



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Friday, 15th July 2022

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Present:

Acting Presiding Officers

L. S. Trott

Law Officers

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

People's Deputies

S. E. Aldwell	C. J. Le Tissier
C. P. A Blin	D. J. Mahoney
A. H. Brouard	A. D. S. Matthews
Y. Burford	L. J. McKenna
T. L. Bury	C. P. Meerveld
A. Cameron	N. G. Moakes
D. de G. de Lisle	R. C. Murray
A. C. Dudley-Owen	V. S. Oliver
J. F. Dyke	C. N. K. Parkinson
S. P. Fairclough	R. G. Prow
J. A. B. Gollop	L. C. Queripel
S. J. Falla	P. J. Roffey
P. T. R. Ferbrache	H. J. R. Soulsby
A. Gabriel	G. A. St Pier
S. P. Haskins	A. W. Taylor
M. A. J. Helyar	S. P. J. Vermeulen
N. R. Inder	
A. Kazantseva-Miller	

Representatives of the Island of Alderney

Alderney Representatives S. Roberts and E. A. J. Snowdon

The Clerk to the States of Deliberation

E Atkinson (Deputy Greffier)

Absent at the Evocation

Deputy H. L. de Sausmarez (*relevée à 9h 32*);

Deputy M. P. Leadbeater (*relevé à 9h 32*); Deputy J. P. Le Tocq (*relevé à 11h 27*)

Business transacted

Evocation	1457
Billet d'État XII.....	1457
Requête	1457
16. Additional Key Worker Housing – Continuation of debate.....	1457
<i>The States adjourned at 12.25 p.m. and resumed its sitting at 2 p.m.</i>	<i>1495</i>
Additional Key Worker Housing – Debate continued	1495
Procedural – Articles 18, 19 and 21 deferred to September sitting.....	1538
Schedule for Future States' Business – Proposition carried.....	1539
Many thanks to the Greffier's team and the Acting Presiding Officer.....	1539
Best wishes for Deputy Mahoney's wedding	1540
Closing thoughts from the Father of the House, Deputy Gollop.....	1540
<i>The States adjourned at 5.25 p.m.</i>	<i>1540</i>

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States of Deliberation

The States met at 9.30 a.m.

[DEPUTY TROTT *in the Chair*]

PRAYERS

The Deputy Greffier

EVOCATION

Billet d'État XII

REQUÊTE

16. Additional Key Worker Housing – Continuation of debate

The States are asked to decide:-

Whether, after consideration of the Requête entitled 'Additional Key Worker Housing' dated 17 May 2022 they are of the opinion:

- 1. To agree that there needs to be a significant increase in key worker housing in Guernsey.*
- 2. To agree that, in respect of healthcare workers, key worker housing must include a variety of options at sites in the community to suit the full range of key employees.*
- 3. To agree that in respect of any staff accommodation located next to the Princess Elizabeth Hospital the focus should be on brown field sites, including the possible redevelopment of the former Duchess of Kent House.*
- 4. To agree that Agricultural Priority Areas should not be used by the States for staff accommodation unless there is demonstratively no alternative, and only then following a policy letter to the States seeking permission so to do.*

The Deputy Greffier: Continuation of the debate.

5 **The Acting Presiding Officer (Deputy Trott):** Thank you, States' Greffier.

Now, I notice that both Deputies Leadbeater and de Sausmarez arrived into the Assembly just after their names were called. Would you both care to be relevé?

10 **Deputy de Sausmarez:** Yes, please, sir.

Deputy Leadbeater: Yes, please, sir.

The Acting Presiding Officer: Thank you.

I am going to call Deputy Falla first, followed by Deputy Dudley-Owen.

Deputy Falla: Thank you, sir.

Sir, I would just like to respond to the Burford Amendment on behalf of the requérants and to state, as we have said publicly, that we support the Burford Amendment. In doing so, we address the concerns raised by the DPA which they expressed in the appendix to the P&R Committee's letter of comment on the requête.

The DPA were concerned that the Propositions – and in particular, Proposition 4 – as originally worded could be interpreted as having the potential to interfere with the mandate of the Authority. The requérants have met with the President of the DPA and officers on two occasions: on the second meeting, it was to hear and discuss those concerns and it was a helpful and useful meeting. The Propositions were *never* about the Authority and we consider that the Burford Amendment puts this beyond doubt.

Thank you.

The Acting Presiding Officer: Thank you.

Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, sir.

I wish to make a few distinct comments in relation to the amendment; but I may stray slightly and will forgo my right to speak in general debate.

The amendment is similar to the requête, undoubtedly: it is more refined, though in my humble opinion it still has the same effect of constraining Committees and the States in acting when they need to act in the best interests of the Island in an agile, swift way.

My first comment is that this amendment has the effect of seeking to do the job of the DPA by overriding – or actually, what I see as *supplanting* – their operational function of enforcing the Planning Law. Actually, that is what this debate is doing, isn't it? this whole debate around the requête, (**A Member:** Hear, hear.) all the amendments coming through? This is forcing this Chamber to do the job of the DPA. (**A Member:** Hear, hear.) It is supplanting the DPA and their authority. That makes me *very* uncomfortable.

To talk just to the amendment. Specifically, the third Proposition of the amendment is actually, though, whilst being put forward as a solution – and I know a lot of thought will have gone into this amendment because I have the utmost respect for Deputy Burford's knowledge and her depth of thought and her pragmatism – however, I do think this is where it ties the hands of the States and those underlying Committees by having to go through an additional layer of what I suspect might be seen as scrutiny, but actually again it is what the Planning Authority itself is mandated to do.

To read from that, it is:

To agree that no Committee of the States shall submit an application to the Development and Planning Authority seeking permission to build residential accommodation, including staff accommodation, on any land designated as an Agricultural Priority Area ...

– or what is commonly known as a APA in our parlance –

... unless that Committee shall first have obtained the agreement of the States to do so, by way of resolution.

That is the wording of the amendment.

But let's think about that in practical terms as to how we deal with our policy letters in the States: they take weeks, months, sometimes years to prepare; they rely on a lot of officer time and work not just to do the research, but in pulling together that policy to prepare and present to the States in a proper way that is easily digestible. It is followed by multiple presentations and a lot of deep-dive work to enhance our understanding so that we can land in this Chamber, hopefully, in an informed, well-prepared way in order that we can have our debate in public and that the public can hear all the consultations. That is right and proper.

I am just thinking back to the Education policy letter that we put forward on Secondary and Post-16 Education last year. It landed for the July debate – very well-prepared, well-researched, we

had done all the communications, done the presentations, made sure that States' Members were as well-informed as they possibly could be – and it ended up not being decided upon until September.

65 Now, the butterfly wings of a well-intentioned motion and other well-intentioned motions brought by Members on other areas of policy, completely unrelated, had a material consequence, and these policy letters are always subject to the risk of other well-intended motions and the butterfly wings, the consequences that land, of delay. Perhaps one of these policy letters about staff accommodation could be similarly affected by well-intentioned motions on completely unrelated policy areas just because of the vagaries of our system. That is a risk, I think, where we are trying to be agile, where we are trying to respond to urgent need.

70 Now, what of the resolution in relation to the policy that this is seeking to add another layer beneath? That is policy S5. Please, sir, through you, note I am not on the Planning Authority, I have not been, and I have very little knowledge of planning policy other than the deep-dive that we had to do for the IDP debate, the Island Development Plan debate back in 2016. My knowledge is scant and I will talk about that more, later. The S5 criteria is prescriptive and against that criteria is how any planning application is measured; but the proposition put in front of us in the amendment is *not* prescriptive.

80 If I read S5, then we can understand what the DPA will be looking at when it reviews applications where this policy becomes activated. Apologies for labouring the point here, but I will read this because I think it is important. I think it speaks to what the proposition might have really wanted to go into, this detail, but again that would duplicate the process. The policy states:

The Development of Strategic Importance ... Proposals for development that is of Strategic Importance and which may conflict with the Spatial Policy or other specific policies of the Island Development Plan but which is clearly demonstrated to be in the interest of the health, or well-being, or safety, or security of the community, or otherwise in the public interest may, exceptionally, be allowed where:

- a. there is no alternative site available that, based on evidence available to the Authority, is more suitable for the proposed development; and
- b. the proposals accord with the Principal Aim and relevant Plan Objectives.

85 What Aims and Objectives will any resolution of the States emanating from this amendment have to accord to? We do not know because the amendment is silent on that. We do not know, in this instance, what criteria we are meant to ascribe. Surely, they would have to be aligned to the DPA policy, because to be out of alignment would be a conflict and illogical; but if *in* alignment, then we here are sitting as a quasi-Planning Authority, and that is neither an efficient use of our time – it, again, supplants the DPA, and personally it is not a job that I want to do and it is not a job that I feel equipped to do. I do not think it is a job that, really, many of us in this Chamber are equipped to do. (**A Member:** Hear, hear.) We do not sit with the benefit, as the DPA does – as some of the DPA members are actually professionally qualified in construction and areas that relate to planning. That is not *me*. We do not have the benefit of those officers who are expert and technically skilled in that area in this Chamber, and nor would we be able to have access to them in the way that our current States is formed.

95 Another area that I would like to comment on, because I do have real sympathy for the requête and the amendment. I really do. In terms of building on a greenfield, I do not take that lightly. It is not something that any single person in this Chamber feels *good* about doing. No-one will say, 'That's a brilliant idea, let's concrete over another green field,' – despite some of the narrative that has come out over the last few weeks which has been, at best, misleading.

100 I think that some of the other Propositions – just to side-track for a second – on the requête are ill-thought-out and they do not take sufficient consideration of work done previously on key worker housing or done in relation to the Population Management Review and I think that it is badly-timed in that respect.

105 Just talking about my sympathy for the desire to preserve greenfield and environmental sites: back in the early 2000s, I spent nearly a decade with neighbours actively objecting to the loss of a greenfield site in the Forest. It was really hard work, actually, as lay person to object to one of these

developments because you really are out of your depth. We did an awful lot of work – Deputy Burford knows about this because Deputy Burford, at the time, sat on the Panel and she agreed with us.

But the key element there is, that field was deemed to be strategically important due to the proximity that it had to the Airport; in fact, it still is deemed to be strategically important due to its proximity, because it has not moved, despite the fact that our planning laws have moved in that time. Because of that work that I did, because of my objection, I understand – and I understood then – very well the argument of strategic importance, and I do not want to see any green field built on for reasons that are not of strategic importance.

The reason that I am talking about that particular field is that it was not for a reason of strategic importance, it was for the personal gain of a business – trying to wrap up their business plan to build on this particular field that it would be economically valuable for the Island in the long-run. In actual fact, it was not, it was a dispute between some aircraft owners and the Airport about keeping their aircraft on a field and the fees associated with that. That is another story.

There was no strategic importance to the Island of Guernsey for building on that greenfield site. And if there had been, my view and my opposition would have been different because I would have *seen* that the strategic importance of being able to have a lifeline connectivity via our Airport and the need to build on that greenfield site was so important to allow us that connection out of the Island. But that particular planning application was not of strategic importance.

I actually think that this really *is* of strategic importance. I think it is of *utmost* importance. That brings me on to another comment that I want to make in relation to arguments that are coming forward about the health benefits of the green field being in proximity to the Hospital. Now, there are undoubted health benefits, well-being benefits of pure environmental landscapes and being outside. We all know those, we do not need to be lectured on them *ad nauseam*. But they are not really hugely important when you weight them against the expertise and the skills of healthcare workers in that environment.

As many people will know – it is no secret – I have been undergoing treatment for cancer since the end of last year. Whilst the greenfield and the ambient environment of Bulstrode internally is really fantastic, I tell you what is even more essential and was even more essential for me and that was having healthcare workers who were skilled and knowledgeable and expert about treating me and my condition. (**Two Members:** Hear, hear.) Now, my condition has been sufficiently serious that it is life-threatening. The stops have been pulled out for me – but not just me, not just tens, but hundreds and hundreds, probably even thousands of Islanders not just suffering from cancer, but other life-limiting conditions. (**A Member:** Hear, hear.) We need those skilled healthcare workers and we need them in the Hospital and we need them now. Without them, any delays limit your life and can limit it *very* quickly.

In my instance, with the aggressive type of cancer that I have suffered, I might not actually be standing here today being able to argue for us to have urgent key worker accommodation – and at the expense of a beautiful green field, admittedly. Can I live with that? Well, I want to live, so yes, I can. Because, if it has helped me to have expert oncology nurses, an expert oncologist, a surgeon who is versed in plastic surgery and oncology issues, auxiliary workers, other staff who support every single stage of my treatment and still continue to – then yes, please let us have accommodation for our healthcare workers. If that needs to be on a site that has been chosen and happens to be a greenfield site, I will lament the passing; but I will insist that it goes through a rigorous planning process and that any designs are absolutely complementary and environmentally friendly, which is the right thing to do anyway in any design process in architecture these days.

Whilst we are on the topic of talking about the skills base and expertise of healthcare workers, I think that it would be useful if I put my President of Education, Sport & Culture hat on just to talk a little bit about training – and this is where I stray into general debate, sir. I think that I have heard previously about ‘Grow your own, maintain our own,’ and maybe we are not doing that well enough or we need to do more about that. And absolutely, sir, we do. We need to make strenuous efforts wherever and whenever possible to encourage Islanders to stay on Island, to train on Island, people

who we invite to the Island to help us out with our myriad services to be able to stay here for as long as we want them to, and they need to, in order to make a difference to our services that we provide.

If I just touch on some of the numbers in regard to training that goes through the Institute of Health, which is now part of the Guernsey Institute. We offer a range of on-Island training, which might surprise some people. We look at degrees, we look at associate courses; and also, post-qualification programmes, looking at Masters degrees. Actually, we are looking at pretty good-level qualifications here to take people up to a level of professional standard that you would not expect in a small jurisdiction like Guernsey. But, wow, aren't we *very* lucky that people have had the foresight to put this training in place?

Now, we have had 159 people who have started the pre-registration nursing degree, which is a Bachelor of Science degree which is endorsed by Middlesex University, and we have had an average of eight people going through that course per year since it started in 2011: 159 started but there IS some attrition rate, understandably, because some of those people who applied for it may not meet the criteria, so they are pushed on to other courses. We can offer a nursing associate course which is for health and social care assistants. This is a foundation degree and gains registration as a nursing associate with the NMC. To date, there have been thirteen nursing associates qualified, with 12 in this academic year undertaking that qualification. There is a social work degree on offer as well.

Just looking at post-qualification programmes, since the 1990s, there have been 232 people who have gained a post-qualification in nursing and social work and a further 36 this year, as well as nine on a non-medical prescribing course. Those numbers may not be impressive if you are comparing them to a large jurisdiction; but I find it pretty impressive that we are making inroads into qualifying local Island residents in medical and healthcare qualifications that will help us provide expert and skilled healthcare in our Hospital for Islanders.

But it is not enough and it will never be enough because despite the effort put into growing our own, into upskilling our own, retaining our own, we cannot force people into healthcare because we also want teachers, we also want policemen, we also want civil servants, we also want finance workers. We want creatives, we want people to work in marketing, we want people to make spectacles. We want people to do so much in this Island. We have got at any one time 900 vacancies, I understand; we have got a cohort of 500-odd students coming out of our education system every year. Our supply cannot meet the demand. So when you start to filter down out of that cohort and out of ready workers and people who might be interested, you actually get to a finite number and the pool does not get any bigger. We are doing pretty well. I am not going to make any comments or go into any arguments about the cost of that training. To me, the fact that I had a nurse on Bulstrode administering my chemotherapy who had a Master's degree in her specialism has helped me stand before people today and make the arguments. It is *invaluable*. I could not put a price on that.

Just to finish here, sir – and thank you for your patience whilst I spoke – I think we have got a Hobson's choice before us today. There is no one in this room – and I repeat that – *no one in this room* who wants to build gratuitously on a greenfield site. So I would respectfully request, Members through you, sir, that people stop the narrative that that is the position of those who oppose the requête.

I am so pleased that the facts have been put out by Deputy Ferbrache and by Deputy Brouard, and I hope to hear from more Members who have got a rounded view of this. I have had the privilege of sitting behind closed doors in President-to-President meetings over the last few months where this has been raised as an issue and I have never had a fully rounded view. So I find it hard to believe that Members who have brought the requête, who have not been sitting behind those closed doors have got a view that they can actually come to a solution so readily – or to a *barrier* so readily – as to what we do next.

But supplanting the DPA is *absolutely not* the solution and is not a position that I support. So I will not be supporting this amendment and neither will I support the requête.

Thank you, sir.

The Acting Presiding Officer: Officers, please feel free to remove your gowns and jackets should you wish.

Now, I think Deputy Roffey caught my eye slightly ahead of Deputy Queripel, so that is the order, please.

Deputy Roffey.

Deputy Roffey: Thank you, sir.

I want to address one very narrow point, which is the question of whether either the requête or the amendment supplants the DPA or overrides the DPA, as has just been suggested. I do not think that either do, actually; although I do accept that the wording of Proposition 4, if read in a particular way, might be seen to be doing that, and therefore the Burford Amendment puts this beyond all doubt.

I will explain why I do not think it in any way overrides the DPA. By the way, that is also the view of the DPA officers. We met with them and we asked them specifically did they think that, if the Burford Amendment was passed and in any way it cut across their mandate, and they were absolutely emphatic that no, it did not. I will explain in my layman's terms why I do not think it does.

In any planning process, planning application, you have an applicant and you have the DPA in receipt of that application considering it. In this case, in the cases of States-owned land, the States would be the applicant and an organ of the States, the DPA, would be the recipient of that application and would consider it against the policies in the IDP. Let's imagine, though, that it is not – it is a private company, it is Company X.

Company X has got a beautiful green field next to it and the Board of Directors say, 'There is no way we're going to put in an application to build on that; that would be an outrageous idea!' Would that, not putting in that application, be cutting across the role of the DPA because it does not give them a chance to consider the application against the IDP policies? Of course it would not, it would just be the applicant saying, 'This is something we do not want to do.'

So where the States are in both roles – the States as a body corporate, the potential applicant – are saying, 'No, we don't want to build on that field, we're not even going to ask,' that does not cut across the role of the DPA. Yes, it might take a couple of extra months if an individual Committee, if it is minded to do so, has to get the permission of the States. But APAs, there is a reason why they have such a high level of protection, because they are incredibly important in the dwindling amount of ergonomically farmed land in Guernsey.

So I, unlike Deputy Dudley-Owen, believe that that process is worth going through. And I am sorry if she had trouble with her policy letter last summer, but we can prioritise things. We have done it today – we have put this requête back to make sure the time-sensitive things get through in time, and that can be done with any other policy letter coming to the States.

Now if we decide, as a body, when this policy letter comes, 'No, there is no way in the world we want to build on that field,' the DPA never engaged. If we decide, 'Actually, yes, Committee X, we do think you should be able to apply,' in no way does that overrule the DPA. They have every right to turn down that application if it does not satisfy – in fact, they have a *duty* to turn it down if it does not satisfy – the criteria and the policies in the IDP. The fact that the application is coming from the States makes absolutely zero difference in that respect.

So I am absolutely puzzled. I can understand the arguments either way about whether or not the green field should be built on; but this idea that somehow, the States deciding upstream, 'We don't want to apply because we do not think it should be,' if that were the majority view, somehow queers the pitch of the DPA or undermines them, it is an absolute nonsense.

The Acting Presiding Officer: Deputy Queripel.

Deputy Queripel: Thank you, sir.

Sir, I will start by thanking Deputy Burford for answering my questions in her opening speech; but I am afraid I could not quite hear what she said in response to my question about Proposition 3.

So if she could repeat what she said when she responds, I would be really grateful; the question being: if a Committee want to submit an application for a development on an APA, they have to first seek States' approval to do so, as laid out in Proposition 3.

265 So, in order to be consistent with that approach, should the States not then also be asked to give permission for every other expression of interest to develop on an APA? Why put the focus exclusively on a States' Committee? (**A Member:** Hear, hear.) Could that not be considered to be discriminating against States' Committees? (**A Member:** Hear, hear.) So that was the question, sir, I would very much appreciate Deputy Burford repeating her answer, please.

270 Now, I am in a real dilemma about this amendment. I have said on more than one occasion over the years, the only time I would ever greet a development taking place in a green field is when it is going to benefit the whole community, particularly on medical grounds, and it is absolutely crucial to the wellbeing of the community. For example, the building of a care home – that has actually happened at Maison Maritaine in the Vale not so long ago, when I was a member of the DPA – or
275 the building of a doctor's surgery, as is now happening at L'Aumone.

I also have concerns, like many others, about undermining the authority of the DPA and our planning officers (**A Member:** Hear, hear.) who do an excellent job. (**A Member:** Hear, hear.) I am all in favour of just letting them get on with the job they are put in place to do. I am also incredibly frustrated and concerned that whatever the outcome of this debate, it is not going to address the
280 problem anyway, the problem being that all of the focus has been put on developments that could take years to materialise, which do not address the fact that we are in crisis right now. What we really need is action this day, we need construction to start tomorrow, and we need key workers to be housed by next week. None of that is going to happen because everything in the States takes so damn long, far too long, to the point you get to lose the will to live.

285 So I honestly do not know how I am going to vote on this amendment and I need one of my colleagues to come up with issues that I have not thought of in relation to this amendment to help me make up my mind. I do not want to abstain. I am not concerned about who I upset when I make my decision – I never have been and I never will be concerned about who I *upset*. When I make a decision, I always do that because I think it is the right think to do for the community. At the
290 moment, I cannot see what that right thing is, which is why I need one or more of my colleagues to focus on issues that I have not yet thought of.

In closing, sir, it will not come as any surprise to anyone, I ask for a recorded vote, please, when we go to the vote.

Thank you.

295

The Acting Presiding Officer: Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

300 Yesterday, I told Deputy Burford I will be supporting this amendment, but unfortunately, I must apologise to her through you. I have changed my mind overnight, having thought about this more.

Why was I going to support the amendment? Well, as Deputy Falla has pointed out, the original requête was somewhat flawed in the way it went about things and this amendment represents an improvement on that and actually addresses some of the issues. For that reason, I was minded to support it to improve the requête if the requête was successful; although I had already told Deputy
305 Burford that I was not going to support the requête when it finally came back to the Assembly.

But I am concerned about the same issue that Deputy Dudley-Owen raised in her speech about Proposition 3: has this Assembly been asked to basically pontificate and approve every potential change to agricultural lands going forward? I harken back to the 2016 debate on the IDP, the Island Development Plan. One of the big topics of that protracted debate was that this Assembly should
310 not be making decisions on planning applications. It should not be done on a political basis on the floor of this Assembly. And the Island Development Plan, flawed as it is, was introduced to take that process away from the Assembly's political decision and turn it into a much more process-driven

and logic-based analysis, rather than the more emotive decision-making that can happen in this Assembly.

315 What this Proposition 3 does is say, 'Agricultural land has a special status. We should make a decision in this Assembly whether or not any change should be even suggested.' The problem is, that starts bringing it back to this Assembly to make decisions on planning applications prior to them being applied.

Let's use an analogy. Deputy Roffey just said, 'This does not step on the toes of the DPA,' – and
320 he is right, it is the applicant making a decision about whether they want to apply when you are looking at the States taking its own land and making an application. Deputy Roffey just a couple of weeks ago was championing the fact that the States of Guernsey have bought the Data Park, 16 acres of land, and was handing it on to the GHA, and the GHA was going to apply for a change of use from industrial land under, I suspect, S5 or one of the other clauses, to have it changed to
325 housing to meet the housing crisis.

Well, hold on a second. Industrial land: we do not have very much of it. That site represents something like 80% or 90% of the land allocated for industrial use under the IDP; therefore, should logic not apply that that land is in even in more short supply than agricultural land and that decision should come back to this Assembly, as to whether or not the States or a States' body should be
330 allowed to apply for a change of use of that, depriving the Island of industrial land which is allocated?

We could then take it a step further and say, 'We are in a housing crisis; surely this Assembly then, should start making decisions on whether or not large chunks of land should be allowed to have change of use or be expedited.' And all of a sudden, the Island Development Plan and the
335 Strategic Land Use Plan, on which it is based, are starting to be second-guessed by this Assembly. Whilst I am an outspoken critic of the Strategic Land Use Plan and the Island Development Plan and would like to see improvements made, I do not want to throw it out, I do not want to override it.

So if people want to protect the Agricultural Priority Areas or industrial land or commercial land or residential land, if they want to change the status of it, they want to protect it, they want to
340 redefine it, then this Assembly does not want to be passing resolutions like this or even signalling, by supporting an amendment to change a requête, that they might support Propositions like this. It should be providing support to the DPA to expedite the overdue review of the Island Development Plan. That is the point at which you should be sitting down and having an informed debate about what land should be protected, to what degree, how it should be designated, and
345 everything else – not done on a tangential discussion about one single site where we start setting policies with far-reaching consequences.

So, unfortunately, my apologies to Deputy Burford because I did say yesterday I was going to support this. But I cannot, on that basis.

Thank you, sir.

350

The Acting Presiding Officer: I call Deputy Murray.

Deputy Murray: Thank you, sir.

I wish to speak to the amendment. But before I begin, I would like to make a general comment –
355 it is a personal comment – that it should be clear by now that giving this Assembly, or indeed any Assembly, any regular authority to debate planning matters is a *very* bad idea.

To the amendment itself. Sir, I am now somewhat daunted, given that we heard yesterday from your esteemed fellow Acting Presiding Officer that Deputy Burford, the proposer of the amendment, is the go-to person for crafting amendments and one of the main contributors to the planning laws,
360 historically, as we know them. Consequently, it is with some trepidation that I seek to challenge this amendment, particularly when she herself suggested she was merely seeking to improve the requête somewhat – and I am paraphrasing, of course. However, my own understanding of what is proposed in this amendment is that it is, in fact, far more far-reaching, and in the hope of assisting

Deputy Queripel to make up his mind, I would actually go so far as to say this is a wolf in sheep's clothing.

This amendment is not about a particular piece of land. I make that point clearly because I have to say that the seconder did not seem to speak much to the amendment itself yesterday, but went off somewhat around the mulberry bush instead, in my opinion. I do not want to have to make points of order and interrupt other speakers to remind them that we are currently debating this amendment, not the requête, because they are different beasts. It is my view, sir, that this amendment seeks to introduce a directive – a policy, even – without the benefit to this Assembly of a policy letter to accompany it to explain the pros and cons of what it actually presents. It risks being, therefore, a knee-jerk reaction to an emotive issue, and indeed in my opinion it is somewhat contradictory.

Why do I think that? Let me explain. Proposition 1 states a seemingly innocuous, self-evident reality that is a real concern to our Island: the lack of affordable housing. But the amendment does not attempt to define what we mean by that, and indeed in yesterday's *Guernsey Press*, an article on the factors impacting homelessness by the Guernsey Community Foundation stated, amongst other reasons, a lack of focus at Government level and an imprecise understanding of affordable housing. And in common with the requête, we are using somewhat vague terminology, perhaps an actual policy letter would have defined that more precisely.

Proposition 1 also refers to including 'key worker housing' – again, an oft-used term – but I do not believe we have actually agreed on a definition of whom that might now be, albeit that historically, it certainly is true that health workers are presumed to fall into that category. So in itself, Proposition 1 seems fairly straightforward and likely to be universally acceptable – up to and until, however, we have decided who key workers are going to be, and therefore how much housing, and in turn where on earth we are going to put them. The amendment is unfortunately silent on these points; but although I am sure we all agree the overall sentiment, there could well be quite far-reaching consequences which Proposition 1 does not expand upon. Unfortunately, however, by introducing Proposition 2, considerable limitation is imposed on those Committees who have responsibility for these aforementioned key health workers in order to be able to fulfil Proposition 1. So, something of a disconnect.

For example, P&R have management of the States' finances, and of particular consideration the responsibility for the salaries, terms and conditions of all public-sector employees. That includes benefits such as the rent allowance in the form of relocation expenses, and indeed all of the associated factors that limit what is realistically available to remunerate and entice health workers to the Island.

The other major Committee is, of course, HSC itself. Sir, it might be somewhat curious were it not such a critical issue that two past Presidents of that Committee have recently gone public – pictured leaning on a five-bar gate, I seem to recall – to question whether the current HSC's use of agency workers is sound enough on which to base decisions on accommodation. Other Members have remarked on this, and in my opinion this sort of rhetoric does nothing to solve a crisis in our health provision where the amount of vacancies, *huge* staff turnover, the impact of Brexit, and most critically the cost of accommodation present a circle that cannot be squared (**A Member:** Hear, hear.) and only alleviated temporarily with the flexibility and availability of agency staff.

Is it ideal? Of course not. Do we have a choice, given our needs and the prevailing and worsening market conditions? Of course, we do not.

But, in Proposition 2, this amendment seeks to hobble both of these Committees who have the principal responsibility for the Island of ensuring we have a robust and reliable health service by means of a States directive which introduces unknown impact, unknown cost, unknown timeframes, and unknown ramifications upon their valiant attempts to address the needs described in Proposition 1. In my opinion, therefore, there is a clear contradiction here and it is a result of not having all of the facts available from which to make clear, reasoned, considered and evidence-based decisions – such as we *might* have if there had been a policy letter to support making such a serious decision as is outlined in Proposition 3.

I would add here, since I take every opportunity to remind the Assembly – and it would be remiss of me not to – the fact that we do not have a future Bailiwick plan or strategy (**A Member:** Hear, hear.) in which, as a minimum, the ageing demographic and its related health infrastructure needs would be a known known. This would undoubtedly provide some parameters and priorities to make decisions about the importance of land use when considering changes to the IDP and SLUP.

I would therefore suggest that any brownfield/greenfield debate is a far bigger discussion that must be had within the context of our future needs, and it will then naturally become clearer when, as a small Island jurisdiction trying to sustain ourselves, the few choices we actually do have become explicit. Therefore, until such time as we have that vital conversation, Proposition 2 cannot be permitted to limit our immediate response and options whilst we are in a health emergency occasioned by a serious housing crisis. If you doubt my rhetoric, look at the staff turnover listed in the letter of comment; or more acutely, thousands of overdue operations.

Now, we come to Proposition 3, a most blatant attempt to introduce policy through the back door without the sufficient information as would normally be demanded by an aforementioned accompanying policy letter. This is where the scope of this amendment goes significantly further than the requête, for it does not limit the scope of its intent to help. It is so wide-ranging as to cover the needs of *any* other Committee – Education, Home Affairs, ESS – all those with or even without key worker needs, whose nuances are so diverse and wide-ranging that, in my opinion, it will be entirely unrealistic for any 40 individuals in this or any Assembly to be expected to grasp the entirety or planning complexity of those Committee issues fully on the hoof.

Without that master blueprint to the Bailiwick to which I alluded earlier or without the informed decision-making beforehand, provided by the planning framework for which we already have a set of procedures to govern such decisions independently, we risk falling prey to faulty or knee-jerk decisions influenced by emotion and not reason, or to the hullabaloo arising from a slick PR campaign – as Deputy Brouard alluded to – or simply on the composition of the relevant Assembly at the time.

So when we talk of green fields and brown fields, their availability, their cost, their suitability, their contribution to the much bigger picture – which is the health and wellbeing of our Islanders – I have to say, I do not want to leave it to those who simply shout the loudest, quite often for emotional or ideological reasons. So, until we have had that much bigger debate about what our Island needs to ensure we can sustain our economy and our quality of life, this entire amendment is inappropriate, ill-timed; and if I was being cynical, is merely a blocking device which has very serious and unknown consequences, and I would recommend Members to reject it. (**A Member:** Hear, hear.)

I am a member of the IDP, therefore I have to remain open-minded; but this is a very serious change of direction here in terms of policy; and I oppose it.

The Acting Presiding Officer: Thank you. You are not a member of the IDP, of course, you are a member of the *DPA* and I am sure a valued one, at that.

Rule 17(6), I wish to remind Members:

Debate must be relevant to the matter before a Meeting.

– which, of course, is currently the Burford Amendment. Two Members who, by their own admission, have strayed into general debate have advised the Assembly accordingly.

Can I ask, Deputy Murray, whether you thought you had strayed into general debate there?

Deputy Murray: Not at all, sir, and I am quite prepared to defend that.

The Acting Presiding Officer: Okay, well, I will not press you on it; but let me remind Members of the importance of Rule 17(6).

Deputy Brouard.

Deputy Brouard: Thank you, Acting Presiding Officer.

I just want to pick up on something that Deputy Roffey pointed out this morning, that he was saying about company directors looking at the field next-door and deciding not to build there: we actually want to build somewhere. That is the whole point, that is the difference. We *do* want to build, preferably on the PEH campus.

Deputy Murray, I think it was an excellent speech and well-measured and well-thought out. His evaluation of Proposition 1, which says that there needs to be an increase in affordable housing, including key worker housing, in Guernsey, he said it was a 'self-evident reality'. In my humble opinion, it is a pointless platitude.

Let me go on to number 2 of the amendment: what does it actually mean? I do not understand it.

To direct the Committee for Health and Social Care and the Policy & Resources Committee when seeking to provide key worker housing within the vicinity of the hospital ...

Is that the campus? Is that as far as Ruelle Braye? Does it go as far as Kings? Or are we talking about right across the town?

... to focus on redevelopment of nearby brownfield sites in preference to greenfield sites.

So we have to look at brownfield sites; but if you come up with a green site, that is okay. It is almost forcing us – if you say, 'Oh actually, what I really meant was on the PEH site, you have to build on a brownfield site' that is fine, we end up in a car park, and we have to then replace that. It is just not thought out.

Finally, we come to Proposition 3:

[To agree] that no Committee of the States shall submit an application to the Development and Planning Authority seeking permission to build residential accommodation ...

This is micromanaging the Committees, the idea that every single planning permission of this sort is going to be done by a vote of 40 of us. What else do you want to micromanage? It was a rhetorical question, but ... *(Laughter)* Do we want to say exactly how many teachers we have in the classroom or how many nurses we have on a particular ward?

If you want to really start – the whole point of making this Government efficient is to be able to have the confidence in the Committees that are leading those particular Departments and they get on and do the job on behalf of ... What we as the States should be doing is policy. And now, we actually have a piece of policy put forward in nine lines – nine lines of new policy, and it is exactly as Deputy Murray said, we have not got that policy letter behind it. Why? Why are we changing it? Why have we lost confidence in the DPA and the processes that we spent *hours* and *hours* of debate putting in place to make sure that we can deal with these issues?

What I also find surprising is and luckily today, this is policy, this is a policy change, as Deputy Murray said. But I think, in the pack today, we have got the Scrutiny Management Committee report for the year. I just want to talk about two lines in it. It says this:

This requires recognition that the work of scrutinising policy, services, financial matters and draft legislation, is a vital function in our system of government.

And yet here we have somebody on Scrutiny putting forward policy without the policy letter. So we have a substantial change in direction without the benefit of knowing the ramifications or what is going to happen to it.

Thank you, sir. I still am not fully clear exactly what is going on here. But thank you.

The Acting Presiding Officer: Deputy de Sausmarez, followed by Deputy Prow.

Deputy de Sausmarez: Thank you, sir.

I feel like I have gone down a bit of a rabbit hole. I was not really expecting quite this much debate on this amendment, I have to say. I certainly was not expecting it to go in the direction that is has gone.

I am going to start by reiterating the point that was made by me and others yesterday, which is a request, please, to not conflate two separate issues: please do not conflate the issues of healthcare workers – staff and staff accommodation – with the need to build on this particular green valley. The two are not mutually inclusive. The whole point is, there are plenty of other options.

I would say, for anyone making arguments about the ‘obvious need’ for staff accommodation, if that staff accommodation could be provided somewhere else – say, on the PEH car park or any other location that works – would they still feel as strongly that this valley needed to be developed over? That is what it comes down to. We should not conflate the obvious importance of healthcare workers and the obvious need for staff accommodation, key worker housing, with the need to build on this green valley.

So all the arguments that are made, all the very emotive arguments about healthcare workers, we really do need to look at through that lens. It is not mutually inclusive to say that because we need key worker housing to accommodate healthcare worker staff, we need to build on this valley. That is the whole point of the requête.

The bit that I feel has gone in a slightly odd direction is this talk about interference with planning applications and the distinction between planning applications and policy. I think Deputy Roffey did an excellent job of explaining how even the original requête does not engage the DPA’s mandate. This amendment does a very good job of making that absolutely clear and putting it beyond doubt. If it does not end up as a planning application for development on a greenfield site, which is not supported by any of our policies, then it does not engage the mandate of the DPA.

I just found it a bit extraordinary. Deputy Murray said that ‘This is a serious change in policy.’ We have had various people talking about how this is all very policy-focused. Deputy Brouard, just now, said, ‘We spent hours and hours in this Chamber debating planning policy’. *Exactly!* That is why I signed the requête, because we have got really good policies which this proposal, to build on this green valley, completely flies in the face of. That is exactly the –

Deputy Taylor: Point of correction, sir?

The Acting Presiding Officer: Point of correction, Deputy Taylor.

Deputy Taylor: Sir, it has been identified in the covering letter by the planning *professionals* that there is a policy route that is applicable should an application of this nature come forward. Deputy de Sausmarez’ statement that this is policy bussing regardless of your view on what decision might be made under that policy, is utter nonsense.

The Acting Presiding Officer: Deputy de Sausmarez.

Deputy de Sausmarez: It is a policy gateway. S5 is a policy gateway, and I very much hope that the DPA have not confirmed that this proposal does meet the criteria, because they should not be able to do that until the planning application is considered.

Actually, for all those people saying, ‘For goodness’ sake, let the DPA get on with their jobs,’ I am not sure if anyone really appreciates quite how much is involved with satisfying the criteria for S5 – quite rightly, because it is a policy that gazumps all other ordinary policies in the IDP. It is a very high bar to meet.

There is a *huge* body of evidence that has to be put forward. And I would say – having had a conversation, very kindly facilitated by the President of the DPA, with herself and planning officers – that the level of detail that has currently been provided, the assumptions that have been used and the high-level options analysis, *that* would not be sufficient in itself, there has to be an awful lot more detail. All those assumptions would have to be interrogated.

So it is an absolutely *huge* amount of work. Anyone saying, 'Please, take pity on the DPA, make their lives easier,' – great! Let's find something that is *in* policy. All our policies – our SLUP, our IDP, our Spatial Strategy – obviously there is a policy gateway, an exemption gateway; but when you go back to the SLUP and read it, it was really ...

Deputy Dudley-Owen mentioned the Airport –

Deputy Taylor: Point of correction, sir?

The Acting Presiding Officer: Point of correction, Deputy Taylor.

Deputy Taylor: There is no exemption – I forget the year of the law – to planning policy that would apply to an application of this nature; it would merely be a policy gateway.

The Acting Presiding Officer: Deputy de Sausmarez.

Deputy de Sausmarez: I do not understand that point of correction. I think, in effect, what S5 does is it effectively exempts the application from the ordinary policies in place. That is how I perceive it: S5 is a policy gateway that effectively gazumps all the ordinary IDP policies which say you cannot have housing development outside of the main and local centres – *on the whole*, before Deputy Taylor jumps to his feet and says, 'There are some other ways you can do it.' Yes, of course there are; but on the whole, we are trying to focus development in the local and main centres.

The whole point of having a designation called an 'Agricultural Policy Area' is to provide *protection* to that. It is supposed to be a high level of protection. It is very evidence-based. As Deputy Taylor and other members of the DPA will know, it has been through a pretty robust process of planning enquiry, very evidence-based, consultation with industry, consultation with the community. APAs are our most important bit of agricultural land. That designation is supposed to afford them protection, for good reason. And I am not saying that – it may well be that the DPA decide that the criteria is met and that is a decision that they and they alone can come to, but they will be looking at a huge amount of evidence in order to make that decision.

But it does not get around the fact that without that kind of gazumping mechanism, this does not conform with any of our ordinary policies in the IDP. So, with the exception of S5 ... The reason that S5 is the only policy gateway is because it does *not* conform with any other of the ordinary policies. When you go back to the SLUP, it makes it really clear that – it talks very strongly about the importance of our rural countryside and in particular our agricultural land. And the strategic need, again, comes down to ... Really, I think the reason S5 was in there was probably to do with the Airport; I think that was probably the only scenario in which –

Deputy Haskins: Point of order, sir?

The Acting Presiding Officer: Say that again?

Deputy Haskins: Point of order, sir?

The Acting Presiding Officer: Point of order, Deputy Haskins. What breach of the Rules have we witnessed?

Deputy Haskins: I believe, sir, it is 17(6), which you yourself have just mentioned. I cannot see the relevance of the Airport in relation to this amendment.

The Acting Presiding Officer: I think it is relevant because I happen to – I think what Deputy de Sausmarez is saying is that S5 was introduced specifically for a particular reason. That may or may not be the case, but it is her opinion; and therefore, I believe it to be valid in debate.

610 Please continue, Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

Really, this amendment is, I think, quite a helpful clarification and what it does – or what it *should* do, and what it will do if it is approved – is reinforce our existing policies. It is really just a way of backing those up and saying, ‘Yes, they’re there for good reason.’ We do not think that it should even get to a point, really, unless it can be proved and demonstrated that there is no much better alternative, that a planning application for development on this or other Agricultural Priority Areas should be even submitted.

620 So I am really to happy to support this amendment. I think, as usual, it comes down to a case of when we are deliberating on amendments, it is always a choice between the original Propositions and the Propositions as they would be amended. So I think it should be a straightforward choice for Members, irrespective of how they intend to vote on the Propositions at the end of the debate

It should be a choice of whether they believe the Propositions as set out in the amendment are preferable to the Propositions as set out in the original requête. And, because I think they add clarity, I am quite happy to support Amendment 1 and I hope the Assembly, by majority, does as well.

The Acting Presiding Officer: Deputy Prow.

630 **Deputy Prow:** Thank you, Mr Acting Presiding Officer. I thank you for your guidance around Rule 17(6), I think it is.

As far as my speech is concerned, I am going to specifically speak to the amendment, but I think, because I have listened to the debate so far, to elaborate on the points I need to make, I would just make the point right from the start that Amendment 1 pretty much replicates, I think, the intent of the original requête; therefore, it is quite difficult to make points in debate specifically tied to Amendment 1.

Sir, what I will say is that the points I am going to make probably only need to be made once, so I shall try not to replicate specific points in general debate. I hope I have set out my stall with regard to how I seek to proceed.

640 Sir, looking at Amendment 1, I have listened to the speeches of Deputy Brouard, Deputy Dudley-Owen, and Deputy Murray and I am very much aligned to their view. All I really want to say around Proposition 3 of the amendment is, I simply do not agree with Deputy Roffey and Deputy de Sausmarez’ analysis. I believe, as I have already said, that Deputy Murray and Deputy Dudley-Owen’s analysis is the correct one and I would urge States’ Members to reflect on that.

645 Deputy Roffey used the words that Proposition 3 was ‘introducing a process of an extra couple of months’. That was his words. I think in many cases, it would be more than a couple of months, it might take a great deal longer to put together policy letters on something so technical and detailed as this. I think his bottom line was his quote when he said, ‘It voids the need for DPA engagement’. But Proposition 3 says:

... that no Committee ...

650 – and Deputy Murray has made the point that applies to all the Committees of the States –

... shall first have obtained the agreement of the States to do so ...

So I think Deputy Dudley-Owen was absolutely right. The purpose of that policy letter and a debate in the States will be doing the job of the DPA. I just do not see how Proposition 3 can possibly avoid it. And of course, any applicant will have to be considered by the DPA.

I give way to Deputy Meerveld.

655 **Deputy Meerveld:** I thank Deputy Prow for giving way.

Does he agree with me that the practicalities of it, as well – because surely, if the Committee wanted to change the use of an Agricultural Priority Area, we could have a situation where it gets debated in this Assembly and then submitted to the DPA, who say, ‘No, you’re not allowed to, under the Rules.’ We would have to have a pre-submission process, some kind of ‘heads up’ from the DPA that they are likely to approve it under the Rules, before a Committee would even be in a position to bring it to the States. Just the practicalities are difficult as well.

Thank you.

Deputy Prow: I thank Deputy Meerveld for that because I think he has reinforced the point.

Going back to what Deputy Brouard has already very powerfully said, I do not understand the real purpose for it, and I think what Deputy Meerveld has just said adds to it.

Now, sir, I cannot really go on without thanking Deputy Brouard for what I thought was a standout speech yesterday. (**A Member:** Hear, hear.) I think he completely hammered several nails firmly into the woodwork. Sir, just to perhaps reinforce the theme – moving from Amendment 1 – trying to reinforce why I am making these points: Amendment 1 is an attempt to repair the Propositions of a *deeply* flawed requête. I do not need to repeat many of the points that Deputy Brouard made yesterday; but I think he very powerfully has demonstrated that.

Sir, I sat on Health & Social Care all last term and I am passionate about the Hospital Modernisation Programme and transforming our Hospital estate to be the best it can. But – and this point has been made, again, by many Deputies who have spoken already – hospitals are not just about infrastructure. They are about people. They are about patients and the key worker staff. Key worker staff: this is what the requête is entitled. Sir, it is about the key worker staff who are 24/7 professionals, who treat and care for them. Without these people, we have no health and care system.

It cannot escape anybody in this Assembly, we have a housing and accommodation emergency (**A Member:** Hear, hear.) crisis, whatever you want to call it. Key workers cannot find accommodation. Deputy Brouard had to stand up in this Assembly and explain what the professionals’ view of this was. It is a fact. This is exactly where we are now, today.

Sir, HSC have a campus – enlarged, I understand, by bequeathal from the Reverend Mignot in 1929 as purchased land in 1934 – upon which, over many years – the campus, I am referring to – we have developed, including a car park, which took up green space. I have served in the States since being first elected at the delivery end of Government. It is my view that, absolutely, it is HSC’s duty to meet the key worker challenge head-on. Working with P&R, this is what they have done to find the optimal solution to resolve the crisis.

Working with all the many constraints, hospital modernisation reconfigurations, the Development & Planning rules, and value-for-money constraints – have we forgotten about all these? – HSC have put forward their proposals with much officer input to provide key worker housing as quickly as they can. I support the President of HSC in this. The Committee have excellent staff, and as far as I can tell they have done their homework.

So, sir, this amendment to the requête – is it about the field they own? Sir, I will not take any lectures from Members of this Assembly about trying to protect agricultural land. I have made multiple objections to the DPA over the time I have been in this Assembly. I am, sir, a serial greenfield objector – (**A Member:** Hear, hear.) but, sir, sadly, this has got me virtually nowhere. The best results have only reduced the density of buildings; but the precious green fields have, one by one, disappeared.

What I have done, sir, is challenged the policies which are supposed to protect them. But we are still where we are. This is what needs to change. I have called for clear red lines which protect our green open land. They must apply to every development. For the avoidance of doubt, I do not criticise the DPA in any way. They have an excellent President and a team who have transformed the planning process. But they can only do so under the legislation and policy as it applies today.

Sir, what debate is needed – not a requête – is to change the SLUP and the IDP to tighten up the protections in a way that is totally transparent and understood by all. At one point in this debate,

I thought I had attended an open planning meeting – except for one thing: I think you are only allowed to speak for four minutes –

Deputy Burford: Sir, point of order, please?

The Acting Presiding Officer: Point of order, Deputy Burford.

Deputy Burford: I just, really, wanted to establish if Deputy Prow is actually speaking in general debate.

The Acting Presiding Officer: Let us ask Deputy Prow: do you feel you are? Your opening remarks, Deputy Prow, were not completely clear. Do you think you have strayed into general debate?

Deputy Prow: Possibly. *(Laughter)*

The Acting Presiding Officer: Would it be helpful if I ruled that you had?

Deputy Prow: Perhaps I did not make myself clear: what I am in difficulty with is that, as the debate has run so far, I believe I need to counter some of the points that were made. What I was effectively saying, sir, was that I will not make the points twice, so I will not stand up in general debate and make the same points. However, sir, if there is something completely fresh that I felt I needed to say in general debate, with your permission, sir, I would try to say so. I hope that is clearer.

The Acting Presiding Officer: I think that the problem we are having this morning is, almost every speaker, to the letter of the law, has strayed. I think it is one of these sorts of debates. This amendment is likely to be a significant part of the debate; and therefore, I will rule that you have *not* strayed, but would ask you to adhere to the comments you made earlier about not repeating the messages a second time.

Please continue.

Deputy Prow: Thank you for that guidance, sir.

Sir, this is how we protect our green space – this is how we *should be* – not a rear-guard political action on one particular key worker project planned on the Hospital site. Government can expect to be on a level playing field with the private sector and everybody else. The Airport development encroached into green space and was offset, curiously, not using a brownfield site – something I have never understood, but hey-ho – but the principle applied. What HSC are seeking to do is, as far as I can see, within the Rules.

It is a matter that is in the gift of the DPA: to approve or not to approve under the rules that apply; and S5 has been referred to multiple times in this debate. If, how and exactly where the accommodation will sit is a DPA matter. I am very content to leave it to them. But I am not content to leave the current policies on green spaces as they are and will continue to champion change.

Sir, I will not be voting for the amendment and I think I have made it pretty clear what I feel about the requête.

Thank you, sir.

Deputy Mahoney: Point of order, sir?

The Acting Presiding Officer: Point of order: Deputy Mahoney.

760 **Deputy Mahoney:** Sir, I wonder if I could just clarify: could we, perhaps, for this bit, because there are so many blurred boundaries here, leave it for you to decide and stop a speaker midway through, rather than each of us springing to our feet asking if this is actually outside or blurring into general debate?

765 **The Acting Presiding Officer:** Thank you, Deputy Mahoney. That would actually be, I think, useful.

I will repeat what I said earlier: it is quite obvious that almost every speaker has sprayed – has *strayed!* (*Laughter*) Indeed, a cat amongst the pigeons! I am trying my best to provide as much latitude as possible. But yes, if the Assembly could leave it to my judgement, I would be grateful.

770 Deputy Oliver, thank you.

Deputy Oliver: Thank you, sir.

First of all, I would like to thank Deputy Burford for coming to talk to the DPA – it was much appreciated; and also for seeing the mistakes of the requérants straight away in the requête. Thank you.

I think, also, I am going to thank Deputy de Sausmarez, because really in her speech, it actually laid out the sheer amount of work that S5 will need. I just think that, with any proposal that comes for and around the Hospital, the IDP directs that that proposal relating to the PEH will be assessed against policy S5. It is, I am sorry. I know people are shaking their head, but it is.

780 People are saying, 'Let's look at the Duchess of Kent; then that would be fine'. You need to look at it through S5. If you look at the car park, you need to look at that through S5. That is what you have to do because the development is of strategic importance.

Now, this amendment is better than the original, I cannot deny that. But where I am still slightly worried is – I am just going to read you Proposition 3:

785 To agree that no Committee of the States shall submit an application to the Development and Planning Authority seeking permission to build residential accommodation, including staff accommodation, on any land designated as an Agricultural Priority Area ...

– that is all fine –

... unless that Committee shall first have obtained the agreement of the States to do so, by way of resolution.

Now, with Deputy de Sausmarez' speech and saying the sheer amount of work needed for the planners to actually make a decision on whether that application should go forward on S5 or not, I am just wondering if that policy letter is going to have all that information in it. So I am just a little bit worried that the States is going to make a decision, and then actually and when it comes back to the planning – because you have decided whatever you have, say, you have decided 'yes' – then the planners are going to be left in this really difficult position because we can still reject that application.

795 **Deputy de Sausmarez:** Point of correction, sir.

The Acting Presiding Officer: Point of correction: Deputy de Sausmarez.

800 **Deputy de Sausmarez:** I am sorry for interrupting Deputy Oliver's speech and I am sorry for a slight delay on this point of correction; but I did want to look up the IDP just to make sure I have got my facts straight and my numbers correct.

Would she agree with me policy OC2, which is 'Social and Community Facilities Outside of the Centres', does indeed support the conversion of buildings that are no longer required within the locality of facilities such as the PEH? The reason S5 is required for the valley is because it does not conform to any other existing policies in the IDP; that is the only policy gateway. But I do not think

it is correct to say that there are no other policies whatsoever that support development on the site of the PEH as a whole and I do think that policy OC2 would support the conversion of a redundant building, from my reading of it.

810 **The Acting Presiding Officer:** Deputy Oliver.

Deputy Oliver: Then the Director of Planning must be wrong and Deputy de Sausmarez knows better. I have got an email here saying that, so I can only trust what my officer says. (*Interjections*)

815 Going back, it is also unclear – The Committee, I am assuming, with this requête will be HSC because it does not direct HSC. I do assume that it is going to be HSC. Deputy Burford has just said ‘any Committee’ – well, it is not going to be the Planning Committee that brings a letter forward because then it is going to be an open planning meeting. It is going to be another body ... On this occasion, I am pretty sure it would be HSC. They will have to put the points forward as to why they want to build in this certain location.

820 With all due respect to HSC, they may be excellent at health and social care, but they are not planning officers. I am just worried that the information that comes forward might not be what is expected from the planning application; and therefore, I am just really worried that we are going to give people outside the perception that the States have agreed one thing and then the DPA are going to have to do another thing, and either reject it or agree to it.

825 I think that is just going to make a mockery of the States, actually. But as ever, I will look at any application that comes forward with an open mind and I will apply the material planning considerations, which we should really be looking at.

The Acting Presiding Officer: Deputy Mahoney.

830

Deputy Mahoney: Thank you, sir.

Just following on from the Policy and Planning debate that we are just going through at the moment (*Laughter*) – Proposition 3 of Amendment 1 – someone has got to actually talk about the thing we are supposed to be talking about –

To agree that no Committee of the States shall submit an application to the Development and Planning Authority seeking permission ...

835 Blah, blah, blah.

How is that *not* a change of policy? There is an absolute direction: ‘To agree that no Committee ...’ can do the things I have just read out. This is again just pure, ‘Watch this, while I steal your watch with this one.’ It is the same old trick again and again.

840 Someone earlier – yesterday, it must have been – was making a big hoo-hah, I think we can say that – saying, ‘What gives the States the right to think itself above private landowners in being able to do these things?’ As Deputy Murray – I beg your pardon, it was Deputy *Queripel* actually has noted, this actually now puts the States at a *disadvantage*. The States cannot do this, I have to come back to this Assembly; whereas Deputy Queripel, on land he owns, does not have to come back to the States. He can just go through the absolutely normal planning process, DPA, as per the laws and all the statutory rights etc. Why?

845 Why am I now put at a disadvantage? Yesterday, we were talking about, ‘Why should you let Mahoney and others, all Committees, get away with all these things?’ And now, here we are doing the exact opposite and making it harder for me than it would be for Deputy Queripel or anybody else.

850 So far, Members have been dancing around the proverbial handbag on this. There is one reason and one reason only for this amendment and that is that this requête is so poorly thought-out and lazily drafted that it has simply zero chance of surviving legal scrutiny if it is passed. That is why Amendment 1 was then hashed together and everyone agreed with it because they had to, because it meant the requête, as it stood, had zero chance of actually surviving.

855 Deputy de Sausmarez talks about, I think she said and forgive me if I have got it slightly wrong – ‘a very high level of protection’, I think that was the phrase that was used, and ‘a very high bar.’ Exactly, that is absolutely correct. The S5 is not something we throw in and five people would think, ‘That looks roughly okay, let’s give him the right to do that’. This is a very difficult animal to get hold of and to get through.

860 So, we have those policies in place, they are extremely robust, they are undertaken and heard by the professionals in the Planning Department and the DPA. So why the need for the change? I do not understand.

The Acting Presiding Officer: Deputy de Lisle.

865 **Deputy de Lisle:** Thank you, sir.

The amendment has tried to broaden the Propositions of the requête, essentially; but it is still too narrow for my liking. For example, it speaks only of the APAs, but in fact around the Hospital area are many green fields of agricultural land and agricultural use that are being actually used by
870 *bona fide* farmers in that area. For example, a number of the sites around the PEH are non-designated, the fields are non-designated, they are not APAs – in other words, they do not come under the Agricultural Priority statement of areas.

For example, the field opposite Oberlands’ entrance, that is not an APA; the field behind Chest & Heart is not an APA; the Vauquiedor valley that everybody sees these cows in – you have got a
875 photograph outside here – that is not an APA; the Vauquiedor valley 2 is not; the field opposite the Dairy is not an APA. All these lands around the Hospital are not APAs.

The problem is that, if the requête were to be successful, the States can then opt for these other fields that are not protected but serve the same value to farmers and are green agricultural fields, many of higher quality in terms of land value than the one that is in question. These are the fields
880 that are as important, and for some reason the focus is on the one field which *has* the protection and therefore has to go through the DPA. The DPA have to look at it as an APA, but these other fields not so. I believe that there should have been an extension to not just the APAs, but to green land generally.

885 The other point, Proposition 2, it is not just a matter of seeking ‘nearby brownfield sites’; surely it is brownfield sites across the Island that can be looked at certainly more extensively than just around the Hospital itself. We could be looking Island-wide, and perhaps even with the extension of the first Proposition –

To agree that there needs to be an increase in affordable housing, including key worker housing ...

We could say that the policy of the States is the need for housing for all, particularly local people, and we have to be concerned with all housing and not just affordable land for key worker housing.

890 Many people would like to come back to Guernsey, return to Guernsey with all the skills that they have got in terms of nursing; and yet, they find it difficult because they cannot take up the massive subsidies given to non-Guernsey Island workers who do not qualify for affordable housing, as tenants. They wish to take their rightful place in Guernsey but are discriminated against, if you wish, on receiving the housing grants and the removal subsidies open to non-Guernsey key workers.

895 Basically, our people are being discriminated against in favour of non-locals, and this is all wrong. In other words, those subsidies, that assistance should be provided to all, not just to non-Islanders. I think it is very important that that is also looked at.

In all, I feel that the amendment does not go far enough in protecting agricultural land and as a result I will not be supporting the amendment.

900 **The Acting Presiding Officer:** Deputy Taylor.

Deputy Taylor: Thank you, sir.

Sir, after debate last night – and indeed, most evenings when I get home – I walk up the steps to our house, my one-year-old son meets me and he is always happy to see his dad, because I am that great, like every dad. What we normally do: he is desperate to show me his walking skills, so we walk out the house, we walk back down the steps, we go down the drive, into the road, we walk about 50 metres up the road to where my parents' greenhouse is, we walk through, we look at all the plants on the way, then we go into the greenhouse. My son then does his best impression of Deputy Vermeulen and he picks the green tomatoes – I do not know if they are related or not, but he is dead good at it. (*Interjection*)

Last night, I thought, 'You know what? This is a lot like the IDP, this situation.' The greenhouse is a glass house and you get birds flying in and they smash bits of glass; and the lovely gravel floor, which, on first glance, is easy – it is all gravel – you actually see there is a bit of glass. Every time I go in, I walk in and I see a bit of glass and I pick it up. If I was like a lot of Members in this Assembly, I could think, 'Done! I have collected all the bits of glass out of the greenhouse. It is now safe to walk in this greenhouse'. But my son does not wear any shoes, neither do I, so it would be silly to collect that single piece of glass and think, 'I know it is absolutely safe to carry on.'

There is something pretty serious at play in that situation, 'I do not want my son to cut his feet on the glass' – it is very serious. Land planning law is very much like that: it is incredibly serious. We have had many discussions within the DPA about wanting to *change* bits and pieces; but it is so unbelievably complex. Even someone as educated and smart as yourself, Deputy Trott, Acting Presiding Officer, must confess that it is incredibly complicated. There are pages and pages of legislation, there are 375 pages of the IDP. And much like spotting that single piece of glass in the greenhouse, you can pick up the IDP, you can read a single line and you can use it to quote.

But do so at your peril, because it is 375 pages and there is a whole ream of information that you need to take into account before you make these statements. That is why we have a professional planning team – covered by the Development & Planning Authority, the political body – to interpret these policies, to actually give recommendations, and to put it into the real world.

And the real world, for me, is understanding that there is lots of grass tucked amongst the gravel in that greenhouse and I need to be sure I know where every single bit is. So when I come back to the IDP – and I am not an expert on this, it is literally the case that I will read an area as it comes up. There are lots of areas that are not always relevant. There is GP13 'Householder Development' – probably applies to 95% of applications that the planners deal with. It is common, it is an easy one, it comes up regularly. But there are more obscure routes. Policy S5, I think everyone is in agreement, it is one of those more obscure routes, it does not come up on every application because it is there to cover situations that do not come up every day.

We just seem to be picking on policy S5. What about the other policies? It is not just S5, there are more. There are spatial policies – and if you give me a second, sir, because I have got a lot of bits to think through, here. The S1:

... the Spatial Policy is to concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas ... to maintain the vitality of these areas ...

There is a comma there, but I believe most Members would like that to be a full stop. Moving on, though, it says:

... and to make provision for limited development in the Local Centres ...

– so there is another area –

... to support and enhance ... and to allow for development Outside of the Centres in identified specific circumstances

– in accordance with the Strategic Land Use Plan.

Deputy de Sausmarez sits on the Committee *for the* Environment & Infrastructure and the Committee *for the* Environment & Infrastructure has the responsibility for the Strategic Land Use Plan; but the Island Development Plan has to be in accordance with the Strategic Land Use Plan. So

if Deputy de Sausmarez is questioning the decision or the advice of the Director of Planning – and all the other people who know a considerable amount more about this than anyone in this room – if she is questioning their knowledge, she is also suggesting that the IDP is not in alignment with the SLUP, and that would be a breach of planning law.

I am prepared to stand up if the suggestion is that the IDP is not in accordance with SLUP.

The Acting Presiding Officer: Deputy Taylor, I did not recall hearing Deputy de Sausmarez say that the IDP was not in line with the SLUP, so I think –

Deputy Taylor: Clearly, I have not written it down, I am not reading from written word. I did not say that Deputy de Sausmarez has *said* the IDP is not in accordance with the SLUP, but if the suggestion is that this is not an identified policy and this would be an exception to policy, which is contrary to the advice of the Planning professionals, then by default that statement would be suggesting that the IDP is not in accordance with SLUP.

I stand by that comment, sir. But I am prepared to move on.

The Acting Presiding Officer: I think that would be best, thank you.

Deputy Taylor: So, S1 in the Spatial Policy gives us a bit more context, and of course there is policy S4, which has not been mentioned yet. Policy S4 tells us –

Outside of the Centres, support will be given for development that meets the requirements of the relevant specific policies of the Island Development Plan.

As has been mentioned multiple times, the direction and advice from the Planning professionals is that the relevant Planning policy gateway, if – and I must stress, *if* an application of the nature proposed by Deputy Mahoney and Deputy Brouard – I hope they will not mind saying it is proposed by them – if that proposal was to come forward, that is the policy route that would be taken.

Why is this all relevant? It probably goes a little way to explain Deputy Brouard's conundrum about what this requête is about. It is a bit like 'The lady doth protest too much,' Deputy Brouard.

Absolutely! If that was a proposal, it would not be in policy. It would be an exception. And this is not the route to do it.

Then why the requête? The requête is there simply to block the ability for a Committee to make an application in accordance with all the relevant laws that have been approved by this Government and for it to be determined in the correct and official way. (**A Member:** Hear, hear.) That is the reason for the requête.

I am going to have a little sip of water, because like Deputy Brouard, I am probably getting a bit carried away here.

So it is correct, sir – and I will concede this – that policy S5 does include the word 'exceptionally'. So I can see where the confusion has come from; but it is quite a macro lens that is zooming in on the word 'exceptional' and using it to support the agenda of certain Members.

Now, sir, I do accept that I need to be very careful because we are talking about – although no one is really saying it – a specific application, and as a member of the DPA, if an application did come forward, it is likely that I would be party to that decision-making process. But I want to make absolutely clear, I have not even really seen a proper proposal. I have not seen anything to form an opinion on it. All I can do is form an opinion on the points in the requête or the amendment to it and how it infringes upon the actual work of the DPA. Whether people agree with that or not – or they might say it is *not* a policy change, it is *not* impacting on the DPA – my view is that it is, which is why I am countering this amendment, even though I am minded to vote for it. But I will come to that.

On the actual amendment, sir, it starts by saying:

To delete all propositions ...

995 So I just want to cover – and I stress, I am not going into general debate, here, sir; I am commenting on the amendment and the proposition, although it is not a proposition, but the agreement that would be:

To delete all propositions ...

So what are the Propositions that would be deleted? The first one says:

To agree that there needs to be a significant increase in key worker housing in Guernsey.

1000 Now, I do not care whether you delete that, if you times it by six, you copy-and-paste it and write it all over every single document that the States sign off for the next 20 years. We are all in agreement about that, that does not change anything. So big, fat red line through that. It makes *zero* difference, so delete it. Happy.

Number 2:

To agree that, in respect of healthcare workers, key worker housing must ...

– and I think there should be an underline under the word ‘must’ –

... include a variety of options at sites in the community to suit the full range of key employees.

1005 Now, this is drafting at its absolute worst. I could use much more unparliamentary terms; but I will not. How much ambiguity is here?

... key worker housing must include a variety of options ...

1010 Yes, sounds great, let’s actually see that in practice. The ‘variety of options’, what might they be? You need one-bedroom, two-bedroom, three-bedroom, four-bedroom. When you are actually building these, if you build a one-bedroom unit first, that is your first. You identify the highest need is for one-bedroom units, say; that is what is put forward. But that does not account for everyone, so we have *not* included a variety of options. Do we have to have the whole variety until we actually need them? That is a bit wishy-washy.

But then it says –

... at sites in the community to suit the full range of key employees.

1015 Apart from the fact that ‘the community’ – the community of what? The community of Guernsey? The community of Torteval? The community down at Cobo – although that is a local centre, so that probably would not cause any issues. Where is ‘the community’? It is so loose in terminology.

But then we get –

... to suit the full range of key employees.

1020 What about the key employees? I have made reference in a speech right at the beginning of this term the importance of *every* employee. I might have mentioned before in this Assembly that I have a passion for coffee and it is my view that regardless of how particular the grower is out in Nicaragua, how brilliant the processing plant is, how much care is taken in shipping this coffee across the world, if it was roasted by an artisan with far better skill than mine, put into a coffee machine that costs tens of thousands of pounds, extracted exactly perfectly so you had 36 grams from 18 grams of coffee and it took about 20 seconds, the barista does a *brilliant* bit of latte art –

1025 but it is put in a dirty cup. It is all a waste of time.

So in this –

The Acting Presiding Officer: Deputy Taylor, just a moment, please. Stories of this type and those that relate to your son are interesting; but I would remind Members that it is now 11.15 on

1030 the Friday, we have a significant amount of business to get through, and maybe you might consider just being a little briefer with some of the anecdotes.

Deputy Taylor: Absolutely, I will come to the point.

1035 A 'range of key employees': there are a whole load of key employees within the healthcare industry. You could have the absolute best surgeon in the absolute world, he could do every operation with his eyes closed; but put the patient on a dirty bed and it is a complete and utter waste of time because they will probably get an infection and then you will need more nurses, more accommodation.

1040 So the 'range of key employees': are surgeons key? What are his key needs? What kind of accommodation does the surgeon – earning, say, £200,000 a year – need in comparison with the cleaner, who is earning considerably less? I would happily delete that, let's get rid of it.

Then we go on –

To agree that in respect of [any] single person ...

Okay, I will be brief. Why single people? Why not couples?

... single person [staff] accommodation located next to the Princess Elizabeth Hospital the focus should be on brown [field] sites, including the possible redevelopment of the former Duchess of Kent House.

1045 Now, Deputy de Sausmarez has referred, quite rightly, to policies OC1 – I believe she referred to OC2 – but again, if you actually read what those say and follow it through, OC2 would direct you that accommodation outside the Centres would be directed under policy GP16(A) and (B). GP16(A) and (B) is the Conversion of Redundant Buildings and the first test is to prove its redundancy. The Duchess of Kent – through you, sir, I pose a question – and I will answer it myself – to Deputy Brouard: is the Duchess of Kent currently in use? Yes, the Duchess of Kent is not redundant, so it
1050 would not pass that test. Let's delete that.

Number 4, and this is a point that I think Deputy de Lisle touched on brilliantly, because again if you look at the IDP it is more than just a 375-page document, there is a map which shows all these areas. And he very correctly points out that the areas surrounding the Hospital – which are in States' ownership, the same – are *not* Agricultural Priority Areas, so they could be built.

1055 So again, let's delete all of that, I am happy with that. That is not general debate, but I have made my comments there on why I am happy to 'delete all propositions'.

Then Proposition 1:

To agree that there needs to be an increase ...

1060 I have got a four-letter word written down with one vowel. It is possibly unparliamentary, but I am going to say it anyway. 'Bleh', spelt 'b-l-e-h'. It means nothing. Everyone will agree to it, but it makes no difference on the ground.

Number 2:

To direct the Committee for Health and Social Care and [the] Policy & Resources [Committee when] seeking to provide key worker [housing] ... to focus on redevelopment of [nearby] brownfield sites ...

1065 Again, that comes up to the same problem with GP16: which are these brownfield sites? If it comes forward and they have got some nearby to be considered – but again, it is 'to *focus* on redevelopment'. Now, the canny amongst us might be saying, 'Well, we are focusing on that', but at the same time, with less focus, we are doing something else. I think it would be quite easy to circumvent that so I do not think I could really support that.

1070 Number 3, though: touching on the point made by Deputy de Lisle about the use of Agricultural Priority Areas, we have established that if the Committee wanted to make an application to build on the APA site between the Duchess of Kent and the Hospital, that would require full States' approval; but if they put it just the other side of Rue Mignon – I think it is – it would not require the

full States. What is the difference? Other than the colour on a map, they look pretty similar to me. So there is a bit of a circumvention there again.

1075 The other issue I have – and again this is me speaking as an independent Deputy with a slightly canny mind that might always look for loopholes – we are only talking about accommodation and staff accommodation. So if you were canny, you might put Victoria Wing Mark II in the field, which would be considered under policy S5. You could then convert Victoria Wing I into staff accommodation. It is a way around this amendment. You still develop that land, if it was to get subject to planning approval, which has all the high bars that have been referenced.

1080 Does this amendment actually achieve anything? I will concede that it is better drafted than the original requête. The original requête leaks water like a sieve. But this amendment, it has pretty limited reach. I am minded to support this amendment only because – as Deputy St Pier is not here, so I can use his phrase – it is putting lipstick on a pig, it is marginally better, but it is still pretty ‘bleh’. I think that is the best word.

1085 I would like to know from Deputy Burford – because Deputy Burford has experience in this, she has, I assume, read the IDP, she understands planning processes, she has probably got a deeper understanding than most. So how does this actually work? The standard process would be that the Committee would decide they want to do x; they submit the application to the Authority; there might be, in the case that has happened here which seems to have riled lots of people, they might ask the DPA in the way that any member of the community can ask under pre-application advice, it is the wise way to do it. ‘If I was to do x or to apply for x, what policy gateways would I be looking at? What policies do I need to adhere to?’ And the DPA, being completely independent, will give the view, the policies that would apply. It is a really simple process.

1090 I see Deputy Roffey is nodding his head because he has been through this process quite recently with the Data Park. Of course, it suited Deputy Roffey perfectly to have the DPA give this advice when it suited him; it suited him *perfectly* to have that. And in fact, the DPA offered their advice that in relation to the Data Park – which is currently allocated for industrial use, but the request was, ‘Could it be considered for affordable housing?’ The response from the DPA was, ‘Yes, it could be considered for housing under policy S5; potentially, policy S6.’ There would be lots of bits and pieces. And we agreed that, for the majority – we kept it fairly loose, and you cannot give commitments, in the same way that no commitment from the DPA had been given to Deputy Mahoney or Deputy Brouard, in whatever capacity, States’ Property Service, about this application. You are just suggesting the policy. It is then up to the applicant to demonstrate that the policy is met. That is the correct process.

1105 But in the Data Park, which is a brownfield site – so no one cares about that, brownfield sites do not have a shred of biodiversity, not a bit. That massive, what is it, 15 acres? Or 16 acres? It is getting bigger! That massive green lump – because it is green, you have only got to look on Google Maps, it is green. It might not be a sycamore of 130-years old, there might be contamination in the ground, but it looks pretty good to me. It is fine. We can change that under policy S5, we are happy with that decision.

1110 But we still came back – I say ‘we’ – *Deputy Roffey* still came back wanting to push and have more commitment from the DPA, not actually respecting the position of the DPA in its advice. It feels a bit unfair to then be criticising another Committee or individual Deputy who has gone through the very same process and not to allow that process to run its course.

1115 So how does this actually work? That process I have just been through is the right process, the one that has been agreed by previous Assemblies. It is all in law, it is established, it seems to be working. Yet here, the Committee will need to have the prior permission of the Assembly. What does that involve? A policy letter to do something like this would no doubt go out to the Committees that have relevant input, and it would be, in my understanding, that the DPA would comment on this as a policy letter, because a policy letter is different from a planning application.

1120 Are we then in a position where the Planning Authority – and I would welcome Deputy Burford’s clarification on how she views it playing out – might be in a position where it is giving more advice

and giving more information than it should normally do to a regular applicant through the regular process?

1125 Is that wise? Is that something that we should be doing? It certainly raises questions about additional time, because the officers involved would be the very same officers who would be involved in determining the application, they would be involved in determining the policy letter. So there is a double standard of work. And of course, being open-minded and fair-minded, they would have to wait until they have seen all the information to then reach any conclusion, so you would have to go through the process twice, which uses up a huge amount of time.

1130 You then raise questions about, when it does come back to the States, what the options are for amendments, bits and pieces –

Deputy Matthews: Point of order, sir?

Sir, I would just like to ask you –

1135

The Acting Presiding Officer: Sorry, Deputy Matthews, is this a point of order or a point of correction?

Deputy Matthews: It is a point of order, sir.

1140

The Acting Presiding Officer: Point of order: Deputy Matthews.

Deputy Matthews: I wondered if the Acting Presiding Officer might think that Rule 8(6) might apply in this case, sir.

1145

The Acting Presiding Officer: Rule 8(6) does not immediately come to memory. *(Laughter)*

A Member: I think it is repetition.

1150 **The Acting Presiding Officer:** Ah yes, Rule 8(6) refers to 'tedious repetition'.

I am not convinced it is tedious, Deputy Taylor, but it is certainly repetitive and maybe you would care to bear that in mind. But I think you are getting very near the end of your speech, in any regard, in any event. *(Laughter)*

1155 **Deputy Taylor:** Page 4 of 15, sir. *(Laughter)* No, I am joking.

This does raise concerns for me. I do concede it is better and I am likely to vote for it, although vote *against* it when it actually comes forward; but I am also of the mind to vote against it to keep the requête in its original form because that is far less palatable and I hope, then, it would be refused even by Deputy Burford, I think she said.

1160 There is a lot of double-working that would be going on here – that is my understanding – but I would welcome Deputy Burford's view to the contrary.

1165 I wonder if – possibly not now – H.M. Comptroller might be able to comment at some point during the debate about any judicial process that might take place. If the regular process that is followed is, an application is made and it is determined and the due process has not been followed, you have an avenue to appeal the decision and then you have an avenue to, if that is not successful, take judicial review. What would be the situation here? It may be that an application – which is not yet an application – comes to the States, it might be perfectly acceptable under land planning policies, but the States might choose to throw it out. I wonder what avenue might be available to the applicant, being the Committee, if that event was to arise?

1170 With that, sir, I am minded to ask Members to really think about this. If they genuinely want to see this as the amended thing and they are going to vote for it, vote for it. Otherwise, I would be minded to suggest Members vote against this to keep the requête as unpalatable as possible so it

gets thrown out, because you have probably taken it from my speech that I think it is a complete and utter waste of time.

1175 Thank you, sir.

Deputy Inder: Sir, I would like to move –

1180 **The Acting Presiding Officer:** Just one moment, please, Deputy Inder, I will come to you next. Deputy Le Tocq, do you wish to be relevé?

Deputy Le Tocq: I think so, sir. *(Laughter)*

1185 **The Acting Presiding Officer:** Deputy Inder.

Deputy Inder: I would like to move a motion pertaining to 26(1), please.

The Acting Presiding Officer: Okay.

1190 Deputy Inder has not spoken in this debate and therefore is entitled to bring this motion, which is the Guillotine motion, 26(1).

Members who intend to speak in this debate are asked to stand in their places.

Deputy Gabriel: Point of correction, please – or could you offer some correction? When you said ‘debate’, did you mean this amendment or general debate?

1195 **The Acting Presiding Officer:** This amendment is in play so it is specifically this amendment. Deputy Inder, do you want to continue with the motion?

Deputy Inder: I do, sir.

1200 **The Acting Presiding Officer:** The motion is that general debate on the Burford Amendment cease, save in regard to the closing remarks. I remind Members that the lead requérant has the opportunity to speak if he or she had not spoken previously. Deputy Falla *has* spoken previously, so if this motion is successful, the second signatory, Deputy Soulsby, will speak; and then, of course, Deputy Burford will make her closing remarks.

1205 I am going to put this *au voix*. Those in favour; those against.

Some Members voted Pour; others voted Contre.

The Acting Presiding Officer: We need a recorded vote, please, States’ Greffier.

There was a recorded vote.

Carried – Pour 23, Contre 15, Ne vote pas 1, Absent 1

POUR

Deputy Leadbeater
Deputy Le Tissier
Deputy Mahoney
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow

CONTRE

Deputy Le Tocq
Deputy Matthews
Deputy Queripel
Deputy Roffey
Alderney Rep. Snowdon
Deputy Soulsby
Deputy St Pier
Deputy Brouard
Deputy Bury
Deputy de Sausmarez

NE VOTE PAS

Deputy Burford

ABSENT

Deputy Trott*

Alderney Rep. Roberts	Deputy Fairclough
Deputy Taylor	Deputy Falla
Deputy Vermeulen	Deputy Gabriel
Deputy Aldwell	Deputy Gollop
Deputy Blin	Deputy Kazantseva-Miller
Deputy Cameron	
Deputy de Lisle	
Deputy Dudley-Owen	
Deputy Dyke	
Deputy Ferbrache	
Deputy Haskins	
Deputy Helyar	
Deputy Inder	

*Marked absent from vote due to being Acting Presiding Officer.

The Acting Presiding Officer: Members of the States, there voted *Pour* 23, *Contre* 15, there was 1 abstention and 1 absentee. (**A Member:** You.) Me, yes. (*Laughter*) Debate is therefore curtailed and we move, as I stated earlier, to the summing-up of behalf of the requérants by Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

I have to admit, I did think it was quite a bizarre debate. I do not know if I am the only one, but there you go. There were lots of points of general debate, sir, and I do not wish to go into general debate; but I will pick up some of those points anyway. I suspect I am allowed to on that basis that it was mentioned through this amendment.

Quite a number of Members appear to have missed the whole point of both the requête and this amendment, I do not if this is by accident or design, but it was very strange. Talking about it affecting the DPA? It is not about the DPA at *all*, quite the opposite. Deputy Dudley-Owen was saying how she felt *uncomfortable* trying to change and impact on the DPA. This does not go anywhere near the DPA and the amendment makes that very clear. But very clear, as requérants, that that is the case. At least Deputy Brouard admitted he did not understand any of it, but I think some people here, I do not know whether they are quite confused about the whole intention of what we are doing.

The requête and the amendment are both about the States acting as landowner. It would be for the States' Property Services. I think we had Deputy Oliver talking about, 'It will be HSC bringing this to the States.' It would not be States' Property Services, this is all about the States acting as a landowner, not in its quasi-judicial role from the DPA point of view.

'It shouldn't be about feelings,' I think, was one thing that Deputy Dudley-Owen said. No, this is not about feelings, it is about common sense and logic. I will cover more about that when we get onto the next amendment.

Reference was made to the Airport and land at the Airport being needed for strategic reasons. Absolutely! We have only got one airport and we have only got one bit of land around the Airport. Land was taken for strategic purposes near the Airport, whereas this is about saying that land is absolutely required at the PEH and it is the requérants' absolute belief that that is not the case. That will come up in more detail when we get on to the next amendment. What we are saying is, it is not strategically important to build houses on the PEH site.

Sir, I think people have been confused about how strategically important that key worker housing is separate from whether it is strategically important that it is built at the PEH. Those are two very different things.

I was going to wait until general debate, but Deputy Dudley-Owen did reference training. I suspect that might be on the back, because I did ask some questions about how many nurses we have got through training just this week, so I suspect she might have picked up on that. I am, in particular, concerned about those training for a BSc Hons in nursing studies because that is required to become a registered nurse, band-5, a qualified nurse nowadays.

I know Deputy Dudley-Owen was trying to couch this as, 'This is good and we are getting people through', but it is actually really disappointing the number of students we are getting through there. I do not think we are getting more than ten a year over recent years. We should be doing *far* more than that. We should be attracting students who have ... the one benefit we have here is, we actually *pay* students to train. (**A Member:** Hear, hear.)

So we could do more: we could either get students to come over to Guernsey to train, or alternatively we could actually encourage and pay for nurses to train in the UK. But we do need to do more. It is a very expensive course with the numbers we have got and I really think bigger efforts are needed on that front.

I was disappointed by Deputy Dudley-Owen's comment that those who have signed the requête and those who support the requête are accusing other people who do not, of not caring about greenfields. It is not about that at all, it is just that we think it is nonsensical to build on this field in question and on Agricultural Priority Areas when there are other areas that could be built on which do not destroy perfectly good agricultural land. Again, that will be dealt with shortly.

I do not think there is anything Deputy Mahoney said that I need to pick up on.

Deputy Murray talked about, 'We need a wider debate.' I know Deputy Murray says that generally in most of his speeches, but I proffer that the decision to build on this greenfield would be a tactical decision and certainly not strategic.

Deputy Brouard says we should have a policy. Yes, that is what the purpose of the requête is. Again, he talked about, 'We are losing confidence in the DPA'. We are not! This is actually meaning the DPA do *not* have to get involved. The DPA should be pleased about this amendment to the requête. If they think it does not go far enough, it needs to spelt out in the way that Deputy Burford has. They should be pleased because it means there is a high likelihood that they would not have to deal with such an issue.

I thank Deputy de Sausmarez for her comments.

Deputy Prow says he is a serial greenfield objector, but suddenly he is not. I could not understand quite why he was not. He did say we need to tighten up the SLUP and the IDP. I agree, but how long have we got to wait for that to happen? What the requête does is take that uncertainty out. Again, he talked about it being a DPA matter, misunderstanding again –

Deputy Taylor: Point of order, sir?

The Acting Presiding Officer: Point of order: Deputy Taylor. What Rule of Procedure has been broken?

Deputy Taylor: Rule 24(7), sir. I might have to request it from Her Majesty's Comptroller.

The Acting Presiding Officer: Just hold on one second. Rule 24(7) reads:

Where an amendment or sursis is debated the President (or a representative) of the Committee from which, or in the case of a requête a representative of those Members from whom, the matter originated shall have the right to speak on the amendment or sursis immediately after its proposer has proposed the amendment or sursis or immediately before its proposer replies to the debate under Rule 17(2) ...

That is clearly the process that we are going through.

Deputy Taylor: It does continue to say:

... or at any other time during the debate but at one of those points in the debate only.

It is my understanding that Deputy Falla opened with a speech earlier on the amendment and he stated in his speech that he was speaking on behalf of the requérants.

The Acting Presiding Officer: Her Majesty's Comptroller, can you assist me in this regard? My interpretation of that Rule was that a representative of the requérants had the opportunity to respond *irrespective* of whether the lead signatory had spoken in advance.

Is that your view, sir?

1295

The Comptroller: In a word: yes, sir.

The Acting Presiding Officer: Okay. Therefore, I overrule the point of order and ask Deputy Soulsby to continue. Thank you.

1300

Deputy Soulsby: Thank you, sir.

People are misunderstanding, here. What does it mean, 'the States as the landowner'? It is a bit like having a business and you want to select your own corporate HQ somewhere. It is about saying we will need to decide where we are going to build it and we are going to say, 'Right, we'll consider these sites,' and say, 'That would be a suitable one' – or more particularly in terms of the requête and the amendment, where we do not think it is suitable.

1305

That is what we are talking about here. We are asking the States to say, your policy, when it comes to thinking about where you want key worker housing – as a corporate HQ, whatever it is – is to say, 'You will not build on Agricultural Priority Areas unless there is absolutely no other option really available.' What happens after that? The company might want to say, 'Well, we will put our corporate HQ here'. Then it puts in its plan. Then, the Planning Authority wherever it may be, will decide whether that can happen or not. That is what we are talking about here, so I really struggle to understand why people find it difficult to comprehend.

1310

Deputy Oliver talked about being worried about a policy letter that will come back here; but really, this is about *not* coming back to the States. It has to be the last resort to need to come to the States, and then we will probably be in a very difficult situation, sir. I cannot imagine that any policy letter would be required for a very long time because we have a policy. And unless the States runs out of suitable land – and it does seem to have quite a lot of it lying around – I do not think that will be an issue.

1315

We talked about 'legal scrutiny'. There is nothing to do with legal scrutiny being required on this at all.

1320

Now, fair play to Deputy de Lisle: he wants us to go further, we knew that. He laid his amendment to the Government Work Plan. I was surprised that he did not try to lay an amendment to the requête. I did reference the fact that that would have been something he could have done in the Government Work Plan because the Government Work Plan was not the place for that amendment. But this requête probably was. So I was disappointed he did not do that.

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He spoke about non-locals being favoured over locals. I think that is a point that might be raised later. I think he means about agency ahead of permanent staff. I think that is something I might reference – I am sure others will – in general debate,

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Now, I thought about doing a 'Deputy Taylor' to Deputy Taylor, actually. I know Deputy Taylor, as he just did, loves to correct people on the hoof and I felt like there were a number of points I would have liked to have corrected him on at the time; but then I just let it go. Really he did show, again, like many others, a total misunderstanding of the requête and the amendment. It is not anything to the DPA. I am really surprised, as a member of the DPA, that he thought it was and how he did not understand that the purpose of the requête was just to tidy up what the requête was.

1335

It was interesting, the comments he made about key workers. It reminded me of COVID, when we had to go through a whole list, deciding who was a key worker and who was not, who could be allowed on the Island and who could not. That really is not relevant to this debate because the key workers in question, it should be quite clear to the DPA whenever any application is made should an application need to be made.

1340

I was worried when he said, when it came to the Data Park, that the land 'Looks good enough to me'. If that is how the DPA makes its decisions, I think we should all be worried. But I would say –

Deputy Dudley-Owen: Point of correction, sir?

1345 **The Acting Presiding Officer:** Correction?

Deputy Dudley-Owen: Yes.

The Acting Presiding Officer: Point of correction: Deputy Dudley-Owen.

1350

Deputy Dudley-Owen: Deputy Taylor spoke at length about the depth of the process that had to be gone through, as has Deputy Oliver, in relation to looking at these planning applications. So that is incorrect, Deputy Soulsby's statement there.

1355 **The Acting Presiding Officer:** Deputy Soulsby, do you care to respond to that?

Deputy Soulsby: I disagree: I gave my view. I said that Deputy Taylor said that the Data Park land 'Looks good enough to me' and my comment was, 'If that's how the DPA makes its decisions, I think we should be worried,' and that is my opinion. But I find it, as I say, a rather bizarre –

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Deputy Oliver: Point of correction, sir?

Deputy Soulsby: – debate to an amendment which was only providing clarity. I just ask Members to support the amendment.

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The Acting Presiding Officer: Point of correction: Deputy Oliver.

Deputy Oliver: I can assure Deputy Soulsby that the DPA do not make decisions, if that was, indeed, what he said.

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The Acting Presiding Officer: Deputy Soulsby?

Deputy Soulsby: Point of correction, sir: that was an opinion. I respect Deputy Oliver –

1375 **Deputy Taylor:** What point of order, sir?

Deputy Soulsby: I think we should now go to the count, sir.

The Acting Presiding Officer: First of all, I will deal with that. Clearly, Deputy Soulsby is entitled to her opinion and her opinion was that the manner in which Deputy Taylor was speaking gave rise to her considering that there was a more flippant approach to planning decisions than there might otherwise have been, and I think the intervention from Deputy Oliver is welcomed.

Are you sure, Deputy Taylor?

1385 **Deputy Taylor:** Rule 17(4), sir, with regard to Deputy Soulsby continuing her speech once a point of correction had been raised.

Deputy Soulsby: I have finished.

1390

The Acting Presiding Officer: She has finished. I now call on Deputy Burford to reply to the debate on her amendment. Deputy Burford.

Deputy Burford: Thank you, sir.

1395 I will confine myself strictly to the points that people have raised in debate. I apologise in advance for any pauses as I try and make head or tail of the copious notes that I have taken during the debate.

I start with Deputy Soulsby, actually. She said that this has been a 'bizarre debate' and I absolutely agree with her. I am utterly baffled that we have spent an entire morning on what fundamentally is a technical amendment. I left the Assembly in 2016 and returned four years later to a foreign country somewhere. *(Laughter)*

1400 However, thank you to Deputy Matthews for stepping in at short notice as a seconder of this amendment in Deputy Le Tocq's absence; that was appreciated. Thank you to Deputy Gollop not only for correctly identifying, with his significant experience in this Assembly, the purpose of this amendment, but also for his support.

1405 Deputy Dudley-Owen very humbly and rightly, at the beginning, said that she has 'scant knowledge of planning'. I think those were her exact words. In preparing this amendment – and this cuts across what a lot of people have said in this debate – in the consultation I did with the Planning Authority, I did not just say, 'I'm putting in this amendment. What do you think?', ignore their comments and post it. I know that Deputy Oliver will back me up completely on this. I had significant and extended consultation with them, I accepted wording from them. We went through every single proposition in the requête with a fine-tooth comb. I am sure Deputy Oliver will not mind me mentioning this: at one point, Deputy Oliver was minded to second the amendment because she had felt quite strongly that it did a very good job of dealing with what I believe, and I think even the requérants accept, are the flaws in the requête. The fact is, I had already asked Deputy Le Tocq at that stage, but I do thank Deputy Oliver for her support.

I would particularly like to put on record the support of the Director of Planning, who assures me, in my crafting of this amendment, that it does not cut across the DPA. Now, there are a lot of Members in debate who have said this rides roughshod over the DPA, it cuts across the DPA, it turns us into a quasi-Planning Authority – every other variation of that phrase you can say. Members are entitled to those opinions, they do not coincide with the Director of Planning. And indeed, I have also had some extended consultation, for which I thank Her Majesty's Comptroller, who was also satisfied with the wording I arrived at to fix this flaw. And when I set out to 'fix' the requête, originally I was only focused on Proposition 4; but then I did what Deputy Taylor clearly did in his speech to us, I went through the other points and I adjusted those. Sometimes I took out the phrase 'the Duchess of Kent House' to make it less problematic for the planners to be talking about a specific site, and so all of that was done.

1420 But ultimately, and the point that I need to make clear, please, to everybody is: do you like these Propositions better than you like the Propositions on the requête? That is the decision you need to be making here – sorry, that is the decision *Members* need to be making here. If the requête passes, then one assumes that Members would prefer to have Propositions they like more than Propositions they like less.

1430 Deputy Queripel: you asked me again to repeat what I had said about other people – i.e. not the States – bringing forward planning applications which involve building residential accommodation on an Agricultural Priority Area. That is all we are discussing here: the building of residential accommodation on an Agricultural Priority Area, we are not discussing any other kind of potential planning application. I think that, as we know, that would have to be decided under Strategic Policy S5 because it is not possible to develop residential accommodation on an Agricultural Priority Area through any other policy of the Plan.

1440 It also has to be in the public interest. Now, the chances of a developer wanting to come and develop in the public interest on an APA, to both myself and the Director of Planning, when I asked him about this, are next to zero. On that basis, it is not discriminating against because it is not an option that is already technically available to someone who is not the States of Guernsey developing for the public interest. I hope that answers Deputy Queripel's question.

1445 Deputy Meerveld also says this is about making decisions on planning applications, and I hope that what I have already said and without the need to repeat it will show that this is not about this Assembly making decisions on planning applications.

Deputy Murray started off well saying this amendment is merely to improve the requête. Yes, Deputy Murray, that is entirely what I am hoping it will do. He went through the Propositions in order.

1450 Proposition 1, he said it changes it to say 'affordable housing, including key worker housing'. The reason for that change, which is outlined in the notes to the amendment, is that as Deputy Murray correctly identifies, there is no specific definition of key worker housing in the IDP. However, it is still included under 'affordable housing', so it comes in that wider umbrella so that when you say 'affordable housing', it is understood that one of the things that makes up affordable housing is key worker housing. So I have reworded that proposition so that becomes clear.

Deputy Murray also says, 'We do not know what key worker housing is'. I suggest, in that case, he asks Deputy Mahoney and Deputy Brouard because they *clearly* know what key worker housing is because they want to build 140 units of it on a green field.

1460 Proposition 2 merely says that we should not be ruling out brownfield sites and I think that is something that you would probably get about a 99% take-up if you put it to the population of Guernsey as well, so I cannot see that that is contentious.

1465 Proposition 3, in Deputy Murray's analysis, also picks up the comments from quite a few other people who picked up on this. They seem to think that there is going to be a stream of applications from Committees and we are going to be constantly debating this. How many Committees does Deputy Murray think have plans to build residential accommodation on Agricultural Priority Areas? That is what we are talking about here. I am happy to give way to anybody who can list all of the occasions when Committees of the States have put in planning applications to build residential housing on Agricultural Priority Areas. That is all that is covered by this amendment to the requête. I really do not feel that this is going to be something that we are swamped in and we are going to become a quasi-DPA because it is rare, it is unusual. That is also the reason that it comes under S5, as well as the issue with the Hospital which Deputy Oliver correctly identified.

1475 Deputy Brouard was concerned about the phrase 'within the vicinity' or 'nearby the Hospital' and I agree with him that would possibly mean different things to different people. But I think that we could all pretty much agree that the Vale would not be 'near the Hospital'. St Martin's Hotel may just come in the ambit of it. I really think that what it does is give the Committee more flexibility, rather than less, when looking at that analysis.

Deputy Brouard says we are micromanaging every planning application of this sort. I think I have just shown that we are not drowning in planning applications of this sort. In fact, they are as rare as rare can be.

1480 Deputy Prow agreed with Deputy Murray and Deputy Dudley-Owen. I think I have addressed both of their points adequately, I do not need to repeat that. But what Deputy Prow said is, 'I do not understand the real purpose of this amendment' – and I am hoping that in my response to Members here, sir, I can help Deputy Prow in that area.

1485 Deputy Prow, I think, also said, 'Where the accommodation should sit is a DPA matter'. I would disagree. If I, as a landowner, want to decide where to put an application, I want to apply to put a garage *here*, that is my right as a landowner. They might say 'no'. But a Committee will decide, as Health & Social Care wish to do with the P&R Property Lead, where they wish this accommodation for key workers to sit and they will put that to the DPA and the DPA will decide. The DPA do not dictate where accommodation should sit; rather, they probably dictate where accommodation should *not* sit.

1490 Deputy Oliver, I thank her again for her support. She says this is better than the requête. She did question whether, if a policy letter was put in to seek the States' approval for an application to go to the Development & Planning Authority, the DPA would be required to comment on that. I stand to be corrected but I do not believe there is anything that requires the DPA to comment on that so I do not see that clash in that case.

Deputy Mahoney says this amendment creates a change of policy. We are allowed to change policy: we are an Assembly of 40 politicians; in fact, I would say that is actually in the job description. What it is not is a change of *planning* policy and I think that is the key point.

1500 He also said that this amendment was hashed together. I have not noticed Deputy Mahoney's presence in my kitchen as I was putting this amendment together; but there was very little, if any, hashing about it. In fact, I submitted it well ahead of the date to give everyone a great deal of time; I gave it considerable thought; I gave it considerable consultation, not just an email and hope for the best. I actually gave this a lot of time and in my opinion, sir, it was not hashed together.

1505 I was really perplexed by Deputy de Lisle's speech. The way I understood it was – and I understand Deputy de Lisle has been a champion of the green environment for many years. Going slightly off-topic – which I promised I would not do, but I will give it a go – he regaled us with his foresight on recycling the other day, and I think in that particular area, Deputy de Lisle was a prophet without respect in his own land because he got it right on that.

1510 However, on this, what he seems to be saying, if I understand it correctly, is that my amendment goes further in protecting fields than the requête, it is broader; but it is not broad enough for him so he is not going to vote for it. I would suggest that if he thinks it is better than the requête, even though it is not as good as he would like it to be, he does support it because surely it puts him closer to where he would like to be. And of course, Deputy de Lisle was at liberty to bring the kind of amendment he wishes that I had laid.

Deputy de Lisle: Point of correction, sir?

The Acting Presiding Officer: Point of correction: Deputy de Lisle.

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Deputy de Lisle: Sir, just to clarify, I said, 'Do not support the amendment, as if you do, the fields most vulnerable around the Hospital become targets for development. So do not support it as they do not have the APA protection and are of higher quality than the field in question.' That was my message, but people could not understand it.

1525

The Acting Presiding Officer: Thank you.
Deputy Burford.

1530 **Deputy Burford:** I thank Deputy de Lisle for his clarification, but I would point out that neither does the requête, and Deputy de Lisle did say that the amendment is broader.

Picking in between the charming references to his young son and that, Deputy Taylor refers to the professional planners, rightly so, and so did I for this amendment. I think that – like I say, picking through Deputy Taylor's speech, he does understand the bones of what I am trying to do here. He did go through the four Propositions of the requête and the three Propositions of the amendment and most of the things that he did not like with the requête he seemed to accept that I had picked up in my rewriting of the requête. So thank you for that.

1535 I think that covers everything. I have tried to keep it as brief as I can. Just in summing up, I would say to Members: this is a technical amendment to improve the Propositions to the requête; it should have no bearing on how you intend to vote on the substantive Propositions on the requête. Therefore, I ask for your support.

1540 Thank you.

The Acting Presiding Officer: Thank you.

1545 Members, there has been a request for a recorded vote. Are Members content to take all three Propositions together or is there a request for any or all to be taken separately?

Deputy Queripel: Sir, the Presiding Officer normally does not allow that. You have to vote *en bloc* for the amendment –

The Acting Presiding Officer: Oh, do you? I had forgotten that. Is that right? Okay.

Deputy Queripel: – then you can separate it if it is successful.

The Acting Presiding Officer: Thank you for that. You are absolutely right, I am advised.

Deputy Taylor: Sir, if I may: I did pose a question to Her Majesty's Comptroller; I am wondering if he has had a chance to consider that question.

The Acting Presiding Officer: Her Majesty's Comptroller.

The Comptroller: Sir, the answer is 'no'. Sorry, I cannot remember what the question was.
(Laughter)

The Acting Presiding Officer: I have to say, neither can I.
Would you care to pose it again, Deputy Taylor?

Deputy Taylor: The context was that in the regular planning application process, you have a route of appeal to a decision and then you have a judicial review against the appeal decision. In this case, if approved and the proposals which may have accorded with all policies within the IDP were rejected by this Assembly, what route of appeal might be available to the Committee in question, if any?

Deputy Burford: Sir, I think I understand because I was going to comment on it.

The Acting Presiding Officer: Somewhat exceptionally: Deputy Burford.

Deputy Burford: I think what Deputy Taylor is saying is that if these Propositions become substantive and are voted in favour of, and Health & Social Care, for example, comes to the Assembly saying, 'We want to put in an application to the DPA to build 140 houses,' and this Assembly says 'no', Deputy Taylor is wondering whether this Assembly saying no is then liable to either a planning appeal or a judicial review. I contend that it is not as the States is sovereign, but I obviously hand over to you.

Deputy Taylor: Point of correction –

The Acting Presiding Officer: Before we get into that, let's just hear whether the Comptroller feels able to confirm or otherwise the remarks of Deputy Burford a moment ago.

The Comptroller: This is on the basis that the amendment is successful, I presume. Therefore, on the face of it: No Committee of the States shall submit an application ... for planning permission ... unless the Committee shall first have obtained the agreement of the States ...

I understand the question is: 'What happens if a Committee submits a proposition to the States that it should proceed to make an application and the States says no?' Is that right?

The Acting Presiding Officer: I think so.

The Comptroller: It seems to me that the States have made their decision and that is an end to the matter. The Committee can come back and ask the States to reconsider its decision; but I do not think there is any recourse for the Committee concerned. The States will have decided.

1600 **The Acting Presiding Officer:** There we will leave it. Clearly, we will go to the vote on the amendment shortly by a recorded vote; but whilst Members are quite right to correct me that Propositions cannot be taken separately on the amendment, if they do become substantive Propositions at that stage, of course, they can be voted on separately.

States' Greffier, there has been a request for a recorded vote.

There was a recorded vote.

1605 *Not carried – Pour 16, Contre 23, Ne vote pas 0, Absent 1*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Le Tocq	Deputy Leadbeater	None	Deputy Trott*
Deputy Matthews	Deputy Le Tissier		
Deputy McKenna	Deputy Mahoney		
Deputy Oliver	Deputy Meerveld		
Deputy Parkinson	Deputy Moakes		
Deputy Roffey	Deputy Murray		
Deputy Soulsby	Deputy Prow		
Deputy St Pier	Deputy Queripel		
Deputy Burford	Alderney Rep. Roberts		
Deputy Bury	Alderney Rep. Snowden		
Deputy Cameron	Deputy Taylor		
Deputy de Sausmarez	Deputy Vermeulen		
Deputy Fairclough	Deputy Aldwell		
Deputy Falla	Deputy Blin		
Deputy Gabriel	Deputy Brouard		
Deputy Gollop	Deputy de Lisle		
	Deputy Dudley-Owen		
	Deputy Dyke		
	Deputy Ferbrache		
	Deputy Haskins		
	Deputy Helyar		
	Deputy Inder		
	Deputy Kazantseva-Miller		

*Marked absent from vote due to being Acting Presiding Officer.

1610 **The Acting Presiding Officer:** While we are waiting for that official result, Members of the States, I have had some confirmation on something, and that is that from time to time, albeit rarely, an amendment has been taken in parts – I thought I could recall it – but the main practice and recent convention is to take amendments as a whole. So it has happened in the past, I was not dreaming it, but it was inappropriate for that amendment.

On amendment 1, there voted *Pour* 16, *Contre* 23, there were no abstentions and 1 absentee. I declare the amendment lost.

[Amendment 2](#)

To delete all the propositions and substitute therefore:

- 1. In the event of the Committee for Health & Social Care pursuing to application stage the Duchess of Kent/Princess Elizabeth Hospital – Valley Field site as a site for the development of key worker accommodation and if successful in its planning application, to direct the Policy & Resources Committee via the States' Property Services to identify an area or areas of equivalent land of 6.9 verges or above that abut or abuts any of the Agricultural Priority Areas (APA), with a direction to purchase the land and return it to grassland; any improvement works to include site clearance and reinstatement to land capable of being utilised for dairy farming.*
- 2. To direct the Development & Planning Authority to give consideration to the designation of any land thus purchased as APA as part of its review of the Island Development Plan.*

3. *To authorise the Policy & Resources Committee to utilise a budget of up to £300,000, from the most appropriate account and at their discretion, to purchase the land and to cover the cost of all necessary works of clearance and reinstatement.*

The Acting Presiding Officer: We now have a second amendment, Amendment 2. Deputy Inder, do you wish Amendment 2 to be laid. Do you wish to speak now?

Deputy Inder: Yes, that is usually how it happens.

The Acting Presiding Officer: Alright, I will just check. Deputy Helyar, are you happy to second?

Deputy Helyar: Yes, sir, and I reserve my right to speak, as well.

The Acting Presiding Officer: Understood. I will call Deputy Inder.

Deputy Inder: There is no reason to read it out, States' Greffier.

Sir, Members of the States, a brief thanks to all Members who voted to get this to at least debate. I was asked by a Member why I had cut it a bit short to lay the amendment. The answer is that this is a genuine attempt, here, to find a way through what is a difficult decision for many Members of the Assembly. I am genuinely of a firm belief that, on environmental grounds, if we lose something, we should replace it with the same or more elsewhere. I think that is a realistic aspiration. Central to this whole amendment would be asking Members to agree whether, *if* the valley site gets developed, that offset would factor into that decision.

I will start with a Government document I picked up some days ago. It is entitled 'Approach to Redundant Glasshouse Sites'. This was written back in 2014. This is really an argument about offset and removal of glasshouses, which we will get to later. Paragraph 1 reads:

This report has been prepared to inform the production of a draft Island Development Plan that is a formal review of the Island's existing Development Plans (the Rural Area Plan 2005 and the Urban Area Plan 2002), under the provisions of The Land Planning and Development (Guernsey) Law 2005. The review will ensure that the Island's land use planning policies respond to current and emerging issues over the ten year life of the Plan whilst complying with the States' Strategic Land Use Plan.

It goes on to say:

The purpose of this report therefore is to consider how the draft Island Development Plan should address these options presented in the Strategic Land Use Plan for redundant glasshouse sites with a view to supporting the removal of redundant glasshouses and ancillary structures.

What I am actually not clear on is how that fed into the final IDP, but what I have *seen* – I have put in a few applications myself over the years and I am aware of people who have done similar – there appears to be a desire to remove redundant glass when small developments happen on the sites. There seems to be some residual work of the original report within the IDP itself, that appears to be embedded in some way within the IDP's thinking.

The report goes on further to say:

A scheme for large-scale clearance of redundant glasshouses, run with States assistance, operated from the 1970s until the end of 2003 and was often free and open to all. Subsidies were applied, depending on the structures remaining on the land, the condition of those structures and whether an after use was determined, including enhancement of the most important rural land. The aim of the scheme was primarily to provide jobs at a time of low employment and as such the clearance methods used were mainly by hand. The scheme ceased as the employment situation improved and experienced foremen obtained jobs and left the scheme which led to Health and Safety concerns. While there are not accurate figures for the amount of glass cleared it is thought that approximately 120 acres (296 vergées) of glass was cleared under this scheme.

Over 120 acres went back to arable use.
This is more from the report:

1645

The Strategic Land Use Plan requires the Island Development Plan to identify redundant glasshouse sites which would, if cleared, make a positive contribution to agricultural land provision. The potential contribution of redundant glasshouse sites towards these larger tracts of contiguous commercial agricultural land has been assessed in the report 'Agriculture Priority Area, October 2014'. The report identifies that 142 existing redundant glasshouse sites ...

– this is back from seven or eight years ago –

... are immediately adjoining land in agricultural use ...

There was a map; I cannot provide to you. Some of those would have been cleared, almost surely; but there are still *many* vergées and a lot fewer acres where there are abilities for us to replace or use and offset.

1650

It goes on to say:

This represents over 56% of all sites identified in the survey. 109 redundant glasshouse sites are included in the proposed Agriculture Priority Area. It is clear that using redundant glasshouse sites for other agricultural uses would make a significant contribution to commercial agricultural use ...

The consultation undertaken for the Dairy Industry Review found support for the restoration of horticultural land to its former open state for use in agriculture ...

That had the support of the dairy industry and I doubt that support has diminished in the last seven or eight years.

The report notes that 'while not all such sites are suitable for restoration, many are on good or potentially good farm land and are linked to existing farmed fields. They could, if restored properly and returned to farming use, create vital links to connect fields or groups of fields'.

Now, this is quite clearly going to knock the socks off some or all of the arguments that are about to be built and will be prepared in the margins because in terms of policy, ideals and support from the industry there is a clear desire and proof and evidence, which everyone likes, that there are opportunities in or around or abutting to the APAs to create more land *should* the valley field be turned into some form of housing.

1655

Now, that report was written back in 2014. That report was issued by the then-Environment Department and that Presidency was the President Yvonne Burford. So that was written by Deputy Burford and approved by Deputy Burford back in 2014. So depending on how the requête is going, I would expect full support for her on that matter to ensure we have got consistency of thought, word, and deed.

1660

Now, Members, the drive to find more arable land for the dairy industry was established in the Dairy Industry Review, demanded by the industry. It was something the dairy industry requested. From what I can gather, no such work was commissioned since that report, so the desire is still there. To my knowledge – and I am happy to be corrected – I cannot remember that there has been any particular clearance of land at Government level to be moved back into the APA. So the desire and the need is still there; that has not changed.

1665

This amendment seeks to ensure that there is no loss to the Agricultural Priority Areas should the valley field become housing. It will add an equal, if not net benefit to the APAs, something the dairy industry has asked for.

1670

To the amendment proper: my understanding of the role of the States and the limitation of its powers, actually, is that, as a body, we can change the law by resolution; but a resolution that does not change the law cannot trump planning law. That is my understanding. The requête seeks to fetter the statutory powers of Policy & Resources and, to me, seems to be *ultra vires* and largely moot. They either have the power under the law to make strategic decisions or they do not. That is the decision you have to make.

1675

The statutory powers either exist under planning law, which they do, and you allow that to go forward – but it appears to me that a resolution, which is not embedded in law, should not be able to fetter the statutory law. Now, someone wiser and brighter than me can get up and argue it, and there are probably about 40 of you.

The amendment to Proposition 1 simply allows Health & Social Care to run its mandate. We have had that discussion in general debate, I am not going to go through it now. This is purely about the Propositions. They make seek to use an S5 or request the right to build on the field. But it also directs Policy & Resources and States' Property Services to identify other areas of land to replace that which may be lost. A noble cause, I am sure you will all agree. Why would you not? It is embedded in policy. This was desired by the dairy industry back in 2014. This is going to be a very interesting debate.

There will be no material loss of land to the APAs because by direction, a certain amount of money will be set aside to go and look for extra areas of land which, by policy, the industry has actually requested us to do. And I am happy, over email, to share that with people at the end of the debate.

Proposition 2: To direct the Development & Planning Authority to give consideration of that identified land ... as part of its review of the IDP.

The proposition was run past the President of the Planning Authority and officers and has been agreed by senior Planning officers as a reasonable proposition. What I will not say is that that is necessarily something they might do, I will not say that they will do it, but they did not find anything wrong with the proposition in itself – a direction, effectively, to ask that, through the review, something coming back to us, 'IDP Part 2', which we will be voting on before the end of this term, that will be a direction to include that process in their review.

Proposition 3 is fairly simple: to direct P&R to set aside a budget of up to £300,000 for the identification and making good whatever the site might be. Now, almost certainly, people will be jumping up and down and saying, 'Where did you get that figure from, Inder?' I will tell you where: from the air; that is where I got it from. But what I am aware of is that if you happen to have a vinery site in a housing allocation around St Sampson's, it is really good to hold on to it because Government might turn up, buy it and you have flipped it within the two years, because that is exactly what happened only five or six weeks ago. That is a good thing. That actually happened.

If you have got one stuck in the valley down in the Forest somewhere, it is actually a liability because the chances of you ever getting that vinery or piece of land – I keep using 'vinery' because I have made reference to a previous report but there could be other areas of land. Deputy de Lisle himself has mentioned areas of land that are quite clearly arable land. They appear *near* the APA but are not under the APA.

It is not all about greenhouses. But if you have got a greenhouse, a collapsed old wooden frame somewhere up near the National Park, the chance of you turning that into housing is less likely, at least, and therefore it is not worth holding on to. There is an amount of money there – Policy & Resources do not need to spend all of it – to go and find equal or more than, to benefit the dairy industry.

Members, sir, Deputy Brouard wondered loudly in one of the addresses who wrote or authored the Falla Requête. No one can be in any doubt that I authored this given the spelling errors and the clunky nature of the explanatory notes. No one is that bad. I would ask Members to not – well you can do, I would with you – do not dine out too much on it because I will make some reference to it.

Under Rule 4(1), I would argue that the amendment contributes to the actions of the GWP enabling climate change mitigations. What is wrong with having more land for growing food? We have been told that there is difficulty with food. I have heard the word 'sustainability' mentioned so many times. The idea of being able to grow your own food and having greater areas of agricultural priority is actually a reasonable thing to ask. Bear in mind, Members, 'agricultural' is not just defined as 'cows', it is not just cows; agriculture is the rearing of livestock, the science of food, it is the growing of human-consumption food and the growing of feedstock as well. It is not all about cows.

1730 Productive land just is valuable, so let's replace any future loss. I would like to see far more
returning of redundant glasshouses to arable use; but for some reason, that has got stuck
somewhere. The policy or the desire for it was mentioned in 2014. I cannot imagine that desire is
not still there for whatever reason – it is not a criticism. We have had effectively three heads since
then, but they appear not to have moved that on in any way. Three heads of the Environment
Department do not appear to have moved that policy on and it will be very interesting to hear from
1735 them on the matter.

Now, I am personally not loving this Hobson's choice. I said at the beginning that I was just
looking for a way through this. Myself and Deputy Helyar are just trying to find a way through and
I am grateful to other Deputies who have been included in this general discussion, but it is only ever
two that can propose and second amendments. I hope Members will agree that this is a reasonable
1740 compromise, because at the moment, I do not think this requête is getting anywhere.

The Acting Presiding Officer: Now, Members, before I call the next speaker – if, in fact, I do
before lunch – let's take stock of where we are.

1745 There are three other Items after the requête for the States to deal with, *plus* the Schedule of
States' Business that cannot be deferred and must be dealt with at this meeting. I sense there is and
there will remain a desire to see debate on this requête completed at this session. With that in mind,
my view, which is shared by the two other Deputy Presiding Officers, is that we should reconvene
at 2 p.m. today and that we should organise our diaries in the event that we need to continue past
5.30 p.m. this evening should it be necessary.

1750 So for now, Members of the States, the proposition is that we return at 2 p.m. Those in favour;
those against.

Members voted Pour.

Deputy Queripel: Can I ask for clarity on that, please? That is okay if we finish at 12.30 but if we
go on like we did the other day, it is already going to eat into a reduced lunchtime.

1755 **The Acting Presiding Officer:** Thank you, Deputy Queripel. The reason I phrased the
proposition in that way is that I do not propose that we continue. We have no idea, of course, how
long the next speaker will be. But the States has decided that we will return at 14.00.

So for now, States' Greffier.

*The States adjourned at 12.25 p.m.
and resumed its sitting at 2 p.m.*

[DEPUTY TROTT *in the Chair*]

Additional Key Worker Housing – Debate continued

1760 **The Acting Presiding Officer (Deputy Trott):** Right, Deputy Inder has opened on his
amendment and it has been formally seconded. We are in general debate on the amendment.
Who wishes to speak next? Deputy de Sausmarez, thank you.

Deputy de Sausmarez: Thank you, sir.

1765 This amendment reminds me of the playground concept of 'swapsies': we start with one green
field and one parcel of developed land and then we swap them over, like-for-like. What could be
simpler? Except, it is not actually that simple and it does not work like that.

This amendment rides roughshod over the rationale underpinning our planning policies. It is deeply unfair and inequitable and – be in no doubt about it – will result in a net loss of biodiversity and agricultural productivity. It a cruel false economy.

1770 I did have a question about where to start on this. Maybe, a little bit unusually, I am going to start on Rule 4(1), which I found, itself, quite unusual. Rule 4(1)(a) talks about:

Enabling climate change mitigation and adaptation:

1775 I just do not think this is the case. The original Propositions – actually, now, the *amended* Propositions – attempt to protect a green field from development and this amendment does not. Because it does not even attempt to insist on any equivalent in terms of natural capital value, the loss of a natural habitat and its attempted restoration of a lower-value habitat would result in an environmental net loss – quite the opposite of what our climate change policy is trying to achieve.

Rule 4(1)(b) – and ignoring for a moment the slightly novel ‘pick ‘n’ mix’ approach to consulting individuals rather than Committees – those bringing the amendment failed to consult with E&I, whose mandate is directly engage. We have got responsibility for:

spatial [Land Use] planning
climate change;
protection and conservation of the natural environment;
biodiversity;
agriculture ... and the sustainability of food and farming

1780 But anyway, to the main content of the amendment. This is *not* a compromise amendment, as I have seen it described. It deletes all the Propositions, meaning that this Assembly now would *not* acknowledge the need for a significant increase in key worker housing and we would not agree to prioritise brownfield sites or look at brownfield sites in preference to greenfield sites. And just as crucially, we would not provide any kind of additional protection for Agricultural Priority Areas –
1785 additional protection which, as the proposer at the heart of this matter reminds us, is sadly needed.

To be clear, anyone voting for this amendment is *effectively* supporting the permanent loss of this verdant valley. It will be a net loss for nature and a net loss for farmers, our rural economy and the future of farming. I would like to explain why.

1790 This amendment directs P&R, in the event of a successful planning application to develop the valley field site:

... to identify an area or areas of equivalent land ...

– whatever that means –

... of 6.9 vergées or above that abut or abuts any of the Agricultural Priority Areas (APA), with a direction to purchase the land and return it to grassland; any improvement works to include site clearance and reinstatement to land capable of being utilised for dairy farming

1795 Now, one of the biggest problems with the amendment is that it is based on a completely flawed assumption: that all you need to do to offset the loss of this seven vergées of priority farmland is to find another seven vergées somewhere else, take down whatever is currently on that land, plant a bit of grass, and Bob’s your uncle. But it does not work like that. The value of the green valley we stand to lose if this Assembly votes for this amendment is defined by so much more than its square-footage. To assess any parcel of land’s natural capital value, we need to take into account factors such as location; the type and quantity of vegetation, what kind of habitat that creates and what condition it is in; whether it has freshwater; to what extent it can support the production of food,
1800 pollination, air quality erosion and climate regulation, photosynthesis, nutrient cycling; its aesthetic and cultural value; its value as a wildlife corridor for mobile species.

The full list is, in fact, a lot more detailed, but I am sure Members will get the drift. Simply saying, ‘This seven vergées here is equivalent to that seven vergées there’ is to fundamentally misunderstand the value of green land.

1805 What is more, there is absolutely nothing in this amendment that even *attempts* to require any
equivalence in terms of the land's agricultural and natural capital value. The only metric it mentions
is the size of the area, which spectacularly misses the point. It is nothing more than tokenism. For
all this amendment cares, we could be doing the equivalent of handing over a treasured classic car
to a car dealership and getting a part exchange on a grotty old banger. This amendment is silent
1810 on the two most important aspects: quality and value.

But even it did stipulate that the land use swap would need to achieve at least no net loss of
natural capital, how realistic would such an aim be? Again, it is not that simple. We would need to
carry out a site investigation on the brownfield site or sites to establish whether contaminants are
present and what remediation may be required. Old horticultural sites – the kind that Deputy Inder
1815 referred to when he opened on his amendment, for example – can contain high levels of legacy
pesticides, such as DDT, as I am sure Deputy Inder is aware through his Committee's involvement
in the cannabis-growing industry.

Contaminants like these are not quick or easy to remove, yet this remediation would have to be
done before the land could be used for agriculture, meaning there could be years between the loss
1820 of the existing field and any new land becoming viable for agriculture. Even where brownfield sites
have been subject to strict planning and environmental controls – such as the field once used as
Lagan's batching plant opposite the Airport entrance – we know that restoration to a green field
safe enough to graze cattle on, can take a long time.

It may also be necessary to remove topsoil from the brownfield site or sites in order to deal with
contaminants, or if its quality was for any other reason too poor to be usable and that would need
1825 to be treated with fertilisers to improve it to the required standard. I will talk a bit more about topsoil
in a minute; but to continue with the necessary steps, the site or sites would then need to be
ploughed and sown with grass. It would potentially take a few years, with a following wind, before
the soil and grass were well enough established to be used productively as an agricultural field; and
1830 even then, it is unlikely that the field would ever be as good quality as the one it was designed to
offset.

Inert waste on the brownfield site or sites would, of course, need to be appropriately dealt with
and we would also need to give careful consideration to drainage requirements – just some of the
logistical considerations that, again, could easily add time, complexity, and expense.

1835 Now, a little more detail on the issue of topsoil, as it really *is* an important factor with respect to
this amendment. Topsoil is effectively a finite resource and it is a precious resource at that. It takes
literally hundreds of years to form and cannot just be magicked up from thin air. And to anyone
suggesting that we just relocate the topsoil from the Vauquiedor to the brownfield site: (a) again, it
is not that simple; and (b) maybe just take a step back and ask why we are putting ourselves in such
1840 a farcical situation when there is a far more sensible alternative. Just do not build on the green field
in the first place.

Even for those who feel they can look past this fundamental illogic, this first Proposition raises
some other tricky questions about how this amendment would work in practice. Would we have
compulsory purchase if the current owners of the identified land were not willing to sell? The
1845 proposition stipulates only that the land should be restored so that it is 'capable of being utilised
for dairy farming'. But if that becomes a resolution of the States, it could be satisfied without ever
actually being used as farmland. The amendment contains no mechanism to ensure that it is used
for dairy farming at all, let alone anything close to a like-for-like swap. And indeed, Deputy Inder
confirmed that very thing when he opened on this amendment. The whole seven vergées could be
1850 rented out for people to graze horses and that would not conflict with the direction under this
amendment if it is approved.

However, one of the most problematic aspects of all is that this seven vergées could be bolted
on to *any* APA anywhere in the Island. The valley field at the Vauquiedor is farmed by the Le Cocqs.
The loss of this land simply cannot be replaced in practical terms unless it is the same distance from
1855 their farmstead or closer. It is just not reasonable. Indeed, it would be ridiculously unfair to expect

these farmers to transport their livestock to a site – or possibly, a spread of multiple sites – in Torteval or the Castel or anywhere else in the Island.

How many times have we heard from Members of this Assembly that the Government should get out of people's lives and stop putting barriers in the way of business? This is the egregious opposite. This would be the Government ripping the grassy rug out from under the hardworking feet of the Le Cocqs, disrupting their business, undermining their livelihoods and compromising the sustainability – and indeed, viability – of their future in dairy farming. Anyone voting for this amendment will be responsible for this deeply inequitable treatment of two of our youngest dairy farmers, the future of dairy farming in this Island. I ask Members to think carefully about whether they could look these people in the eye and justify their vote if this amendment carries.

There has not been much time to consult on this very late amendment but to their credit, the Guernsey Farmers Association have managed to share their views on the amendment with me. They explain that the amendment appears to misunderstand the role of APAs. I think it would be helpful for Members to hear the main content of the representation, so I will quote:

The fact that this land is within an APA is only one part of the story: there is then the fact that this land is actively farmed by the future of generation of farmers. It is in a location where it can bring the greatest environmental benefit by absorbing urban pollution and is an area of high biodiversity. These are all parts of the story that cannot be replicated by buying another part of land somewhere abutting onto an APA. It is incredibly worrying that the States of Guernsey can create the APA to protect the countryside and then renege on the established area as and when it suits their own need. This sets a precedent for future developments and undermines the APA.

During the runway resurfacing, the fields opposite the Airport were used for the Lagan concrete batching plant. Whilst that was a temporary use, the fields, despite various earthworks, have remained agriculturally and environmentally damaged. The valley habitat at the PEH cannot be replicated overnight by extending an APA elsewhere. It will have taken decades to develop and will be destroyed in hours should the development be allowed. Each area is unique to its position; and therefore, to achieve the same environmental benefit as the valley field elsewhere will be nigh on impossible to recreate.

The Guernsey Farmers Association can see no justification as to why an agricultural field of the importance of that valley field should be used for any development given the transport network and availability of other brownfield sites, other than the costs involved in developing on brownfield sites versus virgin greenfield.

I will not go into much specific detail on the valley field's agricultural and biodiversity value except to draw out a few important points. It is part of a larger contiguous bloc of land used for grazing, the whole of which was owned by the States in 2016 as an Agricultural Priority Area to afford farmland the protection it so evidently and obviously needs. Reducing the area of one APA cannot be directly compensated for by an equivalent increase in another APA; it does not work like that. As I explained earlier, this will negatively affect specific farmers with no guarantee that they – or indeed any other farmers for that matter – will actually benefit in any way at all. Even if new farmland is eventually created, it is unlikely that that benefit would ever be realised by the farmers set to lose the use of the valley field if the States approves this amendment.

As I explained yesterday, the soil and land evaluation report makes clear that all open agricultural land is valuable and that, irrespective of the soil grading, which is based on constraints from a largely arable farming perspective, this land is important for grazing and for wildlife conservation. This particular field's productivity is based on an established ecosystem which would take time – and we are talking years – with specific inputs and conditions and quite some effort to come even close to replicating. We do not know if that would even be possible. The veteran tree would essentially be impossible to replicate, as would the connectivity that this area provides for mobile wildlife species in what is known as a 'wildlife corridor' – that is its function at the moment, it acts as a wildlife corridor.

It is bizarre that we are even considering trying to replicate something that we already have and that we do not have to lose. We use hierarchies a lot in environmental policy as it helps us to prioritise where we should be focusing effort for the best result. This kind of attempt at replication is essentially offsetting, the very last resort, because it typically produces the poorest outcomes in environmental terms and represents poor value-for-money as a result. And really, the highest tranches of any environmental policy are always preventing those negative impacts from occurring

in the first place. We actually do have the option to do that, but not if we vote through this amendment.

There is also the flipside of the coin to consider and this may be a little counterintuitive. A developed site in use is likely to have a much lower biodiversity value than a greenfield site; but the kind of derelict brownfield site that Deputy Inder invoked when he opened – such as disused vineries – could perhaps be teeming with wildlife. So identifying such an area to turn into farmland could perversely result in the loss of a valuable habitat or ecosystem and a net loss of biodiversity in its own right.

Speaking of environmental value, the Société Guernesiale has made an informed representation on this amendment that I think is –

Deputy Inder: Point of correction?

The Acting Presiding Officer: Point of correction: Deputy Inder.

Deputy Inder: In my speech, I did not limit it to greenhouse sites. I made reference to white fields connected to the APA. That is not correct. Deputy de Sausmarez is misleading the Assembly.

Deputy de Sausmarez: I will leave it to the Acting Presiding Officer to call on some judgement if he feels fit; but I do not think that was a point of correction. I never suggested that Deputy Inder was trying to limit it to derelict glasshouse sites, I simply said the kind of sites that he did reference in his opening speech.

The Acting Presiding Officer: I think that is a fair response from Deputy de Sausmarez. Please continue.

Deputy de Sausmarez: Thank you.

I think it is worth putting the Société Guernesiale's representation on the record as well for those who might not have seen it:

This amendment bears no resemblance to Deputy Falla's requête and, in our opinion, is an attempt to ease through the destruction of the Duchess of Kent PEH valley field using the backdoor. The net-gain principle of the Strategy for Nature would not be met and ultimately, more of Guernsey would disappear under concrete. Almost certainly, any land added to the APA register would already be protected and it is somewhat naïve to suggest that returning such land to grassland would be an easy task.

As this land is likely to be a redundant glasshouse site, then much work would be needed, including the removal of any contaminants. The Société Guernesiale has two reserves that were once glasshouse [sites]; these have taken many years for native flora to re-establish. We believe that this amendment shows little understanding of land quality and ecological matters. Quite simply, without sufficient land available for our native flora and fauna, then the declines noted in many species will continue.

This amendment ignores the views made by various bodies and much of Guernsey's population. However it is presented, an Agricultural Priority Area, a field that acts as a wildlife corridor between the east and the west, will be lost. This field has not been ploughed for at least 15 years and as a result, shows greater biodiversity than many APAs. It should also be noted that a gradual reduction is taking place in the amount of land available to farmers on the borders of St Peter Port.

Deputy Falla's requête seeks to save the valley field from destruction and Deputies Inder and Helyar's amendment attempts to find a path that enables development. It is telling that in placing this amendment, Deputies Inder and Helyar have not made contact with members of the Committee for the Environment & Infrastructure and Agriculture, Countryside & Land Management.

We question, under Rule 4(1) information, why climate change mitigation has been mentioned. We do not believe that Proposition 4 of the requête would cause unnecessary uncertainty to arise in the Island's planning and development process.

La Société Guernesiale will continue to press for greater protection of our undeveloped areas and believe options are available that would enable the valley field to remain unspoiled. We strongly believe that Deputy Falla's requête should be debated as it stands.

On that note, I urge colleagues to reject this flawed, problematic and *deeply* inequitable amendment. Because it deletes the proposition that directs HSC and P&R to focus on redeveloping brownfield sites in preference to greenfield sites, a vote in favour of this amendment is, in effect, a vote to support the loss of a valuable green valley. It is a vote that, in effect, supports the loss of valuable grazing land to two of our youngest farmers, which would be deeply inequitable and would have a negative impact not just on those two individuals, who would be forced to farm their remaining land more intensively, but on our environment more generally. We know that this kind of attempt at environmental offsetting is inadequate and unfair at best, and it is unworkable at worst.

We know that this amendment will do little or nothing to help the farming community, especially the individual farmers affected. This amendment is nothing more than tokenism. I urge Members to reject this deeply flawed and deeply inequitable amendment.

The Acting Presiding Officer: Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

I found Deputy de Sausmarez' speech a passionate speech, very interesting; but when you analyse it, you come to interesting conclusions.

She mentions the loss of biodiversity, the loss of agricultural productivity, describes it as 'an important verdant valley', valuable grazing land. She talks about agricultural quality and value and the quality of topsoil, and even describes in the strongest terms that we would be jeopardising the future of our dairy industry to take this field away.

I think it is worth commenting, before I go further, I agree completely with Deputy Dudley-Owen earlier, there is not a single person –

Deputy de Sausmarez: Point of correction? I am really sorry, I do not like all this –

The Acting Presiding Officer: Point of correction, Deputy de Sausmarez.

Deputy de Sausmarez: I am sorry for speaking too early.

I do not like having to interrupt anyone with a point of correction, but I do just have to clarify that at no point when I spoke did I say that this particular parcel of land undermined the future of the whole dairy sector. I was talking specifically about undermining the livelihoods of the specific farmers involved.

The Acting Presiding Officer: That was my interpretation of what Deputy de Sausmarez was saying as well.

Deputy Meerveld to continue, please.

Deputy Meerveld: Whether it be the whole of the dairy industry or just the Le Cocqs, I will leave that to others to judge.

She talks about native flora on the site, etc. There is a long description of all the things this site has. As I say, before I go on to that, I will just say, I agree with Deputy Dudley-Owen: there is not a single person, me included, in this Assembly who want to build on greenfields.

The suggestion for this site to be built for workers that we need to get in to support our health industry, our Hospital, has been targeted because it can be done relatively quickly – yes, three years is relatively quickly for a large site of 140, 150 houses; it can be done relatively cheaply because it is a greenfield site and it does not need to knock other buildings down or relocate people. It is being done because we are facing an emergency. That is the justification for looking at the specific field.

But then we come down to the description of that field and describe the loss of biodiversity, the loss of agricultural productivity, a verdant valley, valuable grazing land, agricultural quality and

value, the quality of the topsoil, and the future of – if not the dairy industry – the Le Cocqs, because of this one field. But how does that stack up when you start looking past the rhetoric and start looking at the reality? I have been told that the Le Cocqs do not graze on that field – in fact, there have not been cows on that field for several years. They moved cattle in there, and they moved them in last week, by surprise. They actually use the field for segregating sick cattle when they are not producing large amounts of milk; that is the only time they use it. They use the field to transit their cows from one good pasture to another good pasture.

When we talk about the quality of the topsoil within that field, the soil grade is 3b – that is not good. It is considered to be poor-quality agricultural soil grade and it is considered to be a challenging site because it definitely has water – it has a stream running down the middle – and it is prone to flooding. It has not been ploughed for 15 years. And that is another important point, actually. This is *not* a site of biodiversity we are preserving. There seems to be a mixing up here. What we are actually preserving here is an Agricultural Priority Area.

The Le Cocqs or another farmer who is given use of the land could go in and plough it tomorrow and I am sure the biodiversity might be affected by that too. It is *agricultural land*. I am sure that if this amendment goes through, P&R will look for a piece of land that has a better grade of soil than 3b and will look to reinstate a piece of agricultural land to *replace* a piece of agricultural land.

Now, nobody wants to build on this field but if they are going to, I do like the idea of offsetting. I think the average Guernsey person is concerned about the reduction in green spaces, but they do not necessarily differentiate between one field and the next. This is all about APAs, Agricultural Priority Areas, not green valleys, not designated for anything other than agriculture. This field could be carved up tomorrow, ploughed down and planted with potatoes. That is what this amendment looks to replace it with.

I think this is a very sensible amendment. I think it helps mitigate the concerns of the public that we are losing green spaces. I encourage Members to support it and look past the rhetoric that is being given. It makes it sound like this one field is the lungs of Guernsey and sustains the entire Island. It is not. It is a field that was acquired by the States in the 1920s/1930s and was specifically acquired to extend the Hospital – that is what it was there for. The fact that we have not got around to doing it speaks to the slowness with which the States do things, but it does not mean that that should not be utilised at this stage now. We need this, we need it now. Also, remember: when we are building housing for our incoming workers, every house that we build there is one less house in the public market that is not being occupied by those workers, so that is helping address the housing crisis as well.

I encourage Members to wholeheartedly support this amendment. I think this is a practical, pragmatic solution and it also avoids all the issues that now remain inside the existing requête.

Thank you.

The Acting Presiding Officer: Deputy Oliver, followed by Deputy Kazantseva-Miller.

Deputy Oliver: Thank you, sir.

I just wanted to say quickly thank you to Deputy Inder for contacting the DPA. I am really glad that he actually did change his amendment, which made a lot more sense. So thank you for that.

Some people in this debate and the last debate have mentioned the Airport land and the transfer that was done so we could do this one. I just want to say: it was done as part of the EIA, which was required for that development. So it was straightforward and that was one of the conditions set out in the planning considerations.

There are actually a few difficulties with this amendment inasmuch as, 'Does a site actually exist?' and 'Can it be purchased?' and 'What would the extent and the cost of it be to make it fit for agriculture?' There would also be, at the moment, no policy – we do not have a policy for offsetting. In the event that an application was submitted for the PEH field and if it was approved under S5, there is actually no policy at the moment.

However, having said all that, I have discussed it with the Planning officer and he said that there would be no problem if it did go ahead, because what we could do was include that field within the review. So it would not be until 2026 that it actually came to light. It can be done, just not in a very roundabout way, if that makes sense.

Thank you.

The Acting Presiding Officer: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

I thought I would speak. I will probably stray into general debate, but I do not know how much debate we are going to have left because I think we are all losing the will to live today a little bit. *(Laughter)* If we have general debate, I am not going to – like Deputy Prow, I promise not to repeat anything if I do stand again.

I just wanted to draw us back to ‘What are we trying to solve for our community here?’ Just going back to the basics: the Committee *for* Health, when they took the mandate earlier in this political term, identified quickly that one of the issues was a lack of accommodation for their staff. Deputy Brouard talked about. They identified it early on and they instructed, whoever they instructed whether it is their own officers, officers of Property Services, to do something about it. They knew it is a problem and they acted on it.

The first time I heard about action being taken on this, basically to solve this issue, was as member of the DPA – I think it was Q4 last year – when a very high-level drawing came to us with regard to building something on the car park adjacent to the Oberlands road, and that was for about, I think, 50 units. This was the first time, either as DPA member or as States’ Member, saw the action in relation to, effectively, key worker accommodation. That was the end of last year.

We were not too happy with the design, gave some comments, but absolutely, there was opportunity to do something in that spot. It is a concreted area, you could easily go and build on it. You do not need any fancy planning applications and gateways – ‘S5’, ‘S4’, whatever you call it – you could go and do it. The application went back to the Committees and that was it, we had not heard anything.

The next time I heard something in relation to solving this – we have heard the debate, how urgent and critical this issue is *today*, not in three years’ time, *today*. I have heard about the plans to go and build on this now famous or infamous valley. Apparently, the brief had changed in that process, it became 150 units within the radius of 500 metres, a kilometre, something like that, to be completed within this political term.

First of all, if I was a corporation and I faced some really critical crisis emergency issue – and those words have been used by many Members of this Assembly in describing the situation we are in, and I do not deny we are facing this situation. But, if I instructed my team to go out and come back with solutions to solve that crisis emergency situation and they came back to me and said, ‘We’ve come up with a plan, let’s build on a green valley which, under planning policy, would be quite tricky to do. Given the construction situation, given how long the planning process is going to take, it is probably not going to be completed in three years’ time,’ my answer to your solution is to do this project. With all the best intentions, we are not going to have nurses living in those conditions in this political term. I would like to think otherwise; but it is not.

Just in that first instance: trying to solve the critical issues we have today, this is not even a solution that is addressing this critical problem. Just imagine Dr Brink, at the height of COVID, coming back to the CCA or Health and saying, ‘Do you know what? I really want to build this testing centre/laboratory. It’s going to take me about three years’ time; in the meantime, we are going to stay in lockdown and I am going to build this in three years’ time. This is the solution to our emergency problem.’

I do not think anyone should be patting their backs saying how this solution, or any of the solutions being proposed, are addressing the current issues absolutely the Island is facing and the community is facing.

Let's just start from that basic principle that whatever we are discussing today, the solutions and proposals are not going to be addressing the immediate issue. This is the first principle. So all the passionate talks about whether it is this field against nurses caring for cancer patients and so on, they are kind of irrelevant. Right now, it is about what are the emergency steps that we can take *today* to alleviate the situation? I have not heard one single proposal so far how we can do that.

This is not a solution to address the emergency situation. This makes it is a medium-term solution. I think, in the evidence provided, it was recognised that, in the medium and long term our accommodation is going to continue being an important issue in terms of providing healthcare for the Island. So that is fine: we have recognised there is likely to be an ongoing medium- long-term problem with this.

Here I am instructing, again, officers to go out and come up with solutions. If we are working on, say, a medium-term basis, I would like to see the different options. First of all, I would like to understand what brief have I given to my officers to come up with a solution to this problem? So, number (1), the brief: what is the problem you are trying to solve? What are the criteria given to solve this problem? I think Deputy Bury's letter actually nailed the core of this issue on its head. What is the brief we have given? Who has seen and approved this brief to go out and find solutions to the problems we are facing?

We talked about the Committees getting on with their mandates and executing their mandates. The core issue is that the brief for solving the medium- and long-term problem in terms of accommodation has not gone through the Committees: it has not gone through the Committee *for* Health; it has not gone through the Committee *for* Employment & Social Security, which has the mandate for key worker housing; and I do not think it has gone through P&R.

So, that fundamental part is instructing, 'What we are going to do? What is the criteria for solving this medium-, long-term problem we have?' But it has not gone through the Committees. This is really the core of the problem. Who has seen the brief, where is the governance about that and what are we going to do about it? This is the number (1) issue. The only way I feel the members of those Committees had a chance to surface their concerns, and the concerns of the community as part of this process, has been through the requête and this is what they tried to do.

So assuming we had a brief that identified 'What are the key issues we are trying to solve? As Deputy de Sausmarez, I think yesterday said, let's challenge those assumptions. The assumption that something has to be built within a 500 m or 1 km radius of the Hospital as a critical assumption for solving this issue. Okay, who has challenged that assumption?

Imagine an NHS trust in the UK giving that criteria to their project team to say, 'This is a key criteria, we need this. We need any kind of nurses' accommodation to be built within a 1 km radius. We are absolutely going to fight for this.' Is this realistic? I go back to: what problem are you trying to solve and where is the evidence to try to solve that problem?

The core of this really lays into, what has been the brief? What problem are you trying to solve, and what are the options to solve that? Is building 150 units better than maybe building a couple of developments of 50 units, like the development I talked about earlier, on the car park? Why not go ahead with it? I am not a builder, a constructor, I do not know. Is building on the valley field easier than building elsewhere? Again, I am not a builder; but I did a little bit of physics in school.

I would have questions about flooding issues, about mudslides. It is not a simple terrain to go and build, it is going to take time. Plus, the simple fact is that this will have to go through ordinary planning issues so there is going to be, inevitably, delays, whatever happens. It is not a quick solution. So again, where we are saying, 'This solution is going to solve our prices today' is just not correct.

The fundamental core of this issue is: can whoever has been involved with this project so far really put their hand on their heart and say, 'We have absolutely exhausted all possible options out there and think, basically, this is going to be the best option we have had?' Absolutely, I think the DPA said, 'Yes, policy S5 can be used as a gateway. We didn't say you are going to meet the bar, it is going to be all down to the application.' And to be honest, anyone can go and say, 'I'm going to

2130 use policy S5'. They do not need our permission to use it. You could apply as a developer and say, 'I'm doing this. I think the gateway policy S5 is sufficient to do it.'

It is just going back to what Deputy Brouard said: yes, our forebears had the vision to buy this field that could be part of strategic future use. But strategic use in relation to the Hospital potentially, in my opinion, is also extending the Hospital or doing something which has a
2135 fundamental function in relation to the Hospital. Once we build accommodation, again, that strategic location is gone. Yes, we might have other options in the future, but it is gone in terms of that strategic use for the Hospital extension.

What I said leaves me with the requête and the amendment as well, Deputy Inder's amendment. There was much talk about not micromanaging and letting the Committees get on with it. Yes,
2140 I agree, let the Committees go and make informed decisions about what the brief is (**A Member:** Hear, hear.) and look at the options available and be involved in those decision processes. Unfortunately, from what I have seen of the evidence provided so far, that has not taken place.

I feel the requérants had no other option to raise this issue except for bringing this requête here. And I guess ultimately – and Deputy Soulsby referred to it – the States is the owner of the States' land and we, as representatives of the States, effectively you could say, have a say in how land
2145 should be managed. I could see some logic in the requérants wanting a decision about whether to proceed with this strategic option to be brought to the States. I do not necessarily agree with that approach, but I can see the logic of what they were trying to do.

I think the essence of the requête is just trying to say that, as States, let's follow the processes and prioritise development on brownfield sites, which is basically what the Island Development Plan and the Strategic Land Plan allow. I think, to me, that is the core of it.
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I am a little bit indifferent to Propositions 1 and 2, the original Propositions. Personally, I am not in favour of Proposition 4. Proposition 3 is what gives that guidance to say, 'Please do that in that hierarchy of importance.' I think in terms of the requête, this is the Proposition, to me, that speaks to that.
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Whether the requête fails or does not, whatever happens today, this is back to the planning processes. Whichever Committee, the Committee *for* Health will still have to bring an application forward to the Planning Authority and the Planning Authority will consider all the merits available.

Down to Amendment 2, by Deputy Inder: I thank him for reading those reports, I was not aware of them. I think there are some really interesting things to consider there in terms of change of use and what we can do with redundant glasshouses etc. I think there is some interesting stuff there. But it is just bringing it back to the core of the reasons for bringing this requête and what it was trying to do. It was about trying to ensure we have gone through the right processes to make the right decision about what the options are and that the options for building on beautiful greenfield
2165 sites – we have all heard about the wonderful characteristics of that field – should be the last option.

There is a cost to this amendment. It effectively does not help in that decision-making process which is the key one we are facing right now that we need to make: what are the options for development? It does not help in any way, shape or form with that immediate problem we have right now. It kind of kicks the can down the road, saying, 'If this application does come to it, then we can do something about it.'
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As was raised by the Société and Deputy de Sausmarez, it is questionable, the net effect of it. But there is a cost to it. And as Deputy Inder said, that figure of £300,000 was taken out of the air, so the cost is really unknown. But there is always an opportunity cost. If we were serious about solving the issues that we face today – not down the line, not when we change the IDP, not when something happens in three years' time, but today – I would rather that £300,000 or more was
2175 available for development of key worker housing. It could be available for buying derelict hotels, knocking them down and doing something. I would rather that money was used to solve the problem at hand.

So this amendment – although I do see some genius merit in it, to some extent – I just think there is an opportunity cost to it and I would rather have that money saved in use for the problem
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we are trying to address, which is finding the best option and the quickest option to build key worker housing.

I am not sure how I am going to vote on this amendment. I agree that, fundamentally, it is not related to the essence of what the requête is actually trying to do. I just hope we do not stray further into other random areas of the debate and just focus on, 'What are the problems we are trying to solve for the community today? What is the difference we can make today for Islanders?'

Thank you.

The Acting Presiding Officer: Deputy Burford followed by Deputy Roffey.

Deputy Burford: Thank you, sir.

I would like to start just by correcting a point that Deputy Inder made in his speech. He said that I signed an Environment Department document in 2014 on redundant greenhouses but that is not strictly correct. It is correct that from May 2014 until June 2016, I was Environment Minister; but because I owned a disowned vinery site, I religiously recused myself from any and all discussions pertaining to redundant vineries.

Sir, this entire debate is important and I will be sticking to my comments to the amendment. It has significant levels of public interest and it should not be subject to late amendments with nothing concrete to back them up. Lots of things come before this Assembly on which I do not have a working knowledge, things that require research in advance. There has been little time to research this proposal, but having been on the forerunner of the DPA for four years and President of La Société for two years, I know that this is a bad and possibly dangerous amendment.

I have yet to receive a single email, amongst the numerous ones we have all had, that supports building 140 one-bedroom flatlets and 140 car parking spaces in the valley field at the Princess Elizabeth. So it is not surprising, in the face of such opposition – including from La Société, with around 2,000 members – that the supporters of building on this valuable green lung and biodiverse habitat at the Hospital are seeking another way to try and press ahead with the project. Or perhaps I am misreading this amendment and its purpose is to try and placate the environmentalists by offering them scraps of land somewhere else.

Well, sir, I am not placated. You cannot make a silk purse out of a sow's ear and you cannot create permanent biodiverse pasture out of any old bit of brownfield land. And if Deputy Inder is suggesting fields elsewhere be incorporated in an APA, that does not work, as they are fields already, and if they were valuable as an APA they would have been incorporated in the first place.

Referring to the valley field: in the 2010 'Soil and Land Evaluation' analysis report, led by Dr Andrew Casebow, it says:

... the report and maps need to be very carefully interpreted. To the uninitiated, a classification as Grade 3 'Moderate' Quality ... may suggest that the land is of little importance to agriculture or wildlife.

He continues:

This is a completely incorrect interpretation, particularly in the Guernsey context. ... these areas are especially valuable for wildlife and conservation.

Unquote. Despite the worrying tendency in some quarters in this Assembly to dismiss anything that happened before year zero, otherwise known as 'October 2020', as out of date and irrelevant, nothing has changed in the last 12 years to make the conclusions in the 'Soil and Land Evaluation' report any less relevant today. In fact, issues surrounding biodiversity in soil have only become *more* pressing given climate change and the amount of land we have lost in that period. Ecologists are becoming more aware of the value of undisturbed land. The slope on the valley field means it is not overly ideal for ploughing and crops and equally, for that reason, it is not overly ideal for extensive car parks and flats, something that will no doubt be reflected in the costs, if it ever gets that far.

But its unsuitability for ploughing is an asset where soil and biodiversity are concerned. The longer virgin land is left undisturbed, the better the soil structure and the greater the biodiversity.

One cannot just magically recreate this quality of soil and biodiversity out of an old vinery or another brownfield site, probably contaminated with lead paint, oil, broken glass and long-since-banned chemicals; and even the best attempt to do so would not only be likely set up to fail, but would possibly use up more than the £300,000 quoted in the attempt. This is the whole reason we must save this field: it is irreplaceable.

Next, the question of the actual purchase of seven vergées or three acres, or a hectare and a bit of land somewhere else, needs addressing. What analysis do we have before us about these potential offsetting sites? None. What are these sites being used for currently? Who knows? Will compulsory purchase be needed or will we just pay well over the odds? And if we are going down the road of compulsory purchase, why do we not just compulsorily purchase some brownfield land on which to build the staff accommodation in the first place? After all, the 'Build in the Valley' proponents are relying on strategic need to develop it, so perhaps that is a high-enough bar to allow the compulsory purchase of brownfield land to develop.

Deputies Inder and Helyar are proposing what is known as –

Deputy Inder: Point of correction, sir?

The Acting Presiding Officer: Point of correction: Deputy Inder.

Deputy Inder: There has been no mention anywhere in my speech or in the amendment about compulsory purchase. This is pure politicking. I am sorry, sir, that is a point of correction. Again, it is another misleading of the Assembly. Nothing has been said anywhere in my speech; nothing is in the amendment.

The Acting Presiding Officer: Well, it is true, I think, that Deputy Inder did not mention compulsory purchase throughout his speech.

Deputy Burford.

Deputy Burford: However, my speech said, 'Will compulsory purchase be needed?' I am merely posing the question. We do not know.

Deputies Inder and Helyar are proposing what is known as 'offsetting'. The head of BirdLife Europe, the European arm of the international BirdLife organisation, is wary of offsets in general, saying:

... there is widespread worry in the biodiversity family about this current 'fashion' for offsets, which tries to present offsets as a stand-alone solution and this takes away the emphasis on avoidance. This is dangerous because it risks facilitating inappropriate development that should not happen in certain places.

He continues:

The biodiversity offsets discussion is controversial because some governments are pushing for offsets as a way to 'speed up development' [in other words] a way to undermine overall land planning and allow harmful development on protected land.

It is as if they had read this amendment.

What other message does this amendment send? That if you want to build housing on a green field or agricultural area, all you need to do is find some shoddy scrap of cheap land elsewhere to trade for it, with the only provisos being that it covers the same area and abuts an APA?

Sir, some Members have said, both inside and outside this Assembly, that we should not get overly agitated about this as we have built on green fields before. I would say, that is precisely why we should get agitated about it: at some point it has to stop, and that point should have been yesterday. But now is the next best time.

So, sir, to sum up: do not build on agricultural fields. What is it in this simple message that some politicians find so difficult to grasp? Not my words, sir, but those of Deputy Inder in 2019.

The Acting Presiding Officer: Deputy Roffey.

Deputy Roffey: Thank you, sir.

2275 They say a spoonful of sugar helps the medicine go down, and I rather fear that this amendment is the spoonful of sugar which, in itself – as I am sure, actually, a majority of the States are probably determined to swallow this unnecessary medicine – it is probably, you could argue, at least this is going to make it taste a bit better. It is the precedent that worries me.

2280 I want to go back to Deputy Inder's opening speech. He talked about what was going on, the report in 2014, how many of these sites have been – he was talking at the end, I think, about vinery sites being brought back into active use, I have forgotten how many vergées it was; and how the farming community welcome that as good thing. So therefore, they must be supporting this amendment because they thought it was a good thing.

But what was –

2285 **Deputy Inder:** Point of correction, sir?
At no point did I –

The Acting Presiding Officer: Point of correction: Deputy Inder.

2290 **Deputy Inder:** *Here we go again.* Point of correction: there is another suggestion that I suggested that the dairy industry will work with supporting this amendment. I said no such thing. I referred to the 2014 report which has not been enacted by any President since then. Back then, they wanted to. I did not make any reference to this. I just purely made a suggestion.

2295 I am getting quite bored of this and I will call it out every second of the day, sir.

The Acting Presiding Officer: Before I call you back, Deputy Roffey, that is my recollection of Deputy Inder's comments as well.
Deputy Roffey.

2300 **Deputy Roffey:** Okay, I will go and check the wording afterwards. To me, the implication was, this is something, this is the sort of activity that the farming community like, and the implication was therefore that – 'What is not to like about this?' – I think were the words that he actually used.

2305 It is a very different kettle of fish, though, because what was happening there was not offsetting. Nobody was taking anything away, they were just adding. What they were adding may not have been that good, it may take years to become really good agricultural land, because of all of the –

Deputy Inder: Point of correction, sir?

The Acting Presiding Officer: Point of correction: Deputy Inder.

2310 **Deputy Inder:** Again, Deputy Roffey has either misheard or is again misleading the Assembly. The report of 2014 identified – and he may well have been a Board member at the time – there were areas of land sitting under, potentially, glass that they found would be good. Again, misleading the Assembly!

2315 **The Acting Presiding Officer:** Deputy Roffey.

2320 **Deputy Roffey:** Not in the least! Those areas were being added to agricultural production by removal of glass and being put back into active agriculture. Nothing was being taken away from the agriculture industry. It was not offsetting, it was simply adding. That is what I was saying and that is absolutely true. There is nothing misleading about it.

This is a very different situation. And right at the start, I think Deputy Inder said it does not seem to have gone on so much recently. I think it is mainly because there were gangs of unemployed people at one stage that were clearing a lot of the greenhouses. I am not absolutely sure that was the reason it stopped, but I seem to recall it was a CEPS initiative which they thankfully ran low on people to actually do.

This is a totally different thing. This is offsetting. This is saying, 'If we take something away, we can make up for it and compensate for it.' I am not without sympathy for that when you absolutely have to do something. When you have to do something you do not really want to do, you try and mitigate it; of course you do. If the CAA, for instance, said, 'Sorry, Guernsey, you need to lengthen the safety areas at the end of your runway' – they are not saying that, by the way, but if they said that, there would be no choice about where that was going to be, it was going to be at the end of the runway and it may be moving into agricultural land. Then to actually try and mitigate that by doing something elsewhere, it would lessen the mischief; it would make less bad, something that we *had* to do.

And I think, really, that is what this whole debate over the last day or so has been about. I think some Members of the States think – and in which case, I can understand why they would want to mitigate it – we *have* to build on this field because that is the only way we are going to solve what we *all* accept is an absolutely chronic problem of staff accommodation, which in turn is staff recruitment and retention, which in turn is damaging our health service.

I think some of us, maybe the majority, believe that is absolutely essential. Some of us are saying, 'Yes, we agree with all of the stuff, that we have to create the accommodation, we have to solve the problem. We just do not believe that this is the only alternative.' I actually think the vast majority of the Island do not believe it is the only alternative.

If it were, I would be embracing this amendment. I would say, 'Yes, we've got no choice, we've got to do it, so as we've got to do it, let's try and mitigate it in some way.' But I do not believe we are in that situation.

Just before I sit down – because I have realised people want to rattle on for a few speeches now – just a word again on Deputy Meerveld referring to the quality of the land. The land in that field is what would be called in Guernsey as *videclins*, which is an area of relatively poor land at the bottom of a hill – relatively poor land in the sense that you are limited in what arable crops you can grow. Videclins, that sort of quality of land, is absolutely perfect for grazing. In fact we used to have, in my day, quite a few farmers in this Assembly. One of them was Deputy Tom Le Pelley. He had a farm at the bottom of Candie Road and what was its name? 'Videclins Farm'. It was all this quality of land and he ran a superb dairy operation there because that sort of land is absolutely perfect for grazing, and indeed for cutting silage to some extents as well, but particularly good for grazing.

If you really believe that this site is the only one that we can use to solve the problem, I fundamentally disagree; but I respect your view and I will understand why you do it. But please do not think you are not taking away something precious or something good, because you are. If your judgement is that it is unavoidable, fine. I think you are wrong; but that is your judgement. But I think that is the kernel of the argument that we have all been dancing around now for many hours and I do not think anybody is going to change anybody else's mind.

But what really worries me about this amendment is that while it might be seen as only 90% as bad as taking this away and not compensating, and therefore, I could be attracted towards it, I *do* think there is some precedent-setting going on here. I do not want in a year's time, to be told, 'We've got this great scheme. It involves the Castel Hospital and maybe some of the fields surrounding it. But don't worry, we'll go and find some old vineries and we will put those back into APAs somewhere else.' And then after the States has done a few of those, you will then get the commercial developers saying, 'How come it works for you and it doesn't work for us?'

But I can understand the argument is different to that if you believe there is only one option here, only one club in your bag. That is not true, but if you believe it, then I can understand that. I am absolutely sure it is not true. So I am not going to take the sugar to help the medicine go down because I do not think this medicine is needed and I am not going to swallow it.

The Acting Presiding Officer: Deputy Blin, followed by Deputy Leadbeater.

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Deputy Blin: Thank you, Acting Presiding Officer.

We started off here – I believe it was what Deputy Kazantseva-Miller said earlier – what are we doing to provide a solution for this emergency situation? This whole situation commenced with the requête which was basically – (**A Member:** Hear, hear.) the simplest way I see, it was to show doubt on the DPA, show doubt on the process, etc. (**A Member:** Hear, hear.)

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I hear what Deputy Roffey is saying, that there are other alternative situations. Whilst we have been debating this – we are coming up to the second day – we are stopping from doing what we are doing. I will hopefully not stray too much from it, or as others have said I will use other things there. I am going to try to just jump to a few of the core ones.

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First of all – I am just going to go in conjunction with everyone else. I love Guernsey, I love everything about it. I love our fields, I love the cliffs, the paths, everything – and I doubt there is one person sitting in this room or listening who does not have the same opinion. But we have a hard job to do as Deputies within this Assembly: we have to use integrity, we have to use principle, we have to stick to things. I am not used to the politicking, I am not used to the other aspects of strategy. I understand there are many Members in this Chamber, this Assembly, who are very good at that. But I would like to push this forward to get to some sort of decision so we can move forward.

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So, in that aspect of integrity and principle, and thought and listening, etc. I have tried to get to a point where we can do something about this.

What is the most important thing, is if we take it back to the requête, whether we take it back to Amendment 1 and now we are talking about amendment 2? The staffing crisis. This was called out by HSC. The staffing crisis is not like in hospitality or in finance. If we do not have the right staff in hospitals, in medical care etc., you cannot just cut the service down, remove this, remove that. We have gaps. People die. I was extremely – I am not sure what the descriptive is, but Deputy Dudley-Owen, when she referred to her illness and referred to the fact that at the end of her bed, she had the oncologist and the specialists and everyone else there. It was not a case of a rolling meadow.

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I am not trying to undermine – and maybe this is a bit unfair, but the romanticised view of the rolling meadows, the cows in the fields, all these aspects. We love all that. But let's go back to the aspects of what this staffing crisis means. Let's go back to what this staffing shortage or housing shortage means.

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I am going to bring in another angle here. We talk of all the issues in the last few months about the housing shortage. We need to get people into places; we are *desperate* to do that. HSC has a need right now – P&R support it – to actually fix this by building the space here on land, which was discussed. It has not gone to full planning; DPA will do a proper job. But we could start this now

What will that mean? I will refer to Economic Development – maybe one of the requérants is on Economic Development? We need to get these houses and accommodations freed up in the other parts of the Island so we can actually have our required medical staff on-site if they wish to. We have a large demand for that. Those people should be on-site, freeing up places in other parts of the Island as well.

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And also, by the way, from locum staff, from contract agency staff, from staff brought in from the UK, we are all aware that they actually receive their supplement or their rent support for two years, which actually creates another effect on the market. Therefore, if we keep them up on the Hospital site, we will save money, giving more money to do other things. That is just one aspect of it.

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But then we had the presentation by HSC and its officers at the Duchess of Kent. At that point, I was actually open-minded. I thought, 'Right, if this is a site' ... I was *very* bemused, I think, by the comments that Deputy Al Brouard made about the fact that, actually, we are talking about accommodation on top of the Hospital etc. We all know that the Duchess of Kent is nearer to the Hospital than anything else.

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But that visit to the Duchess of Kent was impressive. We had a full tour, we went around. But I was rather surprised, I must admit, that the lead requérant of the requête did not attend it, as I

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thought he would be first person there. In fact, I believe there was one Member – and please correct me if I am wrong, I believe it was Deputy de Sausmarez – who was there. They explained to us very clearly –

2430 **Deputy Gabriel:** Point of correction, sir?

The Acting Presiding Officer: Point of correction: Deputy Gabriel.

2435 **Deputy Gabriel:** I could not attend on the day; but I did attend a tour of the Duchess of Kent. Deputy Blin is absolutely incorrect or misleading, that only one requérant did the tour of the Duchess of Kent.

2440 **The Acting Presiding Officer:** Deputy Blin, I would remind you that there is a member of the Health & Social Care Committee who has signed the requête who clearly would have seen the Duchess of Kent during normal duties on that Committee. So maybe you would like to move on from that point.

Deputy Blin: I will, sir. Apologies, it was not really to actually –

2445 **Deputy Fairclough:** Point of correction as well, please, sir?

The Acting Presiding Officer: Point of correction: Deputy Fairclough.

2450 **Deputy Fairclough:** I was there as well, Deputy Blin.

The Acting Presiding Officer: On we go, thank you.

Deputy Blin: Apologies. I will move on from that point – quickly, yes.

2455 That was then made clear by the usage of the building: 110, 120 people working, using that space. The section for the six or seven residents there, we have got a plan to move them on. But from all the information we understand now they have got a good 10-plus years left in that building. So we cannot just do that.

2460 Now, let us go back to the DPA and the IDP from November 2016, and the APA with its 15,394 vergées all around the Island, of which seven vergées are on this valley, this small valley we are talking about. It is – I cannot remember the figure – something like 0.045% of land which has strategic importance. It was always placed for that rainy day fund, for the time when it *could* be used, when it could be necessary. This is the time it comes up.

2465 When I hear of all the other discussions about, 'Well, we could find other places'. Yes, we could. But first of all, this has been identified by a hardworking team, by the officers to actually ensure this is one location suitable. Sometimes we have to make decisions, as Deputies within the Assembly, to do something which is not really as great as we wish to do. But, what comes first now? Is it our patients and the medical staff in that area? Or is it a secondary debate which will delay everything until we find that perfect space, whether it be a brownfield, whether it be purchasing it – I know that there is discussion and mixed interpretation of compulsory purchase.

2470 I think, as Deputy Meerveld also reminded us, is that part of the land was bequeathed and part of it was bought, again, for development. So again, that is clear. Let us not dwell too much. As I say, no one wants to build on a greenfield site in a beautiful meadow, but sometimes we have to make exceptions. We have had those discussions in the past, whether it be on the Airport or the Harbour and all of these areas are strategic.

2475 The next part I would really like to say is I was saying earlier that, as Deputies, we have the hard decisions. As Deputies, we have to choose on integrity and we should have a consistency and the consistency should remain across all we do. I asked permission from one of my fellow colleagues,

Deputy Haskins, who in September 2021 made what I thought was one of the finest speeches I had heard regarding the Chouet headland. Now, this is one I really struggled with and in fact, to this day, I cannot understand how we ended up in a situation of losing 10 acres of our land – which I would like to convert into vergées, but I will look at it. This is slightly straying, but it was the point that we were talking not of seven vergées, but of 10 acres of Chouet headland for the quarry.

I would like to read you something which – as I say, I did ask permission from Deputy Haskins – it was just the summarising point at the end of that debate. It goes like this – I cannot do the same voice as Deputy Haskins or the intonations:

The world is changing. We have to look after our Island. It is the only one we have. We have to change our mindset and to look to do things more sustainably, protecting our environment, not unsustainably plundering it. One thing is for sure, if Members decide to continue quarrying on Island using Chouet Headland it will be lost forever and all that lies beneath. This is a decision that will affect the Island not just for generations but forever. Forever. It is permanent. I urge Members to vote against ...

Let me just remind you about the habitat of that space: 10 acres, 51 vergées – and 27 vergées were agricultural fields of habitat including plant and coniferous woodland, coastal grassland, semi-improved grassland, dense scrub. That is a huge area. What I find really ironic when I speak to the idea of being consistent, I just looked back at the list of people who voted in favour of digging up that quarry – 10 acres, 51 vergées – and lo and behold, to my surprise, I find that all seven requérants who are standing on this, all voted to destroy that headland and the rest.

Would you like me to give way?

I will give way to Deputy de Sausmarez.

The Acting Presiding Officer: Deputy de Sausmarez.

Deputy de Sausmarez: I thank Deputy Blin for giving way.

I wonder if he would recognise, however, that when it comes to quarrying, which was the issue in hand, there was literally only one location in the Island where that could go; whereas key worker housing could be located on *many* locations other than the green field in question. That is the fundamental difference. I think his argument is perhaps a little skew-whiff.

Thank you.

The Acting Presiding Officer: Deputy Blin.

Deputy Blin: The land is still lost, that is all I can say, and it will never come back.

I will give way to Deputy Taylor.

Deputy Taylor: I am very grateful to Deputy Blin for giving way.

I just wonder if he might agree with me that the approved development framework for the Chouet headland highlights that the gateway policy would be S5, 'Development of Strategic Importance'. I wonder if he thinks that might be relevant.

Thank you.

Deputy Blin: I thank Deputy Taylor for that. Absolutely correct, I do agree. That is another example of how these applications must be applied on strategic land values.

Thank you very much, sir.

The Acting Presiding Officer: Thank you. Deputy Leadbeater next, followed by Deputy Dyke and then Deputy Gabriel.

Deputy Leadbeater: Thank you, sir.

I will shamelessly stray across into general debate, (*Laughter*) so I will forgo my second chance later on.

The Acting Presiding Officer: Thank you.

Deputy Leadbeater: I will start by talking about the Duchess of Kent. Why not the Duchess of Kent building? The Duchess of Kent is currently home to approximately 110 full-time HSC staff. It houses Corporate Services, Occupation Health, the Client Team, Quality & Safety, Procurement, the Transformation team, Data Quality, Finance, HR and Public Health.

The pandemic response was driven and coordinated from the Duchess of Kent. That building proved invaluable when COVID hit. The layout lends itself to be able to not only isolate teams from each other, but also to isolate individuals within those staff groups, often all on Teams in rooms right next to each other. It is of note that for the first two years of the pandemic, nobody within that team in Public Health contracted COVID. All of the contact tracing was done from there, all of the legwork and heavy lifting that those staff undertook day and night, seven days a week was done in that building and done brilliantly.

Those Members who took the time to attend the tour at the Duchess of Kent will have heard first-hand from the Medical Officer of Health how invaluable that building was to her and to her team during lockdown. And remember, as I just mentioned, what she proudly told us: not one member of her team caught COVID for the first two years of working seven days a week in that building.

We are not out of this pandemic yet, sir, and Members may need to remind themselves of that fact. This coming winter could be defining in how we deal with COVID and how it deals with us. Will it hit us hard with new variants? Will we manage it accordingly, as we do with influenza? It is too early. I digress, sir.

That building, the Duchess of Kent, is also key to HSC's Hospital Modernisation Programme, as Deputy Brouard told us previously. The States is investing over £100 million in improving the Princess Elizabeth Hospital between now and 2028. During that time, parts of the Duchess of Kent are designed for decants of various staff groups and services from within the Hospital so as to enable the works to progress with minimal disruption to services. Just as happened with the Pain Management Clinic, when Public Health had to use their area for COVID testing, they decanted to the Duchess of Kent, so doing anything with that building before 2028 would compromise the Hospital Modernisation Programme.

I am not actually convinced that the DoK would need £4 million or so spent on it within the next few years; in fact, after looking around it recently, I am convinced otherwise. Yes, there are some mechanical works required on the lifts and the faces of sockets need repairing. That, along with a lick of paint and some new floor finishes, and that building is good to go for at least another 10 years. There are no issues with *Legionella* or asbestos, as some have wrongly suggested. Like all buildings of that age, there are areas with asbestos present, but this only becomes an issue when it comes to demolishing the building. There are no safety concerns up until that point.

Now is not the time to demolish that building; now is the time to plan for what we are going to do with that site after 2028. Will we have the Dairy site too for our PEH campus by then? Strategically, the Dairy site is also very important for the delivery of our clinical services in the future. And if it was available to us now, we probably would not be having this debate. But it is not, and we need to get over that fact.

The SPU process [of identifying the site] considered property within a 1km radius of the PEH and identified 14 possible sites in either States of Guernsey or private ownership. 12 of those were on or within 0.5km of the PEH, and of those 7 were in States' ownership. These are identified in the two maps attached at Appendix G.

The sites were then scored against key criteria established by officers on behalf of C/HSC ...

1. Construction of not less than 70 units (the equivalent of John Henry Court) and preferably circa 140 units.
2. On or very near to the PEH campus (within 1km).
3. Delivered immediately (circa 2-3 years, and not more than 5 years).

Options were also scored for their neighbour impact, cost, and environmental impact, the latter having regard for the brownfield or greenfield status of the land. The sites were then ranked based on their overall scores. However, sites which failed to satisfy any one of the three criteria established on behalf of C/HSC were deemed to not meet the essential criteria and consequently were not assigned a rank. The full scores and rankings are shown ... at Appendix G [of the P&R letter]

– along with all the reasoning behind the proposal.

The field adjacent to the Duchess of Kent site, which is referred to in the prayer [of the requête], scored highest and was ranked first out of the 14 sites. The Duchess of Kent site itself was not ranked because it did not meet the key criteria for delivery within five years ...

2570 But even if all the sites had been ranked, the proposed site in the field would still have scored highest, as summarised again at Appendix G.

2575 The entire campus, all of the land gifted by the wonderful Reverend Peter Mignot in 1929 and all of the land purchased by the States of Guernsey from Albert Gavet in 1934, must be viewed as part of the PEH campus, and that small field is no different. That piece of land was purchased by the States in 1934 for use as part of a Vauquiedor Oberlands estate which has now become the PEH campus. It has been earmarked for use as part of that campus since 1934. That field is not just anywhere: its strategic importance in terms of its geographical position cannot be overlooked.

2580 Some people out there are under the impression that the proposed development is to be on the large green valley field to the east of the PEH, the one that everyone gets a beautiful view of whenever they pass through the Vauquiedor. Indeed, at least one States' Member who has been public in their support for the requête, thought that field in question was the one that we proposed to build the accommodation on, until they attended a tour of the DoK. But it is not; it is the little hidden one in between the Duchess of Kent and the PEH buildings.

2585 If one was to look at the maps in Appendix H of the P&R letter or look on Google Maps of the area, they would see swathes of green fields, high-quality agricultural land surrounding the campus. This is not removing the one remaining green lung from the area, as some would have us believe. It is a tiny percentage of the green land around the campus that is the most difficult to farm because of its shape, size and gradient. There is also no proper grass and grazing from what I can see.

2590 If Members look at page 11 of the P&R letter, they will see the comment from the agricultural quality classification of the proposed site which came from the Development & Planning Authority. It tells us:

The field referred to in the requête measures approximately 7 vergées ... and forms part of the eastern edge of an APA which extends west to the proximity of Rocquaine, Perelle and Vazon ...

As set out in the detail from the D&PA, the agricultural quality classification of the land is

Grade 3b: Moderate quality land. The top three grades of soil are known as Grades 1, 2 and 3. Grade 3 is split into two subgrades ... Grade 3b is subject to a moderate degree of limitation common to all Grade 3 land, but also is subject to physical disadvantages, such as gradient, which restricts its flexibility and performance to levels to below that expected of subgrade 3a ...

– as is the case in respect of the PEH field.

2595 That tells us that the proposed site is not prime agricultural land like the vast area of greenfields adjoining it and to the west of it is. No, it is low-quality land and completely inferior to all of the other green land surrounding the campus. Agricultural land is graded from the best at Grade 1 to the worst at Grade 5. The proposed site is classified as being subgrade 3b, meaning it is only capable of producing moderate yields of a narrow range of crops or lower yields of a wider range of crops.

The letter of comment from the DPA tells us:

... whilst the IDP policy approach is to generally support development for agricultural purposes in APA these areas have been drawn broadly. The APA is not intended to safeguard land for agriculture if it is not appropriate to do so or is not required for that purpose. The IDP policy approach therefore allows for other forms of development in APA provided that certain criteria are met and all other policies of the Plan are met.

The site in question is part of an Agriculture Priority Area. The preamble to Island Development Plan (IDP) Policy OC2: Social and Community Facilities Outside of the Centres, confirms at paragraph 16.2.1 that development proposals

relating to large-scale strategic social and community facilities which have an Island-wide relevance, such as the hospital and schools, will be assessed against Policy S5: Development of Strategic Importance ... The provision of key worker housing for health workers on or adjacent to the Hospital campus would be considered ancillary to and part of the Hospital use.

2600 Sir, we have to consider that piece of land, what we now know is poor-quality agricultural land, like the DPA, as part of the Hospital campus and ancillary to the Hospital use. That is exactly why our predecessors bought the land back in 1934.

2605 I think it was Deputy Soulsby in the *Press* recently who admitted that that site will have to be built on at some stage in the future but in her opinion, not now. Well if not now, when we are in desperate need of key worker accommodation on or near the PEH, when will be the right time to develop that part of the campus? (**A Member:** Hear, hear.) Now *is* the time.

2610 The Dairy site is not available for us yet and we need key worker accommodation now, not in six or seven years' time. There are no other suitable areas in that area that can deliver the amount of units that this one can and in the timeframe required. If this requête is successful, unamended, then we can forget about timeframes, meaning that we can forget about delivering key health worker housing this term. If that happens, it will be a dereliction of duty in my opinion.

2615 Members need to be aware that we have to compete with neighbouring jurisdictions for key workers so we have to be as attractive as possible. Jersey, for example, give better pay and conditions and free accommodation – but we cannot afford that. What we do know, though, is that having good-quality accommodation, like John Henry Court, on-site at the PEH is the best enabler for recruitment and retention that we have in our armoury. It is our USP over our neighbours.

The proposed development of quality housing, a mix between the offerings at John Henry Court and Beauville, will enhance that USP. The proposed scheme would not only be small one-bed flats, but family accommodation too, which is more suitable for some looking to come and work here.

2620 I ask Members to look at the big picture, sir. The size of green space that will be lost to this development is a mere fraction of that which is either being consumed by domestic curtilage or covered by plastic grass on an annual basis. Just as Deputy Brouard told us yesterday, it is a mere seven vergées, when in comparison 47 vergées of agricultural land has just been given over to a new driving range. None of the requérants have been in the media or social media like they have with this.

2625 There needs to be some context. (**A Member:** Hear, hear.) Even some of the supporters of the requête accept that this area of the campus will need to be developed at some point, so why not now, when we need it the most? It is at times like this when our need for key worker housing on or adjacent to the PEH is so great that we need to develop that part of the site; which, as I said, has always been earmarked for development as part of the PEH campus since its purchase by the States in 1934.

Deputy Matthews: Point of correction, sir?

2635 **The Acting Presiding Officer:** Point of correction: Deputy Matthews.

Deputy Matthews: I think it is a little speculative to say that we could think what people might have been thinking about as far back as 1934, in terms of the development prospects for the parcel of land. It is a bit of guesswork to imagine that that was always earmarked for development, sir.

2640 **The Acting Presiding Officer:** Deputy Leadbeater to continue, please.

Deputy Leadbeater: Thank you very much, sir.

2645 I have no interest to go into battle over the assumptions from Deputies Roffey and Soulsby, both formerly in charge of HSC, about the current need for this Committee to use so much agency staff; but as with key worker housing accommodation, this is another legacy issue that we have inherited from them. I am unsure of what work the previous Committees and Boards of Health & Social Care

did in the area of key worker housing and recruitment and retention; but whatever it was, it was not enough, which is why this Committee has the job and in working with P&R has identified an area of the PEH campus that can provide enough units to ensure that we can have the number of key workers to adequately staff our Hospital. The accusation that HSC has decided upon a staff model that utilises lots of agency staff is nonsense and I take umbrage to that.

As I have said, we inherited this problem. HSC has historically been poor at growing its own in terms of local staff; this is something that the current HSC is keen to address. Adult disability is the largest user of agency staff and there were hardly any local staff –

Deputy Soulsby: Point of correction, sir?

The Acting Presiding Officer: Point of correction: Deputy Soulsby.

Deputy Soulsby: I disagree that the Committee inherited the problem. We had wards that did not have any agency staff on them when we left. But I do accept that COVID and Brexit will have made the situation worse and I am not saying it is the fault of the current Committee that that has happened.

The Acting Presiding Officer: Deputy Leadbeater.

Deputy Leadbeater: Thank you.

As I said, sir, we inherited this problem. HSC has historically been poor at growing its own in terms of local staff and this is something that the current HSC is keen to address. Adult disability is the largest user of agency staff; there are hardly any local staff working within some services areas in the adult disability service and many services are totally dependent on agency staff. Some service users – like my son, for example – will not work with anyone with a strong accent and will take time to build up trust with new staff. This means that some service users, like my son, are currently not supported at all by Adult Disability Services because they only have agency staff, often with strong accents and a high turnover rate. I can assure whoever thinks that we are content to continue this dependency on agency staff, they are completely wrong. I have skin in the game. I want those service users currently unsupported to have the help that they used to have. Pre-pandemic, it was not this bad, nowhere near this bad.

One myth I heard recently is that all short-term HSC staff are agency; but that is incorrect. There are many posts within Health & Social Care that only attract short- or medium-term permits. That means that anyone coming in to fill these roles can only stay for up to one year on a STEP or five years on an MTEP. Okay, there is a potential two-year extension; but by the very nature of their employment permits, they will only ever be temporary staff, thus only ever wanting and needing temporary accommodation.

The pandemic has taught us a great deal and we are still learning more and more as we continue on this journey. We live in different times now, but we need to value the fact that, as a jurisdiction, we fared exceptionally well through the darker times of the pandemic. But we were stretched; our team at Public Health was stretched. Across Health & Social Care, everyone was stretched to their limits and many still are. We are not out of this pandemic. No one can predict what will happen tomorrow or further into the future. Members need to be warned to think carefully when considering uprooting our public health services at such a crucial period of time.

The message coming from the UK Government during the heights of the pandemic was 'Protect the NHS'; that message locally was 'Protect HSC', or moreover, 'Protect the PEH'. The PEH is the most important institution that we have. It is fundamental to everything that we do. Without it, our society falls apart. We understand this more now than we have ever done in the past. We are investing more than £100 million into the PEH and we need the staff to enable all the services to function as planned. (**A Member:** Hear, hear.) We aspire to eventually eliminate waiting lists and we

need a full complement of staff to be able to achieve that, so we need lots more key worker housing on or very near the site.

2700 Several locations on the campus were identified for potential development, but the only place we can have buildings of any sort of scale is in the valley. As Deputy Roffey rightly points out, when often talking about high-rise developments at the Charotterie, large buildings are more suited to being located in the valley for aesthetic reasons.

2705 As Deputy Kazantseva-Miller points out, the proposed development alone will not solve the Island's key worker housing accommodation problems, but it will help massively and also help the entire local rental market. As Deputy Ferbrache, I think, told us, we currently operate 383 units of accommodation across 49 different sites, some owned and some rented. This development would free up rented accommodation that HSC currently uses, adding more available units on to the local market for local people and in a relatively short space of time compared to using the Duchess of Kent site, even without considering all of the reasons I have already outlined as to why that building is key to our operations at this point.

2710 At this point, I just want to pick up on a couple of things that Members have said – Deputy Falla, when he opened. At the start of his speech, he said he felt that he had to bring the requête because he believes that by utilising policy S5 for the consideration of any planning application for that site was, in his words, 'a departure from planning policy'. But S5 is a planning policy and like all planning policies is there for a good reason. As we read in the DPA letter and heard from Deputy Oliver, any planning application for key worker housing on or adjacent to the Hospital site will have to be considered under policy S5, 'Development of Strategic Importance'.

2715 He also questions why 140 extra car parking spaces are suggested. I do not know the reason for the exact number, but the car parks on the campus are way over capacity. There is only a mere handful of spaces at the Duchess of Kent, for example. Car parking spaces on the PEH campus have been like hen's teeth for a long time, as anyone needing to attend the Hospital by car will tell you.

2720 The proposed site is not from agricultural land slap bang in the middle of an active Agricultural Priority Area; no, it is subgrade 3b land on a small knoll at the far-eastern tip of the massive APA stretching right from the edge of St Peter Port right back to the west coast. Deputy Falla tells us that the site is precious agricultural land, or words to that effect, and in the same speech he said it is an important area for biodiversity. But it cannot be both. (**A Member:** Hear, hear.) It cannot be worked agricultural land and a haven for flora, fauna and insects at the same time. It can only be one or the other. He references that policy S5 has not been used before, but the IDP was only introduced last term. (**A Member:** Hear, hear.) And as well as S5, GP11 has not been used yet. We do not see members of ESS banging on about that, do we?

2730 He also says that it is more expensive to build on the proposed site than it is on the Duchess of Kent and quotes the figures provided by the SPU, but that is totally misleading and completely untrue. The costs provided for the proposed development would yield two blocks of accommodation, making circa 140 units and 140 car parking spaces. The cost provided for the Duchess of Kent would provide only one block of accommodation, 70 units, and 60 car-parking spaces. By those calculations, if you were to build comparable-sized blocks on the proposed site and on the Duchess of Kent, the cost of building on the Duchess of Kent would be about £30 million more than it would be on the proposed site. If you look at those figures, actually, and you break it down to the amount of units, because he is comparing a 140-unit build against a 70-unit build, which is completely misleading at best.

2740 Deputy Brouard is right: there are lots of different arguments coming from the requérants, but much of them are hearsay with very little evidence, from what I have heard – nothing concrete, that is for sure. 'Key workers don't want to live on the campus,' they say; but then they say 'Build at the Duchess of Kent', which is on the campus. Again, it is like the agricultural importance/biodiversity importance argument: it cannot be both.

Deputy de Sausmarez said that the Duchess of Kent is probably inefficient to run. Yes, compared to a new build, obviously it would be. But regardless, the building is needed by HSC as it is until at least 2028. And it is at that point in time, once we have decided what we are going to do with it

2750 long-term, that the SPU need to evaluate whether it is better to repurpose, refurbish or rebuild the building. Not now, when it is functioning perfectly well and coveted by our Public Health Team who, in case Members are not aware, have quite a lot of other stuff to worry about without the added burden of this distraction.

2755 Imagine telling them, 'Oh, just FYI, we've decided we're going to demolish your building as soon as possible and we'll be moving your team and the other teams that you work with without delay. We're not sure where you're going to or if you'll be co-located or not. Yes, we know you're up against it and we're still in the middle of a global pandemic that has fundamentally changed the way the world operates; but we want to save a tree.' I know if I was a member of that team, that tree would be swiftly uprooted and shoved where the sun does not shine, sir. *(Laughter)*

2760 Members will be aware of the recently-published homelessness report from the Guernsey Community Foundation where, as Deputy Murray pointed out, in the key findings it tells us that one of the issues causing homelessness in the Bailiwick is a 'lack of strategic focus' at political level. It appears that comment is appropriate in the context of key worker housing too, sir. Let's not let that continue.

2765 Sir, coming to a conclusion, I have outlined the reasons why the Duchess of Kent is not an option for redevelopment at this point and clearly demonstrated how fundamental it is to Public Health and the Hospital Modernisation Programme for at least another six years. I have articulated just how important it is for recruitment and retention to have good-quality accommodation on the campus and I have explained that the area of the campus proposed for the development is poor-
2770 grade agricultural land and the most suitable from a planning perspective, and the only area on the campus where we can have buildings of any scale.

Is it ideal that the area has not yet been developed, so we are proposing building on green land, putting aside the fact that it is low-grade green land? No, of course not; of course it is not ideal. If the proposed development would have been on any other green field anywhere else in the Island,
2775 I would probably be against it; but it is not. It is a strategically important piece of land within our PEH campus and it is important for HSC to use in accordance with this plan to build a site in order to provide adequate clinical services now and in the future – the reason why the States purchased the land in 1934.

2780 Sir, for all of the reasons I have outlined, I ask Members, do not support the requête unamended and the consequent delay it will bring. Support *this* amendment. We need action this day, not inaction and delay.

Thank you, sir.

Deputy Mahoney: I would like to try a 26(1), please, sir.

2785 **The Acting Presiding Officer:** Deputy Mahoney, I am going to need to seek the Procureur's advice on this because I have already called Deputies Dyke and Gabriel, who had been waiting quite patiently. I believe that, under those circumstances, we should wait until Deputy Gabriel, the second speaker, has spoken before I place this motion. Let me just see if the Procureur has a view.

2790 **The Procureur:** Sir, Rule 26(1) does indeed relate to any Member who has not spoken in debate, who can at *any* time request the Presiding Officer to close a debate. Members who would be entitled to speak and who would intend to speak should the debate continue obviously stand in their places, sir, but there is nothing expressed on the point where you have already indicated that two may wish to speak. So I suggest, therefore, it falls fully within your discretion whether you wish to let them do so; but generally, in principle, the minute 26(1) is called, debate would be curtailed subject to your views.

2800 **The Acting Presiding Officer:** Somewhat unusually, I had called both Deputy Dyke and Deputy Gabriel. I suspect they are on different sides of the argument. We will exercise the guillotine motion immediately after Deputy Gabriel sits down.

Deputy Dyke.

Deputy Dyke: Thank you, sir.

2805 I am amazed to be speaking; the last two times I have stood to speak, somebody has pulled a Rule 26 on me! (*Laughter and interjections*) I was beginning to feel persecuted. (*Laughter*)

This has been an extremely lengthy and wide-ranging and thorough debate; that is to be sure. It brings to mind a song that my daughters used to sing to me about 30 years ago to annoy me. It was called 'The Song That Never Ends'. I am sure this debate will come to an end quite shortly after Deputy Gabriel.

2810 I cannot speak on a lot of what has been spoken about and it is not necessary – as a member of the Planning Board, it may well be that we will be doing an open Planning meeting on this and we will have to consider all the relevant sites and facts and the S5 and all the other rules that apply with an open mind, which is what we will do. My one point of concern is to go back to the requête and the amendment that we are discussing with an eye to the question of good governance. What we are looking at now is Deputy Inder's amendment and I am asking myself, 'Does it represent better governance than the requête as it stands?' I think that Deputy Inder's amendment *does* do that. The requête, as it stands, to my mind, is the epitome of bad governance.

2820 As has been pointed out, we have an extremely lengthy set of planning laws. We have a Planning Law, we have about a dozen ordinances, we have the SLUP, we have the IDP, we have guidance notes, we even have 60 pages on high hedges. We have all of this. The laws have delegated to the Planning Board the various duties they have, with an eye to governing this country in a sensible manner and delegating where it is appropriate. It seems to me very appropriate that planning decisions should be delegated to a board that does acquire some specialist knowledge and has the backup of officers with more detailed specialist knowledge and more experience.

2825 The IDP is not a perfect document: the sum total of everything is quite difficult to deal with and it does require experience and demands detailed thought on the specific issues in front of one. The States as a whole is not the place to do this, as has been shown by this debate. It is all over the place in terms of what we are talking about: 'Are we talking about this field? Are we talking about that field? What is the point of concern?' It is just not the place to do all that.

2830 With that in mind, and to try and keep politics out of planning, I believe that this requête, as it stands, is an extremely bad idea indeed. (**A Member:** Hear, hear.) It is one of the worst ideas I have seen. Therefore, with that in mind, as Deputy Inder's amendment is a reasonable compromise – it makes everything, to my mind, rather better – I will vote for Deputy Inder's amendment.

2835 Thank you.

The Acting Presiding Officer: Thank you.

Deputy Gabriel.

2840 **Deputy Gabriel:** Thank you for your latitude, sir, in allowing me to speak. I also congratulate you on the way you are presiding at the moment.

2845 A popular furniture warehouse television advertisement catchphrase is 'When it's gone, it's gone,' encouraging viewers to buy up stock before anyone else. In the case of this particular field, it does not matter if it is offset, it is still gone. It does not matter how wide the Government opens its chequebook to buy another site, an offset site, be that a derelict vinery or anywhere else – in fact, a derelict vinery, one probably so derelict it has got its own biodiversity already.

2850 And how long will that take to clear and reinstate? We have already heard in Deputy de Sausmarez' speech from the Farmers' Association that the Lagan field, used on the exit of the Airport, from the temporary batching construction plant there in 2011 and 2013, remains agriculturally damaged. It still remains agriculturally damaged from 2011 to 2013. So, nine years down the road, it is still damaged.

I suggest that an offset site would take significant time to be able to be in use. Is this an adequate timeframe, bearing in mind the emergency the proposed build on the field is addressing? Buying a

site to offset the destruction of this field and to convert it for agricultural use next to any other part of the APA just does not add up, to me. You cannot just pack the cows into the family 4x4 and transport them from St Andrew's to the green and pleasant lands of Torteval or St Pierre du Bois.

Let us get back to the basic premise of why this amendment is in front of us: to offset destroying part of one of the green lungs of our Island. It will be lost forever if this requête fails and policy S5 of the Development & Planning Authority kicks in – and that will be with no environmental impact assessment, remember.

I do thank the President and officers of the Development & Planning Authority for meeting with me and the other requérants to discuss the S5 arrangements. If approved, this will allow buildings to be erected on this green field, and not just *any* green field: one that was deemed so important in the 2016 IDP that it was included there as an Agricultural Priority Area – not just an agricultural asset, but a *Priority Area*. If this requête fails, it will be gone, *finito*, extinct, vanished, an ex-field.

Being born and bred here and with a long family heritage, I cannot, as an elected representative of the people of Guernsey, let this travesty happen. Our email accounts have been filled over the last few days with words of support for the requête – and it is not very often that us Deputies get positive emails, I might add. It is my opinion that the support for the requête has been substantial, many commentators agreeing with the thrust that all options should be investigated first and no building on green fields should happen. Any removal of land that our farmers use to graze the Guernsey cow – very nearly classed as a 'rare breed', according to the former States' Agricultural & Environment Advisor, Dr Casebow – should continue to be protected. Probably one of the reasons why Agricultural Priority Areas were created in the Island Development Plan.

There are significant pressures on our farmers, with the costs of feed and fertiliser increasing significantly recently. If we intentionally remove grazing land by allowing building on green fields, farmers will have no option other than to relocate their livestock to other fields perhaps less suitable for grazing and more suitable for maize production, a vital winter food. Putting livestock on these fields and not growing maize means they will be buying-in feed rather than growing the fodder crops, a much more costly option. These fields are unique and invaluable areas, essential so that our future generations can continue to farm and enjoy these green areas. In times where food security, biodiversity, and climate change are increasing in their importance, we must all do what we can to protect and preserve our green fields.

Our own Development & Planning Authority has a Conservation Policy, some of which I will quote:

Guernsey has a complex history, which has uniquely shaped its environment and the Island we enjoy today. The roads, buildings, boundary walls, green lanes, ruelles tranquilles, earthbanks and vegetation (trees, hedges etc) all combine with the predominant use of land to create its character.

It goes on to say:

It is easy to take this environment for granted because it forms part of every-day life - the buildings we live and work in, the streets where we meet people, the countryside that we look over or where we walk - but it needs careful management in order to ensure what is special is sustained ...

It continues:

The overarching aims of conservation derive from duties under the Law to preserve and enhance the island's built and natural environment. A suite of planning legislation provides 'tools' to support the way we manage change to sustain special character and interest of the built and natural environment. The natural environment provides a multi-functional role of not only providing a source of food, but also contributing to the landscape character and distinctiveness (for example, grazing cows, ploughed fields) as well as biodiversity, archaeology (for example maintaining historic field patterns), the health and well-being of islanders and managing ground and surface water.

I cannot see the rationale for building on virgin greenfields in an Agricultural Priority Area over any other brownfield site which could be much more suitable. It does not matter how big it is or what percentage it is of the APA, it is the thin end of the wedge and the principle.

Members, do we want a hand in this destruction? Our natural environment is part of the USP of Guernsey, along with its cow. We protect our local milk by way of an import limitation, Section 8 of the 2016 Milk (Control) (Guernsey) Ordinance. We protect the countryside with environment payments to farmers. Should we, as Government, be giving with one hand and taking away with the other? Is that 'joined-up' Government?

I am nearly finished; I am not going to give way.

I cannot vote for the amendment and urge Members not to support it.

Thank you, sir.

The Acting Presiding Officer: Thank you.

Now, Members, Deputy Mahoney has moved a Rule 26(1) guillotine motion. Deputy Mahoney has not spoken in debate and is entitled to move this motion.

Can I ask Members who intend to speak in debate to stand in their places?

Deputy Mahoney, do you still wish to move the motion?

Deputy Mahoney: Yes, I do, sir.

The Acting Presiding Officer: I am going to put the motion *au voix* – at first, I am, initially. Those in favour; those against.

Some Members voted Pour; others voted Contre.

The Acting Presiding Officer: Recorded vote, please, States' Greffier.

There was a recorded vote.

Carried – Pour 23, Contre 15, Ne vote pas 1, Absent 1

POUR

Deputy Leadbeater
Deputy Mahoney
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Deputy Queripel
Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Taylor
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy de Lisle
Deputy Dudley-Owen
Deputy Dyke
Deputy Ferbrache
Deputy Haskins
Deputy Helyar
Deputy Inder

CONTRE

Deputy Le Tissier
Deputy Le Tocq
Deputy Matthews
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Gabriel
Deputy Gollop
Deputy Kazantseva-Miller

NE VOTE PAS

Deputy Brouard

ABSENT

Deputy Trott*

*Marked absent from vote due to being Acting Presiding Officer.

The Acting Presiding Officer: Thank you.

The vote on the guillotine motion was as follows: Pour 23; Contre 15; there was 1 abstention and 1 absent. I therefore declare the motion carried.

2920 We now go into the 'winding up' phase and I invite Deputy Falla, as the lead requérant, to reply to the debate on the amendment.

Deputy Falla.

Deputy Falla: Thank you, sir.

2925 I do not intend to give a blow-by-blow response to all the speeches we have had on this amendment.

Is it a 'swapsies' amendment, a 'spoonful of sugar' amendment, a 'silk purse' amendment? We have heard various views on that this afternoon.

2930 We have insight into the length of time it would take to create brand new farmland from farmland that currently is not such. By all accounts, it would be a long time. This is not really a straight swap. If it is a compromise, I think it is a compromise too far. We have heard it could take three-plus years to deliver the solution on the valley site and many more years than that, more than likely, in order to replace it.

2935 We have heard that this could set a precedent, it could raise the expectations of others, including private sector developers, to be able to be given the same treatment in the future.

We have heard that it has been in the ownership of Health since 1934 and some say that it was always zoned for development; why, then, was it zoned as an APA in just 2016?

2940 I wanted to just pick up on the quarry point because I did vote to continue quarrying in Guernsey. The reason I did that was, my conscience told me, balancing everything, that I would rather not export our dirty business elsewhere and pretend it was not happening, for the record.

I am also led to believe that biodiversity and agriculture can co-exist, so I do not necessarily accept that point.

2945 I think, really, to wrap up on this amendment, I actually thought it was a joke when I first read it. 'Let's build on a perfectly good green' – and I do enjoy Deputy Inder's jokes actually, at times; not this one – 'Let's build on a perfectly good greenfield and then take a brownfield site with who-knows-how-much baggage attached and try and revert it to a greenfield.' It just smacks of desperation.

2950 Another problem I have with this late amendment is that it actually only touches on part of the objectives of the original requête; it barely scratches the surface. The amendment deals only with the Duchess of Kent and the PEH valley field, whereas the scope of the requête applied to all Agricultural Priority Areas. In the explanatory note to the amendment it states:

... Proposition 4 of the requête, if approved, may cause some unnecessary uncertainty to arise in the Island's planning and development process.

2955 We have heard several times over the last days that Proposition 4 of the requête was never intended to interfere in the Planning regime; it was always intended that a policy letter to the States should precede any planning application.

2960 The amendment refers to the designation of any land that is purchased as 'APA' as part of its review of the Island Development Plan; but what is the point of that? What protection would designating this new land as an APA afford it? Judging by the eagerness to apply S5 to an existing APA, absolutely none at all.

We do not need this amendment because we do not need to build on the valley field. There are brownfield sites available, even if we exclude the Duchess of Kent. Some have been mentioned in the last day or so. They include Frossard House car park; at least one derelict hotel, probably more; or across a number of smaller –

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Deputy Taylor: Point of order, sir?

The Acting Presiding Officer: Point of order, Deputy Taylor. What Rule are you referring to in particular?

2970 **Deputy Taylor:** It is 17(4), sir. It appears that Deputy Falla is introducing new arguments that were not raised in debate and he should just be replying to the points raised.

The Acting Presiding Officer: No, I am not going to accept that. Deputy Falla is responding to comments that were made, and therefore, they are legitimate.
2975 Deputy Falla, please continue.

Deputy Falla: Thank you, sir.
At least one derelict hotel; or across a number of smaller brownfield sites, including the PEH top car park by the Corbinerie; and the King Edward VII – that is just a few. We have been told to 'listen to the facts'; but these are facts too, yet we seem to be deaf and blind to them. The amendment may be well-intended; but it fails to address the problem. Better to build the key worker accommodation on any such brownfield site and leave the valley field alone.
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Members contemplating voting for Deputy Inder's amendment, I would rather you voted against the requête.
2985 Thank you.

The Acting Presiding Officer: I now invite Deputy Inder to reply to the debate on the amendment.
Deputy Inder.
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Deputy Inder: Sir, I am mildly disappointed about Deputy Falla's response to it because I was not going to make a joke. But I do remember waking up in 1973 with the Elwood Mead sitting on the rocks on the west coast, and this is what it feels like. The responses to a requête which is basically failing and is likely to fail: we have got First Officer and Captain on the deck of the ship blaming absolutely everyone else but themselves, pointing fingers. 'Cruel and playground', 'missing the point', 'fundamentally missing this ... this is not'. Look, I am sitting on the lifeboat trying to save it here; you are arguing on the deck while your boat is going down.
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In classic style, all these phrases came out of the President of E&I. We are told we need data, we need more information. This is the same political torpor that we have experienced over the last few iterations of the Environment Department. We have all been sent some note about soil samples. Of course, vicariously, through me, we are told that we are 'cruel', that it is 'playground', we are 'missing the point', everyone is missing the point except one of the lead requérants.
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So I will try again – and this is from the report of 2014:

10. The consultation undertaken for the Dairy Industry Review found support for the restoration of horticultural land to its former open state for use in agriculture.
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There is no discussion about soil samples. This is classical E&I style of trying to stop something that they do not want. Time and time again: it is data, we need more – I am not giving way – it is data. Time and time –

3010 **Deputy de Sausmarez:** Point of correction?

The Acting Presiding Officer: Point of correction: Deputy de Sausmarez.

Deputy de Sausmarez: I believe, although I am not sure I heard it correctly through all the seething-ness, that Deputy Inder just implied something relating to this requête as 'E&I style'. I do just need – in fairness to my Committee, if he is having a pop at me in the personal way that he seems to be doing – that that should not be attributed to the rest of my Committee, who hold their own personal views. One of them has managed to articulate them; others may have been
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guillotined. But I think it is very unfair of Deputy Inder to attribute any comments I might have made to the rest of the Committee when he might not be aware of the range of their views.

Thank you.

Deputy Inder: I accept that.

The Acting Presiding Officer: Deputy Inder accepts that correction, thank you.
Deputy Inder.

Deputy Inder: I will try again. It is a debating style and I will move on to another Deputy's debating style. I will also be talking about consistency and inconsistency as I sum up.

This needs exposing for what it is. I have sat here for six years and watched it time and time again, through school elections, through selection. Some Deputies do not even remember what they did last week; but I will get to that.

Back in 2014, that report – I accepted Deputy Burford's response that she was – what is the word? – confused – no, *conflicted* (*Laughter*) – at the time and she may not have been there to vote on it; but unfortunately, as the President of the Department at the time, she owned the policy. And it is there and it has been shared by a few people. Three Presidents, eight years, no support for that which the industry demanded all those years ago, nothing – political torpor: we have seen it time and time again.

But I will try and help dismiss some of the pseudoscience that we have often seen in this Assembly: an example is in the north I am happy to share with you. We are told that nothing can ever change into fields without having soil sampled and the last person touching it will be one of the many people who seem to be hanging around fields at the moment. Since the Nature Strategy was released in 2020, I think there are about five or six acres even just to the north of me that privately have had their greenhouses dropped; their land has been turned back into, effectively, arable. That is without any help from the Strategy for Nature, adopted in 2020, and I am happy to give way to Deputy Taylor, because I quite like this one.

Deputy Taylor: I am very grateful to Deputy Inder for giving way and I apologise because he may have been about to make this point; I interrupted. It is a very valid point. There does seem to be some confusion in this debate about land allocation and its grading. Of course we are talking about APAs, but a lot of people seem to be suggesting that we are talking about ABIs. I feel it is really very relevant that the Development & Planning Authority in January of this year actually considered a paper on a review that would be done looking at ABIs, which are 'Areas of Biodiversity Importance'. There is one which probably counters the view that it is not possible to simply put in topsoil and expect land to go back.

Bear with me, sir, but I just want to read from this report some of the notable species and plants and birds that are on this site before I identify which site it is.

Notable species include loose-flowered orchids (of which there are less than 25 sites in the British Isles), hairy bird's-foot, small-flowered catchfly, yellow vetch (of which there are less than 100 sites in the British Isles), ivy broomrape, and subterranean clover (of which there are about 250 sites in the British Isles).

Notable bird species in this ABI that was approved by the Committee: song thrush, starling, linnet, and house sparrow (which are all UK Red Listed).

This is an area that has been designated as an ABI just this year; it was previously Bordeaux landfill site. If it is possible to turn Bordeaux landfill site – and I might be wrong – please, do correct me, someone – I believe that was in use until about 1992 – I could not confirm that – and I believe it was in about 1995 that the British Legion planted 50 trees there – something around that.

Regardless of that, this was a landfill site that is now a nature reserve that the Development & Planning Authority has designated as an Area of Biodiversity Importance, which is several layers above APA, so it should theoretically be possible to convert a vinery site into good agricultural land.

Thank you for giving way.

Deputy Inder: Thank you, Deputy Taylor. I have seen it happen. I have seen over the past 20 years, down where I am at the moment, greenhouses dropped, sheep being reared on the land. This is all the stuff that needed a Soil Association to go through it and we could not touch it until they had done another report on it. The grass has grown fairly quickly. I accept the yield might be different than some of the older fields; but to suggest that nothing can happen until there has been some – I just think it is overstated because I have seen it happen in real, practical, pragmatic – dropping glass, grading out the glass, turning it into pasture is eminently doable and eminently done very quickly. (**A Member:** Hear, hear.) In fact, that same report, back from 2014, the real experts in the area – not the politicians, actual farmers – identified land that was sitting under glass that could be used; but apparently, six years later, we as politicians know more than the farmers. There you go.

I am going to cut out some of this because it was not going to go particularly well.

Deputy Meerveld, I am going to thank him for the support.

Deputy Oliver confirmed that Proposition 2 was solid and I am grateful for that; but that just confirms what I have said. I will not say any further than that – ‘solid’ in as much as it does not offend them any way.

And of course, I said Deputy Burford was a signatory etc. but she went on to talk about offset as now a bad thing. It is quite like diesel and petrol: 20 years ago, petrol was a good thing, diesel was a bad thing; now we are told it is petrol; and now we are told it is electric. If offset is now a bad thing, there goes all the carbon sequestration that has been mooted. We are spending millions of pounds looking at it. And that may explain why members of E&I have consistently voted to put landfill over 10% of our sea grass by filling in Longue Hougue South. What a volte-face. In fact, it is mentioned in the Nature Strategy itself. The Nature Strategy that was mentioned in the – I am not giving way.

Deputy de Sausmarez: Point of correction.

Deputy Inder: There is no point of correction of it being mentioned in the Nature Strategy.

Deputy de Sausmarez: There is.

The Acting Presiding Officer: Point of correction, Deputy de Sausmarez.

Deputy de Sausmarez: Deputy Inder just used a statistic which was ‘over 10% of our sea grass’; I am afraid that is incorrect, it is factually incorrect. It is only 10% of what is currently mapped; but we know that there is a vast area that has not yet been mapped. So it is very misleading to suggest that it is 10% of Guernsey sea grass.

The Acting Presiding Officer: Deputy Inder.

Deputy Inder: Well, there you go.

Anyway, it is a fact that eelgrass, as mentioned in the Nature Strategy, in real words, is one of the greatest carbon sequestrations we have got, but basically, many of the members of the Committee have voted to cover a percentage of it up – incredible. Not only is northern grass terrible; it is northern eelgrass that is terrible as well. They do not like anything up our neck of the woods.

I cannot let Deputy Roffey – through you, sir – get away with some of this that he has said. He gave warning that the consequence of the amendment, if you vote for it is, it will be commercial property next. It is not commercial property next; he has already done it! He did it as the Chair of the Housing Action Group. Himself, Deputy de Sausmarez – along with another requérant, Deputy

Soulsby – they have elected to turn housing. I think it was Deputy Meerveld – through you, sir – who said something like 80% of our industrial land has now become housing.

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Deputy Oliver: Sorry, sir, I hate to do this. Point of correction: Deputy Soulsby was never on that Housing Action Group.

The Acting Presiding Officer: Hold on. Point of correction, Deputy Oliver.

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Deputy Oliver: Sorry, sir.

Deputy Soulsby was never on that Housing Action Group. It was Deputy Ferbrache and I was also a non-voting member.

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Deputy Inder: But she is a requérant and she agreed to write the cheque to buy it – so mitts all over it.

Sir, it is 'Look over here but never over here,' it really is quite *[inaudible]*. And of course, the HAG group, which Deputy Soulsby was not on but Deputy de Sausmarez and Deputy Roffey were, they identified – through you, sir – and I think I heard in the margins somewhere someone shout 'and me!': that ghost in my ear is not a signatory to the requête. This is about consistency. Keep up! *(Laughter)*

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The HAG group identified the Coutanchez field as a housing target area; only three years ago. I had never seen so many cows squashed into a field! Two years ago it had corn growing on it. In the Housing Action Group – it was mentioned in the update – 'the Coutanchez field was identified as a target area.' I did find it odd at the time –

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Deputy Roffey: Point of correction?

Deputy Inder: You cannot correct something that cannot be corrected.

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The Acting Presiding Officer: Point of correction, Deputy Roffey.

Deputy Roffey: The Housing Action Group has not designated anything as a housing target area; it is the DPA that decides what is a housing target area.

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Deputy Inder: In the Housing Action Group update that went out to all Members – feel free to go and look it up – the Coutanchez field was mentioned, the Coutanchez field *(Interjection by Deputy Roffey)* – okay, anyway – was identified as one of the areas.

We can all guffaw as much as we want. This is the type of thing that you get. You cannot be right. The bar is so high, nothing has got the integrity of some. We run in the playground – what else was it? What were the words that were used? What was it? We are 'cruel on the playground', we are 'missing the point', we are 'fundamentally missing the point', repeated time and time again along with a slightly patronising snarl that I have got used to – and that is not mine.

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I am thanking Deputy Blin for him calling out the continued inconsistency we see from Members. It is a difficult task to remain consistent in this job. I have managed to remain consistently wrong. But I do wonder why some Members actually go looking for inconsistency. I think they actually actively seek it out. I genuinely do not know how some of them can sleep. I do not know how you can say you will do something two months ago, stand up in the States, talk about the dangers this effect might have on commercial – yet signing off on taking out massive swathes of industrial sites only two months earlier. It is just weird if nothing else.

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Deputy Leadbeater went on to mention more inconsistency. The list grows, it really does. But it is well known. From the end of the selection of the fields at the Maritaine, silence; the diggers into Kenilworth under the Housing Action Group – again, two of the requérants – right in the middle of the nesting season. You do not have to write this stuff because it is actually happening. I think

3170 Deputy Gabriel said, 'When it's gone, it's gone.' I cannot remember how he voted on the Future Harbour Strategy, but I will give way if he cares to answer. He does not care to answer. Tons and tons of our eelgrass will be buried under STSB's and Deputy Roffey's builders' rubble, the one thing you really cannot replace. When it is gone, it is gone.

3175 Anyway, sorry, guys, you are probably getting bored of me and I have managed to bore myself – which is not a first, actually. *(Laughter)* There are three Propositions, effectively. There is an amount of cash to look at an offset. Planning Authority have said – and 'thank you' to Deputy Victoria Oliver – that they would give this consideration as part of a future review. It is a genuine attempt because I have a political belief that we do not do enough of it. This is an opportunity from a requête that is failing – it is dying on its knees – for us to find a way through this, the self-made muddle by the requérants, to find something good out of this.

3180 So you will have a choice: if you vote this through, it becomes the substantive Propositions; you can then vote it out. But if you really do not like the requête, if you really do want more land used for an Agricultural Priority Area – because if the requête goes through with Amendment 2, that is effectively what it looks is going to happen – I would ask you to vote for the substantive Propositions after, because then you get a chance to improve some of the land which will be lost and I honestly think we should be doing a lot more of it.

Thank you very much, Members.

3190 **The Acting Presiding Officer:** Members of the States, we go to the vote on the amendment laid by Deputy Inder and seconded by Deputy Helyar, Amendment 2. Is there a request for a recorded vote?

I suspected there might be.

Deputy States' Greffier, a recorded vote, please.

There was a recorded vote.

3195 *Carried – Pour 24, Contre 15, Ne vote pas 0, Absent 1*

POUR

Deputy Leadbeater
Deputy Le Tissier
Deputy Mahoney
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Prow
Deputy Queripel
Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Taylor
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Brouard
Deputy de Lisle
Deputy Dudley-Owen
Deputy Dyke
Deputy Ferbrache
Deputy Haskins
Deputy Helyar
Deputy Inder

CONTRE

Deputy Le Tocq
Deputy Matthews
Deputy Parkinson
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Gabriel
Deputy Gollop
Deputy Kazantseva-Miller

NE VOTE PAS

None

ABSENT

Deputy Trott*

*Marked absent from vote due to being Acting Presiding Officer.

The Acting Presiding Officer: Thank you.

Members of the States, on Amendment 2, there voted Pour 24, Contre 15, there were no abstentions and 1 was absent.

3200 Amendment 2 is now the substantive Propositions of the requête, which of course, bears no resemblance to the original requête; but that is nonetheless the situation we find ourselves in.

We are now in general debate on the requête as amended – in other words, Amendment 2. Does anyone wish to speak?

3205 **Deputy Taylor:** Rule 26(1), please, sir?

The Acting Presiding Officer: The first person to rise was Deputy Queripel.

3210 **Deputy Taylor:** Sir, I tried to raise a motion under 26(1).

The Acting Presiding Officer: Rule 26(1).

Deputy Queripel: Sir, I was called.

3215 **The Acting Presiding Officer:** Yes, you were, so I think we will hear from you, Deputy Queripel, and then we will deal with 26(1), to be consistent with my previous ruling.
Deputy Queripel.

Deputy Queripel: Thank you for your ruling, sir.

3220 When Deputy Falla spoke in his opening speech on the requête, he said decisions like this should not be made at the whim of a handful of politicians; Deputy Taylor quite rightly corrected him. I want to join Deputy Taylor in correcting Deputy Falla. As a former member of the DPA, I sat as a panel member during several open planning meetings and I can assure Deputy Falla, and the rest of my colleagues, sir, there are strict guidelines and protocols in place at those meetings and
3225 nothing is decided on a whim. So it is somewhat disingenuous of Deputy Falla to say what he said and I ask him to withdraw that statement when he speaks.

A Member: He may not have the chance.

3230 **Deputy Queripel:** It remains to be seen if he does speak, of course.

Sir, I want to comment on some of my colleagues saying in debate, 'We have received an abundance of emails on this issue.' Maybe they have; but I have only received 47, which is nowhere near the amount States' Members received on assisted dying, the Transforming Education issue, or on the abortion issue. We were all sent well over 500 emails on each of those issues and that all
3235 came through the States' Members email address. So it would be helpful if those Members refrained from exaggerating because it gives the wrong impression out in our community.

I suspect there is a certain amount of Nimbyism attached to the whole issue, anyway, of this housing issue because pretty much everything that has ever been built has been built on land that was once a greenfield, so people who are in their own houses have to be mindful of that. They have
3240 got their house that is built on what was once a greenfield so shouldn't they allow key workers' homes to be built on greenfields?

From the age of 13 until I was 20, I lived with my family on Couture Close Estate by the Ozouets campus. Couture Close was the first social housing estate to be built in that area and it was built on a greenfield. Since then, another four housing estates have been built on fields in that area. Out of
3245 those four estates, one was another social housing estate and three were private estates. As well as that, a school has been built and our arts centre, so five fields were lost to development. As a result of that, approximately 130 families had homes to live in, hundreds of children had a school to go to, and the whole Island had, and still has, a much-needed arts centre. The fact that a previous

3250 States decided to demolish a building that would have been perfectly suited for an arts centre is a disgrace. I will take this opportunity, sir, if you will indulge me for one second: this was one of the worst decisions a previous Assembly ever made, to demolish an iconic building like the Odeon. That would have made a perfect arts centre and it would have saved almost £4 million for the arts centre we have now to be built.

3255 So, sir, as with any issue we debate in this Chamber, many of us adopt a 'when it suits' approach, 'when it suits our agenda'. I do it myself: I will say one thing during one debate and totally contradict myself during another debate. Most of us do that. I have heard nearly every Member of this Assembly do that in speeches in the last 20 or so months. But in our collective defence, we do that with the best of intentions because we truly believe what we are saying will eventually result in some kind of benefit for the community. So it is 'when it suits circumstances at the time, what the need is, what the cost is going to be, what is available, how much disruption is going to be caused', etc.

3260 What we are really talking about, the way I see it, is balance. That is what I do: I always try to balance things. To broaden out my view on the need to attain balance, as we all know, in times of crisis, drastic measures need to be undertaken in an attempt to resolve the crisis. Balancing one thing against the other in a reasonable manner is crucial. And although I am still in dilemma on this, 3265 somewhat, I am coming around to thinking that it is perfectly reasonable to utilise what we have at our disposal in times of crisis. Not only that, but we also have to bear in mind the morale of staff and take into account the Transport Strategy. The more staff we have living on campus, the fewer journeys on our roads will be needed, to state the obvious. I ask colleagues who consistently champion the Strategy to bear that in mind: the more staff on campus, the fewer people on the 3270 roads.

Now, I always think it is a great shame when we lose trees; but once again, balance can be attained in that situation by putting a condition in place that says, if trees are lost to development, then the developer has to plant new trees somewhere else. And I realise, of course, I do not need to be taught how to suck eggs but if you cut down a 130-year-old tree and you put new trees in 3275 place, they are going to be a lot younger than the 130-year-old tree. But as Deputy Oliver said – she is not in the Assembly at the moment, unfortunately – in the media not so long ago, protecting trees will not be used by the DPA to delay developments; and if anyone questions that, sir, I have got the cutting here with the headline at the top.

Sorry, sir, I give way to Deputy Mahoney.

3280 **Deputy Mahoney:** I thank Deputy Queripel for that.

I would have mentioned it in speech, but most people had already said a lot of stuff and I just wanted to save time.

3285 I just wanted to confirm for Deputy Queripel that at the start of all this, despite the fact that no-one had asked, many months ago, States' Property Services had been told that this tree will not be touched, so no-one has any intention of touching that tree anyway. I would have raised that in debate but I decided not to speak just because we were going nowhere fast.

Just to give that comfort to Deputy Queripel.

3290 **Deputy Queripel:** That is really good news, sir: the tree is not going to be cut down. I take great comfort from that, as I am sure many of my colleagues do.

What we really do not need in times of crisis is delays of any kind or obstacles put in place to negotiate, or restrictions put in place that hinder the resolution to a crisis.

3295 I said this is in a previous speech. When I was a member of the DPA, I said in debate and in the media I would only support development on a greenfield if it benefited the whole community in some way. But in saying that, sir, I want to make it clear I am not advocating a free-for-all. I do not see the sense in placing restrictions on solutions to provide accommodation for key workers in times of crisis. Surely, the name itself says it all: they are 'key workers' because they are key to our very survival and if we have not got enough of them, then we will always be struggling to survive. 3300 Operations will continue to be cancelled and the whole community will suffer.

So that is the question I am struggling with and the question I ask my colleagues, sir, through the Chair, to ask themselves. Do they want to solve the key worker housing crisis as simply and as soon as possible, or do they want to put obstacles in the way and restrictions in place to pursue ideals? If I had my way, sir, I would put 150 modular units in the Data Park tomorrow. Why can we not do that? Because the procedures we have in place are so tediously, boringly slow.

I do not have the authority. I am going to go round in circles on this whole issue. The eventual result – as Deputy Kazantseva-Miller, who is not in the Assembly at the moment, said earlier – is not even going to solve the problem. The crisis is now. What are we doing for now? Nothing.

Sir, several speakers have mentioned a presentation at the Duchess of Kent House so I feel it is important to comment on that. I was one of the Deputies who went to the presentation. I do not go to many States' presentations these days and the reason I do not do that is that the same old people hijack the presentations; the same old people ask question after question, totally oblivious to the fact that there are others there who want to ask questions; and by the time you get to ask your question, you have lost the will to live because everyone is getting up to leave.

The Duchess of Kent House presentation was no exception. The usual suspects did hijack the presentation and hog the show. I did manage to find a gap in between their incessant chatter and ask not one, but I got two questions in, one of which focused on staff morale and one which focused on maintenance of the building. The answer to my question about staff morale was that staff currently working in the building would welcome development in the adjacent field because their colleagues would be living on-site, which would solve a multitude of problems. They were not concerned about the view because they had not got time to look out the window; they were doing their job. That is what I was told. And of course, one of those problems would be that 140 people would not be on the roads every day travelling to and from work. So if you keep them off the road, that complies with the Transport Strategy. So if you want to block building on that field, you are going against the Transport Strategy, surely.

And the reason I asked the question about maintenance of the building was that the States' history of maintenance is absolutely woeful, it is appalling. (**A Member:** Hear, hear.) It does not matter what we seem to try and do to correct that: nothing ever changes. I remember being taken on a tour of – I think they are called – the lighthouse units at the Hospital a few years ago by the then Minister for Health, former Deputy Mark Dorey. They had only been built a couple of years and they had had to close them because the roof had not been finished properly and the place had not been maintained – absolutely disgraceful, no excuse for it! We spend a fortune on new buildings, we spend hardly anything on maintaining them. It is the same with every States' building.

The Duchess of Kent House has got weeds growing in the gutter – I think Deputy Leadbeater touched on this – and fascia boards rotting. I ran a company in building construction for 28 years, I was in construction altogether for 35 years. You do not need to work in construction to see weeds growing in gutters or fascia boards rotting. Just get up on a ladder, get the weeds out! Water will ingress into the roof, the roof will go rotten. So I hope the Committee for HSC are taking note of what I am saying here. It would not take long to take weeds out of gutters and repair rotten fascia boards.

Now, sir, to clarify my position, I have explained to the Chief Minister why I very rarely attend States' presentations; I also explained to Deputy St Pier, when he was Chief Minister, why I do not attend many States' presentations. They are both aware of my position regarding attending States' presentations. The final point I want to make on that: the usual suspects know who they are so I can only hope they take note of what I am saying here. Not for my sake, because I probably will not attend another States' presentation ever, but for the sake of the other people there: do not hog the show, give other people a chance to ask a question, (**A Member:** Hear, hear.) and stop your inconsiderate behaviour.

Sir, moving towards a close – although I could say a lot more, actually; but I will be pragmatic and not do that – I hope colleagues are taking on board what I am saying here. As Deputy de Lisle said when he spoke – I think it was yesterday; it could have been Wednesday – not a single requérant

voted in favour of his amendment to protect greenfields. Is there some kind of strange approach going on here? Could that be yet another example of the 'when it suits' approach, perhaps?

Sir, I very much appreciate the requête and the amendments have been laid with the very best of intentions. I totally respect my colleagues who have done that. They knew this was going to be a contentious debate and they felt it was a debate we needed to have. And as with every issue, there are 'fors' and 'against's'; but whatever your view, there is never any need to ridicule or demean a colleague for having a different view.

I have not made my mind up yet on this issue, to be honest, so I am hoping, in summing up, somebody is going to say something that is going to help me make up my mind.

I ask for a recorded vote, sir, when we go to the vote, thank you.

The Acting Presiding Officer: Thank you.

Now, Deputy Taylor has moved a guillotine to general debate. He is entitled to move that motion, having not spoken previously.

Can I ask Members who intend to speak in general debate to stand in the places?

Deputy Taylor, do you still wish to move the motion?

Deputy Taylor: Absolutely, sir.

The Acting Presiding Officer: Deputy States' Greffier, I think we ought to have a recorded vote on this.

There was a recorded vote.

Carried – Pour 23, Contre 14, Ne vote pas 2, Absent 1

POUR

Deputy Le Tocq
Deputy Leadbeater
Deputy Mahoney
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Taylor
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Cameron
Deputy Dudley-Owen
Deputy Dyke
Deputy Ferbrache
Deputy Haskins
Deputy Helyar
Deputy Inder

CONTRE

Deputy Le Tissier
Deputy Matthews
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Burford
Deputy Bury
Deputy de Lisle
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Gabriel
Deputy Gollop
Deputy Kazantseva-Miller

NE VOTE PAS

Deputy Queripel
Deputy Brouard

ABSENT

Deputy Trott*

*Marked absent from vote due to being Acting Presiding Officer.

The Acting Presiding Officer: Thank you.

Members of the States, on the motion to guillotine debate, there voted Pour 23, Contre 14, there were 2 abstentions, and 1 absent. That means that general debate is curtailed.

However, under Rule 28(3), there is now a process that we need to go through which includes replies to the debate from the Presidents of E&I, DPA, HSC, ESS, and the PRC, as stated in the Rules, followed by, and lastly, the lead requérant, Deputy Falla.

So I now invite the President of the Committee *for the Environment & Infrastructure* to speak.

Deputy de Sausmarez: Thank you, sir.

I will start by saying I think it is a real shame that general debate on this requête has been curtailed in this way. I think it is just really undemocratic. Ironically, that is the democratic decision of the Assembly.

There is not much in the latter part of general debate to respond to because it was only Deputy Queripel who managed to get a word in. Of course, there were the comments at the beginning, which I think are in scope.

Just responding briefly: there was one issue under E&I's mandate that Deputy Queripel did raise and that was an assertion – or a claim, perhaps – that anyone attempting to block development on the green valley goes against the principles of the Transport Strategy. I can assure him that it certainly does not. The Transport Strategy is, of course, aligned with the Spatial Strategy, which is obviously the commitment to focus development in the main or local centres; this does not fall within the main or local centres. Therefore, the Transport Strategy aligns with the Spatial Strategy, the proposal to build on the green valley falls outside that. So actually, in that respect, it is not at all aligned.

And there is obviously the transport rationale for aligning with the Spatial Strategy: that it is much easier, more convenient, safer, more affordable to get around when you have got easy access to goods, services, and amenities, which is why the Spatial Strategy stipulates focusing development in the areas where those are going to be most readily available. So I can assure Deputy Queripel that if one is looking for a reason to support developing the field, I am afraid the Transport Strategy is not one of those arguments.

More generally – and thinking back to the start of general debate, which does seem like half a decade ago – Deputy Brouard, of course, made a cast-iron case for the need for staff accommodation; nobody disputes that. I am really glad, actually, that one of the things that has come out of this debate is that issue of the importance of key worker accommodation is now more broadly recognised. That is fantastic. But Members claiming that people will die if the valley is not developed is really taking it a bit far.

I would pose the question to Members that if another option or options could provide the same staff accommodation on-site as could be provided on that field, on that valley, would they still consider it essential to build on the valley? I am sure Members would agree that it is not essential to build. In fact, we have heard time and time again from people standing up and saying, 'Well, of course nobody wants to develop the valley.' Great! In that case, I completely encourage those responsible for bringing forward these proposals to thoroughly explore the other options. We know that what has been done by the States Property Unit has only been a very high-level desktop review; it has not been a feasibility study in any way. We know from the letter of comment that some of the assumptions and figures, I think, would benefit from more robust interrogation and scrutiny.

So I very much hope, irrespective of the result of this debate on this requête, that those bringing forward any proposals to develop on that valley will much more carefully consider alternative options and will not just be blindly following the results of what I think is now acknowledged was a pretty flawed process in terms of that initial high-level review, simply because I think of the problems with the assumptions that underpin the brief.

So really, we are now in a position – obviously, amendment 2 has had the effect of replacing the original Propositions, so now it is a question of whether or not to support the Propositions as amended. I think this is an interesting challenge, in many ways. I think, on balance, I cannot support the Propositions as amended because I think it sets a very worrying and potentially dangerous precedent. I think it sends out a clear message. I was clear when I spoke on amendment 2 that anyone voting in favour of that was, in effect, supporting, giving their tacit endorsement of

developing the field because it removed the ability for this Assembly to vote in favour of exploring other options first. Votes on amendment 2 were, in effect, a tacit endorsement of the development of this green valley.

But I think what the amended Propositions do is send out a very worrying, in my opinion, message that it does not matter what designations we have given – in some cases, very recently – to land; it does not matter what supposed protection and prioritisation we afford our agricultural land that is in active farm use; it is okay, it is really easy, all you have to do is just – you can use whatever you like and we will make a token effort to look like we are trying something else; but if it does not really work, ‘Ah, well, we tried.’ There is absolutely nothing about requiring any such mechanism to provide biodiversity – or indeed, agricultural gain. There is absolutely nothing in the amended Propositions that gives us any hope that this is enforceable, even, or achievable. We all know there are going to be huge problems with the timelines and that, even if it is successful in creating ‘new’ farmland, the chances are it will not be available for some years after we have lost the green valley.

I think, for me, the most egregious aspect and the most upsetting aspect is the personal unfairness on those who use the farmland at the Vauquiedor at the moment to use this grazing bloc. Any new land that we will potentially find and restore – even if it can be restored, we know it will not be for a while – (a) there is no mechanism to ensure that it will be used for agricultural purposes – and specifically, *dairy* purposes, which is what the valley is used for at the moment – and (b) it seems vanishingly unlikely that it will benefit the same farmers who are losing the benefit of this green valley.

So I think, on balance, I cannot support the Propositions as amended and I would urge my colleagues also to vote against it.

Thank you.

The Acting Presiding Officer: Thank you.

I now call the President of the Development & Planning Authority, Deputy Oliver.

Deputy Oliver: Thank you, sir.

I was in a very difficult position, I feel, because I could not vote on the requête, so the amendment was the next best thing, really.

I think many people say, ‘The field is gone now so what do we do?’ The DPA still have a process to go through. The process that it will be assessed against is S5, which is ‘Development of Strategic Importance’. Now, during that work, we have to look, we are obligated to look by law, at different sites. In many respects, some of the requête will just come through the process of what the DPA has to do. I know if Members actually look at page 52 or 55 of the appendix, there is a number of sites that have been looked at but this is nowhere near the amount of detail that the DPA will require if a planning application comes forward. They will have to do a lot more work to actually satisfy if there is to be a successful outcome.

That is really all I can say on it. I think we have just gone around in circles and there is not much else to say.

Actually, I will just say one other thing, sorry. In regard to the current Propositions, which is the amendment, my concerns still stand with whether this field or piece of land can actually be found. And my other concern is whether we actually have a spare £300,000 to actually buy, clear, remove the land. Unfortunately, it was better than the Propositions that were in the main requête so that is what I will be dealing with.

Thank you.

The Acting Presiding Officer: Now, I would normally call the President of the Committee for Health & Social Care. Yes, he was, as I suspected, powdering his nose, here he is. (*Laughter and interjections*) I could have done and very nearly did!

I invite Deputy Brouard to speak to the requête.

Deputy Brouard: Thank you very much, indeed, sir, thank you.

I just want a couple of remarks before a very short, prepared speech, just a couple of remarks to start with.

First of all, I did not bring this requête to the Assembly; other people have. As I said to one of the professional media people at lunchtime today, we have to, as a States, deal with the hand that we are dealt. We have had this hand dealt and we have to deal with it as professionally as we can.

Taking the point from Deputy Kazantseva-Miller about the short term, long term, and medium term: very much so, our short term is based at the moment – because we have not got that long-term solution or medium-term solution, we are using self-catering, we are using hotels. It is not good. And of course, that is why we want to leave a better legacy for those who come after us.

As I said yesterday, it will always be a compromise wherever we build, it will always upset someone wherever we build, and we will always upset someone if we do not build. We will always upset someone leaving the decision to another meeting, another report. We can make it as complicated as we like and leave it until another time when it is all too late.

Some of my colleagues have made much play of the feedback from Islanders and the call to arms on social media to protest against the loss of this field. Mrs Le Page is upset. I am going to paint a scenario for 2027, five years' time. Mrs Le Page is now five years older and is in the queue of ambulances stacked up outside the emergency department. The queue stretches down the hill towards the Vauquiedor. The paramedic touches her shoulder gently and advises her that they hope to be at the doors of the emergency department in under five hours. The paramedic points through the slightly darkened glass of the ambulance at the newly-named 'Requérants' Field' and says, 'At least we've got a nice view while we wait.'

Mrs Le Page eventually gets on to a ward. She is not very well. She had been sick and she needs to use the facilities. In desperation, she rings the bell but no-one comes. After a while, she tugs at the curtain around her bed, pulling one of them down. That attracts a nurse. The nurse comes to her side and apologises that, 'We're extremely busy and we'll try and get the sick cleaned shortly,' but could she hold on for the bathroom, as 'we are short-staffed'? As the nurse turns, she nods at the window and says, 'At least you've got a nice view of the Requérants' Field.'

After a few days in hospital, Mrs Le Page eventually has her operation; but she cannot go back home yet, where she is so desperate to be, because there are no staff to provide the homecare package. But the admin manager, sitting briefly on the edge of her bed, says, 'At least you've got a nice view of the Requérants' Field.' The sycamore sadly died after 135 years.

If you think the Mrs Le Pages of the Island are cross today about the loss of the field, I can tell you States' Members, requérants, you have seen nothing yet. Mrs Le Page and her family and Islanders will be absolutely fuming with the States in 2027.

Just a health warning: this story is conjecture on my part, just in case someone tuned in halfway through. But please, do not make it real. You just have to look at the UK news on the NHS. I think last night, Salisbury Hospital declared a 'critical incident' and patients had to go to other hospitals; we do not even have that luxury of another hospital.

We need to stop prevaricating. If we had acted some three years ago in 2019, when it was highlighted that we needed this facility, it would be built now. What legacy do you want to leave from your time in politics and what do you want to leave for someone else to sort out?

Thank you, sir.

The Acting Presiding Officer: Thank you.

I now call the President of the Committee for Employment & Social Security, Deputy Roffey.

Deputy Roffey: Thank you, sir.

I was actually sitting there, reflecting on what was the intention of the requête when it was brought and – it has been amended now – what was the intention of the original Propositions. An application today can be made to the DPA to develop residential accommodation on an APA if the States had debated the idea and if the majority of the States were convinced that there was

3535 absolutely no alternative. It is not perfect because there has not been a policy letter and there has not been all the evidence. But at least the States have debated. And I fear – I am not sure yet, but probably, by that 23–14 – the majority will decide that there is no alternative. So I will very much, if that happens, regret the outcome; but at least it has been through that process rather than it just being shovelled up without that democratic process.

3540 I do have to just address two or three very specific points. In his opening speech, Deputy Brouard talked about 'living above the shop' and said that the requérants said, 'It's dreadful. Nobody wants to live above the shop'; that is not true. If he had listened to my speech just before his, I had absolutely accepted that there was a strong case for another block of accommodation on the PEH campus where people would live above the shop.

3545 My concern was moving to a position where we have about 210 units of accommodation inside the campus, which will be roughly what it would be with John Henry Court – that is one of mine, by the way, so I am obviously not against people living above the shop – plus another 140, 150 down in the valley because I think, in the long-term – and I have never said 'just agency nurses – the people who tend to live on campus are people who want to be relatively short-term. They may be permanent contract-holders but they tend to be people who are here for a couple of years, as opposed to the people who are going to be here for five or 10 years, who I think are less of our focus. So I would have developed fewer units on campus – some more, certainly, because there is demand for it – and a lot more units on sites which do exist where we can create them off-site.

3550 That also answers his point that, 'It is only a centimetre further away to the Duchess of Kent.' Yes, it is. I do accept that some people would want to live above the shop and I think that that is a far more acceptable place – or indeed, the south of the site that Deputy Matthews mentioned earlier, which was explored and then suddenly seemed to be dropped just because there was some concern over design.

3560 There was not much debate at the end on general debate. I would love to be able to talk about some of the things Deputy Inder said; but that was not in general debate so I think I would be technically out-of-kilter by reminding him that the HAG do not design what are housing target areas, nor did we decide that Kenilworth should be an area designated for housing. That is a debate for another day, perhaps.

3565 Deputy Queripel said a couple of things. 'Why did none of the requérants vote for the de Lisle amendment?' Because the de Lisle amendment would not have given any protection to any greenfield in any way in any form whatsoever. It was not going to do anything to protect greenfields so what would have been the point?

3570 He also said if it was down to him, he would put a sister build, pre-built units on the Data Park tomorrow. I have to say: not tomorrow because it does require a road structure and it does require drainage. But absolutely: because we realise that, actually, three years is probably far too long to wait to try and tackle this problem, that is exactly one of the things being looked at. We have spoken to the DPA and even without S5, a temporary use for a number of years, the indication is that that might absolutely be possible. One of the advantages about the Data Park is that, because it is on the main road structure from the harbours, you probably could get pre-built – not in small sections, but larger sections – relatively quickly.

3575 So absolutely, when we were looking to build – and by the way, when we bought the Data Park, we did not suddenly make sure that it was going to be developed when it was previously a green area. It was zoned for development; the only question was the type of development. But I absolutely agree with Deputy Queripel: we cannot wait three years. We need to explore faster ideas. I do not guarantee it is going to happen; but I know that the GHA are open to that idea because the road structure and drainage they put in for those temporary units can then be redeployed when permanent accommodation comes later.

3580 As I say, I think, really, the whole debate, although there has been a lot of heat and a lot of passion, comes down to a very simple question because we all absolutely accept that we need, and need as quickly as we possibly can, the large amount of extra key worker housing to support – other services as well – in particular, the Health Service. Some of us believe that the only practical option

is the Vauquiedor field. I do not; others do. Because I do not, I will not be supporting that. I disagree with the decision but I absolutely respect it. I think that we need to respect each other's views and I certainly respect those who disagree with me.

3590

The Acting Presiding Officer: Thank you.

Penultimately, I call the President of the Policy & Resources Committee, Deputy Ferbrache.

Deputy Ferbrache: Sir, it is gone five o'clock on a hot afternoon. I do not want to say too much because I do want to get off as soon as I can as my secretary, who has worked with me for 35 and a half years, over 13,000 days, is retiring today and I would quite like to go and say goodbye to her in due course. She deserves very many awards if she has been working with me for 35 years!

In connection with this very serious debate, I would like to say a couple of introductory remarks. Firstly, I have been in the States now for the last six-and-a-bit years with Deputy Brouard. I did not really know him particularly well in the first term but we have worked closely together since October 2020. He took the chalice (**Several Members:** Hear, hear.) which nobody else wanted of President of the Committee for Health & Social Care. He took that – I think he had to have his arm twisted – and he has discharged those duties over the last 20 months or so, splendidly, fiercely, and steadily with sometimes a disharmonious Committee – and I would ask that they perhaps could be a bit more united in the future and back their President.

In relation to that, the speech he made yesterday was not one of the best speeches I have heard from anybody in the States in the last 20 months; it was *the* best speech. It was a superb speech. It ticked every box, it addressed every issue, and it was passionate, it was informative, and it was factual.

I would also like to say the many people who have expressed the view that we should not be building on what is undoubtedly a pretty, lovely field that I respect their views. And they are not the only ones who hold that view; there are many others who have not contacted anybody. Nobody in this Assembly wants to build on any greenfield in any circumstance unless it is necessary – and in this case, unless there is a real emergency. And if there is not a real emergency at the Hospital now in relation to key workers and the need for key worker staff, I do not know how there can be a real emergency going forward. I am very much in favour of the Data Park, very much in favour of Kenilworth, I was very much a fulsome supporter of those and I will be on other developments that may come forward in relation to social housing. It is the key issue that we have to address because it touches so many. If we did not have an employment problem at the PEH, we would not be looking to build houses either in a valley or anywhere else.

Deputy Dyke was rather dismissive earlier in his speech – the one he was allowed to make before the guillotine came down not upon his head, but nearby. In relation to that, he dismissed it: he said it is a waste of time, non-compliant, etc., not good governance. I think it was right because there was this urge to bring it but what surprised me, with the quality of the people who put their names to it, we had this one saying, 'We could develop here,' we had that one saying, 'We could develop there,' we had somebody else saying, 'Why have you not looked at that?' They had months and months to come up with detail. They could have provided Deputy Mahoney and the Property Services team with detailed information as to what was practical and prompt and achievable.

Deputy Mahoney and his team, working closely with officers and the President of the Committee for Health & Social Care, looked carefully and very reluctantly came to the conclusion that this, the field, was the appropriate site. They did not want to. They did not punch the air in joy and exultation; in fact, just the opposite. They were saying, 'Goodness me, I wish we didn't have to make that decision.' But we are here to make difficult decisions, some of which are contrary to public opinion – or at least, perceived public opinion in relation to sincerely-held views of certain members of the public. I, in my opening speech the other day, expressed the views that I have heard from other members of the public; I respect all of the views.

We have got to just – I do not want to dwell too much with statistics, etc., at gone five o'clock on a Friday afternoon. But we are in such a parlous state in relation to the need for accommodation

for health workers and I gave the definition yesterday: it is much wider than nurses. Page 28 of the 55-page letter of comment, together with attachments, shows that, for the first four months of this year, accommodation for key worker occupancy was 98.8% in January, 98.81% in February, 99.55% in March, and 99.3% in April; you cannot get fuller than that. And I do think there is a wider issue.

And those Members – and I know this for a debate later on and months to come – who say, ‘We don’t want to increase taxes; we want to reduce taxes! It should be so easy: all you’ve got to do is do this cut or have smaller government,’ I said it months ago and I have still not heard from any of them and I invite them to come up – they have still got time but please do not leave it until the last minute. Do not do what the requérants did and force something upon us at the last minute without any information. I invite those of you who say that you can cut government, you do not need to increase taxes to come up with information, details, because there are no money trees out there. We have got a lovely tree that is going to be protected, as we heard from Deputy Mahoney, at the valley; but we have never had and we have never seen – not on my palm tree that is nearly 100 years old or the other trees I have got in my garden that are nearly 100 years old – I am still looking for that money tree. So those of you who think they exist, you tell me or tell Deputy Helyar where they are, or if you think there can be stringent cuts.

Some of the comments that have been made by people are ‘You are looking at protecting’ – that is probably not the word they are using but that is the word I am going to use – ‘non-local nurses, etc.; what about the locals?’ I think we ought to look at that because they have got housing costs too which they cannot meet; I am talking about nursing professionals and the like. When we look at page 29 of this little bundle, look at the massive salaries that these people earn! A Band 5 qualified nurse, her basic pay or his basic pay is the princely sum of £30,566 a year. That would not pay to put somebody’s petrol in their Maserati or Aston Martin for a period of 12 months.

In relation to that, after they have had their deductions from tax and social security, they are left with £22,000-odd. Average rental: £18,000. Once their two-year rental allowance is up, they are left with the princely sum of £4,235, or something like £81.42 a week to live on. My goodness, they can live the life of Riley on that, can’t they? Eighty one pounds, forty two. Wow! That is beyond the dreams of princes and princesses. Even if you add in the rental allowance of £8,880, they have got still a pittance to live on: something over £230 a week to live on. Could you live on £230 a week? Most people would struggle considerably to live on £230 a week in circumstances like that; some people do. So we have got to help them.

And what we are told is that we have now got, compared with the figure in May 2018, the turnover is 14.8%; in May 2022 – that is only two months ago – the turnover is 20.4%. One-fifth of medical professionals are leaving the public health service every year. One-fifth! So not only have we got to get back people, get back that 20.4% to keep the numbers as they are, but again, as the information given to us by the Committee for Health & Social Care shows, they need extra nurses, they need extra physiotherapists, they need extra mental and social health workers, they need extra disability workers. They need all of those. Where are we going to house them?

Mrs Le Page might not have to wait until 2027 if we pass the requête; she might have to wait until 2023, when we would have to close wards because we do not have enough nurses. We cannot go from Guernsey to Bolton, as they might be able to go from somewhere to Bolton, or Newark to Nottingham, or whatever it may be. We cannot do that in Guernsey. We have got one hospital. It has got to be properly staffed. We have a superb medical service. We only have a superb medical service because we have dedicated medical professionals. We need to treat them better. They need to have decent accommodation.

So I urge Members to support the amended – or now, the ‘new’ – Propositions – whatever they are called – in relation to that. The alternative would be, if we vote everything down, we do not have anything and the process that was set in motion quite properly by Deputy Mahoney proceeds anyway. As Deputy Oliver said, there is a high hurdle to look at, a bar to look at that has got to be addressed. There will be many more questions asked in relation to all that and that is fair enough. But can we have action this day, please?

The Acting Presiding Officer: And last but certainly not least, I call the lead requérant, Deputy Falla.

Deputy Falla: Thank you, sir.

3695 Firstly, I would like to thank all those within this Assembly and outside who have been supportive of our attempt to bring the original wording of the requête to this Assembly for its approval.

Sir, my name is still at the top of the requête but that is really where any attachment ends, of course. And it is not my work so I do not feel it appropriate to respond to any of the points raised, really, in this final part of debate.

3700 I do not agree with the amended requête and I ask Members to vote against it.

The Acting Presiding Officer: Members of the States, there are three Propositions to be voted on. There has been a request for a recorded vote but can they be taken together?

3705 *Members voted Pour.*

The Acting Presiding Officer: Thank you.

Deputy States' Greffier, a recorded vote on all three substantive Propositions, please.

There was a recorded vote.

3710

Carried – Pour 23, Contre 12, Ne vote pas 2, Absent 3

POUR

Deputy Le Tissier
Deputy Mahoney
Deputy Matthews
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Prow
Deputy Queripel
Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Brouard
Deputy de Lisle
Deputy Dudley-Owen
Deputy Dyke
Deputy Ferbrache
Deputy Gollop
Deputy Haskins
Deputy Helyar
Deputy Inder

CONTRE

Deputy Le Tocq
Deputy Parkinson
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Gabriel

NE VOTE PAS

Deputy Oliver
Deputy Kazantseva-Miller

ABSENT

Deputy Leadbeater
Deputy Taylor
Deputy Trott*

*Marked absent from vote due to being Acting Presiding Officer.

The Acting Presiding Officer: Members of the States, there voted on the requête Propositions as amended, Pour 23, Contre 12, there were 2 abstentions and 3 absentees.

3715 **Deputy Taylor:** Point of order, sir?

The Acting Presiding Officer: Point of order, Deputy Taylor.

Deputy Taylor: Rule 26(9), please, sir.

The Acting Presiding Officer: Bear with me a moment. Rule 26(9), this is one of the more obscure ones.

Okay, the Rule that Deputy Taylor is referring to is:

On the announcement of the result of a division, any Member may challenge the accuracy thereof and thereupon a fresh division shall take place. Such further division cannot be challenged.

On the grounds that I do not believe you were at your seat when your name was called, Deputy Taylor, that Rule is not appropriate in these circumstances and the vote stands.

Now, Members of the States, there are four –

Deputy Taylor: Sir, if I may, could I ask clarity of what Rule you are referring to on that decision?

The Acting Presiding Officer: Well, it was a Rule that I think you –

Deputy Bury: Point of order?

The Acting Presiding Officer: Yes.

Deputy Bury: Rule 8(5). *(Laughter)*

The Acting Presiding Officer: Right, this is great fun, isn't it! *(Laughter)* There we are. Just bear with me a moment. *(Laughter)*

Thank you, Deputy Bury, for raising Rule 8(5). If you do not mind, I will pass it over. The vote stands for the reasons I have explained.

**Procedural –
Articles 18, 19 and 21 deferred to September sitting**

The Acting Presiding Officer: Now, there are four matters that are left. I explained earlier that one of them is urgent and we will come to that in a moment.

There are three other matters. Now, the President of the Policy & Resources Committee has confirmed to me that the Guernsey Financial Services Commission 2021 Annual Report and Accounts can be delayed until our next meeting. The President of the States' Trading Supervisory Board has similarly confirmed that the Guernsey Electricity Limited Annual Report and Accounts can be delayed until our next meeting and the Committee for Home Affairs President has said that the Justice Framework Domestic Abuse & Sexual Violence States' report can also be delayed. And I think with that last one, it is certainly preferable that we do so, bearing in mind the subject matter.

So I put to the Assembly that we postpone those three items until the September meeting of the States. Those in favour; those against.

Members voted Pour.

The Acting Presiding Officer: I declare that motion carried.

POLICY & RESOURCES COMMITTEE

**22. Schedule for Future States' Business –
Proposition carried**

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 Ordinary States Meeting on 7th September, 2022, they are of the opinion to approve the Schedule.

The Acting Presiding Officer: Now, we do have the Schedule for Future States' Business. I invite Deputy Ferbrache to open debate on the Schedule.

3765

Deputy Ferbrache: There is nothing, sir, I just ask the States to approve it.

The Acting Presiding Officer: Thank you.

3770

Members of the States, are you minded to approve the Schedule? Those in favour; those against, if any.

Members voted Pour.

The Acting Presiding Officer: I declare that that schedule is duly carried.

**Many thanks to
the Greffier's team and the Acting Presiding Officer**

3775

The Acting Presiding Officer: I see Deputy Meerveld rising.
Deputy Meerveld.

Deputy Meerveld: Yes, thank you, sir.

3780

Deputy Inder yesterday quite rightly asked the Assembly to show their appreciation for the three interim Presiding Officers and their performance; but I would like to suggest that the Assembly may wish to show its approval for another group of less high-profile individuals. In Jersey, they have a Parliamentary Support team of 37 people; we have three. The Greffier and his team have gone to extraordinary lengths to make sure these unusual circumstances have been managed so wonderfully and I would like everybody to show their appreciation in the usual way. *[Applause]*

3785

Deputy Ferbrache: I do not think Deputy Meerveld meant to omit you. You have had a challenging day and you have discharged your duties commendably. I would like to say thank you to you. *[Applause]*

3790

The Acting Presiding Officer: That is very kind of you.

**Best wishes for
Deputy Mahoney's wedding**

3795 **The Acting Presiding Officer:** Members, some very brief final remarks from me. I am grateful to Deputy Mahoney for advising me that as of yesterday, I had served as a States' Member for 8,108 days. Now, it has taken over 8,100 days to get to sit in the big chair and, Members, it was worth the wait. This is partly because Members have been very gentle on me, and for that, I am very grateful indeed.

3800 Now, Members calculating how many days I have served is not the only memorable task that Deputy Mahoney shall undertake this month. I am certain that all Members of the Assembly will want to join me in wishing Deputy Mahoney and his fiancée, Angie a very happy wedding day at the end of the month and a long and happy married life together. *[Applause]*

**Closing thoughts from the
Father of the House, Deputy Gollop**

3805 **The Acting Presiding Officer:** Now, my last task, as is traditional at the July convocation, is to ask the Father of the House and senior Acting Presiding Officer, Deputy Gollop, for some closing thoughts.

3810 **Deputy Gollop:** I thank you very much, sir, Acting Presiding Officer Deputy Trott. I have been pleased to see you and Deputy Roffey have the opportunity this week to add to your many other Presidencies and roles over the years in the States.

I would say that it was a little bit frustrating I was on the wrong side of the guillotine; but I knew the States wanted to move on to fields of dreams and I could talk until the cows come home and maybe there was a little bit of a herd mentality to get it done by half past five. So there we are.

3815 I stand principally also to thank the parliamentary team and the ushers and the Court staff and to remind everybody that we reconvene on 7th September – it is like a new term. So in the words of *Oliver!*, which was a very successful musical last week, 'God bless you, Be back soon.' And I wish every Member, whether getting married or not – and of course, the absent Presiding Officer and Deputy Presiding Officer – a very happy summer for themselves and their families and a break for the recess of this Assembly. I should also mention that States' Members never really go on holiday because we have got numerous projects and Committee meetings too. But I wish everybody –
3820 including Deputy Ferbrache at not his retirement party, but *his loyal colleague's* retirement party – every success.

Thank you.

3825 **The Acting Presiding Officer:** Thank you. *[Applause]*
Deputy States' Greffier, please close the meeting.

The States adjourned at 5.25 p.m.