



# BILLET D'ÉTAT

XXI  
2000

**WEDNESDAY, 25th October, 2000**

1. Projet de Loi entitled "The Gambling (Amendment) (Guernsey) Law, 2000", p. 1161.
2. States Electricity Board - New Member, p. 1161.
3. States Public Assistance Authority - New Member, p. 1161.
4. States Advisory and Finance Committee – The Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996, p. 1162
5. States Public Thoroughfares Committee – Foul Water Network Extension Plan, p. 1165.
6. Island Development Committee – Addition to the Outline Planning Brief for Bulwer Avenue – Housing Target Area 9, p. 1169.
7. States Heritage Committee – Refurbishment of Former Stores Building and Redisplay of 201 Squadron Museum at Castle Cornet, p. 1207.
8. States Post Office Board – Guernsey Post Office – New Premises, p. 1218.
9. States Board of Administration – Harbour Dues and Facilities Charges 2001, p. 1233.

#### *Statutory Instruments laid before the States*

The Limited Partnerships (Application of Audit Requirements) Regulations, 2000, p. 1247.

The Insider Dealing (Securities and Regulated Markets) (Amendment) Order, 2000, p. 1247.

#### APPENDIX

States Advisory and Finance Committee – 2000 Revenue Expenditure, Capital Projects and Asset Purchase Fund, p. 1.

# ***B I L L E T   D ' É T A T***

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**TO THE MEMBERS OF THE STATES OF  
THE ISLAND OF GUERNSEY**

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I have the honour to inform you that a Meeting of the States of Deliberation will be held at the **ROYAL COURT HOUSE**, on **WEDNESDAY**, the **25th October, 2000**, at 10 a.m.

**PROJET DE LOI**

ENTITLED

**THE GAMBLING (AMENDMENT) (GUERNSEY) LAW, 2000**

The States are asked to decide:-

I.—Whether they are of opinion to approve the Projet de Loi entitled “The Gambling (Amendment) (Guernsey) Law, 2000”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

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**STATES ELECTRICITY BOARD**

NEW MEMBER

The States are asked:—

II.—To elect a sitting member of the States as a member of the States Electricity Board to complete the unexpired portion of the term of office of Deputy P. N. Bougourd, who has resigned as a member of that Board, namely, to the 31st May, 2002.

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**STATES PUBLIC ASSISTANCE AUTHORITY**

NEW MEMBER

The States are asked:—

III.—To elect a sitting member of the States as a member of the States Public Assistance Authority to complete the unexpired portion of the term of office of Douzaine Representative D. A. Grut, who has resigned as a member of that Authority, namely, to the 31st May, 2001.

## STATES ADVISORY AND FINANCE COMMITTEE

## THE COMPANY SECURITIES (INSIDER DEALING) (BAILIWICK OF GUERNSEY) LAW, 1996

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

21st September, 2000

Sir

**THE COMPANY SECURITIES (INSIDER DEALING) (BAILIWICK OF GUERNSEY) LAW, 1996**

1. The Guernsey Financial Services Commission has reported to the Advisory and Finance Committee in the following terms.
2. *"The Bailiwick's investigatory powers in connection with suspected offences of insider dealing are contained in the Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996 ("the Law").*
3. *Section 12 of the Law permits the Law Officers, with the permission of the Bailiff, to disclose information to prosecuting authorities. When the Law was drafted, there was a presumption that disclosure of information should be made only to the proper authorities and that the proper authorities in the context of the Law were prosecuting authorities. Accordingly, the authorities in Guernsey enabled to disclose information concerning insider dealing are limited to the Law Officers, who are required to obtain the permission of the Bailiff.*
4. *However, internationally, it has now become common for organisations which regulate financial services business to be involved in investigations into possible insider dealing.*
5. *There has been a perceptible global shift over the last few years towards regulating all types of investment business. This shift is reflected in Guernsey. For example, the only investment business regulated by the Guernsey Financial Services Commission until 1998 was collective investment schemes and persons carrying on certain restricted activities in connection with collective investment schemes. From 1998, however, the Commission has become responsible for regulating virtually all investments and restricted activities carried on in respect of them.*
6. *For the above reasons, since the Law was enacted, bodies responsible for the regulation of financial services have become commonly involved in the investigation of possible insider dealing offences, and it is widely expected that they should be so involved.*

7. *This means that the restriction in the Law which enables the Law Officers to disclose information only to prosecuting bodies has, in practice, become too narrow. It no longer enables the Bailiwick to demonstrate that it meets its international commitments with regard to information held locally which appears to be pertinent to investigations into insider dealing in other jurisdictions. Indeed, the Law is considered internationally to be an impediment to co-operation because, in a number of countries, regulatory bodies are responsible for investigating possible insider dealing and are required to involve a prosecuting body in their request for co-operation."*
8. Accordingly, the Commission has recommended, and the Committee agrees, that it would be sensible to amend the Law to allow the Law Officers to be able to provide information relevant to foreign insider dealing investigations to an authority discharging any functions similar to those of the Guernsey Financial Services Commission in a country outside the Bailiwick. Currently, as described above, the disclosure of information is subject to the receipt of permission from the Bailiff. The Commission has considered the advantages and disadvantages of this requirement, and has concluded that (and the Committee concurs) it too could be seen internationally as an unreasonable hurdle to the exchange of information with prosecuting and regulatory authorities in other jurisdictions. Consequently, the Committee also suggests that the requirement to obtain the Bailiff's permission before transmitting information pertinent to insider dealing investigations abroad should be deleted from the Law.
9. As regulatory bodies for financial services businesses have become more involved with insider dealing matters, the Committee has examined to what extent the Guernsey Financial Services Commission should be involved with insider dealing issues. In this regard, the Committee is mindful of the increasing involvement of regulatory bodies internationally with investigations into possible insider dealing. In consequence, the Committee suggests that two further amendments should be made to the Law.
10. The Law states that HM Procureur may appoint one or more competent inspectors to investigate whether or not an offence under the Law has been committed and, if so, to investigate it, and to report the results of their investigation to him. Officers of the Guernsey Financial Services Commission may be appointed as inspectors. However, in order to emphasise this fact, the Committee proposes that the Law should specify that officers of the Commission can be appointed as inspectors.
11. In addition, the Law states that inspectors must provide any interim reports and the final report on their investigation to HM Procureur. The Committee considers that HM Procureur should also have the discretion to provide copies of any interim or final report to the Commission. Such a provision would assist the Commission not only to meet the standards of international regulatory bodies but also provide evidence of how legislation in Guernsey satisfies international standards. On a practical level, the provision of appropriate reports to the Commission will enable the Commission to be fully apprised of matters which could have a bearing on the fitness and properness of a licensed institution, an applicant for a licence or the fitness and properness of members of staff of a licensed institution.

I have the honour to request that you will be good enough to lay this report before the States together with appropriate propositions, including one directing the preparation of the necessary legislation.

I am, Sir,  
Your obedient Servant,  
L. C. MORGAN  
President,  
Advisory and Finance Committee.

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The States are asked to decide:—

- IV.— Whether, after consideration of the Report dated the 21st September, 2000, of the States Advisory and Finance Committee, they are of opinion:-
1. That the Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996, shall be amended along the lines described in that Report.
  2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

**STATES PUBLIC THOROUGHFARES COMMITTEE****FOUL WATER NETWORK EXTENSION PLAN**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

21st September, 2000

Sir

**FOUL WATER NETWORK EXTENSION PLAN**

As outlined in its report dated 13 March 1998 submitting its Business Plan to the States (Billet d'Etat VII) the Public Thoroughfares Committee has prepared a report on the Network Extension Plan updating the 1986 Plan prioritising extensions to the foul sewer network. In order to make progress on the new Network Extension Plan, the Committee asks the States to agree that work on extending the sewer network should be done on the basis of term contracts as previously agreed for rehabilitation of the existing network and for the separation and rehabilitation of the surface water network.

The plan to extend the network complies with the recommendations contained in the Advisory and Finance Committee's Waste Strategy Assessment - Liquid Waste Report with the particular intention of avoiding pollution to the Island's ground waters from leaking cesspits.

The Network Extension Plan is in three Phases, Phase I details the sewers to be constructed within the next five years from 2001 to the end of 2005 and contains fifteen separate schemes with a total cost at today's prices of £14,813,110 and would enable 1,262 existing properties to connect to the network at an average cost of £11,740 per property. This amounts to 17.5% of existing cesspits.

The methodology used in selecting the schemes to extend the network has been based on economic viability on a cost per property basis ie: the estimated total cost of each scheme divided by the number of properties which could connect. Schemes however have been selected from different drainage areas so that each area would have relief from the disruption which this type of work regrettably causes.

Phase II of the Plan also covers a five year period from 2006 to the end of 2010 and is estimated to cost £19,880,500 and would enable a further 1,343 existing properties to connect at an average cost of £14,500 per property. The completion of Phases I and II would reduce the number of cesspits by 36%.

Phase III includes the remaining areas where laying drains is considered economically worthwhile.

It is the Committee's intention to review the Network Extension Plan every two years to provide the necessary flexibility to respond to changes in the development of the Island.

Copies of the new Network Extension Plan have been deposited at the Greffe for the information of members.

### **Finance and Accelerating Sewer Laying**

On average the construction of one mile of sewer takes between 6 months and one year to complete. However when the time required for detailed design, site investigation, tendering and approvals are included this period increases by a further 9 months.

In order to achieve the rates of progress that will be required to realistically reach the long-term target of 95% of the population on the foul sewerage system within 20 years, an alternative procedure for project procurement is required.

To date foul sewer extensions have required that contract documents be prepared, tenders obtained and each scheme be presented separately to the Capital Works Sub-Committee, Advisory and Finance Committee and the States of Deliberation. This procedure is extremely slow and requires a considerable commitment of staff time.

The recent sewer rehabilitation contract has been managed by means of term contracts with fixed annual revenue funding. The States have also recently approved the surface water separation and rehabilitation programme being funded by this method. The method still requires site investigations and detailed design, but time taken for the preparation of tender documents, submissions to the Capital Works Sub-Committee and in obtaining Advisory and Finance and States approval is saved (ie about 4 months per scheme). However, the Committee will be required to obtain approval from the States in accordance with the normal financial procedures for capital expenditure.



In order to achieve the Committee's long term targets, it is necessary to accelerate the rate of progress from the current one major scheme per year costing about £1 million serving 100 properties, to several major schemes costing a total of at least £3 million and serving 300 properties each year.

The best practical way of achieving this goal is the use of a term contract arrangement with a Contractor being selected by competitive tender, and appointed for a 2-year period.

Only suitably experienced Contractors would be invited to tender for the term contract which would be evaluated on a best value basis.

The Public Thoroughfares Committee, therefore, recommends the States to:-

- (a) note the Public Thoroughfares Committee's Network Extension Plan;
- (b) approve that future extensions to the foul sewer network as set out in this Report be carried out under a series of term contracts;
- (c) authorise the Public Thoroughfares Committee, in consultation with the Advisory and Finance Committee, to accept a tender to carry out the work based on a Schedule of Rates submitted by a suitably qualified civil engineering contractor;
- (d) vote the Public Thoroughfares Committee a credit of £3,000,000.00 to undertake the initial stages of the Network Extension Plan, subject to the approval of the Advisory and Finance Committee to each individual scheme, which total sum shall be charged to the capital allocation of the Public Thoroughfares Committee;
- (e) grant delegated authority to the Advisory and Finance Committee to approve subsequent capital votes to cover the cost of the subsequent stages of the Network Extension Plan, which sums to be charged to the future capital allocation of the Public Thoroughfares Committee;
- (f) authorise the Advisory and Finance Committee to take account of the programme of works proposed by the Public Thoroughfares Committee in its annual Policy and Resource Planning submissions in recommending to the States capital allocations for 2002 onwards.

I have the honour to request that you will be good enough to lay this matter before the States together with the appropriate propositions.

I am, Sir,  
Your obedient Servant,  
P. N. BOUGOURD  
President,  
Public Thoroughfares Committee.

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**[N.B. The States Advisory and Finance Committee supports the proposals.]**

The States are asked to decide:—

V.— Whether, after consideration of the Report dated the 21st September, 2000, of the States Public Thoroughfares Committee, they are of opinion:—

1. To note the States Public Thoroughfares Committee's Network Extension Plan.
2. That future extensions to the foul sewer network as set out in that Report, be carried out under a series of term contracts.
3. To authorise the States Public Thoroughfares Committee, in consultation with the States Advisory and Finance Committee, to accept a tender to carry out the work based on a Schedule of Rates submitted by a suitably qualified civil engineering contractor.
4. To vote the States Public Thoroughfares Committee a credit of £3,000,000 to undertake the initial stages of the Network Extension Plan, subject to the approval of the States Advisory and Finance Committee to each individual scheme, which sum shall be taken from that Committee's allocation for capital expenditure.
5. To grant delegated authority to the States Advisory and Finance Committee to approve subsequent capital votes to cover the cost of the subsequent stages of the Network Extension Plan, which sums to be charged to the future capital allocation of the States Public Thoroughfares Committee.
6. To authorise the States Advisory and Finance Committee to take account of the programme of works proposed by the States Public Thoroughfares Committee in its annual Policy and Resource Planning submissions in recommending to the States capital allocations for 2002 onwards.

**ISLAND DEVELOPMENT COMMITTEE**

**ADDITION TO THE OUTLINE PLANNING BRIEF  
FOR BULWER AVENUE - HOUSING TARGET AREA 9**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

31st August, 2000

Sir,

**ADDITION TO THE OUTLINE PLANNING BRIEF FOR  
BULWER AVENUE – HOUSING TARGET AREA 9**

**1.0 BACKGROUND:**

- 1.1 Housing Target Area 9 - Bulwer Avenue is one of three Housing Target Areas identified by the States in the Urban Area Plan as a means of safeguarding land to meet the housing requirement for the five year period of the Plan. New housing development may only proceed within Housing Target Areas following approval of an Outline Planning Brief.
- 1.2 An Outline Planning Brief for the Housing Target Area at Bulwer Avenue was approved by the States without amendment at its meeting on 29<sup>th</sup> January, 1998 (Billet d'État 1, 1998).
- 1.3 This Brief (copy attached as Appendix A) sets out planning guidelines for the development of new housing on the site including overall housing density standards for the provision of external amenity space for future residents.
- 1.4 Since the Brief was adopted, the States have recognised that there is an under-provision of sheltered accommodation for older people in Guernsey and the Strategic and Corporate Plan approved in July 2000 encourages the provision of housing for elderly households and other households with special needs (Strategic Policy 8).
- 1.5 In addition, the States agreed in June this year (Billet d'État XIV, 2000) to amend the Island Development (Use Classes) Ordinance 1991 to create a new Sheltered Housing Use Class. In setting out this proposal, the Committee explained that the new Use Class would enable consideration to be given to the special characteristics of sheltered housing: "For example, developers may be able to justify development at higher densities and with more limited on-site

parking provision for sheltered housing so long as the overall quality of the development merits this flexibility”.

## **2.0 OPPORTUNITIES FOR SHELTERED HOUSING AT BULWER AVENUE:**

- 2.1 The southern part of the Bulwer Avenue Housing Target Area is well suited to sheltered housing development because it is a flat site with good access to shops, a medical surgery and other local facilities. It also has a sea frontage with the inherent opportunity to provide future residents with attractive views. This is seen as a particular asset to residents who may spend a lot of time within their homes.
- 2.2 The current site owners are a local company with an established record in providing sheltered accommodation for older people. They wish to build sheltered flats on the southern portion of Housing Target Area 9 but in early discussions they confirmed that they would want the Committee to be able to exercise discretion in applying housing density standards in order to make efficient use of the site.
- 2.3 The Committee agreed that some degree of flexibility was justified in principle, given the particular characteristics of sheltered housing, provided that the developers could design a scheme which provided a good quality environment.
- 2.4 Since the approved Outline Planning Brief was written with general housing rather than special categories of housing in mind, however, the Committee concluded that it would be necessary for the States to approve a revised Outline Planning Brief with appropriate provisions before the developers could proceed with an application.

## **3.0 PREPARATION OF AN ADDITION TO THE OUTLINE PLANNING BRIEF AND SUBSEQUENT PLANNING INQUIRY:**

- 3.1 A draft addition to the Outline Planning Brief for Housing Target Area 9 (Bulwer Avenue) was published and made available for inspection on 7<sup>th</sup> June, 2000. A copy is attached as Appendix B.
- 3.2 A Planning Inquiry was held on 19<sup>th</sup> July, 2000 at which the Inspector appointed by the States Advisory and Finance Committee, Mr. F.N. Le Cheminant, ISO, considered the addition to the approved Brief and heard representations concerning its provisions.
- 3.3 The addition to the Brief recognises that the optimum size of sheltered housing development required to support on-site warden and community facilities would substantially exceed the average density of 15 dwellings per acre. However, low levels of occupancy (i.e. one or two persons per household) typify this form of housing. This means that, even at densities well above 15 dwellings to the acre, the density of persons per acre would be significantly less than for other forms of housing.

3.4 To reinforce this point, the addition to the Outline Planning Brief stated that:

**"The Committee would still expect sheltered housing development to remain below the average density limit of 90 habitable rooms per acre (36 habitable rooms per vergee) and to achieve the minimum open amenity space standard of 40 square metres (1 perch) per flat, although this may be provided in a combination of communal space, balconies and verandahs".**

#### **4.0 CONSIDERATION OF THE PLANNING INSPECTOR'S REPORT:**

4.1 The Inspector's Report is submitted to the States as Appendix C.

4.2 Only one representation and one counter-representation were considered at the Planning Inquiry. The representation, submitted by the site owners and prospective developers, was supportive of the revised Outline Planning Brief but sought a further degree of flexibility on the provision of open amenity space.

4.3 Although the counter-representor raised concerns about the possibility of overdevelopment if amenity standards were reduced too far, the Committee is pleased that the Planning Inspector has endorsed its own suggestion that a further sentence be added to the revised Brief to deal with this matter. This additional sentence states that:

**"In exceptional circumstances, the normal amenity space standards referred to above may be relaxed provided that the open space provided is of an extremely high quality and full advantage is taken of the amenity offered by the sea views".**

#### **5.0 CONCLUSIONS AND RECOMMENDATIONS:**

5.1 The Committee recommends to the States that it accepts the revised Outline Planning Brief for Bulwer Avenue - Housing Target Area 9 incorporating the amendment recommended by the Planning Inspector as set out above (paragraph 4.3).

5.2 I would like to express my sincere thanks to the Douzaine of the Parish of St. Sampson for their assistance in the display of the revised Brief and to the Planning Inspector, Mr. F.N. Le Cheminant, ISO, and his staff.

5.3 I have the honour to request that you lay this matter before the States with appropriate propositions.

I am, Sir,  
Your obedient Servant,  
J. E. LANGLOIS  
President,  
States Island Development Committee.

## APPENDIX A

STATES OF GUERNSEY  
ISLAND  
DEVELOPMENT  
COMMITTEE



# OUTLINE PLANNING BRIEF

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BULWER AVENUE  
HOUSING TARGET AREA 9

Amendment to the Urban Area Plan

Approved by the States of Guernsey on 29 January 1998

## **CONTENTS**

### **PART 1: INTRODUCTION**

**page**

1.0	Objectives	1
2.0	Ownership	1
3.0	Site Description	1
4.0	The Surroundings	3

### **PART 2: DEVELOPMENT GUIDELINES**

5.0	Introduction	5
6.0	Access	5
7.0	Access for Pedestrians	7
8.0	Housing Density and Mix	8
9.0	Design	9
10.0	Surface Water Drainage and the Prevention of Flooding	13
11.0	Site Services	15
12.0	Implementation	16

### **PLANS**

Plan No1: Ownership	2
Plan No2: Characteristics	5

### **APPENDIX No 1:**

### **EXAMPLES OF HOUSING DEVELOPMENTS**

GRAPH No.1	Habitable Rooms per Acre in Examples A to E	i
GRAPH No.2	Open Space Provision in Examples A to E	iii
No 1A:	Courtil De La Fontenelle	iv
No 1B:	Bermuda Court	v
No 1C:	Kings Road	vi
No 1D:	Clos De Priaulx	vii
No 1E:	Maison Le Marchant	viii

## **PART 1: INTRODUCTION**

### **1.0 Objectives**

- 1.1 Following the approval of the Urban Area Plan in February 1995 (Billet d'État III, 1995), the States resolved that this Outline Planning Brief for Housing Target Area 9 should be the first to be prepared (Billet d'État IV, 1996). For the guidance of prospective developers, the Outline Planning Brief states the kind of development which is required for the Housing Target Area together with any known physical and policy constraints. The primary aim, as set out in the Urban Area Plan, is to facilitate the comprehensive development of the whole area in order to achieve the most efficient use of land and provide a high standard of living environment.

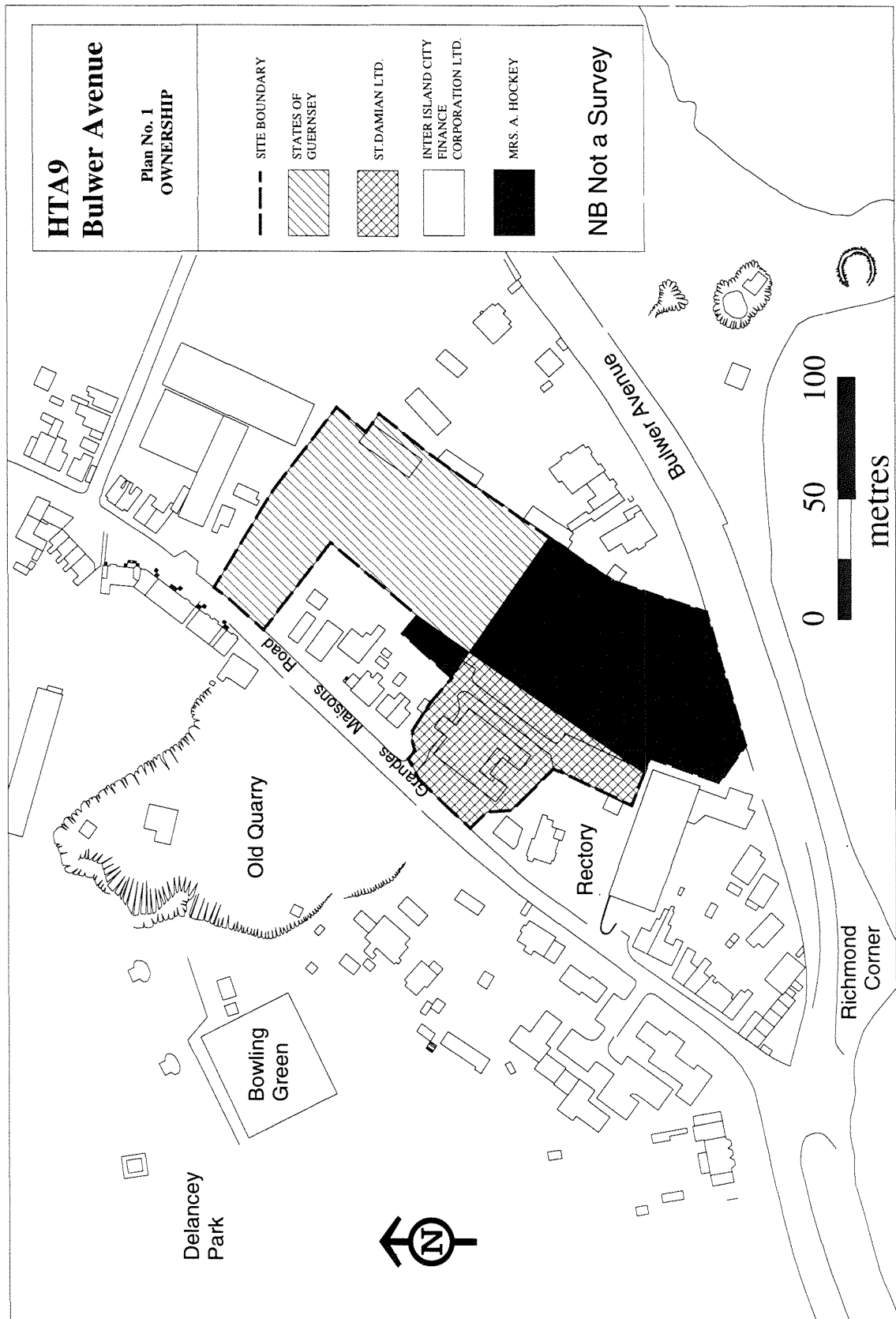
### **2.0 Ownership**

- 2.1 The site is currently in four ownerships including the States of Guernsey, Inter-Island City Finance Corporation Ltd, St.Damian Ltd (St. Sampson's Medical Centre), and Mrs A Hockey. These are illustrated on Plan No 1.

### **3.0 Site description**

- 3.1 The Housing Target Area lies between Grandes Maisons Road and Bulwer Avenue. It covers an area of some 1.78 Hectares (10.9 verges) of which approximately 0.4 Hectares (2.4 verges) has been developed by Grandes Maisons Road Medical Practice as a surgery. This leaves approximately 1.37 Hectares (8.4 verges) available for new housing development. Plan No 2 shows the site location and its main characteristics.

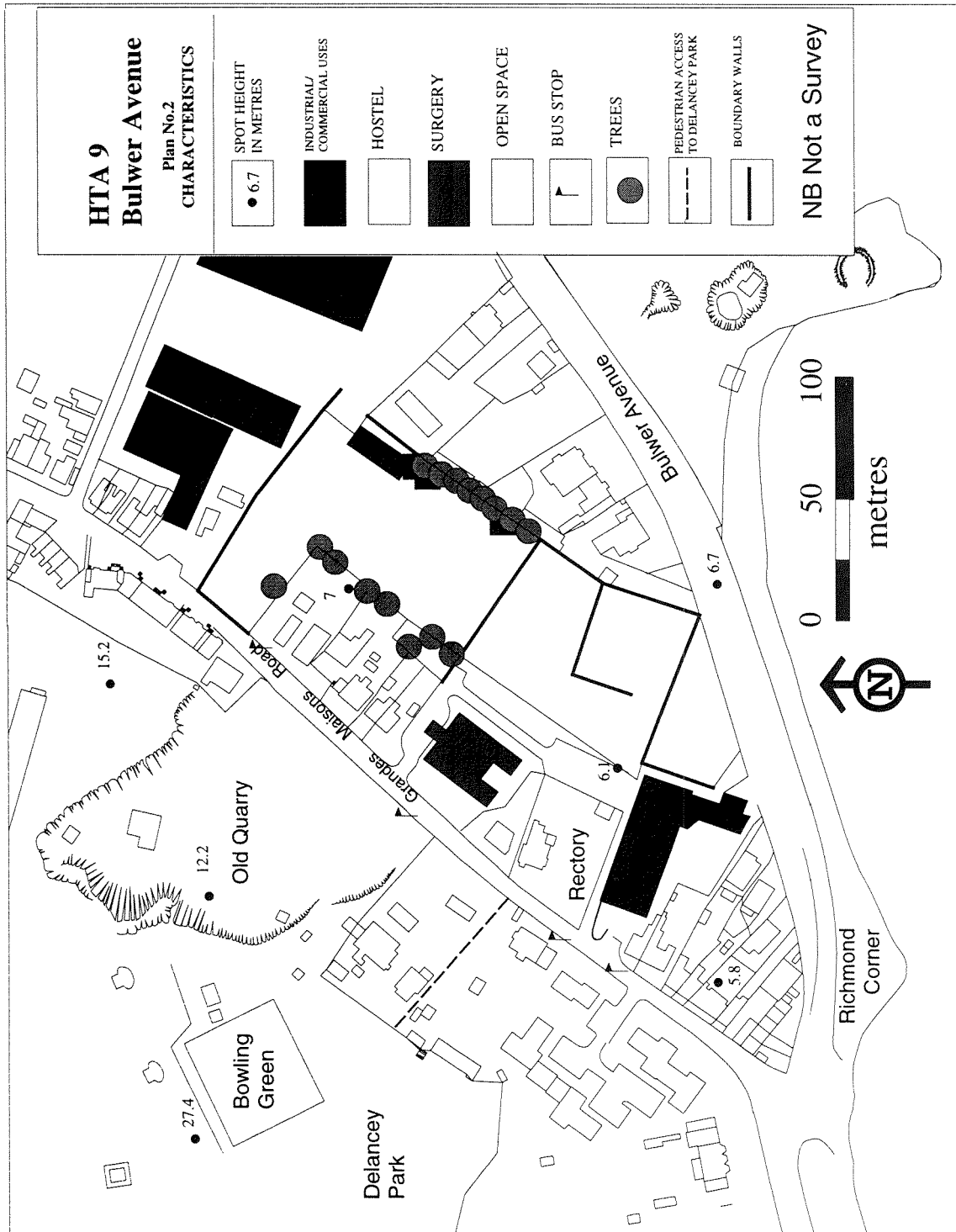




- 3.2 The area has a frontage of 50 metres to Bulwer Avenue affording uninterrupted sea views. The level of the road at this point is 6.7 metres above Ordnance Datum, and the site is approximately 600mm to 900mm below road level. During high spring tides, in a south-easterly or easterly storm, the sea can overtop the sea wall between Richmond Corner and the public car park in Bulwer Avenue resulting in occasional minor flooding. (Section 10 explains the level of potential flooding in more detail and sets out the necessary preventative measures.)
- 3.3 The site itself is an open wedge of land that extends northwards from its frontage with Bulwer Avenue and is surrounded by general industrial, commercial and residential uses. The site is mainly in agricultural use for silage and hay crops, and as rough pasture. There are no trees or hedges of any significance, other than along the boundaries of adjoining gardens. Structures within the site include substantial masonry walls that are the remains of lean-to vineries, and a brick built hostel for seasonal horticultural employees. The hostel building is let by the Board of Administration on a short term basis.

#### **4.0 The surroundings**

- 4.1 The northern part of the site is visually dominated by the neighbouring industrial buildings, due to the lack of any substantial boundary treatment.
- 4.2 The northern part of the site also has an open frontage onto Grandes Maisons Road, opposite which there is a recent, high density development of 23 flats, known as Maison Le Marchant. To the south of this open frontage there is a cluster of one and two storey cottages that, have their gardens bordering the site.
- 4.3 The Grandes Maisons Road Medical Practice occupies a modern surgery building to the south west of the site. It is served by a wide access way and car park which abut the site. The large industrial building, occupied by Channel Rentals, has a dominant visual impact on the southern aspect of the site. The area to the south of the site is characterised by detached 'villa' style properties in extensive grounds fronting onto Bulwer Avenue..
- 4.4 Part of the southern frontage of the site is bordered by Bulwer Avenue, which is one of the busiest traffic routes in the Island. Opposite this frontage on the seaward side of Bulwer Avenue, there is a car park. It has been suggested that the car park can be a source of nuisance in the evenings caused by gangs of motorists flashing headlights and playing radios loudly (see paragraph 9.8). Delancey Park and the nearby beach at Spur Point affords the site a high level of local amenity space in the immediate vicinity



## **PART 2: DEVELOPMENT GUIDELINES**

### **5.0 Introduction**

- 5.1 The UAP sets out general principles that should be taken into account in the Outline Planning Briefs for Housing Target Areas. The following general principles are applicable to this site and form the basis upon which the development guidelines are drawn up. Firm requirements are only identified where necessary, to ensure these general principles are taken into account.

#### **Access**

*The effective integration of development within the existing road network.*

#### **Pedestrian Access**

*The identification of opportunities for informal recreation including safe and convenient pedestrian links.*

#### **Housing Density and Mix**

*The best use of the development site to achieve the anticipated housing yield, and the provision of a reasonable mix and balance of house types and sizes.*

#### **Design**

*The achievement of a high standard of urban design which reflects and complements the rich and varied character of the existing built environment*

*Regard for important open views and, in particular, the opportunities afforded by the sea front location.*

*A satisfactory relationship between new development and existing land-use*

#### **Surface Water Drainage and Prevention of Flooding**

*The careful assessment of the relationship between new development and the flooding of low lying land, and where necessary, the provision of appropriate flood mitigation measures.*

### **6.0 Access**

- 6.1 *The effective integration of development within the existing road network.*
- 6.2 There are potential vehicular access points to the site from Bulwer Avenue into the southern end of the site, from Grandes Maisons Road into the northern end of the site, and

from Grandes Maisons Road through the existing doctors' surgery access. The owners of the southern part of the site have a right of way through the surgery grounds.

- 6.3 Access from Bulwer Avenue is not recommended because of the flooding problems associated with sea overtopping, and the existing high volume and frequency of traffic on Bulwer Avenue. Vehicular access from Bulwer Avenue would also be likely to have a detrimental impact on an important frontage and counter the development potential afforded by the uninterrupted sea views. A pedestrian access from Bulwer Avenue, however, is a desirable feature. (See Section 7).
- 6.4 An access road into the northern end of the site from Grandes Maison Road should be 4.8 metres wide with 6 metre kerb radii at its junction. Given the difference in levels between Grandes Maisons Road and the site, the access road should be designed with a gradient not exceeding 5% as it rises from the site to the junction. The existing access road to the doctors' surgery is of a suitable standard to be extended into the site. The extended access road itself should be built to an adoptable standard specified by the States Engineer.
- 6.5 Within the development, the access road can be narrowed down to 4.1 metres where it serves less than 25 dwellings. This can take the form of a 4.1 metre wide carriageway plus adequate footways and/or a shared surface may be used.
- 6.6 The design of shared surfaces should have regard to the need to restrain vehicle speeds to well below 20mph; to avoid the impression of being divided into a carriageway and footway; to allow pedestrians and vehicles to pass comfortably; to clearly identify spaces to accommodate cars; to allow for intervisibility between pedestrians and vehicle; to have sufficient street lighting to prevent conflict between pedestrians and vehicles.
- 6.7 The differences between the visual character of shared surface roads and roads with footways should be emphasised by the use of design features such as closely spaced buildings or gateways at entrances to shared surfaces, and trees to delineate parking and pedestrian areas.
- 6.8 The development is required to achieve an integrated access and road layout to enable the comprehensive development of the whole site. The design of the road layout is an important visual factor which will need to be carefully integrated with the building form to create a successful design solution.

- 6.9 The road layout should provide access close enough to dwellings for the purpose of refuse collection and emergency services. This normally requires a maximum distance between dwelling and refuse collection vehicle of 30 metres (20 metres is recommended), and facilitating emergency vehicles reaching a point within 45 metres of floors not higher than 6.1 metres, and within 30 metres of floors not higher than 9.1 metres.

## **7.0 Access for pedestrians**

- 7.1 *The identification of opportunities for informal recreation including safe and convenient pedestrian links.*
- 7.2 The site is conveniently located for residents to walk to Delancey Park and to the shops and community facilities at the Bridge. There are also a number of existing bus stops in close proximity on Grandes Maisons Road.
- 7.3 Developers are therefore required to provide adequate pedestrian access through the site to its north western frontage with Grandes Maisons Road. The egress of this footpath onto Grandes Maisons Road must incorporate a safe area for pedestrians crossing this road, given that there are no existing footpaths on its eastern side.
- 7.4 It is also reasonable to assume that families, and possibly unaccompanied children, will wish to take advantage of the nearby beach at Spur Point which serves as an attractive local amenity. Developers are therefore required to provide adequate pedestrian access through the site to its south-eastern frontage with Bulwer Avenue. There is a potential conflict between pedestrians and the frequent heavy goods vehicles that travel at speed along Bulwer Avenue. In the event of such conflict the States Traffic Committee will consider the introduction of appropriate traffic calming measures to allow residents, both of the new development and the surrounding neighbourhood, to cross in relative safety to Spur Point. The existing east coast cycle route also terminates in this vicinity. Therefore, in the long term, opportunities to benefit cyclists might also be investigated.
- 7.5 Footpath links through the site could be provided as independent footpaths or as footpaths in conjunction with the road network, including shared surface schemes, where these are appropriate to the overall layout and design of the development.

## 8.0 Housing Density and Mix

8.1 *The best use of the site to achieve the optimum level of housing and the provision of a reasonable mix and balance of house types and sizes.*

8.2 This target area is suitable for a wide range of properties accommodating all age groups but the emphasis should be on providing smaller units of accommodation suitable for first time buyers, the elderly and small families. Part of the site, fronting Bulwer Avenue, is suitable for buildings of more significant scale, but again the emphasis should be on providing maximum, rather than minimum dwelling numbers in those buildings. The examples in Appendix 1 illustrate the sort of developments which can be achieved at various densities. The following key points emerge from a comparison of these different developments (which are explained in more detail in Appendix No. 1).

8.3 Firstly, the number of habitable rooms per acre can be used as a guide to influence the level of accommodation which could be provided at different densities. Paragraph 8.4 examines an appropriate range of habitable rooms for HTA9.

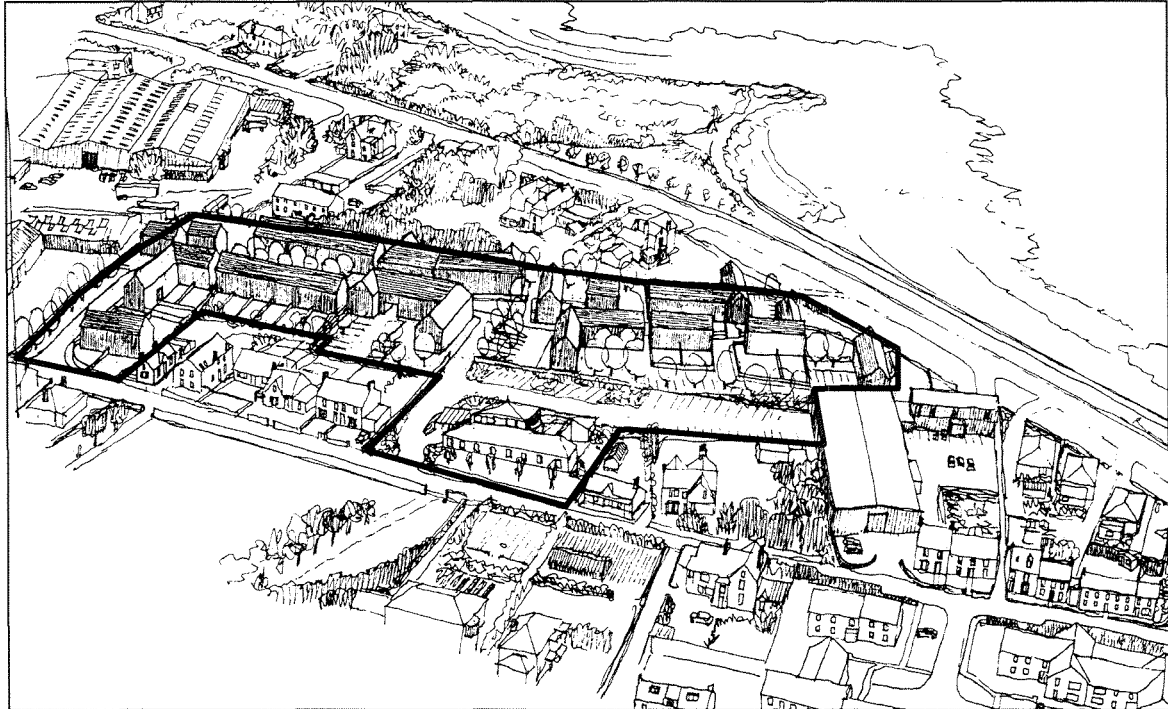
8.4 In order to achieve the best use of the site some parts can be developed at higher densities and some at lower densities. The development should achieve a reasonably flexible mix and balance of house types and sizes and should, therefore, achieve an average density of between 60 and 90 habitable rooms per acre, depending on the number of habitable rooms per unit. Within these average ranges the density should be appropriate to the nature of the particular part of the site. In this regard, the southern part of the site is more suitable for the development of flats of up to 3 - 4 habitable rooms which could be accommodated in large "villa" style properties in an open landscaped setting, to reflect the character of neighbouring properties and to take advantage of sea views. In contrast, the narrow central part of the site is flanked by the private gardens of existing residences. Here, dwellings of up to 4 - 5 habitable rooms with individual gardens are more likely to be suitable in order to preserve the amenity of nearby properties. Given the close proximity of community facilities at The Bridge and the high level of local amenity space available at Delancey Park, an average density for the whole site at the higher end of the scale would be acceptable. The Committee would also be prepared to consider a limited increase in average density, somewhat in excess of the 15 dwellings per acre (6 dwellings per vergee) referred to in Annex 3 of the Urban Area Plan, if the quality of the proposed development fully meets all the criteria set out in this Brief.

- 8.5 The second key point to emerge from the analysis of development in Appendix 1 is that a reasonable level of private open space for each dwelling can be achieved at a variety of densities. Where family dwellings with individual gardens are to be developed within the HTA, a minimum of 100 square metres (2 1/2 perch) of private (rear garden) space should be provided for each dwelling (see paragraph 9.5). 100 square metres (2 1/2 perch) of private space is a relatively small area which affords the dwelling a reasonable level of private amenity (see examples A to E). For flats without private gardens, an area of communal open space equivalent to at least 40 square metres (1 perch) per flat should be provided to meet the requirements of residents.
- 8.6 Without the benefit of 'need housing' legislation, the Housing Authority accepts the development of 'need housing' on the site could only be achieved through the imposition of controls by contract on land in States ownership. Nevertheless, the Urban Area Plan requires a flexible approach to the development to achieve a reasonable mix and balance of dwelling types and sizes to cater for different needs. In this respect, the Housing Authority has indicated that it would look to occasional release of States owned land as a means of providing a balance. The Authority would welcome the inclusion of a significant element of low cost housing within the HTA9 development.

## **9.0 Design**

- 9.1 *The achievement of a high standard of urban design which reflects and enhances the existing varied character of the built environment is a general principle for the development of this Housing Target Area. The development should also have regard for important open views, and its relationship with existing land uses.*
- 9.2 This Housing Target Area, in particular, is surrounded by a variety of uses and built forms which create a mixed urban character and setting for the site. There are no existing strong design characteristics which would influence the detailed design and appearance of the development. However, the general form and character of the development should be sympathetic to the massing and grouping of conventional streets and spaces found in traditional urban areas. The aim will be to achieve a distinctive urban character to reflect the prescribed range of densities and variety of house types.



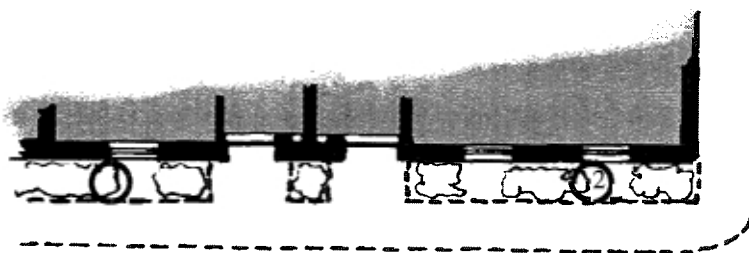
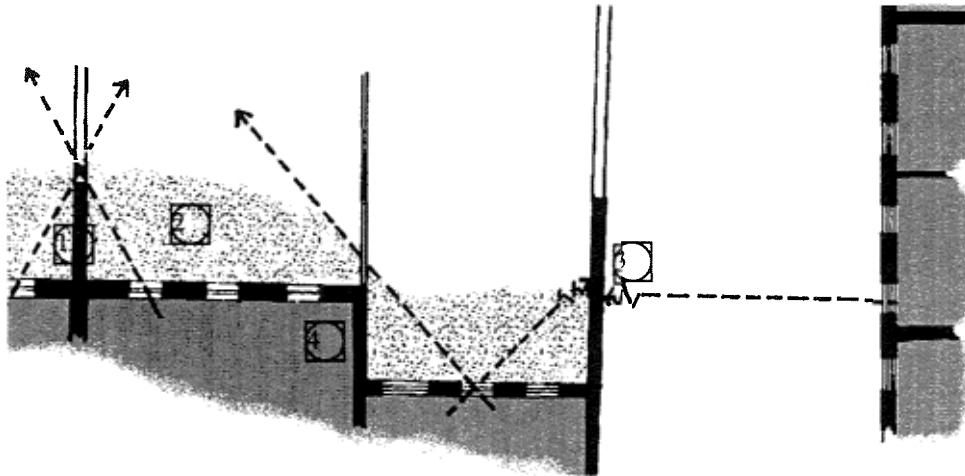


General character & form. *Illustrative only*

- 9.3 Variation in building heights can be used to achieve a distinctive urban form and reflect the range of house types and sizes. Buildings should normally be two storeys high, but three storeys in certain locations could make the optimum use of prominent frontages on key areas within the site, such as the frontage with Bulwer Avenue. Most importantly though, building heights should not adversely affect the existing privacy enjoyed by residents of adjoining properties. (See paragraph 9.5 on privacy).
- 9.4 Building materials and design details of external features can also be used to achieve a distinctive urban form and reflect the range of house types and sizes. A range of materials and design detailing would be appropriate provided that the comprehensive development of the site achieves a cohesive high quality urban character.
- 9.5 As well as appropriate building heights, materials and design details, prospective developers will be required to design a layout which respects the privacy enjoyed by existing residents adjacent to the site, and which provides an area of private open space for the new dwellings (see paragraph 8.5). This private open space is usually the rear garden area of a new house and, ideally, the living/habitable rooms on this side of the house should not be overlooked from neighbouring houses or their gardens. This can be achieved by a variety of design methods including upper floor windows with oblique views, and by screening views with effective boundary treatments such as above eye-level walls and planting. Although a high degree of privacy may be difficult to achieve in all cases, the design should offer as much privacy as possible.

### Privacy at Rear of Houses

- ① High walls, up to 1.5m, to reduce overlooking from living rooms of adjoining properties.
- ② Screened areas of back gardens
- ③ High walls, up to 2m, to reduce overlooking from any 1<sup>st</sup> floor living rooms.
- ④ Staggered building lines to reduce overlooking of adjacent buildings

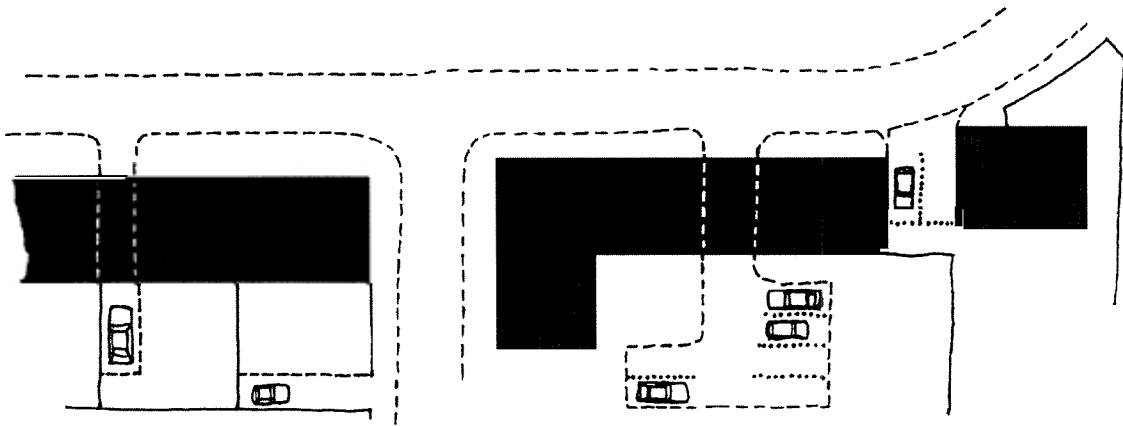


- ① "Privacy" strips between houses and pavements
- ② Traditional narrow windows for increased privacy

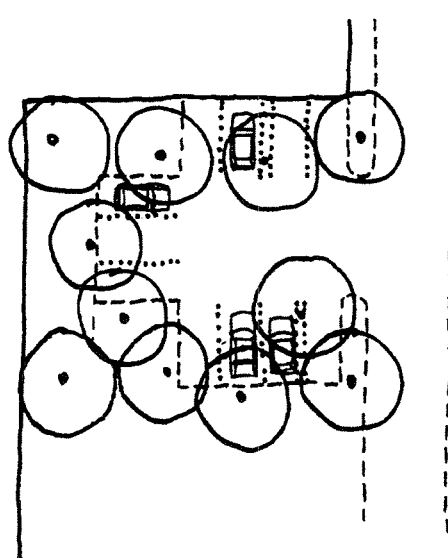
9.6 Parking provision and its location has a critical effect on the appearance of a residential area and great care is required to achieve an attractive solution. The number of parking spaces and the type of arrangement chosen should carefully match the requirement of the type and mix of house styles, and the parking standards set out in the Urban Area Plan. Parking should ideally be located in close proximity to ensure convenience and safety, in the case of communal parking each space should be easily visible from the dwelling to which it is allocated. A single parking arrangement for the entire development, such as

individual garages or drives in front of each house, can have a poor effect on the character of a development. It may not always be appropriate to provide parking within the house plot and it is important to ensure that parked vehicles do not dominate the residential environment. A successful scheme will need to integrate a mix of parking arrangements. Alternative arrangements can include communal parking bays, individual garages, parking bays which are set between or under dwellings, some on-street parking, and shared surfaces.

*It is suggested that parking should be: -*

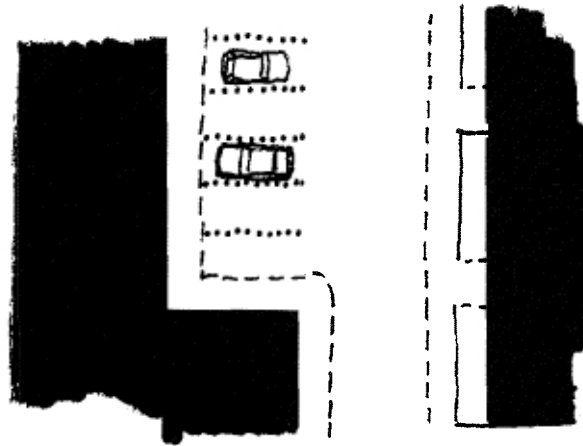


*a) between or behind buildings.*



*b) within open spaces dominated by trees.*

c) within spaces enclosed and dominated by buildings.



- 9.7 It is recommended that there be reasonably level access leading to at least one entrance of each dwelling, and there be a disabled parking space in any communal parking space
- 9.8 Landscaping and surface treatments are key factors in achieving a pleasant environment and all development proposals are required, therefore, to include a comprehensive scheme for all landscaping and external works. Particular regard should be given to the need for a suitable boundary treatment for the northern part of the site which is visually dominated by the neighbouring industrial buildings, and to the need for a suitable boundary treatment for the southern frontage of the site with Bulwer Avenue. The nature of landscaping and boundary treatment for the latter location should take in to account the need to shield the site from wind blown sea water (see paragraph 10.3), and the need to alleviate the potential nuisance caused by young car owners in the adjacent car park.

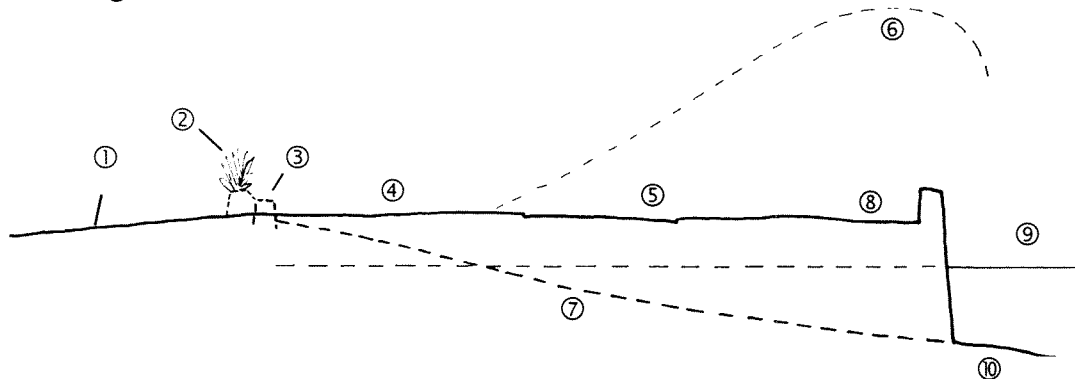
## **10.0 Surface water drainage and prevention of flooding**

- 10.1 *A careful assessment of the relationship between new development and the flooding of low lying land, including the provision of appropriate flood mitigation measure.*
- 10.2 A study of the potential flooding of HTA9 from sea water over-topping at Bulwer Avenue has been carried out by Binnie Black and Veatch on behalf of the States Engineer. This study found that the frequency of storms which cause over-topping of the sea wall can be expected to occur on average about ten times each year. The Bulwer Avenue frontage of

the site appears to be exposed to wave over topping for a distance of about 35 metres from the south west corner of the site, and a large proportion of the over-topping water will most probably flow back to sea through the drain holes in the sea wall and in to the road drainage system. However, more extreme conditions can occur from time to time which may result in the existing drainage system in Bulwer Avenue becoming overloaded, and in the more extensive flooding of the road and adjacent low lying areas. The strength and direction of the wind will affect the quantities of sea water crossing Bulwer Avenue, as both wind blown spray and water on the road surface may reach the land ward side of Bulwer Avenue.

- 10.3 The States Engineer concludes from the study that the existing system of drain holes through the wall and the road drains are probably capable of dealing with most of the water over-topping on a regular basis, with only a small proportion of water likely to threaten the HTA9 site. Actual flooding in these circumstances can probably be prevented by ensuring that over-topping sea water remains in Bulwer Avenue, for example, by implementing on-site measures such as planting and the creation of an embankment and ditch along the Bulwer Avenue frontage. Developers are, therefore required to plan and implement any on-site flood mitigation works.

### Flooding From Sea Water



- ① Housing development site
- ② Construction of an earth bank planted with a hedge (eg Tamarisk) may reduce wind blown sea spray
- ③ Site boundary: repair and build up existing walls where necessary to maintain min 300mm height above adjacent level of grass verge
- ④ Grass verge
- ⑤ Bulwer Avenue
- ⑥ Approximate extent of splash zone in SE gales at high spring tides
- ⑦ Assumed historic beach level
- ⑧ Car park
- ⑨ High water level of spring tides
- ⑩ Beach

- 10.4 The technical assessment has not shown a sufficient risk to justify the implementation of any off-site works on the seaward side of Bulwer Avenue at this time. Should significant over-topping occur in the future, perhaps due to climate change or change to the hydrography in the bay The States may, therefore, need to give consideration as to whether it would be prudent to provide a level of comfort from potential flooding. This would necessitate artificially increasing the foreshore level at the toe of the sea wall to limit the height of waves impinging on it.
- 10.5 Developers are required to provide for appropriate local on site and off site surface water drainage measures. The States Water Board has stated that it wishes to maximise the collection of surface water within the Longue Hougue catchment, and the Public Thoroughfares Committee has indicated that the existing drainage infrastructure has little spare capacity.
- 10.6 Prospective developers will therefore be required to explore alternative ideas for the retention of the surface water drainage within the catchment, taking into account the need to prevent flooding, and subsequent contamination of the surface water by sea water intrusion at Bulwer Avenue. As a last resort surface water discharge could be pumped via a new outfall into Belgrave Bay.

## **11.0 Site services**

- 11.1 Due to site levels it will be necessary to pump foul water, via a small pumping station located within the site, and along a rising main to a suitable discharge point in Grandes Maisons Road. All surface and foul water drainage for the site should be agreed in consultation with the Building Control Section of the IDC and the Public Thoroughfares Committee.
- 11.2 Preliminary investigations have shown that the other main service requirements of mains water, electricity and telephone cables are available from either Bulwer Avenue or Grandes Maisons Road. Prospective developers should investigate their detailed requirements in consultation with the relevant service provider.

## **12.0 Implementation**

- 12.1 Provided that prospective developers can illustrate a development which meets the objectives set out in paragraph 1.1, together with the other principles and requirements set down in this brief, development of the site can proceed in phases.

## APPENDIX 1

### Examples of Housing Developments

*Example A - Courtil de la Fontenelle - 8 dwellings per Net Acre*

*Example B - Bermuda Court - 10 dwellings per Net Acre*

*Example C - Kings Road - 12.5 dwellings per Net Acre*

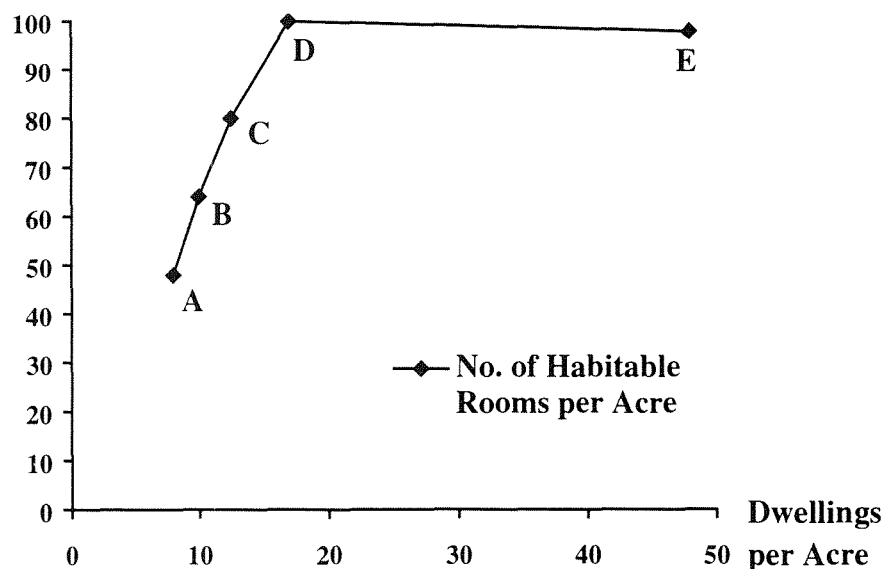
*Example D - Clos de Priaux - 17 dwellings per Net Acre*

*Example E - Maison le Marchant - 48 dwellings per Net Acre*

### Habitable Rooms per Acre in Examples A to E

Habitable rooms means the number of rooms within a residential building which are designed for habitation as living rooms, kitchens over 100 square feet and bedrooms, but does not include working kitchens, utility rooms, bathrooms, garages or general circulation space. It is, therefore, an indication of the type of accommodation provided, as six habitable rooms in a dwelling could be considered as a large family residence.

A range of habitable rooms per acre as a measure of density can, therefore, be more appropriately used to influence the level of accommodation which could be provided at different densities.



The graph above shows that there is a tendency for the density of habitable rooms to increase in line with the density of dwellings, up to approximately 17 dwellings per acre.



In examples A to D a similar level of accommodation is being provided - namely two and three bedroom family homes - but with a variety of different house types and sizes, from detached houses to terraced family dwellings.

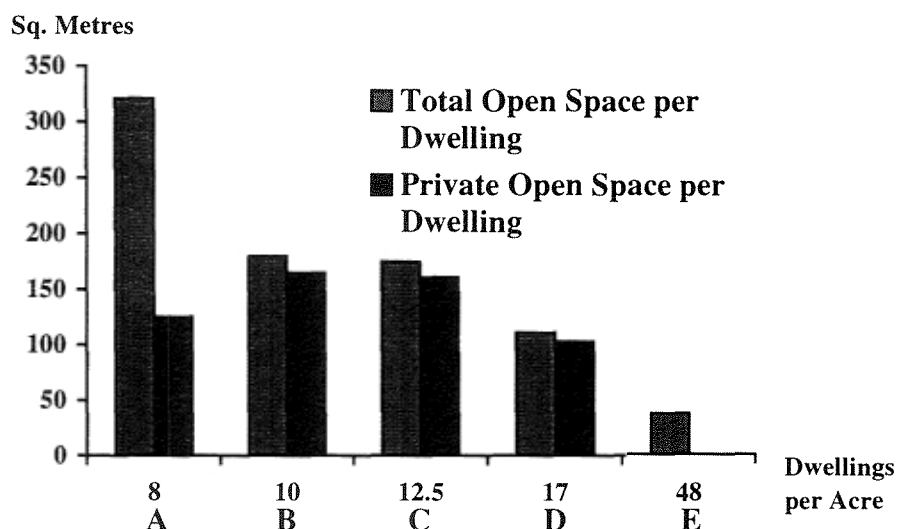
However, the graph also shows that as the density of dwellings increases beyond 17 per acre, the density of habitable rooms remains fairly constant because the level of accommodation within each unit decreases.

Thus Example D, which is providing three bedroomed dwellings, has the same density of habitable rooms as Example E, which is providing one and two bedroomed flats.

17 dwellings per acre, therefore, represents the approximate upper density limit at which family homes with gardens can be achieved. Beyond this density, a similar level of accommodation could only be achieved by a mix of individual dwellings and flats within a development.

### Level of Open Space in Examples A to E

The graph below shows the average amount of total open space and the average amount of private open space per dwelling which is achieved at each of the different densities.



The total average amount of open space per dwelling, which includes both the front gardens, rear gardens and any communal/shared areas, decreases as the density of dwellings increases.

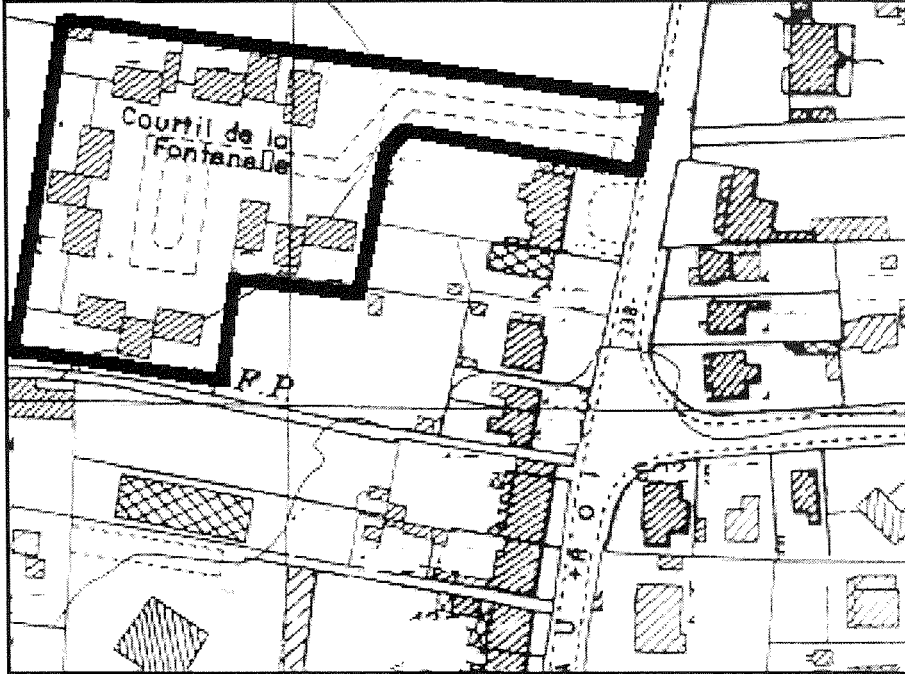
However, it is interesting to note that the low density development of Example A has a smaller average size of private open space (rear garden) than the higher density developments of Examples B and C.

Also, Example D at a density of 17 dwellings per net acre, still attains an average area of 103 square metres of private open space per dwelling.

These examples illustrate that a reasonable level of private open space for each dwelling can be achieved at a variety of densities, and that 100 square metres of private open space per family dwelling would be a reasonable minimum requirement.

## EXAMPLE A: COURTIL DE LA FONTENELLE

(i)	Total Number of Dwellings:	9	
(ii)	Net Area:	1.11	Net Acres
		2.74	Vergees



A late 1970's development of 9, three bedroomed dwellings at a density of 8 dwellings per net acre. Each dwelling has its own garage and driveway and spacious front lawns. Notably, the average size of the private rear gardens in this low density development is actually less than the developments at Bermuda Court and Kings Road, and only slightly larger than the Clos De Priaulx.

(iii) **DENSITY**

**8 Dwellings per Net Acre**

**3 Dwellings per Vergee**

(iv) **Number of Habitable Rooms:**

48.6 Habitable Rooms per Acre

20 Habitable Rooms per Vergee

(v) **Average Area of Open Space per Dwelling:**

321 sq metres per dwelling

*(Inc. of front and rear gardens and any communal areas)*

(vi) **Average Area of Private Open Space per Dwelling:**

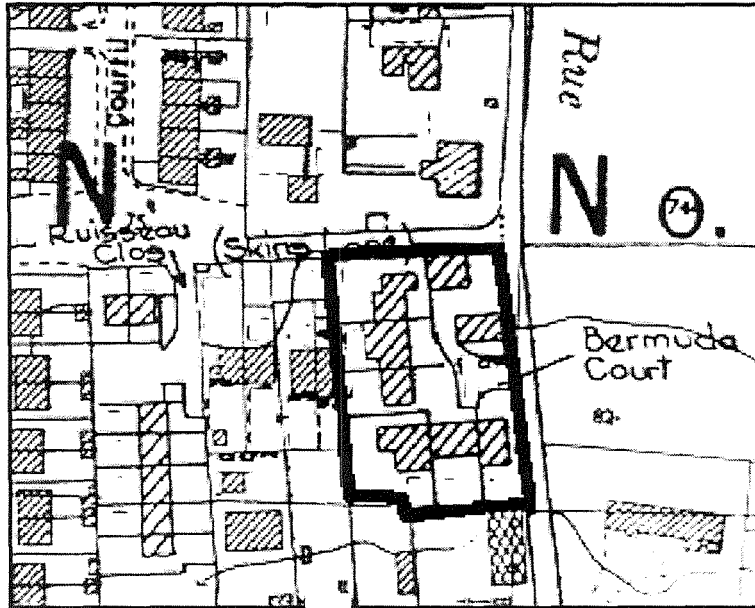
125 sq metres per dwelling

*(Such as rear gardens)*



## EXAMPLE B: BERMUDA COURT

(i)	Total Number of Dwellings:	6	
(ii)	Net Area:	0.59	Net Acres
		1.46	Vergees



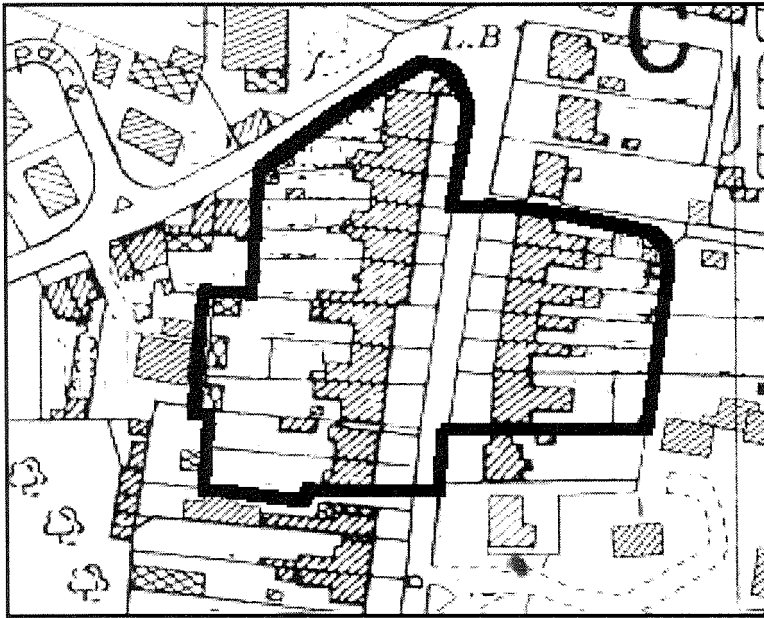
A development of 4 three bedroomed and 2 four bedroomed dwellings at a density of 10 dwellings per net acre. This development achieves a high standard of urban design, and each dwelling has a sizeable average area of private open space.

- (iii) **DENSITY:**  
10 Dwellings per Net Acre  
4 Dwellings per Vergee
- (iv) **Number of Habitable Rooms:**  
64 Habitable Rooms per Acre  
26 Habitable Rooms per Vergee
- (v) **Average Area of Open Space per Dwelling:**  
180 sq metres per dwelling  
(Inc. of front and rear gardens and any communal areas)
- (vi) **Average Area of Private Open Space per Dwelling:**  
165 sq metres per dwelling  
(Such as rear gardens)



## EXAMPLE C: KINGS ROAD

(i)	Total Number of Dwellings:	15	
(ii)	Net Area:	1.2	Net Acres
		2.96	Vergees



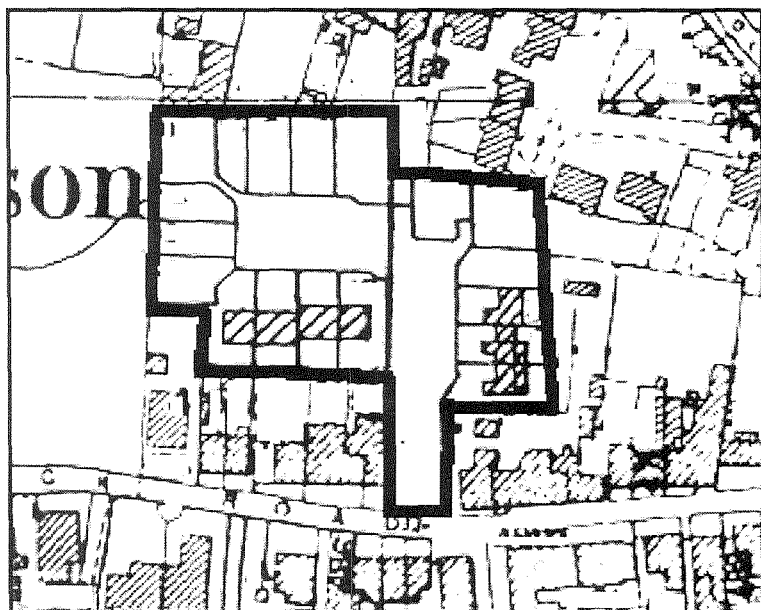
These traditional, mainly three bedroomed family town houses, were built in the 19<sup>th</sup> Century. These quality dwellings each have a sizeable area of private open space.

- (iii) **DENSITY:**  
12.5 Dwellings per Net Acre  
5 Dwellings per Vergee
- (iv) **Number of Habitable Rooms:**  
80 Habitable Rooms per Acre  
32 Habitable Rooms per Vergee
- (v) **Average Area of Open Space per Dwelling:**  
179 sq metres per dwelling  
(Inc. of front and rear gardens and any communal areas)
- (vi) **Average Area of Private Open Space per Dwelling:**  
161 sq metres per dwelling  
(Such as rear gardens)



**EXAMPLE D: CLOS DE PRIAULX**

(i)	Total Number of Dwellings:	18	
(ii)	Net Area:	1.08	Net Acres
		2.67	Vergees



A quality development of 18, three bedroomed dwellings at a density of 17 dwellings per net acre. This development was commended by the judges in the 1995 Guernsey Design Awards, who acknowledged the overall layout of the estate as working well for the individual owners and creating a considered and pleasant central space. This is achieved at a density which still retains an adequate area of private open space for each dwelling.

**(iii) DENSITY:**

**17 Dwellings per Net Acre**  
**6.7 Dwellings per Vergee**

**(iv) Number of Habitable Rooms:**

100 Habitable Rooms per Acre  
 40 Habitable Rooms per Vergee

**(v) Average Area of Open Space per Dwelling:**

111 sq metres per dwelling  
*(Inc. of front and rear gardens and any communal areas)*

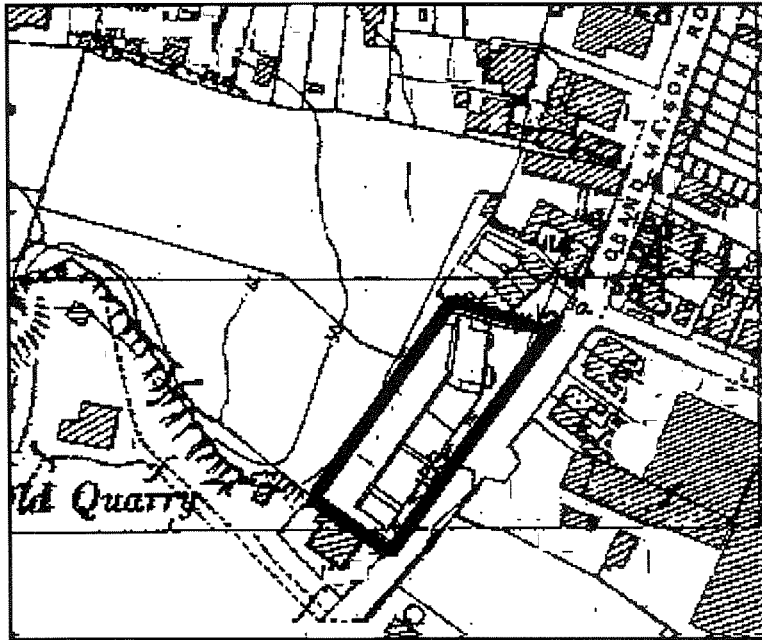
**(vi) Average Area of Private Open Space per Dwelling:**

103 sq metres per dwelling  
*(Such as rear gardens)*



**EXAMPLE E: MAISON LE MARCHANT**

(i)	Total Number of Dwellings:	23	
(ii)	Net Area:	0.48	Net Acres
		1.19	Vergees



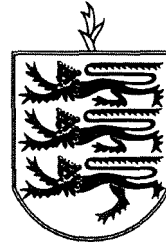
A quality development of 23, mostly one bedroomed, with some two bedroomed dwellings at a density of 48 dwellings per net acre. This is a high density development of starter homes which includes underground car parking and an average of 37 sq metres of communal space per dwelling.

- (iii) **DENSITY:**  
**48 Dwellings per Net Acre**  
**27 Dwellings per Vergee**
- (iv) **Number of Habitable Rooms:**  
 98 Habitable Rooms per Acre  
 40 Habitable Rooms per Vergee
- (v) **Average Area of Open Space per Dwelling:**  
 37 sq metres per dwelling  
*(Inc. of front and rear gardens and any communal areas)*
- (vi) **Average Area of Private Open Space per Dwelling:**  
 0 sq metres per dwelling  
*(Such as rear gardens)*



## APPENDIX B

STATES OF GUERNSEY  
ISLAND  
DEVELOPMENT  
COMMITTEE



# OUTLINE PLANNING BRIEF

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BULWER AVENUE  
HOUSING TARGET AREA 9

DRAFT

ADDITION TO THE OUTLINE PLANNING  
BRIEF, JUNE 2000



## DRAFT ADDITION TO THE OUTLINE PLANNING BRIEF

BULWER AVENUE  
HOUSING TARGET  
AREA**Background**

This draft addition has been prepared to facilitate the development of sheltered housing at Bulwer Avenue. The Outline Planning Brief for the Housing Target Area at Bulwer Avenue was approved by the States without amendment at its meeting on 29 January 1998 (Billet d' État I 1998).

The 1999 Policy and Resource Planning Report, which was approved by the States on 15 July 1999 (Billet d' État XIII 1999), noted in paragraph 4.3.8. that:

*"4.3.8 The States have recognised that there is an under-provision of Sheltered Housing for the elderly in the Island, and this continues to be confirmed by both the Board of Health and the Housing Authority. The Island Development Committee has indicated its commitment to expediting the provision of such housing by presenting to the States proposals for a new Sheltered Housing Use. It is understood, at the time of writing, that the Island Development Committee will seek to explain that development within such a Use Class could, at the Committee's discretion, be treated exceptionally in relation to density standards for other forms of housing. It is further understood that Housing Target Area 9, at Bulwer Avenue, would be cited as an example where this approach could be adopted."*

The Island Development Committee, in consultation with the Board of Health and the Housing Authority, is in the process of preparing a Sheltered Housing Use Class which will be presented to the States for its consideration before the States consider this proposed addition. In general terms sheltered housing may be described as: grouped housing that is specially designed for residents who require some provision of on-site management and support services. The viability of sheltered housing development is dependent upon the optimum use of sites to cover the provision of these additional on-site services. In this respect, the density of 15 dwellings per acre (6 dwellings per vergee) prescribed in the Outline Planning Brief for Bulwer Avenue would unduly constrain the development of sheltered housing.

**Recommended Addition** (To be read in conjunction with the Outline Planning Brief approved by the States on 29 January 1998)

*New Paragraph 8.7.*Sheltered Housing

The southern part of the Housing Target Area is ideally suited to the development of sheltered housing. It is well located with flat terrain, good access to shops and other facilities (including an adjacent surgery and pharmacy), and a high level of visual amenity which can be important to residents who may spend a large proportion of their time within their homes.

---

The States recognise that there is a significant shortfall in the provision of sheltered housing. If this shortfall is to be addressed, then the opportunities that exist should be fully utilised. It is likely that the optimum size of sheltered housing development required to support on site warden and community facilities would substantially exceed the average density of 15 dwellings per acre (6 dwellings per vergee) referred to in paragraph 8.4. However, low levels of occupancy (i.e one or two persons per household) typify this form of housing. This means that even at densities well above 15 dwellings to the acre (6 dwellings per vergee) the density of persons per acre will be significantly less than for other forms of housing.

Therefore, in the case of development falling within the Sheltered Housing Use Class, the average density of 15 dwellings per acre (6 dwellings per vergee) referred to in paragraph 8.4 will not apply. The Committee would still expect sheltered housing development to remain below the average density limit of 90 habitable rooms per acre (36 habitable rooms per vergee), and to achieve the minimum open amenity space standard of 40 square metres (1 perch) per flat, although this may be provided in a combination of communal space, balconies, and verandahs.

**F Norman Le Cheminant, ISO, BSc(Econ), FCIS**

The President  
States Island Development Committee

**31** July 2000

Dear Sir

In pursuance of Section 9 of the Island Development (Guernsey) Law, 1966, (as amended) I was appointed by the States Advisory and Finance Committee to hold a Planning Inquiry.

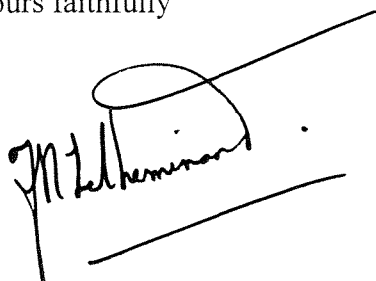
The purpose of the inquiry was to hear representations and to report on the draft addition to the Outline Planning Brief prepared by the Island Development Committee in respect of Housing Target Area 9 (Bulwer Avenue), as contained in the Urban Area Plan approved by the States in 1995.

The addition to the draft Outline Planning Brief was issued on 7 June, 2000. I determined a closing date of 20 June 2000 for the receipt of representations and 7 July 2000 for the receipt of counter-representations. A public hearing was held on 19 July, 2000.

Two submissions were considered at the Planning Inquiry. One was from Georgian Properties Limited – the developers of Target Area 9, and the second from Deputy John Gollop.

I was advised by the President of the Island Development Committee that the Strategic Working Party of the States Advisory and Finance Committee had confirmed that the addition to the Outline Planning Brief conformed to the provisions of the Strategic and Corporate Plan and the appropriate letter was deposited with me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'F N Le Cheminant', is written over a horizontal line. The signature is stylized and cursive.

F N Le Cheminant.

## APPENDIX C

### **Report of the Planning Inspector**

#### **INDEX**

<b><u>Subject</u></b>	<b><u>Paragraph</u></b>
Introduction	1.1 - 1.3
Island Development Committee's Opening Statement	2.1 – 2.3
Representation from Georgian Properties Ltd	3.1 – 3.2
Response from Island Development Committee	4.1
Counter-representation from Deputy John Gollop	5.1 – 5.2
Response from Island Development Committee	6.1
Recommendations	7.1 – 7.3

#### **Appendices**

Draft addition to the Outline Planning Brief	Appendix 1
Georgian Properties Ltd Representation	Appendix 2
Island Development Committee's Opening Statement	Appendix 3

**Draft Addition to the Outline Planning Brief**  
**Housing Target Area 9 – Bulwer Avenue**

**1. Introduction**

- 1.1 The Planning Inquiry was convened to consider a draft proposal by the Island Development Committee that a new paragraph, to be numbered 8.7 (corrected numbering), be added to the Outline Planning Brief for HTA 9 (Bulwer Avenue) approved by the States of Deliberation on 29 January 1998 (Billet d'Etat I of 1998).
- 1.2 The addition recommended by the Committee (see Appendix 1) was for a new paragraph 8.7, as follows:-

**"Sheltered Housing**

*The southern part of the Housing Target Area is ideally suited to the development of sheltered housing. It is well located with flat terrain, good access to shops and other facilities (including an adjacent surgery and pharmacy), and a high level of visual amenity which can be important to residents who may spend a large proportion of their time within their homes.*

*The States recognise that there is a significant shortfall in the provision of sheltered housing. If this shortfall is to be addressed, then the opportunities that exist should be fully utilised. It is likely that the optimum size of sheltered housing development required to support on site warden and community facilities would substantially exceed the average density of 15 dwellings per acre (6 dwellings per vergee) referred to in paragraph 8.4. However, low levels of occupancy (ie one or two persons per household) typify this form of housing. This means that even at densities well above 15 dwellings to the acre (6 dwellings per vergee) the density of persons per acre will be significantly less than for other forms of housing.*

*Therefore, in the case of development falling within the Sheltered Housing Use Class, the average density of 15 dwellings per acre (6 dwellings per vergee) referred to in paragraph 8.4 will not apply. The Committee would still expect sheltered housing development to remain below the average density limit of 90 habitable rooms per acre (36 habitable rooms per vergee), and to achieve the minimum open amenity space standard of 40 square metres (1 perch) per flat, although this may be provided in a combination of communal space, balconies, and verandahs".*

1.3 This proposed addition establishes:-

- a) the concept of special treatment for development classified as 'sheltered housing'; and
- b) criteria for such development with regard to standards of density and open space.

## **2. Island Development Committee's Opening Statement**

2.1 The opening statement from the Island Development Committee (see Appendix 2) was made by the Vice-President, Deputy Pat Mellor.

2.2 The statement explained that the Committee had worked closely with the Board of Health and the Housing Authority on the formulation of a new use class. The Committee's proposals were presented to the States in Billet d'Etat XIV, 2000. The new use class encompasses the:

*" .. use as a permanent residence of one of a group of dwellings, for the time being recognised by the IDC as affording facilities especially suited to the needs of older or disabled people, including the on-call assistance of a resident or nearby warden; where at least one member of the household has attained the age of 55 years, or requires access to those facilities because of disability".*

2.3 It was re-iterated that for the Sheltered Housing Use Class the average density of 15 dwellings per acre would not apply. The Committee would still expect sheltered housing development to remain below 90 habitable rooms per acre (36 habitable rooms per vergee). It would also be necessary to have the minimum open amenity space standard of 40 square metres (1 perch) per flat.

2.4 One representation and one counter – representation were received.

## **3. Representation**

3.1 The representation was by the owners and prospective developers of the site Georgian Properties Ltd (see Appendix 3).

3.2 In relation to the general principle, the representor presented a comprehensive analysis of the general need for sheltered housing. Georgian Properties Ltd welcomed the draft proposal with the exception of that sentence dealing with the open amenity space standard. It was represented that the words "*minimum open space standard of 40 square metres (1 perch) per flat*" were unduly restrictive and would not allow the Committee the degree of latitude which had been evident in other development or proposed

developments. While the developers were confident of reaching that standard, or near thereto, the company would not wish plans to be rejected solely on this account. It was suggested that the draft be amended to permit the Committee to approve a development with an open amenity space of less than 40 square metres per unit provided that high quality space is provided.

#### **4. Response from Island Development Committee**

- 4.1 Replying on behalf of the Committee, Mr David Twigg, Principal Forward Planning Officer, welcomed the support for the Addition to the Outline Planning Brief from Georgian Properties Ltd. He said that, after consideration, the Committee was minded to accept an additional sentence to the effect that:

*“In exceptional circumstances the normal amenity space standards referred to above may be relaxed, provided that the open space provided is of an extremely high quality and full advantage is taken of the amenity offered by the sea views”.*

#### **5. Counter-Representation**

- 5.1 The counter – representation was from Deputy John Gollop who, while generally sympathetic to the proposal, feared the possibility of a general erosion of standards and was, therefore, inclined to retain a minimum.
- 5.2 Deputy Gollop noted that the open amenity space requirement for sheltered housing was significantly lower than that which would be required for a family type housing environment and he did not want to reduce that figure too far in case sites became over-developed.

#### **6. Response from Island Development Committee**

- 6.1 Replying on behalf of the Island Development Committee, Mr David Twigg accepted that there was a need to achieve a balance between the certainty of a minimum figure and the flexibility to allow other criteria to be considered. The view was that

*“maintaining the reference to a “minimum” standard as in the draft Addition but introducing the “exceptional circumstances” referred to in the amended additional sentence to the Brief would provide... a degree of positive and clear guidance for the developers to follow but with some flexibility for the Committee to balance that against other requirements”.*

## 7. **Recommendations**

- 7.1 Having heard the representation, counter – representation and the Island Development Committee, I conclude that a case has been made for special consideration to apply to areas designated for sheltered housing.
- 7.2 In relation to a minimum standard for open amenity space, it is clear that 40 square metres is an arbitrary round number which, although useful as a guideline, has no intrinsic merit which demands that it must be obeyed. It is only one of the important factors that should be taken into account when considering a development, rather than a rigid requirement.
- 7.3 I recommend, therefore, that the proposed draft addition to the Outline Planning Brief be approved together with the additional sentence proposed by the Island Development Committee at the inquiry.

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**[N.B. The States Advisory and Finance Committee supports the proposals.]**

The States are asked to decide:—

- VI.— Whether, after consideration of the Report dated the 31st August, 2000, of the Island Development Committee, they are of opinion:-

To accept the revised Outline Planning Brief for Bulwer Avenue - Housing Target Area 9 incorporating the amendment recommended by the Planning Inspector as set out in that Report.



**STATES HERITAGE COMMITTEE**

**REFURBISHMENT OF FORMER STORES BUILDING AND REDISPLAY OF  
201 SQUADRON MUSEUM AT CASTLE CORNET**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

25th August, 2000

Sir

**REFURBISHMENT OF FORMER STORES BUILDING AND REDISPLAY  
OF 201 SQUADRON MUSEUM AT CASTLE CORNET**

1. Following the successful redevelopment and redisplay of the Main Guard (now known as the Lower Barracks) at Castle Cornet in 1995 and 1996, the Heritage Committee has turned its attention to the former stores building, which it proposes should be used for a new 201 Squadron Museum.
2. Until recently the former stores building was used for the Armoury. However, following a report from the UK Museums and Galleries Commission, the Committee has placed the arms in storage and the building is not now open to the public. The Committee will be considering the possibility of creating a secure display area within Castle Cornet for the arms in due course.
3. The 201 Squadron Museum was previously located in the Guard Room but was dismantled two years ago in order to redevelop the Guard Room, which is now used for retail purposes. The Committee has been liaising with RAF 201 Squadron to develop a new display. The former stores building is now available. It is on two floors and has more than twice the floor area of the Guard Room. The Committee therefore considers that the new site would provide an excellent location for this redisplay.
4. For the convenience of members of the States, I attach a plan of Castle Cornet showing the location of the buildings referred to above (see Appendix 1).

### **Refurbishment of the former stores building**

5. In June 1994, with the agreement of the Capital Works Sub-Committee, the Heritage Committee appointed Cresswell, Cuttle and Dyke to carry out survey work on a number of buildings at Castle Cornet, including the former stores building.
6. A report submitted in 1998 on the 18<sup>th</sup> century stores building concluded:
  - the basic structure of the walls and roof was sound
  - water penetration through the south and east walls (which are hard against the edge of the Citadel) had caused much internal deterioration
  - the main first floor ceiling beams were at risk of collapse due to rotted bearing ends on the south side and should be repaired as a priority (as stated above the building is not now open to the public)
  - all internal plasterwork was badly salted and affected by damp penetration - a cementitious tanking system should be introduced in order to prevent future deterioration
  - the north wall should be treated externally to reduce water ingress
  - the doors and windows required repair and overhauling
  - the electrical installations needed to be renewed.
7. The Heritage Committee proposes that building works be carried out on the former stores building to put right the defects identified above and to enable the building to be used for the new 201 Squadron Museum.
8. The Committee also proposes to take advantage of the building work being carried out on the former stores building to provide additional public toilets. These could be used by persons attending functions in the Amherst Room (on the top floor of the Lower Barracks, which has a separate entrance on the same level as the former stores building). At present the only public toilets in Castle Cornet are located in the Married Quarters building (which houses the Maritime Museum, the Hatton Gallery and the cafeteria). There is already a staff toilet in the former stores building so no new drains will need to be laid.
9. The Heritage Committee, with the agreement of the Capital Works Sub-Committee, has appointed Cresswell, Cuttle and Dyke to prepare specifications and to seek tenders for the building work. Cresswell, Cuttle and Dyke will also supervise the contract. A fee of £7,500 will be paid to Cresswell, Cuttle and Dyke for this work.

10. An open tendering process was undertaken during August 2000. By the closing time of noon on 21st August the Heritage Committee had received five tenders. Cresswell, Cuttle and Dyke independently assessed these. The best value tender was considered to be for £121,733 submitted by Vidamour and Greenway. The Committee therefore proposes to offer the contract to Vidamour and Greenway subject to States approval of this project.

### **Relationship of RAF 201 Squadron with Guernsey**

11. The Island has had a long relationship with RAF 201 Squadron. It started on 5 May 1939, when the Air Minister, Sir Kingsley Wood, opened the new airport at La Villiaze. During his opening speech, Sir Kingsley Wood announced that, as part of the Municipal Liaison Scheme, RAF 201 Squadron would be affiliated to Guernsey.
12. The affiliation was officially inaugurated on 26 May 1939 when Wing Commander Cahill, the commanding officer, accompanied Flight Lieutenant Kendrick's crew in a London flying boat to St Peter Port. During the visit, 201 Squadron presented two of its most prized possessions to the Royal Court for custody. These were Flt Sub Lt Warneford's official report of the destruction of a German Zeppelin over Belgium in 1915, and the Admiralty telegram advising him that His Majesty the King had awarded him the Victoria Cross.
13. Today the association between Guernsey and 201 Squadron is still very special. It is the RAF's sole surviving squadron affiliation link. 201 Squadron is also the only RAF squadron with a public museum display and they have been very supportive of the project for the proposed new museum. The original 201 Squadron standard is laid up in the Town Church and is on view to the public.
14. The entire Squadron marked its 75th anniversary by parading in Guernsey in September 1989. During the visit, the States were presented with an engraved decanter. In return, the Bailiff, Sir Charles Frossard, presented 201 Squadron with a magnificent sword and scabbard on behalf of the Island. The sword is for the use of the officer who bears the Squadron standard when on parade. It has the inscription "*Presented by the States of Guernsey to No. 201 Squadron RAF to commemorate the Liaison*".
15. In its 80<sup>th</sup> year of existence, 201 Squadron was honoured with the freedom of the Island – the first time the Islanders had bestowed any such honour on any unit. The Squadron's magazine reported that the Squadron was given the "*Rights, Privilege and Honour of marching with Colours flying, drums beating and bayonets fixed through the streets and highways of the said Island of Guernsey*".
16. 201 Squadron personnel also visit the Island annually during the Battle of Britain celebrations and so, sixty years on from the original affiliation, the relationship is as strong as it has ever been.

### **Redisplay of 201 Squadron Museum**

17. The Heritage Committee is fortunate that the proposed redisplay of the 201 Squadron Museum can be designed and managed by staff of Guernsey Museums, who have considerable expertise. In particular, the States may recall that staff of Guernsey Museums carried out the redisplay of the Lower Barracks in 1996. The Committee is proud of the high quality of that display.
18. The 201 Squadron Museum in Castle Cornet opened in 1971 in the Guard Room. It was designed and installed by the RAF Exhibitions Unit. The fact that it lasted until 1996 and displayed the story of the Squadron to great advantage was a credit to the unit. Nonetheless it was a display very much of the early 1970s and it was restricted by the small floor area of the original site.
19. Guernsey Museums staff are liaising closely with RAF 201 Squadron and will continue to do so. The Squadron is very supportive of the project. Although it is unable to financially contribute to the museum, the Squadron is helping in undertaking research, providing video footage and providing display items.
20. The main visual theme of the display will be to capture the feel and look of an aircraft's internal structure, such as the Sunderland flying boats that were flown on anti-submarine duties by the Squadron during the Second World War. Materials such as raised aluminium tread will be used together with conventional materials sprayed aircraft green to achieve the required effect. Multi-media will be used throughout the museum in the form of computer inter-actives and video.
21. There will be pictures, scale models and video of the aircraft. However, a Squadron is more than its aircraft so the museum will give visitors an insight into the people who have served in the Squadron. Visitors will be given an impression of what it meant to serve during war and peacetime. The display will cover: the pressures of the constant patrolling over the western front in 1917; the "gentlemen's club" atmosphere of the 1930's; the weary hours of long convoy patrols over the Atlantic; expecting the unexpected over the North sea during the Cold War. The display will therefore represent the teamwork and comradeship that feature in Squadron life.
22. The generations of aircrew will be represented in photographs, documents and film. Life-sized figures in uniform and flying kit will provide the "personnel" and, as far as possible, personal experiences will be recounted using diaries, letters and log books. Computer technology will play a major part to allow a maximum of historical information to be available at the touch of a button.
23. Appendix 2 shows that heavy objects such as engines and torpedoes will be displayed on the lower level's concrete floor. There will also be life-size figures in authentic Squadron costume. This area will form the introduction to the museum. A new internal staircase built in an "*aircraft*" style will lead to the upper gallery.

24. Appendix 3 is an artist's impression of the first part of the upper gallery, which will tell the early story of the museum from the First World War through to 1930. Early museum objects including medals and ordnance will be displayed in showcases. The second part of the upper gallery will tell the more recent history (see Appendix 4).
25. Illustrations and models will play an important part in the new 201 Squadron Museum. An in-house design style is achieved in many of the Heritage Committee's museums and exhibitions by using specialised museum artists and model makers who have a proven background in this type of work.
26. The redisplay costs are currently estimated as totalling £110,000, as follows:

<b><u>Project Item</u></b>	<b><u>Estimated Cost</u></b>
Display joinery	£20,000
Joinery decoration	£1,500
Photographic Prints	£7,000
Photography Fees	£1,500
Models	£10,000
Life Size Figures	£14,000
Computer Hardware	£15,000
Interactive production	£10,000
Artists' fees	£5,000
Technical materials	£2,000

<b><u>Project Item</u></b>	<b><u>Estimated Cost</u></b>
Audio-visual hardware	£4,000
AV programme production	£1,000
Seating	£1,000
Aluminium Flooring	£6,000
Expenses (Travel etc.)	£2,000
Flagpoles and flags	£1,000
Air attack gun base	£2,000
Engine installation	£1,000
Lower floor carpet	£1,000
Contingency	£5,000

27. The Committee will ensure that the cost of the redisplay does not exceed the total of £110,000. Where appropriate, the Heritage Committee, in consultation with the Advisory and Finance Committee, will seek tenders for individual elements of the display.

### **Recommendations**

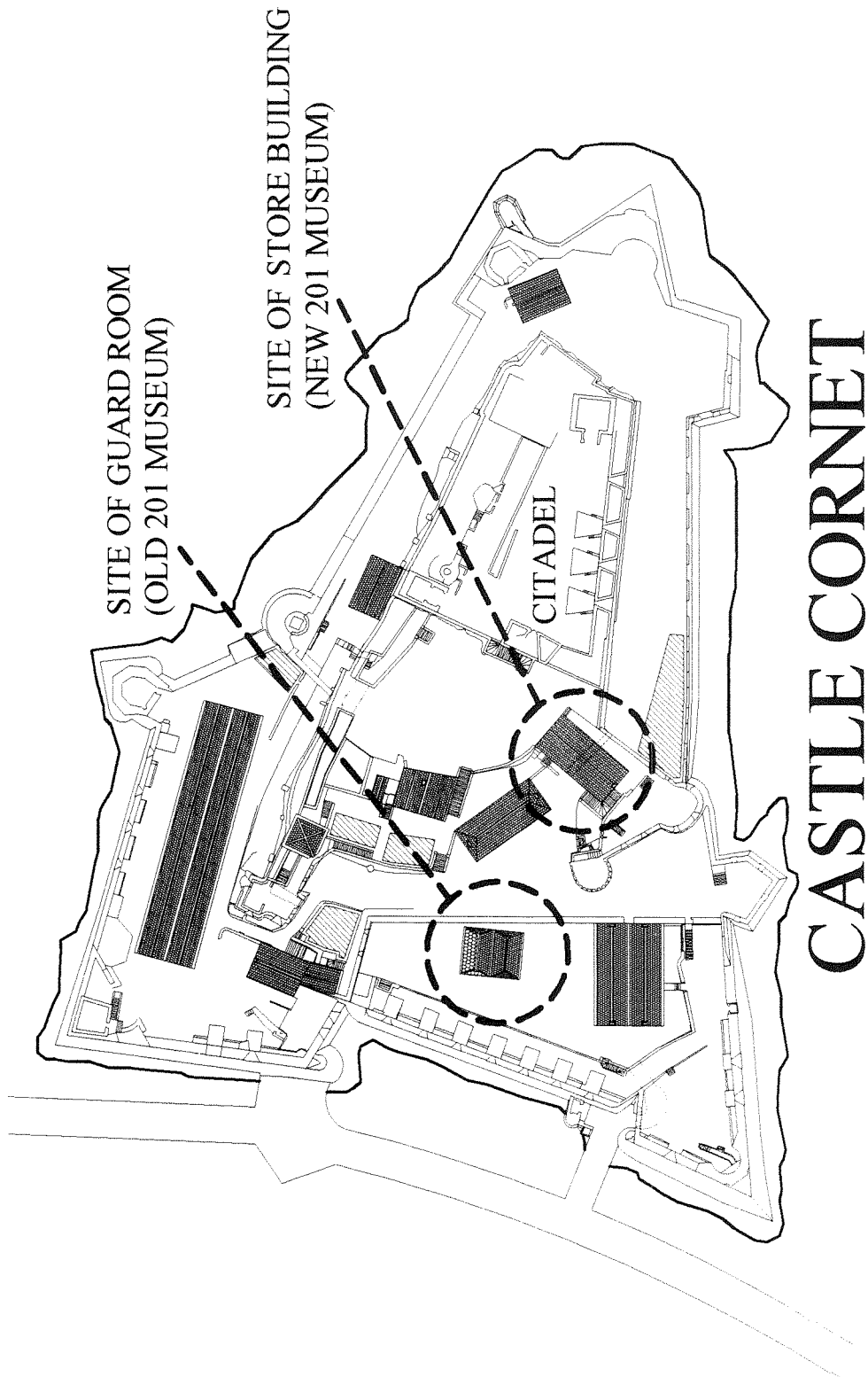
28. The Heritage Committee recommends the States:
- (a) to approve the building work on the former stores building at Castle Cornet and the redisplay of the 201 Squadron Museum therein as set out in this Report;
  - (b) to accept the building work tender submitted by Vidamour and Greenway in the sum of £121,733;

- (c) to authorise the sum of £7,500 for fees to be paid to Cresswell, Cuttle and Dyke;
- (d) to approve the redisplay of the 201 Squadron Museum at a total cost not exceeding £110,000;
- (e) to authorise the States Heritage Committee, in consultation with the States Advisory and Finance Committee, to accept suitable tenders in respect of individual elements of the proposed redisplay; and
- (f) to vote the States Heritage Committee a credit of £239,233 to cover the cost of the proposals, which sum shall be taken from that Committee's capital allocation.

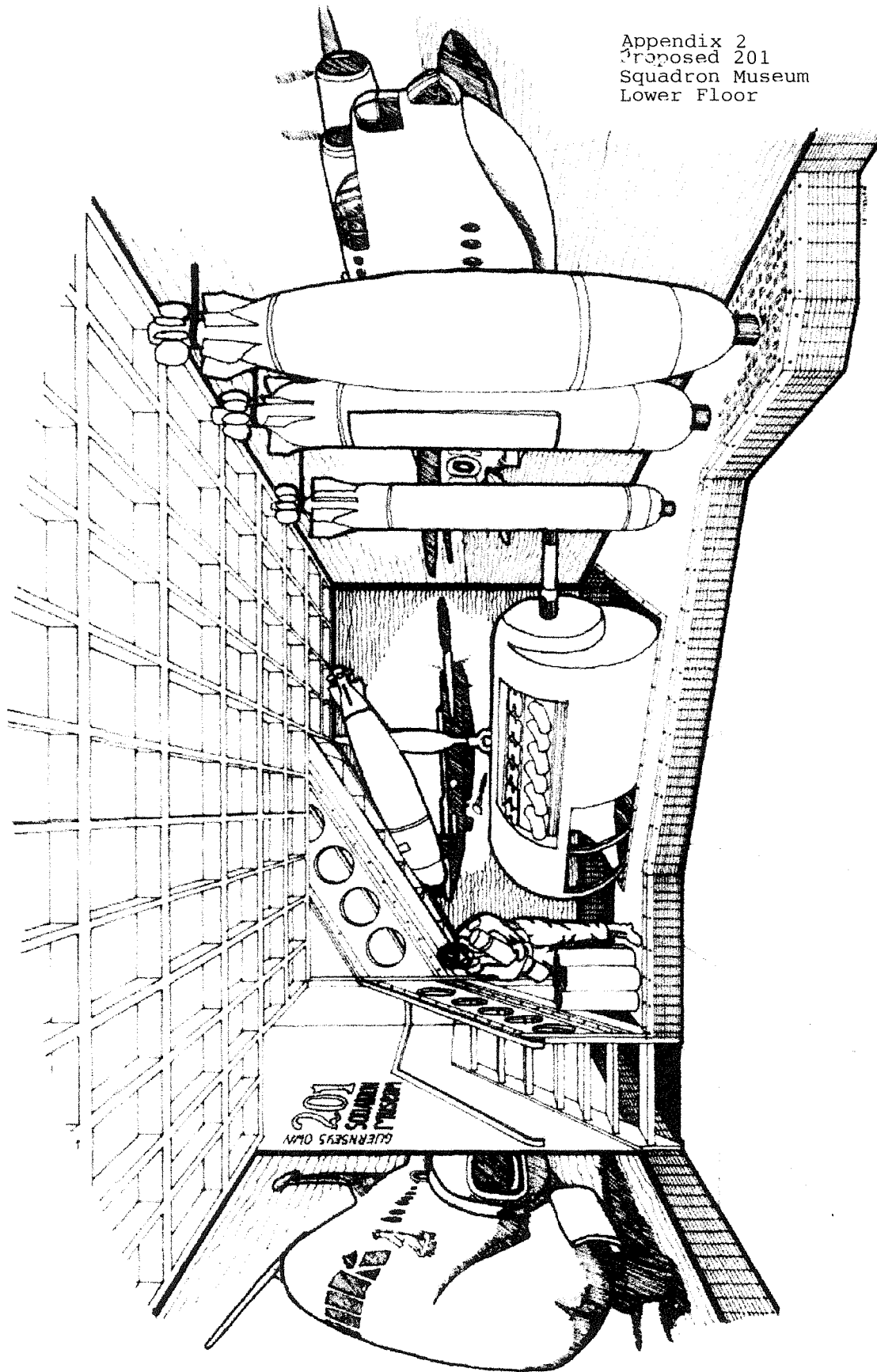
I have the honour to request that you will be good enough to lay this matter before the States with appropriate propositions.

I am, Sir,  
Your obedient Servant,  
C. H. WAITE  
President,  
States Heritage Committee.

Appendix 1  
Plan of  
Castle Cornet

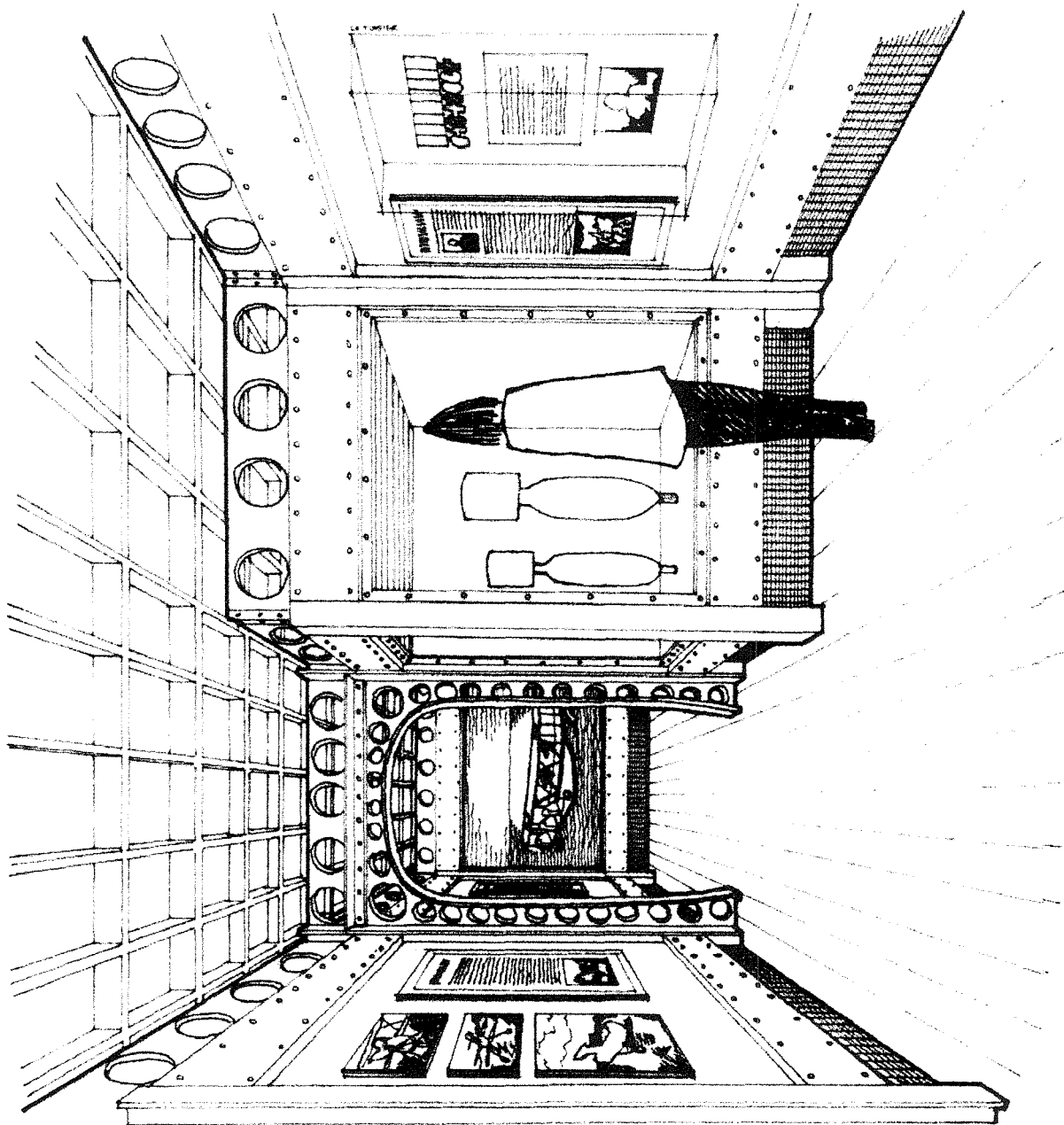


Appendix 2  
Proposed 201  
Squadron Museum  
Lower Floor

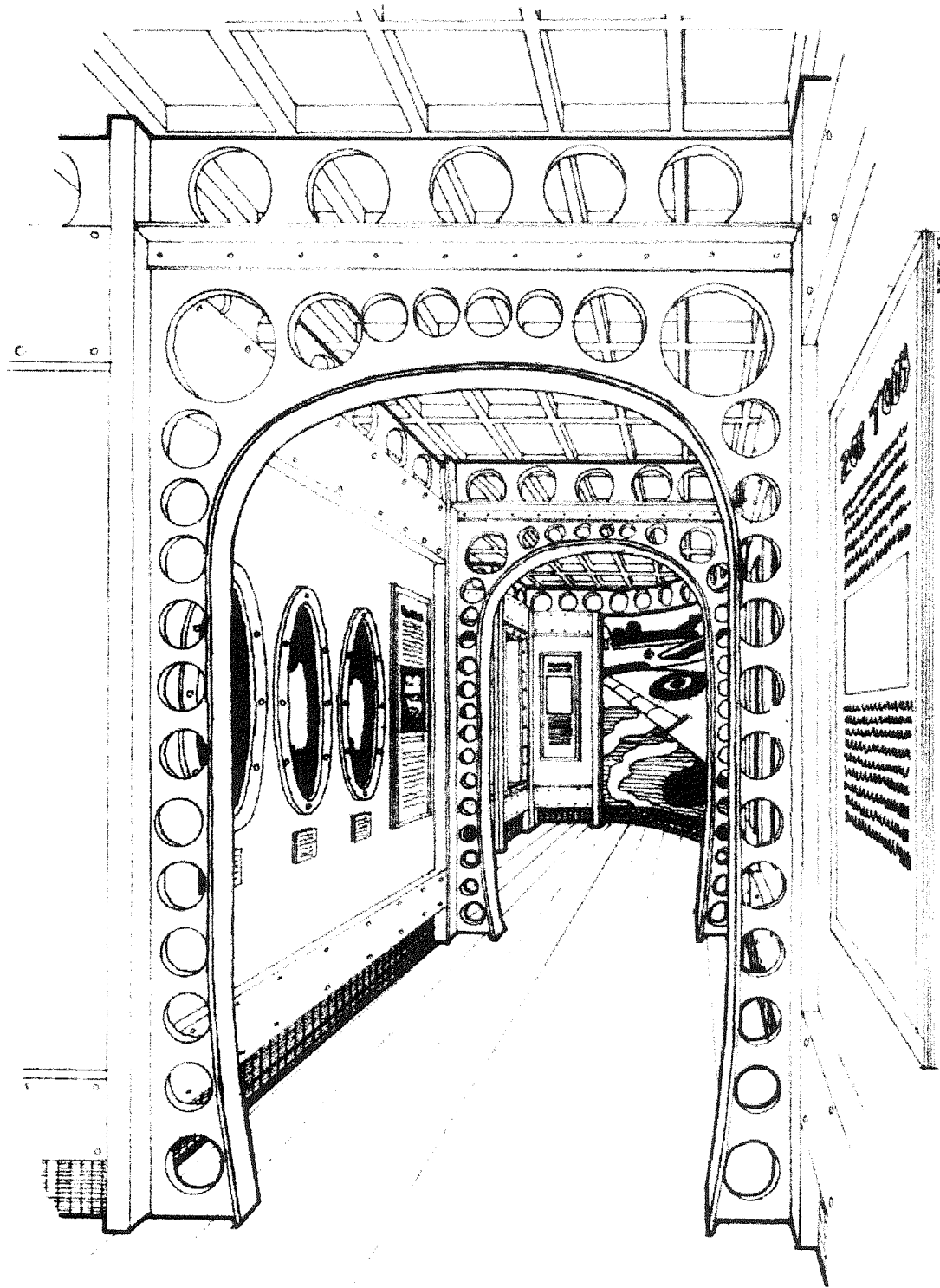




Appendix 3  
Proposed 201  
Squadron Museum  
First part of Upper  
Gallery



Appendix 4  
Proposed 201 Squadron Museum  
Second Part of Upper Gallery



**[N.B. The States Advisory and Finance Committee supports the proposals.]**

The States are asked to decide:—

VII.— Whether, after consideration of the Report dated the 25th August, 2000, of the States Heritage Committee, they are of opinion:-

1. To approve the building work on the former stores building at Castle Cornet and the redisplay of the 201 Squadron Museum therein, as set out in that Report.
2. To authorise the States Heritage Committee to accept the tender in the sum of £121,733 submitted by Vidamour and Greenway for the building work.
3. That the sum of £7,500 for fees shall be paid to Cresswell, Cuttle and Dyke.
4. To approve the redisplay of the 201 Squadron Museum at a total cost not exceeding £110,000.
5. To authorise the States Heritage Committee, in consultation with the States Advisory and Finance Committee, to accept suitable tenders in respect of individual elements of the proposed redisplay.
6. To vote the States Heritage Committee a total credit of £239,233 to cover the cost of the above, which sum shall be taken from that Committee's allocation for capital expenditure.

**STATES POST OFFICE BOARD****GUERNSEY POST OFFICE – NEW PREMISES**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

20th September, 2000.

Sir,

**GUERNSEY POST OFFICE - NEW PREMISES****Summary**

*There is an urgent need for Guernsey Post Office to develop significantly larger operational premises. The current Sorting Office, regrettably, now is too small to accommodate existing manual methods of mail processing, given the huge growth in mail traffic in recent years. The acute lack of space is not only retarding the efficiency and effectiveness of the current postal operations, but is also preventing the introduction of vital mechanisation to improve and expedite the processing of mail.*

*By 1999 mail volumes handled by Guernsey Post Office had already reached double the level predicted (when the current building was designed in 1979) for the end of the twentieth century. Mail volumes are continuing to grow at substantial rates (13% predicted for 2000 over 1999). The nature of the traffic is also changing as it includes substantial increases in the number of bulky items of mail.*

*Guernsey Post Office fully intends to play a major part in both responding to and supporting the e-commerce revolution. Indeed this may well be essential to the continuing economic viability of the postal service. A significant further growth in parcels and packets traffic both to and from the island can be expected once Internet shopping really takes off.*

*The Post Office Board has worked hard over the past five years to find a satisfactory solution to the need to provide larger premises. More than 20 different potential solutions have been identified and evaluated. Some of these possibilities were rejected at an early stage either because they failed to meet critical aspects of the design brief, for planning reasons or because they contained other insurmountable problems. Any schemes that showed potential for solving the problems were investigated in depth.*

*The Board now has a solution that it believes solves not only its own need to develop larger premises, but is also in the strategic interests of the Island. This involves the development of a site known as Flamanville adjacent to the existing Postal and Telecommunications premises off Guelles Road/La Vrangue. It is shown on the plan at Appendix 1.*

*Having identified the site the Board entered into detailed discussions with the Advisory and Finance Committee. A copy of the Committee's letter dated 20 July 2000 supporting the purchase is included as Appendix 2. The Board purchased the site in September 2000.*

*The Board had prior to purchasing the Flamanville site also entered into discussions with the Island Development Committee in regard to the planning implications. The site is covered by the Urban Area Plan, and is identified within the Plan as a Housing Target Area. It forms a part of Housing Target Area 5: La Vrangue (see Appendix 3). The Urban Area Plan Housing Target Areas whilst identified as areas which will provide a major part of the Island's housing requirement, are not identified as being exclusively for housing development as was acknowledged by the Planning Inspector who heard representations on the draft Plan (see below). This position is further reinforced in the text of the Report on the Urban Area Plan where on page 134 it is stated that:-*

*"Housing Target Areas (HTA's) are identified on the Proposals Map as a means of safeguarding land, if needed, to meet the requirement for housing and where appropriate, other forms of development."*

*In view of the fact that Flamanville forms part of a Housing Target Area the Board has resolved after taking into account the views of the Island Development Committee and the legal advice of the Law Officers that it is appropriate to obtain a resolution of the States that the Flamanville site should be used for the redevelopment of a new purpose built postal headquarters.*

### **Introduction**

The current Postal Headquarters, incorporating the Sorting Office, was designed in 1979, when traffic volumes were forecast to fall in response to the growth of alternative means of communication such as facsimile traffic. The building has been in use since November 1983.

The ground floor is used for postal operations and is comprised of a Letter Sorting Office, Post Office Counter and a Private Box Area. The basement area (formerly the underground car park) houses the Parcels Depot, Stores, Workshops, Vehicle Parking and Machine Room. The first floor houses the Philatelic Bureau, the administrative functions, computer room, canteen and toilets.

### **Letter Processing**

The operational space provided in the building was calculated on 20-year traffic forecasts made in 1979, at a time when the rapid development of Information Technology was expected to result in a decline in mail volumes. However, letter traffic volumes over the past 17 years (since the building was opened) have greatly surpassed the 1979 predictions. The Sorting Office is now handling more than double the amount of mail forecasted on a daily basis. From annual total mail volumes of 16.4 million items handled in 1983, Guernsey Post reached the figure of 43.1 million items in 1999. The predictions for 2000 are almost 49 million items. (Mail growth over the period 1983 to the end of 2000 (predicted) is shown at Appendix 4).

During July I invited all States Members to come and see for themselves current operating conditions in the Sorting Office. There is no substitute for actually seeing the problem first hand. I am very pleased to report that a significant number of States Members accepted the invitation and witnessed daily life at Guelles Road during the early morning sorting of the incoming airmail.

The very cramped operating conditions seriously hamper efficiency. The current space restrictions prevent us from being able to introduce the complete suite of modern sorting frame designs that have proved to be highly efficient in the British Post Office.

Operating in such cramped conditions also increases the chance of mistakes occurring. Guernsey Post is proud of its high standards of service, and is determined to do everything possible to maintain them in the face of growing volumes of mail.

The Island's difficult labour market, coupled with the States cap on labour in the public sector, has meant that Guernsey Post Office has had to absorb massive growth in mail volumes without any corresponding increase in the numbers of postmen and women. This has only been achieved through the employees' willingness to work very high levels of overtime. The Board is grateful to the staff for their commitment to maintaining service standards in this way, but it cannot be regarded as a sensible or reasonable long-term strategy.

Guernsey Post Office needs to make the very best use of its valuable staff by introducing latest generation sorting mechanisation. If the labour market in Guernsey remains at its current heated level, where recruitment of sufficient suitably skilled people is very difficult, it will be vital for Guernsey Post Office to be able to take advantage of the latest generation of mechanical sorting equipment.

Not only will this help enormously with handling ever growing mail volumes, but it will help to ensure that Bailiwick mail is presented to the British Post Office in such a way as to maintain next day services. As the British Post Office becomes fully mechanised the coding of mail in Guernsey will be necessary in order to avoid delays as the mail awaits coding (on our behalf) in the UK.

The current Sorting Office is too small even to accommodate current manual processing. It is far too small to be able to house the machines necessary for automating the mail process.

### **Parcel Processing**

When the Sorting Office was opened in 1983 letters and parcels were processed on the same floor. However, by 1987 pressure on space had forced the parcels operation to move to the basement (which had originally been used as an underground car park). Parcels processing still takes place in this area.

The operation is far from satisfactory. With parcels now arriving loose-loaded in containers, they have to be loaded into cages in the open yard and forklifted down to the garage to be sorted and placed in the delivery vehicles. The forklift truck, letter delivery vans and customers cars leaving the visitors' car park all converge on the same confined area, and have to pass through this crowded working yard. While precautions have been taken to slow traffic passing through this bottleneck, the operation is most unsatisfactory. The loading arrangements for the parcels crews are inefficient, requiring double handling, and they raise concerns over Health & Safety issues.

### **The Space Needed**

It is easy to be critical of the designers of the present Postal HQ, for planning a building that would prove to be too small to handle mail volumes after only two decades. However, the building was planned following specialist advice received in 1979 from the British Post Office, based on their own assessments of future traffic levels, and which Royal Mail used for its own planning purposes.

The unforeseen factor was the huge boom in the overall communications market. It would compound the mistake to once again underestimate the impact that the exponential growth in the communications market may have on mail volumes. Some mail streams will decline (indeed there are now signs that some traditional letters traffic is reducing). However, as our growth figures demonstrate so graphically these losses have been very heavily outweighed by strong growth in new products and services.

With the advent of e-commerce no one can be sure exactly how the communications markets will be affected. The most conservative estimates of postal growth are continuing to show a 5% annual growth of volume. Our experience to date is to see this figure exceeded in Guernsey.

Guernsey Post Office has employed an experienced postal expert on an 18 month contract from Royal Mail as Planning & Development Director primarily to help the Senior Management Team develop the design brief necessary for the new development. The Board has considerable confidence that the brief not only provides sufficient operating space for the present day, but also incorporates sufficient flexibility for the future.

### **Potential Solutions Considered**

The Board has spent some five years or so on the search for a satisfactory solution to the current lack of space within the Guernsey Sorting Office. More than 20 different possible solutions have been examined.

Over this period the Board has liaised at staff level with the Island Development Committee. This process proved to be very useful in determining which of the potential solutions to reject at an early stage because of serious planning issues. Other sites were discussed in detail with the site owners. These site discussions were held in confidence, and cannot be revealed. Suffice it to say that in the end all other possible schemes fell.

Throughout the process the Board has kept the Advisory & Finance Committee fully informed of the various schemes examined.

The Board also looked at trying to redevelop its existing premises at Guelles Road, but again none of the schemes provided a satisfactory solution, particularly given the need to have the sorting office accommodated on a single floor.

A scheme was developed to build out over land administered by the States Telecommunications Board, but it was quickly established that this area was required for the development of the Bailiwick's telecommunications infrastructure. In fact far from being able

to release land the STB expressed an active interest in acquiring the current Postal HQ in the event that the Post Office developed a new HQ away from its present site.

During the process the Board also wrote to the Board of Administration several times to enquire of the possibility of locating a new Postal HQ on States land. It also held discussions with the Advisory & Finance Committee on the same subject, and asked the Board of Industry to include its requirement for land in its assessment of the amount of land needed in Guernsey for light industry.

While the above process resulted in a good understanding of the needs of the Post Office for larger premises, none of the above approaches resulted in a practical solution being identified.

With concerns over the robustness of future mail operations growing because of the problems caused by lack of space, the Board was delighted during 1998 to identify what it believed to be an ideal solution. Confidential agreements prevent me from being able to expand on this option, but for more than a year the Board hoped that the solution had been found. No deal however could be pursued until the owner had resolved some complications involving the site. In the event, and with much disappointment from the Board, this scheme was effectively withdrawn by the landowner.

Soon afterwards, several factors came together at the same time to result in the present scheme becoming possible. The Board believes that not only is the solution now identified and recommended the best one as far as Guernsey Post Office is concerned, but it is also of considerable strategic value to the island.

### **The Solution**

The Board became aware that the property known as "Flamanville" might become available for purchase. This site is adjacent to the Board's existing Postal HQ off La Vrangue. Initial work soon confirmed that acquisition of this site would enable ALL of the requirements of the design brief for new postal premises to be met.

Furthermore the site would enable the Board to withdraw completely from its existing building, thus releasing it for other States uses, or indeed onward sale to the private sector.

This development was also of considerable interest to the States Telecommunications Board (STB). That Board had only just reaffirmed its desire to acquire the current Post Office building in the event of Guernsey Post Office vacating it. STB requires additional premises to expand its growing e-commerce interests, which are of vital strategic importance to the island.

This move may also enable STB to move virtually all of its operations currently housed at Upland Road to the Centenary House site at La Vrangue, thus freeing the majority of its Upland Road building for other uses.

Attached to this policy letter is a letter from the President of STB (Appendix 5) outlining that Board's interest in acquiring the building. The letter also covers the strategic advantages that this would bring both to telecommunications services in the island (especially the e-commerce developments), and for the development opportunities that would be created in Upland Road.



This plan would result in the combined sites of the Guernsey Post Office and the States Telecommunications Board becoming the communications centre for the island. Both businesses will be intricately involved in e-commerce. While it can be argued that the two businesses do not need to be contiguous, this must surely be considered an advantage given that no one can currently predict with any degree of certainty just where the development of the communications industry will lead over the years to come.

### **Support from the Advisory & Finance Committee for the Plan**

As soon as the above possibilities became clear, representatives of the Guernsey Post Office and States Telecommunications Board met the Advisory & Finance Committee to elicit that Committee's support for the plan. Following this meeting it was agreed that it would be in the strategic interests of the States to acquire the land in question (i.e. the Flamanville site). A copy of the Advisory & Finance Committee's letter of support is included at Appendix 2.

### **Acquiring the site**

With the support of the Advisory & Finance Committee the Guernsey Post Office liaised with the Board of Administration over the possible purchase of the site. The Board secured two independent valuations for the property.

In liaison with the Advisory & Finance Committee the Post Office then appointed an independent agent to help negotiate the best deal for the land.

As a result the GPO has now purchased the site using its own capital reserves built from accumulated profits on postal services over the years. The purchase price was a total of £2 million (£1.5 million paid upon conveyance with the balance payable twelve months later).

### **Liaison with the Island Development Committee**

Throughout the whole process of searching for the elusive solution to the need to build larger postal premises, the Island Development Committee has been consulted, and has offered helpful advice to the Post Office Board.

Both committees were conscious that the Flamanville site falls within Housing Target Area 5b: La Vrangue (South). However, the GPO did point out to the Inspector at the original Planning Inquiry that it may need to develop postal facilities within part of Housing Target Area 5. In response to the Board's representations (which at that time were confined to land in the ownership of the States) the following statement was noted by the Inspector: -

*"On behalf of the Island Development Committee Mr Twigg said that the Committee acknowledged that there were areas within HTA5 which would need to be retained for other purposes and the IDC would, of course, take account of the concerns of the Post Office Board when carrying out the detailed planning. He reiterated that the Housing Target Areas were not intended to be exclusively for housing; in certain cases, where there was a demonstrable need for some other kind of development, then that could also be accommodated within the HTA". (Billet D'Etat X. 1994 pg248 of the Inspector's Report).*

That Statement acknowledges the clear principle that an area identified as a Housing Target Area is not intended to be used exclusively for housing.

When the Flamanville option presented itself, the Board sought advice from the Committee on how to proceed with the necessary planning application. The Board also sought advice from the Law Officers on how to proceed in this matter in view of the provisions of Section 30 of the Island Development Law (the effect of which is to exempt the States from the provisions of the legislation) and the States Resolution of 1991 governing the procedures to be followed by a States Committee seeking to develop a site.

### **ADVICE FROM THE LAW OFFICERS**

The Law Officers, after taking into account the provisions of Section 30 and the 1991 Resolution, advised the Board that it must forward its proposals for development to the Island Development Committee for comment before carrying them out. Furthermore, in all of the circumstances, and being particularly mindful of the planning designation of the site and the fact that it has been identified as a Housing Target Area, the Law Officers advised that it may be appropriate for the Post Office Board to obtain a resolution of the States that the site should be redeveloped as a new Postal Headquarters.

### **Funding of the Proposed development**

The Post Office Board has built the necessary capital reserves to fund fully the new development. It is not seeking any capital allocation from the States General Revenue Account. As an "Exempted" States Committee the Board does not require States approval to award the building contract and execute the development.

I can confirm that States Tendering Procedures will be followed to progress the development, and a tender will only be accepted following consultation with the States Advisory & Finance Committee.

### **Liaison with the States Housing Authority**

Bearing in mind that the site falls within Housing Target Area 5b: La Vrangue (South) (see Appendix 3), the Board informed the Housing Authority of its intended acquisition and redevelopment of the site. The Board has offered the Housing Authority first refusal of the site in the event that the States does not agree that development of a Postal Headquarters on the site is in the interests of serving the needs of the social and business communities of the Bailiwick.

However, in seeking to develop the site within Housing Target Area 5b as a new Postal Headquarters, the Board recognises that the loss of this area will impact on the amount of land currently designated for housing developments.

The Board believes that to continue to meet the housing needs identified within the Urban Area Plan it is implicit that replacement provision should be made to compensate for the land required for the Post Office development.

After consideration of this matter the Housing Authority has commented as follows:-

“The Authority would, of course, be very concerned if such a proposal resulted in an overall reduction in the amount of land available for housing development.

However, the Authority recognises that it is appropriate, in the wider strategic interests of the Island, for your new premises to be developed on the “Flamanville” site.

The Authority will not, therefore, oppose your proposals on the understanding that the Island Development Committee will arrange for alternative sites to be made available for housing development to compensate for the loss of housing land resulting from this development.”

The Island Development Committee considered this matter and has commented as follows:-

“Following discussion, the IDC has confirmed that it is required under the terms of the Strategic and Corporate Plan to make provision to meet States’ targets for housing development – currently set at 250 new homes each year. In its review of the Urban Area Plan, which the Committee expects to publish early 2001, the Committee will therefore need to ensure that appropriate compensatory provision is made if the States decide that Housing Target Area 5(b) should be reallocated for new Post Office premises.”

### **The Way Forward**

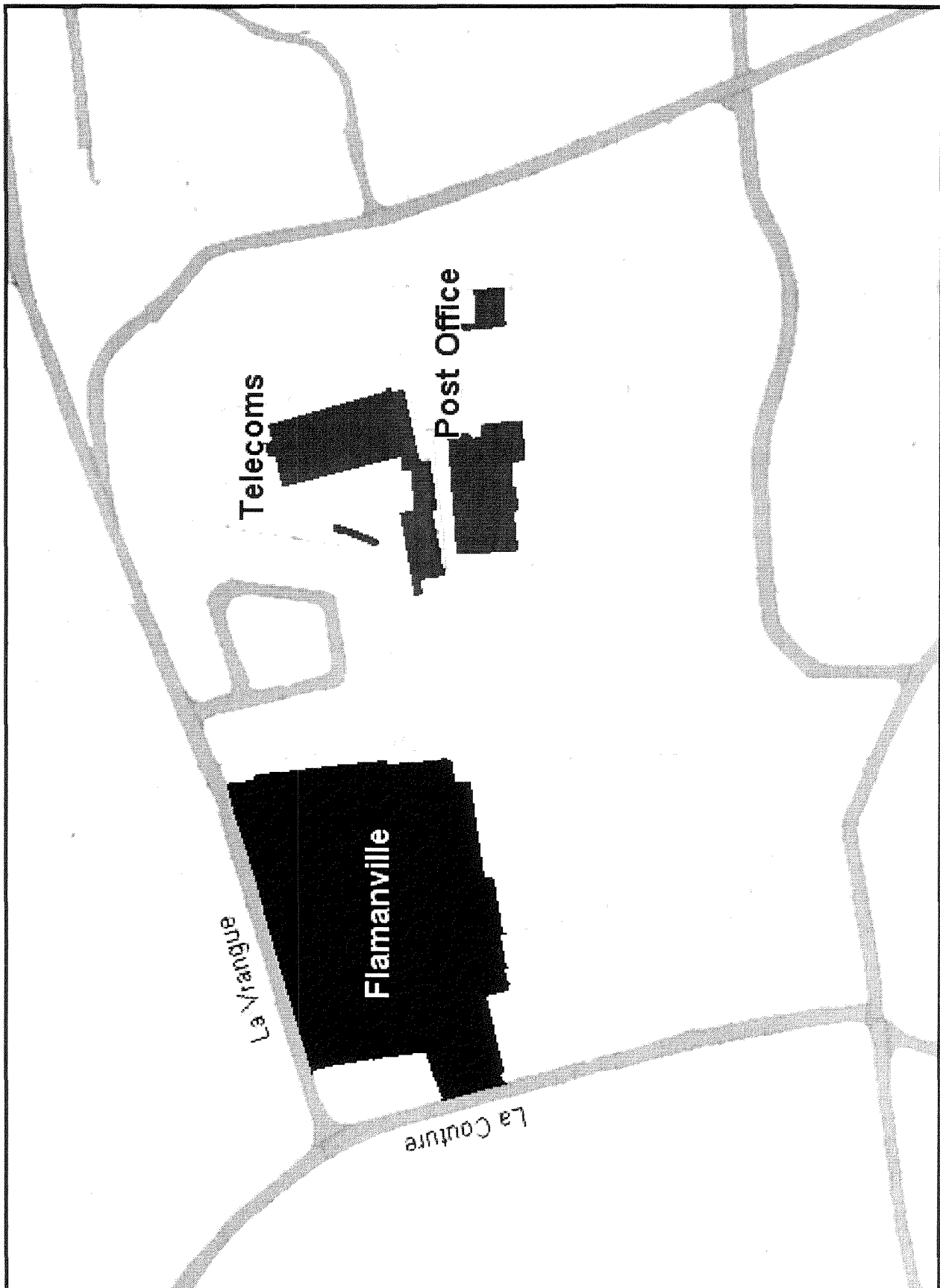
The need for new premises and the introduction of mechanisation have now become critical issues for the Guernsey Post Office. Much of the development of Guernsey Post Office over the past five years has been held up by the acute shortage of space available for its operations. Our automation strategy is essential if we are to maintain current service levels in the face of continued growth and an employment market that is heavily overheated. It cannot be delayed further. The strategy cannot however be implemented until adequate premises can be provided to house the necessary equipment.

The development of new postal headquarters, and the opportunities created by the acquisition of the Flamanville site are of strategic importance to the island.

### **Recommendations**

**The Board therefore strongly recommends the States to resolve that the Flamanville site should be redeveloped as a new Postal Headquarters, as set out in this policy letter.**

I am, Sir,  
Your obedient Servant,  
M. W. TORODE,  
President,  
States Post Office Board.



## APPENDIX 2



The President  
Post Office Board  
Guelles Road  
St Peter Port  
Guernsey  
GY1 1AA

GUERNSEY POST OFFICE	
File	Board file
Chief Executive	
President	
Finance Director	
Business Dev. Director	
MOD/Personnel	
RECEIVED 21 JUL 2000	
Projects Director	
Operations Manager	
IT Manager	
Philatelic Manager	
Fin. & A/CS Manager	
Admin Manager	

STATES OF GUERNSEY

# ADVISORY & FINANCE COMMITTEE

Sir Charles Frossard House  
P.O. Box 43 · La Charroterie  
St. Peter Port · Guernsey  
GY1 1FH · Channel Islands  
Switchboard (01481) 717000  
Direct Line (01481) 717  
Fax No. (01481) 712520

20 July, 2000

Dear Deputy Torode,

## FLAMANVILLE SITE ACQUISITION

I refer to your letter dated 13 July 2000 which was considered by the Advisory and Finance Committee at its meeting on 19 July 2000.

The Committee fully supports the Post Office Board's proposal to provide a purpose built facility on the site and it resolved to approve the purchase on the terms and conditions outlined in the attachment to your letter and subject to the approval of the Law Officers of the Crown.

In approving the acquisition the Committee recognises the strategic importance of the site and in the unfortunate event that the Post Office Board does not obtain the necessary approvals to develop the property the Committee considers that the potential for it to be used for housing or other developments is in itself a compelling reason to purchase the site.

Yours Sincerely,

L. C. Morgan  
President  
Advisory and Finance Committee

## Housing Target Area 5a: LA VRANGUE (North) and 5b LA VRANGUE (South)

APPENDIX 3

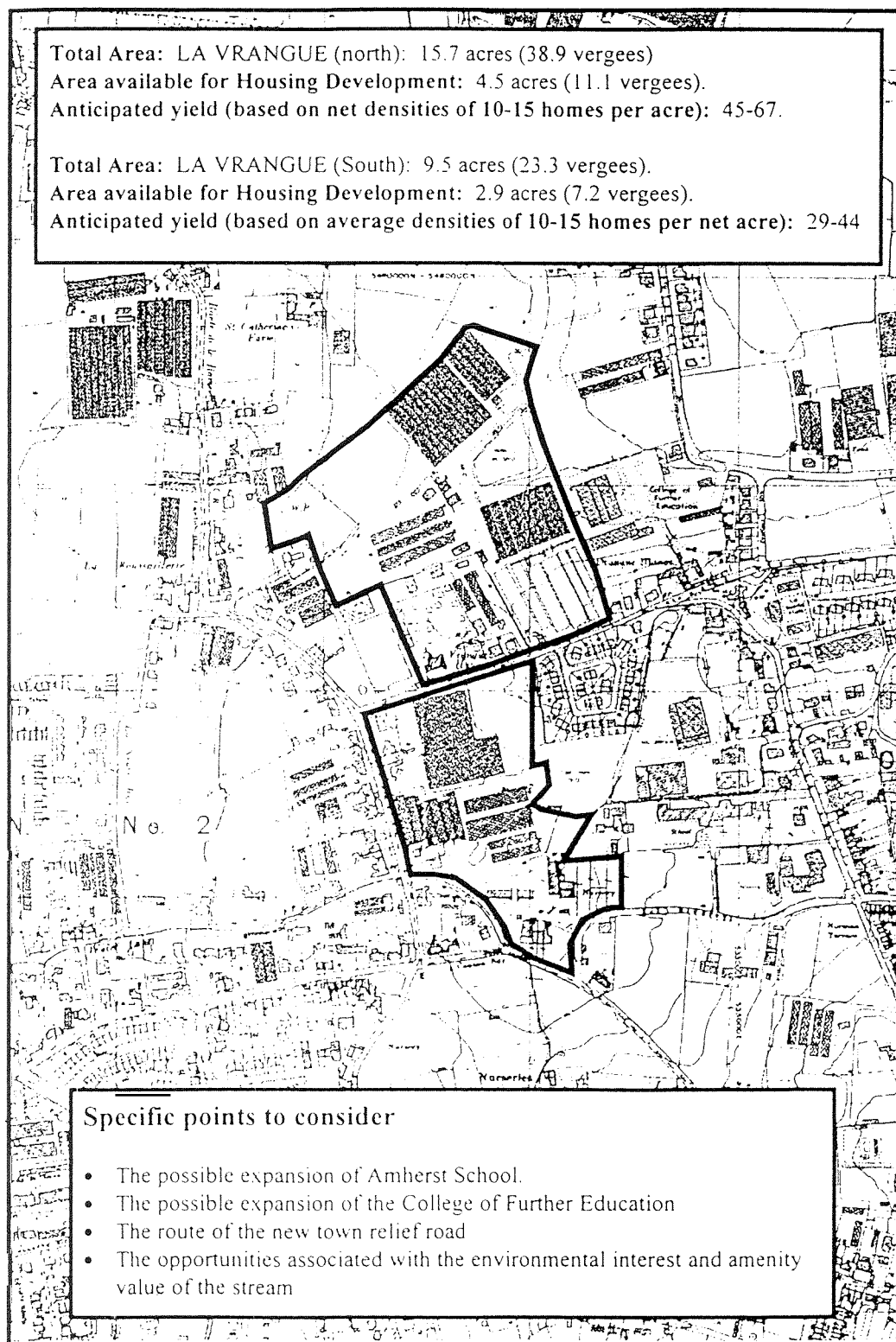
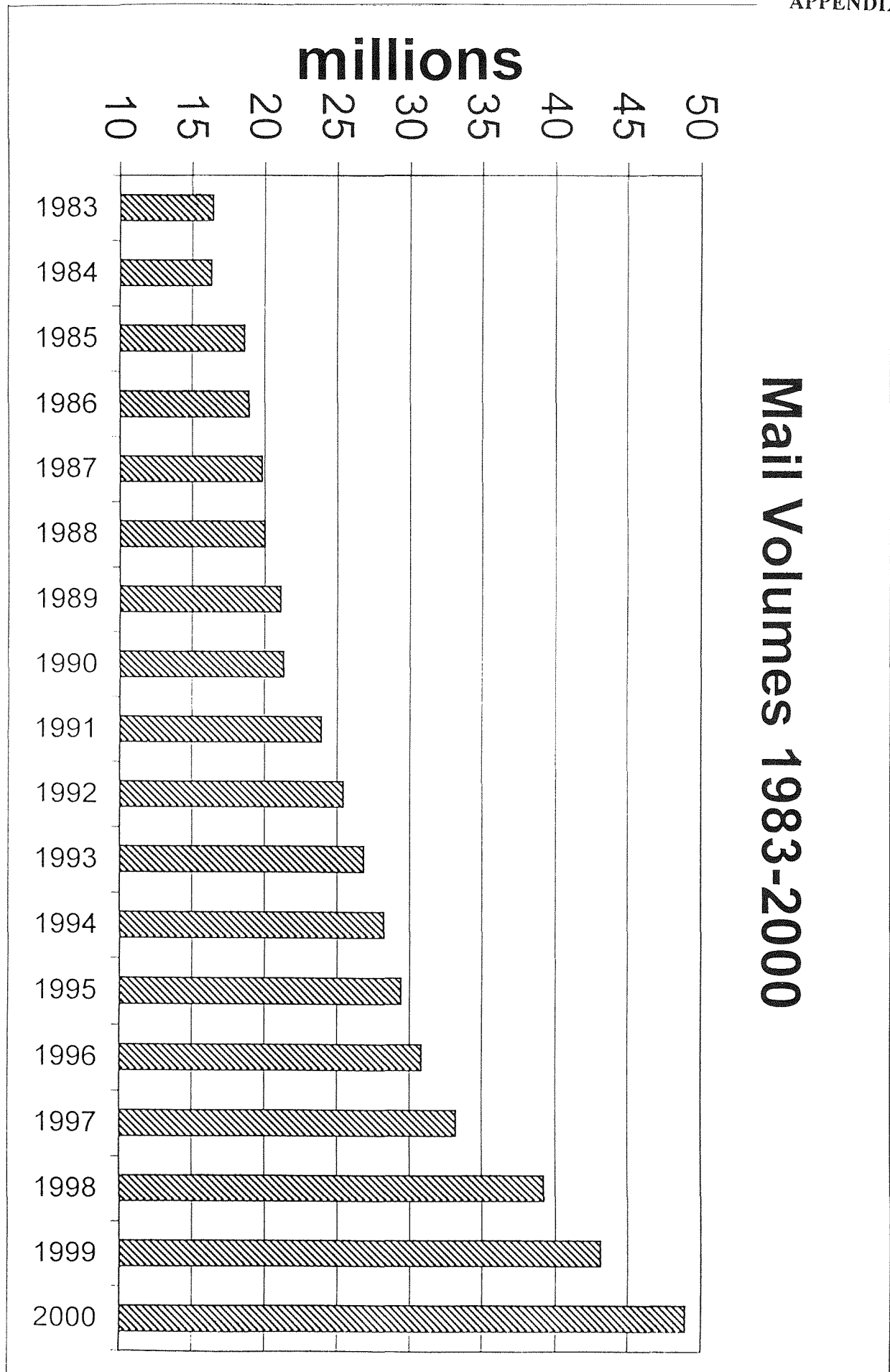


FIGURE 2

Ordnance Survey of Guernsey,  
as amended 1979. Not to scale.





Your Reference:

Our Reference:

Deputy M W Torode  
Guernsey Post Office  
Postal Headquarters  
Guelles Road  
St Peter Port  
GY1 1AA

13 July 2000

Dear *Mike*

The States Telecommunications Board is pleased to be able to comment on the Policy Letter to be placed before the States on the subject of the potential development of new postal premises.

We have been aware for some time that Guernsey Post Office are investigating a more suitable location for their headquarters and have had informal discussions with them regarding their current site.

The majority of Guernsey Telecoms' properties were built during the early 1950s and 60s on a number of different sites. These buildings have been adapted, where possible, to meet the needs of the organisation as the telecommunications industry expanded. However, it has long been recognised that more suitable accommodation is required to enable the centralisation of staff and equipment on a single site to achieve greater efficiencies and better meet the demands of our industry.

In April 1998, in response to the States Annual Property Questionnaire, we wrote to the Board of Administration indicating our interest in acquiring the Guernsey Post Office headquarters, should the property become available.

During 1999, we undertook a comprehensive review of our future business strategy and, as part of that process, reconfirmed the need to centralise activities on a single site. As such, the current Post Office headquarters would provide an ideal opportunity to achieve this objective. Subsequently, in August 1999, we formally advised the Advisory & Finance Committee of our interest in acquiring the property, subject to reaching appropriate commercial agreement, should it become available.

In late 1999, recognising the growing importance of e-commerce to the Bailiwick economy, Guernsey Telecoms began investigating the options for the development of an e-commerce facility in the Island. We realised at an early stage that, in order to progress the project, additional premises would be required. Having decided that the most sensible approach was to invest in an e-commerce facility within Guernsey Telecoms' existing infrastructure, it became necessary to relocate our Central Stores function to new, albeit temporary, premises.

## APPENDIX 5

## States Telecommunications Board

PO Box 3, St Peter Port,  
Guernsey, Channel Islands GY1 3AB  
Telephone: 01481 700700. Telex: 4191515.  
Email: cjohnston@guernseytelecoms.com

Fax: 01481 724640

Chief Executive D. Coleman, FCMA

GUERNSEY POST OFFICE	
File	Board circ
Chief Executive	
President	
Finance Director	
Business Dev. Director	
MOD/Personnel	
RECEIVED 14 JUL 2000	
Projects Director	
Operations Manager	
IT Manager	
Philanthropy Manager	
Fin. & Admin. Manager	
Admin Manager	





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While achieving the immediate objective – freeing valuable space and thus enabling the development of a substantial datacentre facility – this move has further increased the fragmentation of Guernsey Telecoms' limited resources over diverse properties.

There is no doubt that the increasing plethora of telecommunications and e-commerce services – which the Bailiwick must have in order to thrive – places considerable and growing strain upon the capacity of our existing accommodations. Indeed, the development of the datacentre alone required some 10,000ft<sup>2</sup>!

Hence, the need to centralise our operations is now greater than ever. The Guernsey Post Office headquarters, being adjacent to our own Centenary House site, offers an invaluable opportunity to re-focus our staffing and physical resources, eliminating such duplication as is currently necessitated by operating over several sites.

In addition, by allowing us to relocate the majority of our activities currently located at Upland Road, this would in turn create the possibility of re-development of the Upland Road premises for alternative use by the States or private sector.

Therefore, the States Telecommunications Board fully support the Guernsey Post Office's proposals to develop new postal premises as outlined in the Policy Letter, and hope that Guernsey Telecoms will be permitted to seize the opportunities thus created to refocus its resources to better service the Bailiwick's telecommunications and e-commerce needs and the community as a whole.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mike', with a long, sweeping horizontal line extending from the end of the signature.

**M E W BURBRIDGE**  
**President**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

21st September, 2000.

Sir,

I have the honour to refer to the letter dated September 2000 addressed to you by the President of the Post Office Board on the subject of new premises.

The Advisory and Finance Committee fully supports the use of the newly acquired site for a new postal headquarters and the release of the existing site for other uses, possibly telecoms and e-commerce.

The impending commercialisation of postal and electricity services and the controlled licensing of telecoms approved by the States earlier this year will involve the transfer and/or use of existing assets, including property, by the new providers of those services. The Advisory and Finance Committee will be giving particular consideration to the terms and conditions under which any properties are to be made available for use by the new providers to ensure that the long term interests of the Island are protected.

I am, Sir,  
Your obedient Servant,  
L. C. MORGAN,  
President,  
Advisory and Finance Committee.

---

The States are asked to decide:—

VIII.—Whether, after consideration of the Report dated the 20th September, 2000, of the Guernsey Post Office, they are of opinion:-

That the Flamanville site shall be redeveloped as a new Postal Headquarters as set out in that Report.

**STATES BOARD OF ADMINISTRATION****HARBOUR DUES AND FACILITIES CHARGES 2001**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

8th September, 2000.

Sir,

**HARBOUR DUES AND FACILITIES CHARGES 2001**

1. Harbour Dues are payable by virtue of the Harbour Dues (St Peter Port and St Sampson's) Law 1957 as amended and charges for the use of harbour facilities are due under Harbour Ordinance 1988. States Resolution may set the rates of the dues and charges.
2. Staff wages and salaries are expected to represent 43% of Harbour expenditure in 2001. The terms, conditions and level of these costs are negotiated outside the control of the Board. Between 1<sup>st</sup> July 1999 and 30<sup>th</sup> June 2000 there has been an increase of 4.4% in the Guernsey Retail Price Index. The Board is proposing to increase the charges for the year 2001 by only 3.9%, which is 0.5% below the GRPI.

The Guernsey Commercial Port Users Association contends that commercial activities in the Harbours generate a surplus. In fact, income received from commercial Harbour Dues approximately equates to expenditure in this area, thereby creating a break-even situation. Any profits made by the Harbours must be attributed to other areas, notably property rental.

3. In addition to ongoing maintenance, which includes a rolling programme of replacement of items and spares, the Board is continually improving facilities, health and safety and will be introducing a marine safety management system in line with the UK Port Marine Safety Code.
4. **Commercial Vessels Laying By**

Last year the Board recommended, and the States approved, that the period of grace of fourteen days before a vessel paid lay by charges should be removed and that vessels should be charged from the first day. Following

representations from the Guernsey Commercial Port Users Association the Board wishes to place a maximum charge of £300 per day, in order to prevent larger vessels from paying excessive charges, eg a 10,000 ton vessel could incur a charge of £3,300 for one week or part thereof.

5. **Roadsteads**

The definition of roadsteads contained in the Harbour Dues (St Peter Port and St Sampson's) Law 1957 Section 1 and the Pilotage (Guernsey) Law, 1966 (Section 11, referring to Section 33 of the Pilotage Ordinance, 1967) differ. The Board wishes to provide a uniform definition of the roadsteads and wishes to amend the Harbour Dues (St Peter Port and St Sampson's) Law so that the roadsteads are defined as in the Pilotage Law. This will reduce the size of the roadsteads for harbour dues charges to the area immediately adjacent to St Peter Port. This will allow vessels to use other areas of the Little Russel to anchor for shelter or emergency maintenance without incurring harbour charges. Any vessels carrying an act of trade would incur harbour dues. This will require a Projet de Loi following approval of this proposal by the States of Deliberation.

6. **Cruise Liners**

There are now a large number of cruise liners that use Guernsey in order to officially prove that they have traded outside of the EU. The majority of vessels that use this facility do not put passengers ashore but simply submit a Customs Declaration Form. The present interpretation of Cruise Vessel is "*a vessel which enters a harbour or the roadstead solely for the purpose of enabling the passengers thereon to visit the Island as part of the itinerary of a cruise or for the purposes of embarking or disembarking passengers beginning or ending a cruise in the vessel*". This interpretation can be found in part 2 of the Schedule of Charges. As can be seen this interpretation does not allow the Board to levy a charge on a cruise liner which just stops within territorial waters of Guernsey in order to clear Customs for the purpose of having traded outside of the EU. The Board wishes to be able to levy a charge on vessels which use this service, and therefore the Board proposes that the interpretation of a cruise vessel be amended to read "*a vessel which in the opinion of the Board enters the territorial waters of Guernsey to enable passengers to visit the Island as part the itinerary of a cruise for the purpose of embarking or disembarking passengers beginning or ending a cruise in the vessel or for the purposes of carrying out an act of trade*". This alteration requires ratification by States Resolution.

7. **Act of Trade**

The definition of an Act of Trade as set out in the Law means "*in respect of a vessel or aircraft, the embarkation or disembarkation of passengers or the loading or unloading of cargo*". This interpretation dictates that Harbour Dues can only be levied where a vessel or cruise liner carries out an Act of

Trade within the meaning of the Law, in the roadsteads or in territorial waters and the current definition is not wide enough to embrace the situation where a cruise obtains Customs clearance without embarking or disembarking passengers to carry out an Act of Trade outside the EU. It is the “Act of Trade” which provides a legal basis or “trigger” entitling the levy of Harbour Dues and these Harbour Dues then become a payable debt by Resolution.

It is the intention of the Board of Administration to amend the Law to effect the changes in definition to allow an Act of Trade to take place upon obtaining Customs Clearance for the purposes of trading outside the EU.

8. **Commercial Crane Charges**

Following representations from the Guernsey Commercial Port Users Association, the Board wishes to reduce the minimum period of one hour to half an hour for the commercial hire of cranes during normal working hours as set out in Scale B: Hourly Rates.

9. **Guernsey Commercial Port Users Association**

It is the Board’s policy to consult the Guernsey Commercial Port Users Association with regard to its proposals for the harbour dues and facilities charges. On this occasion the Association’s views were sought in July 2000. The response was as follows:

*“We agree with your points raised numbers: [sic]*

1. *Commercial vessels laying by*
2. *Roadsteads*
3. *Cruise liners*
4. *Commercial crane charges*

*On the question of 2001 charges, RPI is 4.4% and you have proposed an increase of 3.9%. We are pleased that the increase is below RPI but this still results in a percentage increase that our members will not be able to fully recover and will therefore end up having to absorb in many areas where the harbour dues are not separately charged such as passengers and their vehicles, groupage etc. In many areas our members are just not able to increase their rates by RPI or a figure approaching it.*

*Harbour dues are a form of direct taxation and affect all freight and passengers that arrive by sea and affect the costs of most goods and services in the Island. The actual costs of harbour dues in Guernsey are high considering the facilities available and every effort should be made to hold or reduce rates where possible by greater efficiency, additional revenue required should be raised from sources other than our members and general harbour dues.*

*Another area of concern is the large surplus that has been made each year, in future years it should be budgeted to produce a modest surplus of say 5% this would allow harbour dues to be held or reduced in many areas.*

*It should be noted that Jersey harbour dues which are already lower than Guernsey harbour dues in many areas are only increasing by 2.5%.*

*Thank you for incorporating so many of our points raised during the last year in the 2001 charges."*

Comment by the Board:

The commercial operations of the Harbours to which these proposed charges refer have been calculated to produce a break-even figure of income over expenditure for the year 2001. The surpluses that have been made in previous years have not been derived from Harbour dues & Facilities Charges but from other business areas of the Harbour, in particular property rental and leisure activities. As the Board has already pointed out a large proportion of the expenditure is manpower related and therefore outside its control, and a decrease in the proposed 3.9% RPI increase would produce a deficit on commercial operations.

A comparison of the proposed charges for 2001 between Guernsey & Jersey has been carried out and shows that if the Jersey commercial rates were applied to Guernsey then an additional £800,000 would be raised from the Commercial Port Users.

10. In order to save the time of the States of Deliberation, the Board proposes that in future the Harbour Dues and Facilities Charges may be set with the agreement of the Advisory & Finance Committee and without reference to the States of Deliberation providing no changes to the interpretations are made and the increases do not exceed the annual GRPI of June of the year preceding that of the new charges.

## **CONCLUSIONS**

The dues and charges recommended by the Board for 2001 are set out in the appendices to this report and are based on an overall increase of 3.9% above the 1999 rates. This increase is .5% below the July 1999 to June 2000 GRPI.

## **RECOMMENDATIONS**

The Board recommends the States:

- (a) To approve the proposed rates and changes to the harbour dues and facilities charges and to the interpretation of cruise vessels as detailed in the appendices to this report with effect from 1<sup>st</sup> January, 2001.
- (b) To authorise the Board to alter the charges annually without reference to the States of Deliberation providing that no changes are made to the interpretations as set out in the Schedule of Charges and that the increase does not exceed the annual GRPI of June of the preceding year.
- (c) To approve the proposed changes to the law for the definitions of roadsteads and act of trade specified in this report.

I have the honour to request that you be good enough to lay this matter before the States with appropriate propositions.

I am, Sir,  
Your obedient Servant,  
R. C. BERRY,  
President,  
States Advisory and Finance Committee.

**APPENDIX 1****1 Harbour Dues - Vessels****A. Passenger vessels entering either harbour:-**

CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
Nil per GT	Nil per GT

**B. Cargo vessels entering or leaving either harbour:-**

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
(a) Not carrying hydrocarbon oils or gas in bulk	Nil per GT	Nil per GT
(b) Carrying hydrocarbon oils or gas in bulk	Nil per GT plus £2.95 per metric tonne or part thereof, of fuel discharged or loaded	Nil per GT plus £3.06 per metric tonne or part thereof, of fuel discharged or loaded

**C. Self-discharging vessels entering or leaving either harbour:-**

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
Carrying stone, cement, sand, aggregate coal or such other bulk cargo as the Board may, in its absolute discretion determine	Nil per GT plus £1.12 per metric tonne of cargo discharged or loaded	Nil per GT plus £1.16 per metric tonne of cargo discharged or loaded

**D. Vessels entering the Harbour of St Sampson's from the Harbour of St Peter Port and vice versa without quitting territorial waters:-**

CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
Nil per GT	Nil per GT

**E. Cruise vessels entering either Harbour or the roadstead:-**

2.78p per GT subject to maximum dues of £618.79	2.89p per GT subject to maximum dues of £642.92
--	--



**2 Harbour Dues – Passengers**

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
(a) Passengers landed or embarked from or on a vessel at either Harbour from or for a place outside the Bailiwick (other than passengers landed or embarked from or on a cruise vessel)	A maximum of £2.02 per adult passenger, £1.01 per child passenger and nil per infant passenger, if the place is more than 55 nautical miles from St Peter Port; otherwise a maximum of £1.75 per adult passenger, 89p per child passenger and nil per infant passenger	A maximum of £2.10 per adult passenger, £1.05 per child passenger and nil per infant passenger if the place is more than 55 nautical miles from St Peter Port; otherwise a maximum of £1.82 per adult passenger, 92p per child passenger and nil per infant passenger
(b) Passenger embarked on a vessel at either Harbour for another Island in the Bailiwick (other than passengers landed or embarked from a cruise vessel)	55p per adult passenger, 28p per child passenger and nil per infant passenger	57p per adult passenger, 29p per child passenger and nil per infant passenger

**3. Additional Harbour Dues**

Vessels remaining in either Harbour or in the roadstead, except a vessel so remaining for 3 months or less for the purpose of under going repairs carried out wholly by persons other than the vessel's crews

33p per GT for each week or part of a week

34p per GT for each week or part of a week

Max.£300 per day

### Calculation of Harbour Dues

In calculating the amount of any dues payable as set out in this Appendix, in any case where the aggregate amount payable is not a multiple of a whole penny the amount payable shall be taken to the nearest whole penny.

### Interpretation of this Appendix

In this Appendix: -

“additional harbour dues” means dues payable in accordance with section 3 of the Law;

“adult passenger” means a passenger other than a child passenger or an infant passenger for whom a fare has been charged;

“cargo vessel” means a vessel which is not licensed to carry more than 12 passengers;

“child passenger” means a passenger, other than an infant passenger, who has attained the age of 5 years but is aged less than 15 years for whom a reduced fare has been charged;

“cruise vessel” means a vessel which in the opinion of the Board enters the territorial waters of Guernsey to enable passengers to visit the Island as part the itinerary of a cruise for the purpose of embarking or disembarking passengers beginning or ending a cruise in the vessel or for the purposes of trading outside of the EU;

“either harbour” means the Harbour of Saint Peter Port or the Harbour of Saint Sampson;

“GT” means gross tonnes, and the gross tonnage of a vessel shall be taken to be:-

- (a) in the case of a British registered ship, the gross tonnage shown in the International Tonnage (1969) Certificate, and
- (b) in the case of any other vessel, such tonnage as the Board may determine;

“harbour dues” means dues payable in accordance with section 2 of the Law;

“infant passenger” means a passenger who has not attained the age of 5 years and for whom no fare has been charged;

“the Law” means the Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957 as amended;

“passenger vessel” means a vessel which is licensed to carry more than 12 passengers;

“roadstead” means the area bounded to the north by a line joining Fort Doyle and Tautenay Beacon, to the South by a line joining St Martin’s Point and the highest rock of the Lower Heads and to the east by a line joining the said Beacon to the said rock;

note:-on implementation of a Projet de Loi the interpretation of “roadstead” will be substituted by:-

“roadstead” means the area bounded on the North by a line joining the Salerie and Crevichon, on the South by a line joining Les Terres Point and the Grande Fauconnaire Rock , on the East by a line intersecting the lines referred to above and obtained by extending a line joining the Vale Mill and Mont Crevelt Tower.

“self-discharging cargo vessel” means a vessel capable of discharging or loading its cargo by means of its own machinery or equipment;

and other terms have the same meanings as in the Law.

**APPENDIX 2****Harbour Facilities Charges**

Charges for the use of cranes, ramps and grabs-

Charges shall be payable in accordance with such of scales A, B or C below as the Board may, in its absolute discretion, in any particular case determine.

**Scale A: Tonnage or Vehicle Rate**

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
(a) At the Harbour of St Peter Port, all goods other than vehicles and hydrocarbon oils or gas in bulk	£5.62 per metric ton or part thereof	£5.84 per metric ton or part thereof
(b) At the Harbour of St Sampson's, all goods other than vehicles and hydrocarbon oils or gas in bulk	£5.59 per metric ton or part thereof	£5.80 per metric ton or part thereof
(c) Accompanied private vehicles	£ 8.33 per vehicle	£ 8.65 per vehicle
(d) Commercial vehicles	£11.75 per vehicle	£12.21 per vehicle
(e) Unaccompanied private vehicles	£11.75 per vehicle	£12.21 per vehicle
(f) Trade vehicles	£12.82 per vehicle	£13.32 per vehicle
(g) Private Caravans	£ 6.25 per caravan	£ 6.49 per caravan
(h) Private Trailers	£ 2.08 per trailer	£ 2.16 per trailer
(i) Private Motorcycles	£ 2.08 per motorcycle	£ 2.16 per motorcycle

**Calculation of charges under Scale A**

In calculating the amount of any charges payable under this Scale:

- (a) goods carried in or on a vehicle, other than the personal effects or baggage of the driver thereof or a passenger therein or thereon, shall be charged in addition to the charges in respect of the vehicle;
- (b) a trade or commercial trailer, whether accompanied by a prime mover or any other towing vehicle, shall be charged separately as a commercial vehicle;
- (c) an articulated vehicle shall be charged as one vehicle;
- (d) where any goods are landed or embarked in a container specially designed or adapted for the conveyance of goods the charges under this Scale shall not be chargeable in respect of any such container but shall be charged only on the goods forming the contents thereof.

**Interpretation of Scale A**

In this Scale:-

“trade vehicle” means any private vehicle which, in the opinion of the Board, is intended for use as a hired vehicle or is a new vehicle and includes a hired vehicle being returned to the United Kingdom;

“commercial vehicle” means any vehicle which, in the opinion of the Board, is designed or constructed for use, wholly or mainly, for the carriage of goods or for the carriage of passengers for hire or reward;

“private vehicle” means any vehicle which, in the opinion of the Board, is designed or constructed for use, wholly or mainly, for social, domestic or pleasure purposes.

“private caravan” means any caravan which, in the opinion of the Board, is designed or constructed for use, wholly or mainly, for social, domestic or pleasure purposes.

“private trailer” means any trailer which, in the opinion of the Board, is designed or constructed for use, wholly or mainly, for social, domestic or pleasure purposes.

“private motorcycle” means any motorcycle which, in the opinion of the Board, is designed or constructed for use, wholly or mainly, for social, domestic or pleasure purposes.

**Scale B: Hourly Rate**

COMMERCIAL RATES for loading/discharging vessels where Scale A is inapplicable and for multiple boat lifts.

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)
(a) Portal cranes	£21.18 per half hour or part thereof	£22.01 per half hour or part thereof
(b) Mobile cranes	£28.91 per half hour or part thereof	£30.04 per half hour or part thereof
(c) Derrick cranes	£32.19 per half hour or part thereof	£33.45 per half hour or part thereof
(d) Sand, aggregate, coal or such other bulk cargo as the Board may, in its absolute discretion determine, loaded or unloaded by grab	£81.71 per half hour or part thereof	£84.90 per half hour or part thereof

PROVIDED that under this Scale a MINIMUM period of ONE HALF HOUR shall be charged and, subsequent to the first ½ hour, charges shall thereafter accrue for each ½ hour or part thereof.

**Scale C: Facility Rate**

FACILITY RATES where Scales A or B are not applicable:-

	CURRENT RATE (from 01.01.2000)	PROPOSED RATE (from 01.01.2001)	
FACILITY			
(a) PORTAL CRANE	£21.18	£22.01	per half
(b) MOBILE CRANE	£28.91	£30.04	hour or
(c) DERRICK CRANE	£32.19	£33.45	part
(d) RO-RO RAMP	£32.19	£33.45	thereof

PROVIDED that under this scale a MINIMUM period of ONE HALF HOUR shall be charged and, subsequent to the first ½ hour, charges shall thereafter accrue for each ½ hour or part thereof.

**Calculation of charges under Scales B and C**

FOR THE AVOIDANCE OF DOUBT, in calculating the charges payable under Scales B or C, the Board shall be entitled, in addition to the charges shown under the Scales:-

- in the case of Scale B, where the service is provided outside the normal working day of the port concerned, to charge labour costs at the appropriate rate as advised to the Guernsey Commercial Port Users' Association;

- in the case of Scale C, where the service is provided before 0800 hours, after 1700 hours, on a Saturday, Sunday or public holiday, to charge labour costs at the appropriate rate as advised to the Guernsey Commercial Port Users' Association; and
- where the service is provided by the mobile crane, to charge for any escort required by law to accompany the crane movement.

FOR THE FURTHER AVOIDANCE OF DOUBT, where the service is provided by the mobile crane, the charge time will start from the time the crane leaves its base on the Cambridge Berth. Where the crane is used to provide several services at the same venue the Board will charge each hirer a proportion of the crane's travelling time which appears to the Board, in its absolute discretion, to be just and equitable in any particular case.

**APPENDIX 3****Harbour Quay Space Charges**

## LO/LO

Category	CURRENT RATE per day (from 01.01.2000)	PROPOSED RATE per day (from 01.01.2001)
(a) <10m flats, containers or equipment	£ 5.00	£ 5.20
(b) >10m flats, containers or equipment	£10.00	£10.39

## RO/RO

(c) <10m Trailers	£ 5.00	£ 5.20
(d) >10m Trailers	£10.00	£10.39
(e) Commercial Vehicles	£ 5.00	£ 5.20
(f) Private vehicles	£ 5.00	£ 5.20

## MISCELLANEOUS

Loose goods, bulk cargo, items not included in (a) to (f) above per Square metre	£ 5.00	£ 5.20
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**Calculation of charges under Appendix 3**

In calculating the amount of any charges payable under this Appendix the following conditions shall be used:-

Periods and items to be allowed to remain without charge:-

**Inbound**

- (a) All inbound cargo and items arriving holding or containing inbound cargo, but excluding vehicles for trade and unaccompanied vehicles, excepting those directly in connection with an arriving passenger:

1 working day (excluding the day of arrival).

**Outbound and All Other Items**

- (b) Empty trailers, flats, containers and cargo for bulk carriers (all other freight):

1 working day (excluding day of departure).

- (c) All vehicles

1 working day

All items not meeting criteria (a to c) above are subject to charges as set out in Appendix 3.

A working day is Monday to Friday (inclusive) 0800 to 1700 hours

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**[N.B. The States Advisory and Finance Committee supports the proposals.]**

The States are asked to decide:—

IX.— Whether, after consideration of the Report dated the 8th September, 2000, of the States Board of Administration, they are of opinion:-

1. To approve the rates and changes to the Harbour Dues and Facilities Charges and to the interpretation of cruise vessels as detailed in the Appendices to that Report with effect from the 1st January, 2001.
2. To authorise the States Board of Administration to alter the charges annually without reference to the States of Deliberation providing that no changes are made to the interpretations as set out in the Schedule of Charges and that the increase does not exceed the annual GRPI of June of the preceding year.
3. (1) That the definitions of “act of trade” and “roadstead” contained in the Harbour Dues (St. Peter Port and St. Sampson) Law, 1957, shall be amended as set out in that Report.
- (2) To direct the preparation of such legislation as may be necessary to give effect to their above decision.



**STATUTORY INSTRUMENTS LAID BEFORE THE STATES****THE LIMITED PARTNERSHIPS (APPLICATION OF AUDIT REQUIREMENTS) REGULATIONS, 2000**

In pursuance of the provisions of section 44(3) of the Limited Partnerships (Guernsey) Law, 1995, I lay before you herewith the Limited Partnerships (Application of Audit Requirements) Regulations, 2000, made by the States Advisory and Finance Committee on the 23rd August, 2000.

**EXPLANATORY NOTE**

These regulations prescribe those classes and descriptions of limited partnership to which the audit requirements of the Limited Partnerships (Guernsey) Law, 1995 apply.

**THE INSIDER DEALING (SECURITIES AND REGULATED MARKETS) (AMENDMENT) ORDER, 2000**

In pursuance of the provisions of section 19(2)(d) of the Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996, I lay before you herewith the Insider Dealing (Securities and Regulated Markets) (Amendment) Order, 2000, made by the States Advisory and Finance Committee on the 23rd August, 2000.

**EXPLANATORY NOTE**

This Order amends the Insider Dealing (Securities and Regulated Markets) Order, 1996 by making certain additions to the Schedule which sets out the regulated markets under which insider dealing is prohibited under the Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996. The list of regulated markets upon which insider dealing may not, under Guernsey law, be committed is thus kept up to date.

DE V. G. CAREY  
Bailiff and President of the States

The Royal Court House,  
Guernsey.  
The 6th October, 2000.

## APPENDIX

### STATES ADVISORY AND FINANCE COMMITTEE

#### 2000 REVENUE EXPENDITURE, CAPITAL PROJECTS AND ASSET PURCHASE FUND

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

19th September, 2000.

Sir,

#### 2000 REVENUE EXPENDITURE, CAPITAL PROJECTS AND ASSET PURCHASE FUND

The financial procedures approved by the States in 1991 (Billet d'État VIII, April 1991), 1993 (Billet d'État XXIV, December 1993), 1995 (Billet d'État XV, July 1995) and 1998 (Billet d'État XIV, July 1998) require the Advisory and Finance Committee to report in an appendix to the October Billet d'État on the use of the delegated powers conferred on it to approve:

- (a) Increases in General Revenue operating costs;
- (b) Capital projects (straightforward replacements and projects under £100,000);
- (c) Use of Asset Purchase Fund.

The Committee has approved no further increases in revenue budgets since those reported in Billet d'État XV, July 2000.

The following item has been approved for acquisition using the Asset Purchase Fund since the previous report brought to the States on these matters in July 2000 (Billet d'État XV).

£

#### Board of Administration

Waste Services Bulldozer

45,300

The following capital projects have been approved by the Committee since those reported in Billet d'État XV, July 2000.

	£
<b><u>Board of Administration</u></b>	
Alderney Airport	
LITAS/APAPI units - replacement	39,300
Customs and Immigration	
Car hall roller doors - replacement	22,594
Surveillance equipment	42,000
Refuse Disposal and Land Reclamation	
Romains Quarry - Leachate pumping station	25,428
<b><u>Board of Health</u></b>	
Acute Hospital Services	
Medical Equipment - replacement	
Anaesthetic machines	59,250
Cardiology equipment	33,000
Chemical analyser	48,000
Endoscopy services equipment	92,000
Tissue processor	17,650
Premises	
Pharmacy - Temporary decant arrangements/asbestos removal	81,888
Central Services	
Nurse Education Centre relocation	99,825
Vehicles - replacement	
Diesel minibus	27,922
Diesel van	9,798
High Roof van	16,163
<b><u>Education Council</u></b>	
ICT Strategy	
Electrical improvements - Contract 1 - additional	6,799
Electrical improvements - Contract 3 - additional	7,134
Project management - Limited local area networks	75,000
College of Further Education	
Beauty therapy suite	29,297
<b><u>Committee for Home Affairs</u></b>	
Police	
Office accommodation - additional	27,000
Prison	
A wing - CCTV equipment	5,000
Computer database	20,000
<b><u>Income Tax Authority</u></b>	
Statistical information database	99,050
<b><u>Island Development Committee</u></b>	
Application processing system - replacement	98,950

Public Thoroughfares Committee

Robergerie Road - Foul water drainage

£

35,037

Board of Administration - Ports

Airport

Breathing apparatus compressor - replacement

14,420

I would be grateful if you would arrange for the publication of this letter as an Appendix to the Billet d'État for the October States meeting.

I am, Sir,

Your obedient Servant,

L. C. MORGAN

President,

Advisory and Finance Committee.