagination, forward thinking, something positive, not introspective, and not soft policy. Because this is what it is. This is soft policy. There are no actual real solutions here, there is a demand there to spend another million pounds for seven or eight consultants. Now I do not know where these chartered surveyors are going to come from, but any of them worth their salt will not be hanging around Guernsey to do a two-year contract. So you have got to assume to 2595 a degree they are probably going to be UK experts again, they will spend a year understanding

what a perch, a vergée and an acreage is, and then the final year coming up with a plan which to perfectly honest with you should have been done internally. This should have been done internally.

2600 Now I will move to Sport & Culture, some other possible wins. Again look at Jersey in terms of utilisation of existing heritage sites, watch towers as guest housing, Martello towers – or a version of them because they are not quite Martello towers in Jersey, but neither are ours either – as self-catering. That was the optimisation of land that I was expecting to see here today. We have seen nothing here at all. We have got another Civil Service programme, we are spending £1 million pounds over a two-year period based on what to be perfectly frank is a load of wibble. It really is. 2605 It is depressing and it is an unimaginative policy letter. It really is. It is an exercise in process, an exercise in soft responses, and an exercise in boredom. I am absolutely outraged it is even here, a million pounds. I mean, how many people have we actually got within Property Services, Maintenance, managers across the Estates? And it seems the problem is not the disparate nature of the Estate, the problem will be the culture of the Civil Service – Bob will not be able to speak to Sharon, Sharon will not be able to speak to Paul, because they are different grades. Education cannot talk to Sport, Culture cannot speak to Property Services. That will be the problem. There will be managers in different boxes they will be holding on to their little empires, and it should have been done internally. 2610

2615 Now we are being asked to spend £1 million on eight more contractors for the next two years to get to a point where nothing will actually happen. Nothing I was expecting and nothing I would do. The kiosks will still be bumbling along being handed back to and fro every three years because they are being charged too much because there is no real creative thinking within that process. The Martello towers will still be having their roofs capped with limewater for hundreds of years. Anyone with an IQ marginally above room temperature must understand that if you have got a derelict building and you can send that off to a tenant, they will look after the maintenance. Why on earth we have not had the kind of thinking with this policy letter, it is absolutely frightening. And the German bunkers they all still have graffiti and lay unutilised, as our Guernsey movie tourists wander round our Island disappointed. It is thoroughly depressing to be honest with you, and it is unacceptable, and thoroughly typical of a States hamstrung effectively by process, and I think both those points were touched on by Deputy Ferbrache and Deputy Green. 2620 2625

Just to finish, sir, Deputy Parkinson said a few things in a previous debate. There is no alternative use for Le Foulon Crematorium. Well, Deputy Tindall – or was it Deputy Tooley? – they wrote us by email, they had a response. This is my problem with it, it is just the answer is no. The computer says no. There is no imagination in this at all. None whatsoever.

2630 He also said official advice that we removed one of the crematorium would be £150,000 and it was officer advice so he tried to correct me. Now table 14 of their business plan through you, sir, again as usual, table 14 of their business plan clearly says that removal of one crematorium says £320,000 to removal of one crematorium. Now you cannot have one piece of paper that says it is £320,000 and table 14 to remove a crematorium and then stand up in the Chamber, sum up in debate, ask us to make a decision and then contradict me and tell me it is £150,000. I have got to be able to – 2635

I will give way to Deputy Parkinson.

2640 **Deputy Parkinson:** Sir, the figure of £150,000 is the tendered price from the supplier of the cremators. That is the best figure we can produce.

2645 **Deputy Inder:** Well I do not know, I am going to have to get my colouring pencils out and maybe ... Table 14 of the business plan says to remove one cremator I suppose they are called. It says £320,000. I am sorry, I cannot help Deputy Parkinson any more than that. That is in his own document.

In response to the sale of the ... He is probably going to respond to the sale of the Platte Fougère or Doyle House site, he has probably said that the taxpayer got the best value for money.

2650 I am afraid you just cannot say that. Something that is closed tender, you will never, ever know if we got the best value for money, irrespective – you can repeat it, you can say it again, you can say that the cremator is £150,000, when they are not they are £320,000. You can repeat this, and repeat this and repeat this, but the fact is that we have to trust the information that is coming out from our boards, and I have got real difficulty with some of the arguments that are being made here. They are saying one thing on paper, saying something else in summing up.

2655 I just cannot agree in any way with the spending of £1 million of taxpayers' money on what is effectively a deficient policy letter.

2660 This job, if the problem is within the system, you sort out the system, you do not throw more money at it. If – I will not pick on Education like that – through you, sir, Deputy Fallaize, I will just use them as an example. If we have got managers in other Committees in silos who will not talk to Property Services, it is up to Policy & Resources to sort that out. Another seven, another eight contractors are not going to help you. They really will not. The nails in the cross and the blood of Christ are not going to help half of this, half of the problems we have got is in the actual culture here.

2665 I think it was Deputy Parkinson's late and great father who said two things. 'Work expands so as to fill the time for its completion.' I think he also said something along the lines of 'The smaller the British Empire gets the greater the administration expands.' If he did not he should have, because this policy letter is it. It is absolutely deficient. We have got numbers of highly paid civil servants within our system, they need their heads banging together and if we are going to do anything at all in terms of trying to save some of this, in my absolute irritation, I would ask Members if they think they can do this without the million pounds, you might be able to vote for every single Proposition without number 4, but please do not vote for a million pounds today for the next two-year period to deliver this. It is an absolute ... now, I have got to think of a word – I don't know, it is just a shambles.

Thank you, sir.

2675 **The Bailiff:** Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

I have just got a few points that I would like to make.

2680 Firstly, sometimes I just think things are not thought through and several Members have already mentioned Cornet Street and Grange House. There was a great sense of urgency and pressure put on Committees, and I know that because I was on one of the Committees that the pressure was on and our staff to move out of Cornet House and make amendments and move in, IT, working at weekends and then suddenly Cornet House is empty. (*Interjections*) As far as I can tell it is going to be part of a two-year plan before we decide what we are going to do with them. It is just bizarre.

2685 I think the same thing happened with Grange House at a time when the education team were under incredible pressure with the two-school/three-school model and again pressure to move out into Frossard House. Yes, I appreciate that there have been some savings but again that building will sit empty and will deteriorate over that time.

2690 When Deputy Soulsby and I were on HSSD last term we went up to look at ... I have forgotten what it is called now – (*Interjection*) King Edward and again, it was abandoned and that building was deteriorating for years and years. So we have a rush to move out of premises, but actually we have got no plan.

2695 Now if part of this work is to develop those plans so that we have got something in place before we put this pressure on then I do welcome this, so that would be great if we could have that clarification.

I think one of the real concerns I have got is at paragraph 4.13 and it talks about assessing rental values of properties. We know that STSB have got as part of their mandate to sweat the assets, but we also know in sweating the assets that means that ultimately the public, or the

2700 taxpayer, or we as Committees, will end up paying for that and passing on the costs to the public. So just have a little bit of caution here where it says that rental value such as the Hospital and the Prison and will be open to sensible discussion –
I will give way.

2705 **The Bailiff:** Deputy Parkinson.

Deputy Parkinson: Sir, paragraph 4.13, for the benefit of those who do not have the Report in front of them says:

It is also recognised that assessing a rental value for particular accommodation (such as the Hospital, the Prison and the Fire Station) which is used wholly for the delivery of specialist public services might not be appropriate.

2710 **Deputy Le Clerc:** And I absolutely agree, but it names three services there but it does go on to say that:

Opportunities and issues that may arise between the Tenant and the Landlord will be subject to sensible discussion as to the way forward without prejudging the outcome, and will be resolved by mutual agreement.

Again, it is not very clear. There are other premises that are used and sensible discussion and mutual agreement, I am just erring on the side of caution and raising this to the rest of the Assembly.

2715 The last concern that I have got and it is about me, me, me I am afraid. This is the fact that as part of the mandate we require sufficient property for development of affordable housing, and in my statement yesterday I said that we have got sufficient land up to 2020 but actually beyond that date we will be looking for other land. I just want some reassurances that this two-year work programme will not put on hold the ability for us to work with STSB to work to find suitable land for development, because what I do not want is in 2020 for there to be a two- or three-year gap
2720 where we will not able to build because we have been waiting for this wonderful piece of work to be completed, because that is not fair. We know it is usually 18 months to two years on any planning permissions for these what are usually sizeable developments. So I just want some reassurances that there will still be some business as usual going on so we will not have a stall in us being able to continue with our affordable housing programme.

2725 Thank you, sir.

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

2730 Just not in defence of STSB but I suppose an attempt to see it from their perspective: it is incredibly difficult to sell off public buildings and get exactly what you anticipate they are worth. I think in the time I have been in this Assembly, it was Nelson Place that was sold and the expectations were high as to what it would achieve because of where it was situated in Smith Street. It took years to sell Nelson Place, because once you opened the door it was offices, sub-
2735 divided, fire alarms, fire doors, and it is just a public building that is difficult to sell on that easily to the private sector.

The other one that springs to mind is Fort Richmond, which we re-inscribed I think into the Open Market to maximise the value of that property. Now it stayed around because again it is an odd building, it was States' flats at one time, it became a youth facility, and there are restrictions
2740 on it, so it is not particularly attractive for private developers.

Looking around the outside of Grange House yesterday, taking a walk round, it is another good example of superficially an attractive building that will be an absolute nightmare to convert.

2745 But now it is a shame Deputy Inder has left the room because I just wanted to make the following point. What Deputy Inder was saying was that look at all these kiosks, why don't we do something new, funky, imaginative, why don't we fundamentally change what they do? Well, I

stood in this very place and said, 'Why don't we work with the Commons Council; why don't we build a new kiosk facility; why don't we make it contemporary; why don't we ensure it is family friendly; why don't we have disabled toilets?' and all the rest of it, and a campaign was led to preserve a very ordinary kiosk behind a tank wall. So let's have a bit of consistency with what we say at times as well.

2750

Thank you.

The Bailiff: Yes, Deputy de Lisle and then Deputy Merrett.

2755

Deputy de Lisle: Sir, I just wanted to make a couple of points. First of all to make the point that this work has to be done. If you look at other jurisdictions they have all either done this or doing it, because of the amount of property that they are engaged with and the difficulties in keeping up with developments and the resources that they have that they have acquired in the past and they are wanting to acquire in the future. So there is nothing unique here in this particular policy paper.

2760

From my point of view it is all a matter of prioritisation with respect to States' land and property at this time. There is a need to focus at this time, I think, and I just worry that given the current state of the economy would it not be better to utilise resources of capital and labour to facilitate immediate developments and growth to the economy.

2765

The States have an enormous resource and perhaps we are not using it as perhaps we should in order to drive the current economy out of its malaise that it is in at the moment.

I made the point yesterday that there is a world of difference between looking at the way the Government is doing in terms of its costs and revitalisation and responding to the deficit of a few years ago and bringing us into a financial situation where there is a surplus, but then it is a far different thing when you look at the High Street and you look out into the economy more generally that is another state of affairs, and here is a role for Government really with all its resources to perhaps trigger some effective initiatives of development and growth outside. Perhaps that is where Jersey has been quite more willing perhaps to put monies out to do and resources out to do that sort of job.

2770

2775

So my question really to Deputy Parkinson is whether the very valuable list there of page 13 of opportunities and work that is ongoing or is being developed. I mean the Income Tax Office for example, I just look at the 10 parking spaces down there. I look at all the parking spaces up at the Grange there at the Education Office that is now empty. There are about 60 or more up there. All these resources standing still at a time when we desperately need these resources and the development of these facilities like the Income Tax Office.

2780

To what extent would we be better or to what extent can he give assurance to us that these other works that are very important in terms of that list that he has in 4.14 will be going ahead and that this new programme that is being suggested here – which as I say is work that has to be done – whether it should be done at this time or whether we should be concentrating more accurately on that list that he had got there of vacant properties that we can be doing a lot with and perhaps getting stimulus from the private sector in development of those resources; whether we are deflecting basically from that opportunity at this time rather than perhaps this type of work being done when the economy is more buoyant perhaps?

2785

Thank you, sir

2790

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, sir.

I thank previous speakers and I will try not to have tedious repetition, but nobody yet has mentioned, sir, in 4.12 the £30 million of backlog of maintenance. I find that totally and utterly shocking that we have £30 million of backlog of maintenance. Nothing in this policy paper really assures me how that £30 million will be addressed.

2795

2800 Furthermore nothing in this policy paper really assures me of how that £30 million has been reached because if we do not know, if we do not have a detailed examination of the assets, if we have not got a value for money appraisal or anything, where does this £30 million come from? We must have that information to be able to come to this total of £30 million.

Now I am very grateful to STSB on this particular occasion because they did try to engage with Deputies at a session which was most appreciated, and I asked at that session, sir, under 2.6 there were three options, one option being:

(a) Maintain Property Services as currently structured, but introduce recharging for all services provided, developing a more centralised Estates Management for other States' Committees to enable increase in commercial use of the assets and maximise economies of scale.

2805

Or two, separate the unit into its ... and I am actually just quoting this, sir, so I should not be tripping over the words really:

(b) Separate the unit into its present three distinct service areas (Estates Management, Facilities and Resources and Project Services). This would allow Estates Management to be developed as a more commercially focussed management entity.

2810 Or:

(c) Outsource all or any of the current functions, retaining a small core team to manage and monitor the delivery of the outsourced services.

Yippee, I thought that was brilliant!

2815 So I asked why are they proposing (b) and not (c)? I asked that and I asked for a further explanation to be forthcoming. I will then quote from the final policy paper we have and the explanation that is forthcoming and it literally is a sentence, I am afraid, sir, but it says:

Having considered the research and reviews carried out, the [STSB] concluded that option (b) would be of greatest value to the States.

And this was the reason, sir:

because option (a) did not create a different environment for change to be introduced, and option (c) would only be possible once the services were organised so that outsourcing would be beneficial, which was not the case at this time.

2820 I think that really is where some Members are showing a discontent because obviously we are able at the moment to outsource services, we are able to sell property without having to have somebody else tell us to sell the property. We are able to exit properties that we do not need. We are able to do most of these things already.

2825 Then lastly, sir, because other speakers have covered most of what I wanted to say these extra people. I did ask further questions of where we were going to get these extra people from, and it was alluded to, and maybe Deputy Parkinson can confirm this when he sums up, what actually we were doing. There were people already employed by STSB that were not able to do the job that they do, so therefore what they wanted to do was take these existing civil servants out of their existing roles, give them an upgrade – I suppose it is going to be more money because there is a million pounds involved. Then pay them more money to let them do a slightly different job for two years, so a different position, and then what? At the end of two years are we then going to say to these people, 'Actually you can now go back into a different position, and we are now going to give you a pay cut', or are we going to be promoting them permanently?. My concern, sir, is that we will simply promote them permanently.

2830 So if Deputy Parkinson could try to reassure me in some way of where these people are coming from, are they existing people in STSB who are just going to upgrade an extra million pounds for two years. Then what will be the intent of the civil servants after that two-year period?

2835

Are we just literally going to take away that million pounds' extra pay over the following two-year period? To me that seems a little bit confusing. If Deputy Parkinson could clarify that it would be most appreciated.

Thank you, sir.

2840

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, yes, I do have some sympathy with some of what Deputy Inder says. But if he thinks this is bad, he ought to have read the Strategic Asset Management Plan from last term. *(Laughter)* **(A Member:** Hear, hear.)

2845

I know he compares us unfavourably with Jersey in this respect, but he ought to listen to all the debates that they have and have been having over there when it comes to their new hospital and I think that is going to run and run and run.

Deputy Parkinson did present the draft policy letter to the Committee for Health & Social Care a couple of months ago, I believe, which I was very thankful for him to do. I did express my concerns at the time that we were in danger of creating an overly bureaucratic structure, and I do think whilst separation of responsibilities makes sense and quite frankly I am quite happy for the Committee to have no landlord responsibilities. We are there to protect, promote and improve health and wellbeing of the people of the Bailiwick and that is what we should be focusing on, not on repairing roofs and other such matters.

2850

2855

But I also see the States as being very poor when it comes to proportionality and its focus on process at the expense of pragmatism.

So my appeal to whoever takes over is to consider that proportionality when looking at aspects of the property portfolio. Particularly from an HSC point of view, we operate over 52 sites and they range from the Hospital site clearly the largest to small bungalows for various other service users or staff.

2860

So I do share Deputy Le Clerc's concerns too that nothing gets done until everything is in place. Really for me I do not want to see the transition to the new Target Operating Model; before STSB to get in the way of a transformation by other service areas. Not least being HSC. So again I hope that Deputy Parkinson's successor takes this on board, but I will be supporting the policy letter.

2865

The Bailiff: Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

2870

I just wanted to refer to – before I get into some of my own notes – the point made by Deputy Le Clerc, because what she was talking about really amounts to an attempt at property rationalisation but without an onward plan. That is the problem, sir, you can have this ... not frenzy exactly, but you can have this keenness to perhaps vacate buildings and attempt rationalisation, but in fact if you have not got an onward plan for them they become a liability, because they still have to be maintained.

2875

I think we all know that when buildings sit there but are not being used, they deteriorate all the more rapidly. I think that is one of the problems. When you have not thought these things out properly, you do not have an onward plan, you vacate a building but then it lies there and rather than being an asset it becomes a liability because it is not being used and it still needs to be maintained, so actually it costs more in the long run unless you do not have another purpose for it, another use for its, or if you cannot sell it at quite a quick pace.

2880

I know some reasons have been given by STSB as to why this is not one, but I was hoping that this policy letter would be more of or resemble an action plan, where the optimising the use of States' land and property portfolio, not another two-year lap around the track at a cost of £1 million or thereabouts.

2885

Despite that I get what it is driving at, but I would have thought and hoped that much of what is being proposed here would be part of the day job and would have been done by now, or at least most of it would have been done by now.

2890 Now, sir, I received – all colleagues saw it – I received the email that Deputy Ferbrache was referring to from Mr Marshall, and I did get what he was driving at, and some of what he was saying was quite attractive, but I did have a further exchange with him that I did not copy other States' Members in on. He made the point to me that ultimately it would not just be about outsourcing the work that he was talking about to surveyors and other experts in that field, but he
2895 was also thinking that perhaps all of the work that would be done on the front line, in other words maintenance work, and construction work would also be outsourced as well, and that is where I parted company with him.

I will explain why, sir. I also feel that there is a undertone of this in this policy letter, because I have the suspicion that part of this, what is being put forward here, is the outsourcing of work and
2900 maintenance and the loss of jobs held by people with particular skills, sir, first-hand experience and knowledge of sites, equipment and materials. Now outside contractors do not always possess these attributes and this is where costly mistakes can be made and important factors overlooked and not properly considered. So that is another concern I have, sir, because where tradesmen and technicians have in depth knowledge of the site and equipment that is on that site that
2905 knowledge is not always known to or shared by contractors that are brought in. I think probably the Hospital could be a good example of that, where errors have been made in the past by bringing in contractors to carry out tasks such as asbestos management.

So it is not always the case that outsourcing all of the work to commercial contractors will bring about good results or result in something being done more cheaply or more efficiently. You
2910 do sometimes need that first-hand knowledge, that first-hand experience, that first-hand knowhow of sites, equipment and materials, and that does not always exist when you bring in what you might call generic contractors and labour from the outside. So I am not keen on the idea, and I hope Deputy Parkinson can dispel my concerns, but I am not keen on the idea of outsourcing all of the practical and trade work to outside contractors because we do have a lot of
2915 people employed by the States who have very particular skills and knowledge and experience and I would not want to see that lost.

The other thing that concerns me, sir, is what might happen, we might outsource the vast majority of the work that needs to be done in a practical sense but still maintain the number of administrators and overseers and supervisors, and that just does not seem right to me.

2920 There is another point I would like to make, sir, and it does tie in with something that Deputy Ferbrache was saying as well. I agree with getting a good return on property assets where possible, whether that is via renting them out, or whether that is via selling them on to a private developer or somebody that will use them in a private capacity. But there are a number of properties within States' ownership that serve a social or strategic purpose. There is another type
2925 of value to them that I do not want to see us embarking on a selling frenzy and getting some short term gains, but realising in the long run that actually we lost out on the other types of value that these properties provide in strategic or social sense.

I was reminded of that this morning, sir, when we were having the debate on the Foulon Cemetery issue in regard to the cremator. There is a building there, just inside the main gates at
2930 the bottom of the cemetery site, called the Foulon Lodge and that was sold some time ago. It is now in private hands, but actually there is not only a building there, there is not only a house there, but there is a quite large garden area and there is also a parking area that could accommodate perhaps three or four cars. I wonder if that area of the site had not been sold, I wonder if that area could be utilised to upgrade the site and to make it a more modern and fit for
2935 purpose site in regard to the work that is going to take place at the Foulon Cemetery. Once again I think that was a short term gain but actually in a strategic sense, in a planning sense, in a use of the site sense that area could have been quite useful now, could have been utilised as part of

upgrading the site for the future in regard to the future plans for the site and the accommodation of that site.

2940 So, sir, I am minded, although I can see what this policy letter is driving at, I do agree with many of the points made by Deputy Inder and Deputy Merrett, Deputy Green, I am minded to vote against it or at least against some of the Propositions, because if we vote against it, sir, it will not leave a vacuum. Unsatisfactory though it is, there is still a current process of structure in place to manage the Estates properties, to oversee their maintenance, and if the Propositions are
2945 voted against, perhaps the TSB will take away the views that have been expressed – sorry, I am going back into the bank jargon that Deputy Brehaut was going into earlier – perhaps the STSB, sir, can take away the comments that have been made hopefully treat them as constructive criticisms, take away those comments and think again and come back with something that is more detailed that got more of an action plan to it, that has rather than going around for two years and
2950 spending £1 million that will give us something that we can get hold of now. Something that can lead to some positive and constructive actions and taken in the future, rather than going through this process again, sir.

So just a number of points, do not be so quick to vacate and sell off buildings because they might be of better use or strategic use or social use in the future, and be very careful about
2955 getting rid of trades people and staff who have an intimate knowledge of sites and materials and equipment, sir, because that knowledge and that experience is almost invaluable.

So, sir, I do hope that the STSB take on all these comments and even if this policy letter or the Propositions get through that they will think very carefully on what they have heard and perhaps factor those thoughts and those views into their future thinking.

2960 Thank you, sir.

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Yes, sir, I rise just to voice my agreement with Deputy Queripel there in regards to the approach to the policy letter that I would have liked to have seen an action plan
2965 presented to the Assembly with the cream of the properties that are in STSB control rising to the top to look at how we could optimise those properties, not necessarily the disposal of those properties (**A Member:** Hear, hear.) but in terms of public-private partnerships such as the approach that Deputy Inder intimated before about the potential use of the towers around the
2970 Island, or maybe even Castle Cornet to look at a boutique hotel for argument's sake, with visitor accommodation.

I agree also with the points made by Deputy Le Clerc in regard to the rush to vacate committee properties that was on last year, and I do wonder about the rationale behind that now looking
2975 back and the tremendous pressure that was put on the staff especially Education, Sport & Culture to move out of Grange House at a really critical time when they were trying to hold together a very important policy letter. The exit was termed Grexit, and it really did have some toil or turmoil really around the Committee at that time. I look back at that and I think well, the rationale potentially that was breaking up a culture that was perceived to have ... but that culture politically was something that was seen as a benefit, however, look at the individuals behind that and what they managed to pull off in a very short space of time, but that particular property lies fallow now,
2980 what was the plan for the property? We do not know. The Income Tax Office, again lying fallow, what was the benefit? Well, we are still not quite sure about that. So it is more about the holistic and the strategic approach going forward, and I have not really seen what the benefits are.

There are certain other properties as well, residential properties, such as that at the Reservoir and those overlooking the Ramsar site at Le Felconte which also could attract a broad interest for
2985 sale in the Local Market. We have not seen any plans for those within this policy letter.

I agree with comments from Deputy Ferbrache and Deputy Merrett as well that I would rather have seen a move towards outsourcing a lot of the responsibility that the model brings actually in-house. So I am minded to vote against some of the policy Propositions, but I am pleased that

2990 Deputy Queripel has actually outlined that in voting against some of these Propositions, we are not going to be leaving a void and that there is business as usual. But I would like to see something coming back to the Assembly in regards to outsourcing of a lot of the responsibilities that are proposed within the future operating model.

As I say I am just not satisfied with the policy letter as it currently stands. I think that there was a lot missed in there.

2995 Thank you, sir.

The Bailiff: Deputy Gollop.

3000 **Deputy Gollop:** Thanking you, sir.

I certainly was animated today by many of, I think, the quite challenging and interesting and provocative speeches, none more so than Deputy Inder's which certainly made me think because we worry about pigeons and seagulls and other things on the walls of places, and I am thinking now he wants some funky pigeons, or funky kiosks in any case. Yes, I do support his vision that we have seen over the years that in some areas of the Island no means all a decline perhaps in active management of these important facilities. One or two have been revived to great effect.

3005 But I think Deputy Inder mentioned a large number of rules and regulations of which I have no precise knowledge, but I can imagine they have grown up over the years for diverse reasons. Cigarettes got removed for security reasons, and the Law. Alcohol requires you, sir, and the Royal Court in a licensing context, and not all areas are suitable for licensing. Then of course there is another process regarding how you manage crowds. If kiosks had greater flexibility, more teenagers would congregate perhaps in the evenings. They are all issues. Actually to be honest in this kind of area we do have too much of a nanny state we are over-administrative and I would like to see greater freedom within reason subject to planning and everything else of course. That is the kind of initiative I would support.

3015 We do perhaps have a culture of missing commercial and indeed social opportunities so I would certainly endorse a lot of what Deputy Ferbrache and other people have said.

I think one of the things influencing me I have just listened to an interesting speech from Deputy Laurie Queripel which I will possibly come back to but in a way I would have preferred it if Deputy Lester Queripel had spoken just before me, because he is a great poet, runs the poetry classes and I have got a poem here to read if I can abridge it a little bit – (*Interjections*)

Dover Beach by Matthew Arnold
'The sea is calm tonight.
The tide is full, the moon lies fair
Upon the straits; on the French coast the light
Gleams and is gone; the cliffs of England stand,'

And so it goes on but then it continues:

'The Sea of Faith
Was once, too, at the full, and round earth's shore
Lay like the folds of a bright girdle furled.
But now I only hear
Its melancholy, long, withdrawing roar,
Retreating, to the breath
Of the night-wind, down the vast edges drear
And naked shingles of the world.'

Then we continue:

'Ah, love, let us be true
To one another! for the world, which seems
To lie before us like a land of dreams,
So various, so beautiful, so new,
Hath really neither joy, nor love, nor light,

Nor certitude, nor peace, nor help for pain;
And we are here as on a darkling plain
Swept with confused alarms of struggle and flight,
Where ignorant armies clash by night.'

3025 Well, hopefully we are not ignorant armies, (**A Member:** Hear, hear.) a bit more peaceful. But
my point about it is, I have just been referring to beach kiosks and people have mentioned sea
walls and the Estate round the coast. I am interested not in the metaphorical sea of faith
retreating, because 21 years ago when I first became a Member here and there are a few
3030 Members here from that era who have either come back or continued to serve, the States used to
have 30 items on their monthly agenda, they would invariably get through things in 10 hours, only
two and a half hours per session, Wednesday and Thursday, and you had 57 Members sitting here
looking and perhaps going in the library and researching 30 items, and usually the Board of
Administration would be providing about a third of them. Micromanagement of decision making
up to a point was the norm and committees went off and did their things with numerous working
3035 parties. Some committees in those days met three times a week, funnily enough.

Gradually despite Deputies being paid more – perhaps not necessarily in real terms but in
block fees and everything – and our status sort of increased through the pomposity of social
media and so on, there has actually been a decline in our influence, I would argue. Many boards
we once sat on have gone, Telecoms being an obvious example, others have been rolled up into
3040 other departments and now we have this monster in a sense of the States' Trading Supervisory
Board, which is an amalgam of about 10 of the old committees and is almost de-politicised. Not
only does it currently only have two Members, who have done excellent jobs as far as they can,
Deputy Parkinson and Deputy Smithies, but it is not a Principal Committee and at the moment the
way the leadership is chosen, the membership is chosen, it is in the gift of the Chief Minister, the
3045 President of Policy & Resources. There is not even the possibility of a vote in this Chamber.

So clearly we have a bit of a problem with dialogue, and the vision as outlined today, although
I agree with it in part, is de-politicising it even more. To my mind it is not the substantial problems
inherent within the text that is the problem it is the democratic deficit that exists about how this
will proceed going forward.

3050 I mean for example we talk about opportunities group. I am sure there will not be many
politicians on that, and how will they measure these opportunities? What disciplines of the market
will they really face? Because it is pointless the States forming quangos of a semi little British Rails.
If we actually want market discipline we have to confront some of the issues Deputy Laurie
Queripel has referred to about how far you outsource, and I think Deputy Dudley-Owen, Deputy
3055 Merrett, Deputy Green, have all pointed out there could be cost and managerial advantages in
having a real outsourcing of some of this, which the UK Government and some other places have
done, but we are just pretending to do it, we are just moving it to another perhaps elite group
they might be more highly paid they might not be. But we are not really looking at the issues.

As Deputy Le Clerc and others have said, the consumer, that is to say the taxpayer, and the
3060 service user may end up paying.

I too was well aware of the urgency last year Social Security was faced with in accommodating
Income Tax, and yet you have an empty building. That empty building could be used for a huge
range of community uses, social uses as well as economic uses. But nothing is happening to it.

Sometimes people blame Planning and myself and the Committee for not doing much to
3065 enhance the economy. I resent that criticism most of the time, because we have actually said yes
to many significant schemes as well as the overall framework of the Island Development Plan. The
problem is that nothing happens. The private sector is a bit slow at the moment for various
reasons. Perhaps slower than Jersey. The public sector is even slower, and we need dynamism, but
I think to inject that dynamism you do not just need more market disciplines and more
3070 commercialisation and a new set of attitudes.

You also need greater political input from all 40 Members of this States in one way or another
and you need criteria, because what worries me here is there is an admission of past failure but

3075 there is not really a road map ahead, and how it will work. It is easy to say properties could be centrally managed. Well, some of them are owned in quite interesting ways, such as Edward Wheadon House. Then of course Health and Education might be excluded partially or completely. Well, that does not seem a particularly well thought-out vision, and we have already seen one or two changes of use for the States' Information old office along the seafront, how many more will we see. We have to have a focused vision here of what uses we want, what uses work for the community, and in some ways the word commercial appears too many times. Not only because it is not really a true commercial project but also because as Deputy Yerby reminded us yesterday to a degree the nature of the public sector is different. You will sometimes accommodate a non-commercial use because there is a political reason for accommodating that use. Or the market could not sustain the use of it.

3080
3085 So having listened to all of the speeches, I will work with whatever is passed by the Assembly, but I am minded actually to vote against certainly some of these Propositions as well.

The Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

3090 Listening to Deputy Gollop, he is not quite sure about the resolutions, I will start with that. I was going to finish with it but I will actually start with it.

There are five resolutions here for us to consider. Three of those are to note; we all know what to note means, on 3.24 under the Rules:

Any proposition the effect of which is to note the contents of an accompanying policy letter shall be construed as a neutral motion, neither implying assent for, nor disapproval of, the contents of the policy letter concerned.

3095 So three of those do not tell the States' Trading Board one way or the other how you actually feel about it, so if you are not too keen I suggest you actually vote against this Report, because to note will not do anything to help you.

There is one to agree, and there is one to delegate. So it is not a particularly good helpful resolution, the way they have been set out.

3100 Like Deputy Soulsby, she mentioned the SAMP, that was one of the first things I had on my list here, the States' Asset Management Programme. We can go back before that. In fact I was thinking the other day if I had time, and I have not, I was going to go back to my old computer system and this computer system, and I might as well just print out my speeches, because we have been going round and round in circles so many times, and the amount of money that must have been spent over the years through the property, many assurances given when debates have taken place or when letters have been written. 'Oh, it is okay, we are bringing forward another plan, or we are taking on some other staff that will have that expertise, they are going to do a plan and it will be fine.'

3105
3110 It is quite tiresome really. But tiresome I can cope with; the expense I cannot (**A Member:** Hear, hear.) and for the States and the Government to keep on employing people, and here we have got another tranche of people here to do the job they are supposed to have been doing for the last ... goodness knows, well certainly since I have been in the States. It still does not happen, and I am embarrassed about that, totally embarrassed about it.

3115 Even in the last 14 years, the Chief Secretary who just retired from Home Affairs, he produced a report in 2004 which I think Deputy Prow might even have been involved with at that time – it was not quite Home Affairs because we have changed titles so many times. But if was for that to sort of look for a plan and for amalgamation of properties of how it would work.

3120 But of course with all of these plans, you can plan all you want, but the States does not stop still. Government does not stop still. If you go back to when we had committees before we had departments, so you had lots of committees, fine, they were all spread out all over the place the various functions of these committees. Then we went to departments, so we amalgamated them down to 10, so it was a case of 'Right, well, try and get some of the officers that are working there

or the staff that are working there, because there are now 10 departments.' So that was taking place, slowly and not quick enough for some.

3125 Of course, now we are six Committees and so again the sort of bigger mandate for all of the Committees and it is more efficient if you can try and get as many as you can all working together in the same properties, or making better use of the premises. So even if it was in two years' time there is going to be a review no doubt going on about how we function and we have decided that the Committees are too big/too small, are we going to change mandates? So there might as an example something on Home Affairs, it might not be on Home Affairs next time, it might be 3130 across to Health or it might be across to somebody else or Economic Development. Who knows?

Then what will happen? 'Oh well, those staff we actually put in that building because we were all working together but now, you know what, we need to actually move them over here because the committee system has changed.' That is Government for you, and that is fine, I have not got a problem with that, but the pretence of we will look at this for two years and it will all be hunky 3135 dory because we are holding still and it will sort itself out – it just will not happen, and should not happen, because that is not the way to function in my opinion.

I have said it several times at Home Affairs, here in the States, in my statements, and in my reports. I said it again a couple of day ago. Before that, Deputy Peter Gillson said it as well all last term about what we were trying to get out of our properties that are expensive private rental, 3140 Ozanne Hall being a prime example, a very expensive building that we are renting. So the States have been on notice, we have been trying to get out of that building. What has happened? We were told a few months ago they have not had time to do it so they have extended the lease. I mean, unbelievable how much that is costing through sheer inefficiency.

Going back many years ago, going back to when it was committees, and I am sure that would 3145 have been in Deputy Roffey's time, certainly in Deputy Gollop's time, and my time, I think he would have been here, Deputy Roffey. If there was a case of a particular committee needed to expand or needed a bit more room or needed to reduce in size, and say we are talking about Grange House that is empty at the moment. They would have got in touch with Education and said, 'We are coming out of there – any chance you are in agreement that we can move across 3150 there?' 'Fine', and it was agreed. It was agreed like that. We did not always even have reports that would come to the States, it was agreed between committees that you would take over those particular premises and there were not the holdups that you have got now. But certainly things do seem to have ground to a halt really regarding the properties, which is expensive and it is disappointing.

3155 So Home Affairs is still in private property, and as I mentioned again the other day, we have taken the step to try and do something ourselves, because for Arnold House which we have come out of next year, we have taken that initiative to look at our own premises to say, 'Right, okay, we will consider taking the officers out there and moving them into part of other properties that Home Affairs are using', because we just cannot sit back and wait for all of these plans. It is just 3160 too expensive. We have taken that responsibility to do that.

I totally agree with what Deputy Merrett said –

Oh, I give way to Deputy Inder.

Deputy Inder: Thank you very much for giving way, Deputy Lowe.

3165 Sorry to stop you in full swing, because you are right. Just a point of clarity though, are you saying that your Committee is independently looking for other buildings ex of Property Services. Can you just give me some sort of clarity there?

3170 **Deputy Lowe:** I can do. It is what I actually said in my updating speech, which was part of the P&R Plan, which was that the offices at Les Vardes House may move – we are looking at the ramifications of it – up to the Fire Station, which is Home Affairs. So it is within our own offices that we have actually already got, making use of them. A lot of them have just got partitions up and with a bit of forethought and being able to do it, so therefore that would release the private

3175 property. But not across the States, because we have not looked across the States. That is what
the Property Unit has been doing last year, the year before, the year before and the year before
and go back many years – that is what they are supposed to have been doing when a committee
has made it known to them that actually they need to come out of a particular unit because they
need more room or not as much room.

3180 So going back to Deputy Merrett: I agree, this does not tell us anything. They have come up
with a sort of £30 million breakdown of maintenance. What does that tell us? Are the La Mare de
Carteret Schools in there, that are coming down, are they in that as part of that £30 million? I do
not know. We do not know. Who came out with costing that? I do not know. Where did it come
3185 from, what does it involve? It is not a good report. It is not the sort of report that I feel gives me
any comfort to actually say that is good because we know exactly what this is all about and we
agree, look at the maintenance on that. Somebody has gone out and costed that, I guess. I do not
suppose they have actually gone out with a finger in the air, or maybe they have. I do not know.
But is it buildings that Education are going to be saying they do not want? La Mare de Carteret
might ... even if it is rebuilt, it is still maintenance currently, it might come down, who knows?

3190 I have concerns with this. I have concerns as I have had for years about the property and the
way the property is not looked after particularly well across the States and how many people over
the years have particular jobs to do to rectify that and it has not come to fruition to, I believe,
making best use of our properties. So at the moment I am in a Catch 22 at the minute, because I
want this to happen but I just do not believe that spending £1 million is the way to do it when we
have been taking on all these staff over the years. Just get on with it, really.

3195

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

3200 Sir, like others, I resonate with the objectives and the intentions of STSB, but I do have real
concerns about outsourcing. Some of my colleagues have already articulated their concerns and
so I also ask Deputy Parkinson and Deputy Smithies to take our concerns on board please.

3205 I do not have a poem to recite as Deputy Gollop did so well and so effectively. To be honest I
do not feel as though I need one because his poem and his speech, and the speeches of others,
especially the speech of Deputy Inder and my brother, Deputy Laurie Queripel have said all that
needs to be said about our concerns. So to avoid repetition, sir, I am going to move on and
comment on another issue.

3210 Like Deputy Ferbrache, I am struggling to understand some of the terminology in this policy
letter. In fact Deputy Ferbrache referred to it as jargon, and I am in need of elaboration and
clarification on the terminology used in several sentences, but I am going to focus on just one. We
are told in paragraph 4.3 on page 9 that:

There will be sharpened property management roles, supported by framework decision trees for all key decisions ...

That sounds really impressive, sir, really impressive, but what does it actually mean? What will
all of that work entail exactly? Sir, I will be really grateful if Deputy Parkinson could explain that
when he responds please, and explain it in simple terms so that laypeople like me can understand
what exactly that means.

3215 This might sound like a fairly irrelevant issue to some of my colleagues and some members of
the community, sir, but this is a really serious issue as far as I am concerned.

I am going to end with a plea to Committees and colleagues, please, please, please either write
reports in simple understandable English in future; if you cannot do that, then can you at least
explain what will need to be done in pursuit of your intentions and your objectives.

3220

Thank you, sir.

The Bailiff: Deputy Smithies.

Deputy Smithies: Thank you, sir.

3225 I do not know if Deputy Queripel has psychic powers but he must have prior knowledge of my contribution. I am going to leave the 'sharpened property management roles and framework decision trees' to my very able President.

I would just like to have a look at another part of this. Let's not lose sight of the intended outcomes. Item 5.1 on page 13 runs through these and without circumlocution, I will try to reduce them to basic English: (1) we want to reduce costs through improved management and prioritising repairs; (2) schedule refurbishment of office accommodation; (3) review existing practices and introduce more modern working methods; (4) introduce optimised use of existing space; (5) schedule sales of surplus properties; (6) rationalise facilities management, and that does not necessarily mean redundancies but simply by better allocation of skilled resources which are already in-house; (7) review projects and recommend improvements.

3235 We are dealing here with a vast property empire, an insurance rebuild of £2.5 billion, income of £3½ million per year, £30 million worth of overdue repairs. So let's not lose sight of the magnitude of this operation.

3240 Deputy Inder had a little list, or in fact a big list, of the properties under the management of the STSB. One million pounds over two years to try and sort this out probably actually represents good value.

The Bailiff: No-one else is rising. Deputy Parkinson will reply.

3245 **Deputy Parkinson:** Thank you, sir.

Well, there have been a number of questions which require detailed responses and I may not be able to answer all of the technical questions now, but obviously will undertake to provide information wherever I do not have that information to hand.

3250 So we started with Deputy Ferbrache who said we are going to spend £1 million to create a new quango. We do not see it that way. We see this as a lump of work that needs to be got over to introduce proper property management systems and this is a project, if you like, to do that implementation.

3255 It will involve the employment of additional resources for a period of two years to get over the hump, to do that piece of work. I do not think that these people will necessarily become permanent staff. I think that is very unlikely. Others who have come on have asked for details about what these seven people are going to be doing for periods within that two years. This is a piece of information or a detail which I can get, but I do not have it to hand at the moment.

3260 Deputy Ferbrache said some of our schools have fallen into disrepair. Well, that is beyond dispute, and then he started talking about properties for sale and said, 'Well, why can't we just get on and do it?' I think one of those that he mentioned was Rue Marguerite and I can advise him that that will be going through the conveyancing court on Thursday next week.

3265 He talked about – and several other Members also raised – properties that have been vacated and which need to be developed and which to the outside observer it may appear that nothing is happening. With Grange House, an application for a local planning brief has been submitted on that. I am surprised Deputy Gollop did not seem to be aware of that. Clearly that will end up as housing, residential, but we need to get from the planners information on what density of housing, how many units etc. would be allowed to be developed on that site. When we have that information then we will be in a better position to market the property, because at the moment a developer buying that property does not know how many buildings he would be able to construct on it. So it is important to maximise the value of the asset that we get through that development planning brief before we go out to market.

3275 No. 2 Cornet Street is an interesting site of potentially enormous strategic significance, in my view, to the development of St Peter Port and in the context potentially also of the Sea Front enhancement area. As Members will know, it is part of an ugly 1960's development called The Albany which stretches on the sea front side from the kiosk there down towards the old dark grey

granite buildings which contain a couple of well-known pubs. The issue there is that we believe – and I say this wearing both an Economic Development hat and a States’ Trading Supervisory Board hat – that the maximum opportunity for Guernsey will be obtained by doing a joint development with the other private landlords in that building. There are two individuals who own the rest of the building that we do not own. So the discussions are commercially sensitive obviously, but we are trying to reach an agreement with the other two private sector owners to do something jointly, because 2 Cornet Street on its own is only part of a much bigger jigsaw puzzle. I am sure many Members would agree with me St Peter Port would benefit from the replacement of the whole of the Albany Building (**A Member:** Hear, hear.) and actually the opportunity does exist there to do, I think, something much more productive for Guernsey and the Guernsey economy.

Deputy Ferbrache I think suggested a Premier Inn type of development there, and we always have a problem with these budget hotels. In the UK an operation like Premier Inn or Travel Lodge would expect to pay about £100,000 per bedroom and for them probably they would be looking at units of 100 bedrooms plus. Now, I do not know and we are taking advice on what can be done, or could be done with the agreement of the private sector landlords on the Albany site. My suspicion is – and this is an informed suspicion because it is the opinion of people who have done a lot of development – is that you could not build anything that big on that site.

The other problem we have is that Guernsey property values are very high. If the reality is that a large budget chain hotel management company would not pay more than typically around about £100,000 per room, in Guernsey in many situations you would not be able to buy the site for the sort of money that they would want to pay, never mind develop it.

So as I say steps are being taken actively to do something with that site. It is very important, in my opinion, that we try and do that in a joint venture type of structure with the private landlords in that building. Developing 2 Cornet Street on its own would, I think, completely miss the opportunity for Guernsey, and we are actively pursuing that. I have another meeting with the private sector landlords in the next week or so.

Deputy Ferbrache was essentially saying why don’t we just get an estate agent in and sell the stuff? Well, the answer is because often you get better value for the taxpayer and better value for the economy of Guernsey if you actually think about what the economic opportunity is. In some cases, go through the planning steps, at least to a certain level, and where there are joint venture opportunities with neighbouring properties discuss them with the other parties. I think most Members would find the STSB remiss if we did not look at all the options around each of these buildings. Rushing out to getting an estate agent in and stick up a For Sale sign is certainly possible, but it is not the approach that we want to take. We are taking a deliberate measured approach to get the best deal, not only for the States of Guernsey, but crucially for the Guernsey economy.

Thank you, Deputy de Sausmarez, for reading Deputy Oliver’s speech, and Deputy Oliver is an experienced chartered surveyor who has had input into this and she expressed in very clear words the reasons why we need to be doing property management better. It is a pity that she is not here through illness to read her own speech, but through Deputy de Sausmarez I thank Deputy Oliver for her contribution.

Deputy Green did make the point that things are happening already, and that is very much the case. Some Members implied that we want to spend two years learning more about the States’ Property Estate, developing better management tools for managing it and only at the end of two years is anything going to start to happen. That could not be further from the truth. Things are happening now and will continue to happen.

Deputy Green said he was hoping to see a blueprint, not a direction of travel. Well, the problem is at the moment in the absence of management information and some very crucial pieces of information about the estate that we have, including up-to-date condition surveys on all buildings, it is difficult to make sensible decisions about the use of buildings. Indeed it is impossible to make well informed decisions. So yes in a sense this is a direction of travel, it is a

road map of what we need to do to get to a place where we are capable of managing property much more efficiently and better. But that does not mean that we are not targeting specific opportunities within the portfolio and that we are not dealing with that right now.

3330

He was one of the first, I think, to raise the issue of outsourcing and questioned whether the conceptual Guernsey Real Estate, which may or may not carry that name or may or may not take a particular legal form, he questioned why that could not simply be outsourced. The policy letter does refer to this, and it was quoted at length by Deputy Merrett. Yes, in principle, parts of the States' management of property could be outsourced. We are not taking a decision about that now, and certainly to address Deputy Laurie Queripel's concerns, we are not saying that we would like to see for example all facilities management outsourced, I think was kind of the thrust of his concern. What we are saying is we need to actually get a grip on the property management within the States now, because you cannot outsource something which is a pile of sticks, basically we need to get this running properly and then potentially in some areas talk to other people who might be able to run it for us and run it better than us. But to be honest, if what you have got is basically not working, outsourcing it is not going to cure the problem. You have to fix it first so that there is a working proposition and then you can talk to other business partners and say, 'Hey, could you come and help us with some of this stuff?'

3335

3340

Deputy Green asked the question essentially if we have been mishandling our property portfolio for years and years what evidence is there that we can manage it, and the answer to that is I think I have to ask him to take us on trust, that actually we do know what we are doing, we do know where we want to go, we know where we have to get to, and we are determined over the next two years to bring this beast under control.

3345

Yes, you can tar the STSB with the sins of the last 30 years if you want to, but the reality is we cannot change the history. The only thing we can change is the future, and we are asking for your agreement, your support, and I mean this to all Members of the Assembly, to help us move forward to a different paradigm where we will be able to manage these things properly.

3350

'What is the £1 million being spent on?' he asked. Well, I have tried to explain it is up to seven staff for a period of up to two years where we need to either bring in specialist skills that we do not have or where we do have specialist skills but need to backfill those positions to release the time of the individuals concerned to do this project.

3355

I get the impression that some people think that States' Property Services is teeming with people sitting around drinking cups of tea and that we have a massive amount of spare capacity to be doing a large project like this, and I am afraid the reality is we do not, because while we are doing this all those 2,000 properties need looking after, and the reality is States' Property Services is not a vast army of tea drinkers, or even electricians; it is a smallish team which is already very busy, and that is why we need the extra resource, as I said earlier, to get over the hump from a situation where the States frankly is not very good at managing property to get to a new paradigm where the States hopefully will have this under control.

3360

3365

Why will the project take two years? Well, that is just our estimate of how much work there is involved and hopefully we will be able to do it quicker.

He asked, could my successors be asked to update the Assembly regularly over the two years. I am happy to pass on that question, and hopefully they will update the Assembly and I look forward to learning of all the progress that they are going to make and wish them the very best of luck with it.

3370

Now Deputy Inder points out that States' Trading Supervisory Board can already dispose of property, and yes it can, and it does, and we have. He has a beef about how we sold the properties or the house and the workshop at Platte Fougère. All I would say to him, as somebody who has dealt with property commercially for quite a long time, is that sometimes you get the best outcome in terms of price through a public auction and sometimes you get a better price through private treaty, and commercial organisations make those decisions every day, every week as to what the best method of dealing with a property disposal is. In the circumstances of Platte Fougère where there were boundary issues which contaminated the title, where there was no

3375

3380 security for the supply of services across neighbouring land, we believed that this would be a
difficult property to sell in a public auction environment, any buyer who took advice from a well-
qualified advocate would have been advised by that advocate that the title was very encumbered
and that their right to a supply of essential services across neighbouring land was unclear. Now
some buyers might have gone ahead against that advice, but I think a lot more would have taken
3385 fright and decided that it was not worth the candle.

As it happened we had a special interest purchaser which was very fortunate for the States of
Guernsey, a neighbouring business which is involved in what we are starting to call the blue
economy and a business in an area therefore which from Economic Development's point of view
is a priority area, was interested in buying the property. The great thing about this special
3390 purchaser was that because they were a neighbour, they can cure all the access problems, they
can across their own land provide the route for services to Platte Fougère. So it was a judgement
which STSB is there to make commercial judgements, we do it on a daily basis, but it was a
judgement that we took that the disposal of Platte Fougère to this special interest purchaser at a
price which was above the valuations we had received from professional valuers was the best
3395 solution to get rid of a property which was costing us money and for which we had no alternative
use.

He mentioned that we are responsible for 12 kiosks, and yes, these kiosks provide a valuable
service and play an important part in our hospitality industry. We are keen to see improvement of
the product and improvement of the service that they offer to visitors and locals alike visiting
3400 these coastal areas, and Members will be familiar with the development of one of those kiosks
down at Vazon Bay, the northern end of the bay, which has been turned into a really nice useful
facility and where we have been able to do a deal with the owner of the kiosk, where they pay for
the redevelopment we grant them a lease on favourable terms for a longish period of time and
the Island benefits. The idea always is to try and improve the product for the market, for users of
3405 the beaches and headlands.

The terms of those leases, I think it is frankly too much detail for me to go into in this summing
up, but the terms are there for rational reasons.

Deputy Le Clerc asked why was there an urgency to move out of Cornet Street and Grange
House. That of course was effected under the transformation team led by the Chief Executive and
3410 it has freed up a couple of assets which I have already mentioned have interesting strategic
opportunities for the States of Guernsey. I am sorry we have not been able, overnight, to cash
those assets in and achieve the maximum value from them, but as I have said before often you
have to do something with it to extract the best value, and I have explained what is happening at
Grange House and what is happening at Cornet Street.

3415 She wanted an assurance that there would land for affordable housing. This was a matter she
raised when we came to present this report to the Committee for Employment & Social Security
and I was able to point out to her that States' Trading Supervisory Board is in the process of
evacuating the tenants off the ... (*Interjection*) Fontaine Vinery site, thank you, and that that
process is intended to be complete in fact by the end of this month.

3420 Meanwhile, of course, to enable that to happen we have created open storage yards up at
Griffiths Yard and prepared the lands there for receipt of those tenants, or as many of them as
may want to move there. The resulting clearance of Fontaine Vinery will hopefully, in the second
half of this year, allow us to hand over to possibly the Guernsey Housing Association. I do not
know who will be doing the work, a site which is zoned for housing. So that will free up quite a
3425 large area for affordable housing and I am personally extremely keen to see that that
development will go forward. I think that will meet Housing's demand for new accommodation for
some considerable time. Hopefully by the time that project is on stream other parcels of land in
the States' ownership will start to be freed up, and that will happen as a result of the two year
programme that we are now trying to embark on.

3430 Deputy Brehaut reminded us that States' properties are sometimes hard to sell and he referred
to Nelson Place. I certainly remember that, but from my time on Treasury & Resources, it took

years to get rid of it and we achieved a price that was nothing like what we originally hoped to obtain. So it is certainly true that the States of Guernsey portfolio is not full of glittering fabulous opportunities. There are some but there are also some properties on the list which are really going to be difficult to shift and we have been trying to sell Fort Richmond for a while. Some progress has been made on that, enquiries are still active. I wish I could stand here and say we have got a deal to sell it, we have come quite close but unfortunately due to a death in the family of the intended purchaser that did not proceed. So we will keep you posted on that, I think it will happen.

3435

Grange House: I have already mentioned once we have got the planning brief on that the property will be put on the market.

3440

I think that leads nicely into Deputy de Lisle's comments where he was saying we should be devoting resources to the immediate opportunities, and we certainly are. I hope he has been reassured by what I have been saying in this summing up speech. Everywhere we can see an opportunity to realise some value for the taxpayer, but equally importantly to create economic development opportunities for the Island we are actively pursuing them.

3445

Deputy Merrett talked about the backlog of maintenance. How is it reached? We cannot go and survey all 2,000 properties all at once, we have a rolling five-year programme whereby we survey a number of properties every year. So that work needs to continue to be accelerated and to be improved but the information she was talking about the figure of £30 million in the backlog, I was able to update the number in my opening speech to say that that backlog is now estimated to be over £40 million, and this is a product of this continual survey process.

3450

She also asked why we do not outsource now, and I hope I have answered that question. Yes we are very actively interested in the possibility of outsourcing without giving any commitment to do that, but we cannot outsource what is not already in good working order. It is our job to fix it and then we can talk to people who might be interested in running it.

3455

Why do we need to backfill the positions? Well, it is very obviously the case that members of staff who would be employed on this project already do a lot of work for us and the reality is we need that work done. So if we have people with specialist skills who we want to use on this project we have to relieve them of their current duties. We have to find someone else to come in and do the work. She seemed to assume that that meant that people would be promoted into the position, that obviously is not necessarily the case. And where are these people coming from? Obviously we will try and recruit them from the Civil Service if we have got them, but we will recruit outside if we need to.

3460

Deputy Soulsby was worried about the danger of creating a bureaucratic structure and this echoed, I think, the comments of Deputy Ferbrache. The team that are being employed to get us over the hump to put property management in better order in the States of Guernsey are not going to become a bureaucratic structure. They are there to do a particular project. It is a project management exercise and at the end of the project that team will be disbanded.

3465

She asked, like others, will nothing get done until everything is in place? The answer to that is no. Things are happening all the time. Rue Marguerite will be going to conveyancing court next Thursday. Stuff is happening and will continue to happen.

3470

Deputy Laurie Queripel said we vacated buildings without an onward plan. Well, we actually do have an onward plan for Grange House for example, but as I say it is important that we do this in the way that delivers the best value for taxpayers. Actually at the moment it is not entirely vacant because I believe a nursery school that got flooded has been moved in there to provide them with accommodation. Indeed the proprietors of that business were very grateful to States' Property Services for providing them with shelter and a solution for the time being.

3475

Deputy Laurie Queripel said he would hope that much of what is proposed is already being done. I hope he is reassured by some of what I have said. Yes, we are doing this stuff all the time.

3480

He was very concerned that we might outsource maintenance, for example. I think that is the sort of area of focus, where the States employs people to do work and those people have knowledge of the systems and so on within a particular building. Of course we do not want to lose

3485 that kind of folk knowledge, and that sort of factor needs to be very carefully considered as we work out how we might better organise facilities management.

But what I would put to Members is simply this: the number of States' Committees that employ their own facilities management staff is quite astonishing. Health have their own team; Education have their own team; Employment & Social Security employ facilities managers; States' Trading Supervisory Board employs their own facilities managers and so we are doing this all over the place all over the States, often competing for the same staff with each other and indeed where we do outsource, because let's face it, the States does not know necessarily how to maintain lifts or service fire extinguishers and so on. There are lots of tasks which have to be outsourced. We are separately outsourcing under lots of different contracts to probably the same contractors. Really we cannot hope to get best value for the taxpayer if we do not manage this system better. There is no reason why there should not be one States' body that commissions all lift maintenance contracts, that sorts out all fire extinguisher maintenance contracts, that sorts out any other of these technical aspects and deals with the market, the people who actually do the work on behalf of the States as a whole. So outsourcing is not a bogey; it is something we have to do but we just need to do it a lot better, and obviously in the future we will decide exactly what we want to keep in-house and what we will outsource.

3500 He also said that he did not want us to sell properties that provide non-financial returns, and of course many parts of the States' Property Estate will never provide a financial return. These are headlands, I mentioned earlier the area around La Vallette swimming pool. There are lots of areas of land that we keep for their amenity value and they are very important. They provide a return to the people of Guernsey but not in financial terms.

3505 Deputy Dudley-Owen would have liked to see an action plan. Yes, we will develop that, but in the meantime we are working on various projects. Castle Cornet as a boutique hotel: well, this is an interesting idea and I think it is one that people are having contemplation. So let's keep trying to make that happen.

3510 She would prefer more outsourcing in contrast to Deputy Laurie Queripel, but the answer is to get the right amount of outsourcing and to do that we need to first of all understand what the problem is. In a particular area how much of this work do we have, and then come to the best commercial arrangements if we are going to outsource it with people who provide those services.

3515 Deputy Gollop had an interesting speech about the de-politicisation of the property processes, and actually I think that a reasonable description of the direction of travel. We need to treat this as more of a professional activity more of a business-like activity even where some of the objectives are not business objectives and have frankly less politicians trying to make decisions about these things. **(A Member: Hear, hear.)**

3520 Deputy Lowe has shared with us her well known objection to resolutions which begin with the word 'note'. *(Laughter)* I am sorry if that is her reason for voting against those resolutions or any part of the Report. We have obviously tried to put the resolutions in the right terms.

3525 Home Affairs have had a difficult period with some buildings which frankly they should never have rented in, and which have been extremely costly. One of which she mentioned where it was actually cheaper to extend the lease than to deal with the dilapidations. So this was a purely commercial business decision about what to do with this particular property, and the property professionals who would not have taken on the lease in the first place were left with the problem of how to manage this extraordinary liability.

3530 So Deputy Lester Queripel also had concerns about outsourcing. I apologise to him for jargon in the Report. Much of the Report obviously was written by property professionals and in some cases they do tend to lapse into jargon. Since I am involved with the world of commercial property I understand it myself, but I apologise if some of it seemed obscure to him. The particular phrase he was worried about was 'sharpened property management roles, supported by framework decision trees'. I think we can all most of us actually work out roughly what that is about. Define the roles better and then the decision-making process that support them, but if the language is too flowery for Deputy Queripel, I understand and I apologise.

3535

3540 I think Deputy Smithies – I would like Members to focus on Deputy Smithies words that we
need to concentrate on the priorities here. What is the purpose of this Report? The Report is
saying the States really has not done a terribly good job of managing property at any time since I
have been involved with the States, and I think for a long time before that. It is high time we made
a better attempt at doing this properly, and this is not an easy transformation to achieve it will
take time but we think it is worth setting out on that journey. We are asking for your support
Members of the States because you as Members of various Committees of the States are the
occupiers of much of the property. This needs to be a dialogue between the States' Property
Services or States' Trading Supervisory Board as the owner in legal terms, or on behalf of the
3545 States, the manager of the properties, and the user Committees and Policy & Resources which has
the property policy aspects in its mandate.

So with that said, sir, I would ask Members for their support.

3550 **The Bailiff:** We have already had a request for a separate vote on Proposition 4. Proposition 1
starts with the words 'to agree' – would anybody like a separate vote on Proposition 1? Yes. Then
perhaps we can take the three other Propositions that all start with the words 'to note', take those
three together. Does that make sense?

So we will vote first on Proposition 1.

3555 **Deputy Lester Queripel:** Recorded vote please, sir.

The Bailiff: With a recorded vote on Proposition 1.

There was a recorded vote.

Carried – Pour 30, Contre 3, Ne vote pas 0, Absent 7

POUR

Deputy Fallaize
Deputy Inder
Deputy Lowe
Deputy Laurie Queripel
Deputy Smithies
Deputy Hansmann Rouxel
Deputy Graham
Deputy Green
Deputy Paint
Deputy Dorey
Deputy Brouard
Deputy Dudley-Owen
Deputy de Lisle
Deputy Langlois
Deputy Soulsby
Deputy de Sausmarez
Deputy Roffey
Deputy Prow
Deputy Ferbrache
Deputy Kuttelwascher
Deputy Brehaut
Deputy Tooley
Deputy Parkinson
Deputy Lester Queripel
Deputy Le Clerc
Deputy Leadbeater
Deputy Trott
Deputy Le Pelley
Deputy St Pier
Deputy Stephens

CONTRE

Deputy Gollop
Deputy Merrett
Deputy Meerveld

NE VOTE PAS

None

ABSENT

Deputy Le Tocq
Deputy Yerby
Deputy Oliver
Alderney Rep. Jean
Alderney Rep. McKinley
Deputy Tindall
Deputy Mooney

3560 **The Bailiff:** The voting on Proposition 1 was 30 in favour, with 3 against. I declare
Proposition 1 carried.

Shall we take next Proposition 4? 'To delegate authority to the Policy & Resources Committee to approve funding from the Transformation and Transition Fund of up to £1 million to facilitate the work set out ...' Actually, it is 'in Propositions 1 to 3', so perhaps we had better vote on those Propositions first.

3565 So we will take Propositions 2, 3 and 5 together. We will take 2, 3 and 5, the ones that all say 'to note'. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare those carried.
Now we vote on Proposition 4. Those in –

3570 **Deputy Lester Queripel:** Recorded vote please, sir.

The Bailiff: A recorded vote on Proposition 4.

There was a recorded vote.

Carried – Pour 18, Contre 15, Ne vote pas 0, Absent 7

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Fallaize	Deputy Inder	None	Deputy Le Tocq
Deputy Smithies	Deputy Lowe		Deputy Yerby
Deputy Hansmann Rouxel	Deputy Laurie Queripel		Deputy Oliver
Deputy Graham	Deputy Green		Alderney Rep. Jean
Deputy Dorey	Deputy Paint		Alderney Rep. McKinley
Deputy Brouard	Deputy Dudley-Owen		Deputy Tindall
Deputy de Lisle	Deputy Prow		Deputy Mooney
Deputy Langlois	Deputy Ferbrache		
Deputy Soulsby	Deputy Kuttelwascher		
Deputy de Sausmarez	Deputy Gollop		
Deputy Roffey	Deputy Lester Queripel		
Deputy Brehaut	Deputy Leadbeater		
Deputy Tooley	Deputy Le Pelley		
Deputy Parkinson	Deputy Merrett		
Deputy Le Clerc	Deputy Meerveld		
Deputy Trott			
Deputy St Pier			
Deputy Stephens			

The Bailiff: The voting on Proposition 4 was 18 in favour and 15 against. I declare Proposition 4 carried.

3575 That concludes the business for this meeting. So we will rise.

The Assembly adjourned at 5.36 p.m.