



BILLET D'ÉTAT

XXV
2000

WEDNESDAY, 13th December, 2000

1. The Drug Trafficking (Bailiwick of Guernsey) Law, 2000 (Commencement) Ordinance, 2000, p. 1417.
2. The Drug Trafficking (Bailiwick of Guernsey) Law (Designated Countries and Territories) Ordinance, 2000, p. 1417.
3. The Drug Trafficking (Bailiwick of Guernsey) Law (Enforcement of External Forfeiture Orders) Ordinance, 2000, p. 1417.
4. The Liquor Licensing (Christmas Eve and New Year's Eve) Ordinance, 2000, p. 1417.
5. States Broadcasting Committee – New Member, p. 1417.
6. States Board of Administration – Extension and Refurbishment of the Courts, p. 1418.
7. States Agriculture and Countryside Board – Review of Cull Cattle Compensation, p. 1496.

Statutory Instrument laid before the States

The Rabies (Amendment) (No. 3) Order. p. 1500.

B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

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 **13th December, 2000**, immediately after the Special Meeting to be convened for that day.

**THE DRUG TRAFFICKING (BAILIWICK OF GUERNSEY) LAW, 2000
(COMMENCEMENT) ORDINANCE, 2000**

The States are asked to decide:-

I.—Whether they are of opinion to approve the draft Ordinance entitled “The Drug Trafficking (Bailiwick of Guernsey) Law, 2000 (Commencement) Ordinance, 2000”, and to direct that the same shall have effect as an Ordinance of the States.

THE DRUG TRAFFICKING (BAILIWICK OF GUERNSEY) LAW (DESIGNATED COUNTRIES AND TERRITORIES) ORDINANCE, 2000

The States are asked to decide:-

II.—Whether they are of opinion to approve the draft Ordinance entitled “The Drug Trafficking (Bailiwick of Guernsey) Law (Designated Countries and Territories) Ordinance, 2000”, and to direct that the same shall have effect as an Ordinance of the States.

**THE DRUG TRAFFICKING (BAILIWICK OF GUERNSEY) LAW
(ENFORCEMENT OF EXTERNAL FORFEITURE ORDERS) ORDINANCE, 2000**

The States are asked to decide:-

III.—Whether they are of opinion to approve the draft Ordinance entitled “The Drug Trafficking (Bailiwick of Guernsey) Law (Enforcement of External Forfeiture Orders) Ordinance, 2000”, and to direct that the same shall have effect as an Ordinance of the States.

**THE LIQUOR LICENSING (CHRISTMAS EVE AND NEW YEAR’S EVE)
ORDINANCE, 2000**

The States are asked to decide:-

IV.—Whether they are of opinion to approve the draft Ordinance entitled “The Liquor Licensing (Christmas Eve and New Year’s Eve) Ordinance, 2000”, and to direct that the same shall have effect as an Ordinance of the States.

STATES BROADCASTING COMMITTEE

NEW MEMBER

The States are asked:—

V.— To elect a sitting member of the States as a member of the States Broadcasting Committee to complete the unexpired portion of the term of office of Deputy P. A. C. Falla, who has resigned as a member of that Committee, namely, to the 31st May, 2002.

STATES BOARD OF ADMINISTRATION

EXTENSION AND REFURBISHMENT OF THE COURTS

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

8th November, 2000

Sir

EXTENSION AND REFURBISHMENT OF THE COURTS

1 Executive Summary

This report gives details of the various court Options considered during the resumed consultation period following the States meeting held on 23 February 2000 (Billet d'Etat, IV, 2000), when the Board's report of 10 January 2000 was considered.

For reasons given hereinafter, the Board recommends the States to give approval in principle to the planned redevelopment of the Royal Court on the basis of Option 1 as described in this report. The reasons include principally the need to meet the requirements of court users, including staff and the public, for the foreseeable future. Security issues and the need to progress the necessary development without further delay are of vital importance.

The majority of those parties involved in the renewed consultation process consider Option 1 to be the preferred scheme.

2 Background

In its report of 10 January 2000, the Board sought approval in principle for the refurbishment of the courts and the extension of the existing complex onto the old prison site. The report highlighted the urgent need for new facilities as the current court accommodation falls far short of modern standards. It was emphasised that the need for an extension was acknowledged many years ago. Moreover, it was explained that the increasing workload of the courts, associated with the Island's expanding finance sector and growth in litigation in particular, has exceeded all predictions and dictates that additional accommodation must be made available (**see Appendix A**).

Prior to the publication of its detailed report, the Board had engaged in wide-ranging consultations. It had been clear to the Board from the outset that this would be a complex project with limited site options, and many conflicting issues. The Board had hoped to propose a scheme that would provide essential accommodation for the courts and take account of vital security issues whilst at the same time retaining as many of those buildings on the old prison site as possible. However, for the reasons outlined in its report, the Board recommended Option 1, which required the demolition of all the buildings on the old prison site.

The Board considers that neither the need nor urgency of this matter is in any doubt. The States in February 2000 recognised that a scheme was required to overcome existing shortcomings and to provide for the future. Indeed, having considered the Board's report, the States on 23 February 2000 resolved as follows:

"1. To approve in principle the use of the old prison site for the redevelopment of the Royal Court, subject to the Board of Administration resuming discussion on proposals for the development with the States Heritage Committee, the Island Development Committee and the States Traffic Committee in order to resolve those matters within their respective mandates before any other action is taken, and subject in particular to:

- *the Board of Administration undertaking such designs, investigations and surveys as are essential to those Committees in respect of the redevelopment of the Royal Court, employing such consultants as may be necessary to achieve this;*
- *the Heritage Committee considering any application to demolish any registered building or structure;*
- *the Board of Administration, in co-operation with the Island Development Committee, investigating the implications of using adjacent privately owned land and also, within the site, the possible use of part of the land for private purposes;"*

The States recognising that time was of the essence further resolved as follows: *"2. To direct the States Board of Administration, in the event that the matters referred to in Resolution 1 are not resolved between the States Committees therein mentioned within six months, to refer the whole issue back to the States as soon as possible after the expiration of that period."* Immediately after the States resolution, the Board embarked on the consultation process with the specified Committees with a view to agreeing a scheme that would reconcile the interests of the several Committees involved.

The Board regrets the delay in returning to the States on this subject. This has been due to further attempts after the stipulated six months period to resolve outstanding issues with involved Committees in the hope that agreement would have been reached.

3 The Six Months Review

The six months 'review' involved the formation of two cross-committee working parties, at both staff and political level. The working party involving States Members and court users met under the chairmanship of Mr Peter Morgan, formerly a senior member of the States. The Working Party is most grateful to Mr Morgan for the able way in which he chaired the meetings. The Board retained the consultancy advice of its Courts Architect, Anthony Clerici of Online Architects (a specialist court design firm recommended by the Lord Chancellor's Department), and Quantity Surveyor, Alex Wakefield of Citex Ltd (a specialist in cost advice for court buildings). The afore-named provided advice to the working parties. The Advisory and Finance Committee approved budgetary provision for this additional consultancy advice in the sum of £98,042.00. Commercial estate management and valuation advice was also provided by Martel Maides and Lovell and Partners in the sum of £12,371. However, the real cost of this exercise must also include staff time and administrative support, which produces a much higher figure. Regular formal discussions were supplemented by drawings of alternative options, the production of a block model, cost advice, and input from the court users, the Police and Prison Service and other parties.

The working parties necessarily considered in detail: (i) the possible acquisition of private land adjacent to the old prison site, and (ii) the proposed closure of Rue Marguerite (New Street North). These two issues are reviewed in some detail later in this report.

The deliberations of the working parties during the review period again highlighted the many issues associated with this project and their complex inter-relationship. Of particular note were the different weighted priorities that each party attached to the issues under consideration, often reflecting individual Committee mandates. There was a genuine desire for consensus and the need, if at all possible, to resolve satisfactorily all the outstanding issues. The question then remained as to the degree of compromise required and exactly where compromise could and should be made. For its part, the Board has been concerned to guarantee throughout that the reasonable needs of the court users, who ensure the due administration of justice in the Island, and key issues such as security, should not be compromised.

4 Decisions Taken by the Cross-Committee Working Party

It was confirmed that the redevelopment of the courts should be on a single, integrated site. Furthermore, the Schedule of Requirements which listed floor space needs for the various user groups was confirmed (**see Appendix B**). It was also agreed that the building should be designed to achieve the 'high level' category of security.

It was recorded at the penultimate meeting of the political level cross-committee working party held on 21 August 2000 that, in view of the failure to agree an acceptable price in negotiations for the Bonamy House land (see Section 8): *"All Members agreed that the presentation should therefore proceed on the basis of Options 1 and 3 only."* The presentation referred to above relates to that given during the meeting held on 21 August 2000.

5 Comparison of Options

It is the Board's view that, whatever Option is chosen, the integrated complex should be of high quality in terms of both design and specification. It must reflect the importance and status of the Island's courts and parliamentary debating chamber. It must be a landmark building of which the people of Guernsey can be proud.

In order that Members of the States can give proper and full consideration to the Board's proposals it is important to consider the following which are detailed in the chart below:

Key Features - given the complexity of the project, it is important to note the key features of the various Options that have been considered.

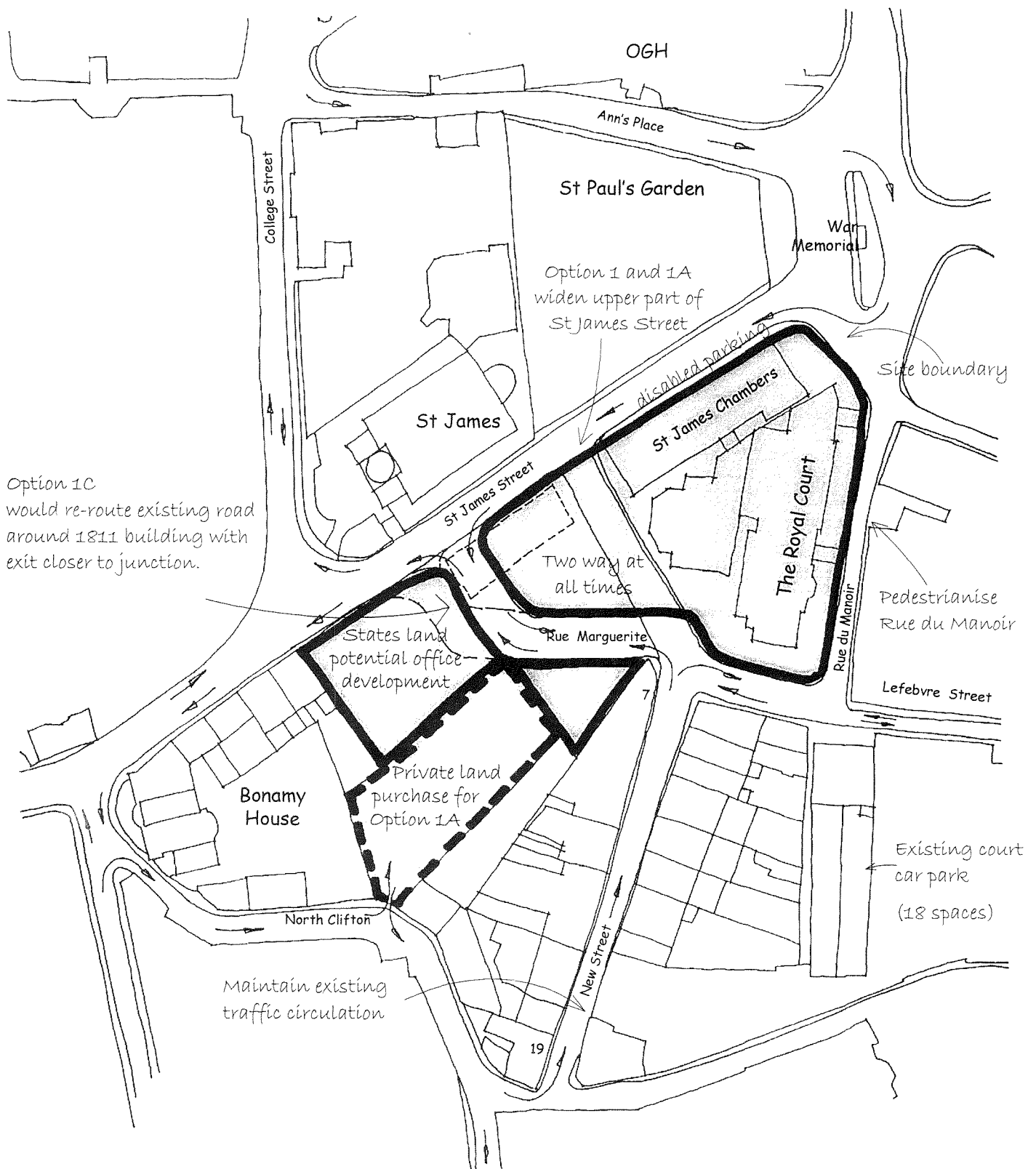
Costs - the costs of the Options incorporate advice received from Lovell and Partners with regard to the possible revenue to be generated by letting office space in surplus accommodation which could be provided under various Options.

Drawings - outline drawings showing Option 1 and its variants, and Option 3 and its variants, are shown below. Further drawings of the individual Options are appended to this report (**see Appendix B**).

Large scale colour drawings of each Option, showing each level within the building, will be lodged at the Greffe for the information of States Members. A 3D block model will also be on display.

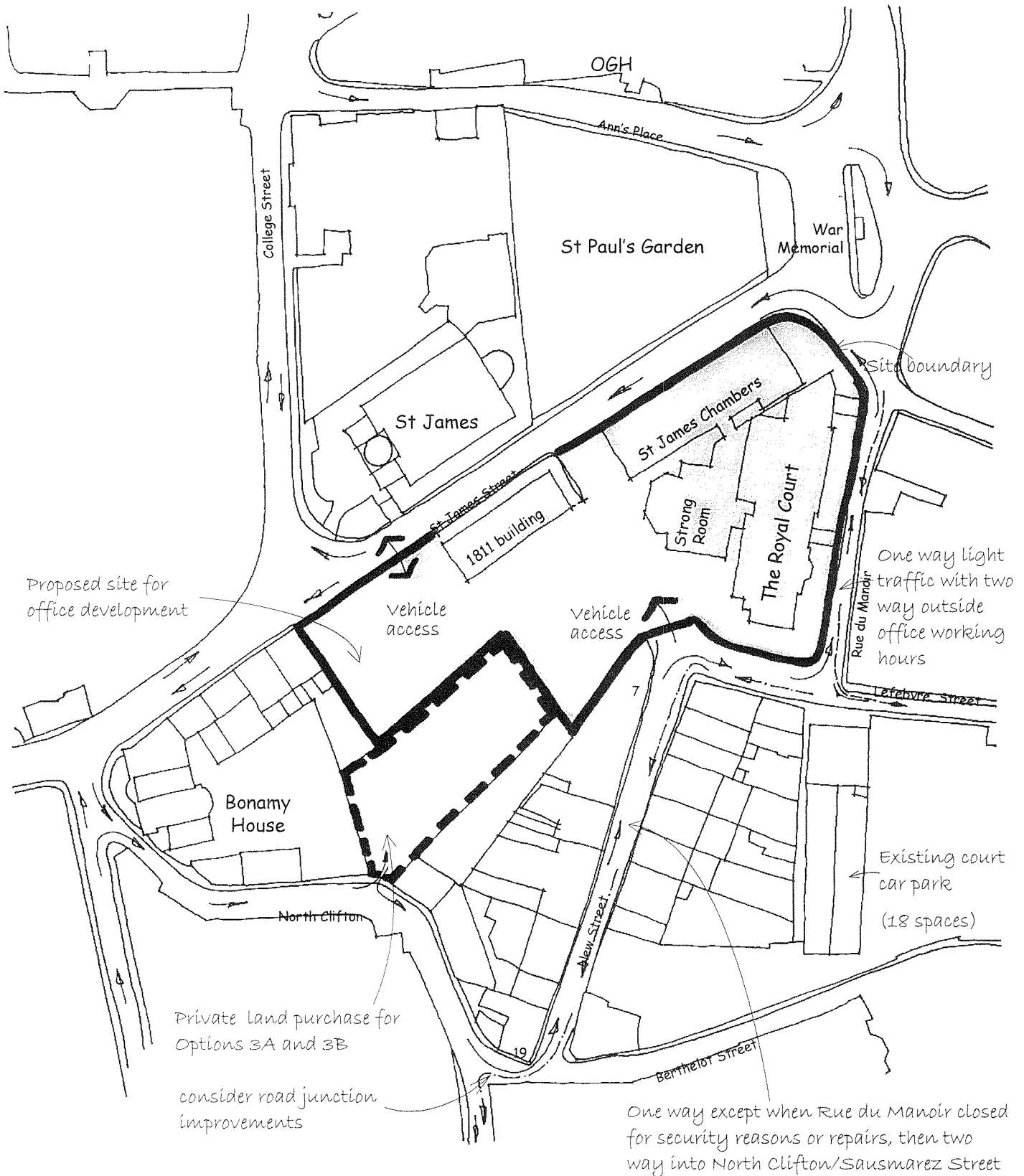
Comparison of Options

Item	Option 1 Preferred Option	Option 1A	Option 1C	Option 3	Option 3A	Option 3B
Completion Dates	Spring 2005	Spring 2005	Winter 2006/2007	Spring 2005	Spring 2005	Spring 2005
Design	Island Site	Island Site	Island Site	Adjoins Properties	Adjoins Properties	Adjoins Properties
Security	Easily Managed Security	Easily Managed Security	Easily Managed Security	Significant Security Issues	Significant Security Issues	Significant Security Issues
Land Purchase Needed	No	Yes	No	No	Yes	Yes
Traffic	Road Re-routed	Road Re-routed	Road re-routed	Road Closed	Road Closed	Road Closed
Secure Parking	39 spaces	39 spaces	20 spaces	21 spaces	38 Spaces	29 spaces
Area of Newly Built Courts	3,400sqm	3,400sqm	4,700sqm	3,600sqm	3,500sqm	4,100sqm
Area of Refurbishment (Royal Court)	2,600sqm	2,600sqm	1,800sqm	2,600sqm	2,600sqm	2,600sqm
1811 Building Refurbishment	N/A	N/A	400sqm	400sqm	400sqm	400sqm
Total Area	6,910sqm	6,910sqm	7,410sqm	7,190sqm	7,490sqm	7,750sqm
COURTS COSTS - £ million						
Capital Cost of Courts	£16.160m	£16.160m	£18.690m	£16.640m	£16.830m	£18.270m
OFFICES COSTS - £ million						
Capital Cost of Offices (incl land purchase if applicable)	£5.540m	£8.640m	£3.570m	£2.060m	£4.440m	£3.850m
Courts and Offices Cost	£21.700m	£24.800m	£22.260m	£18.700m	£21.270m	£22.120m
Potential Office Rental	£590,000 pa	£840,000 pa	£360,000 pa	£230,000 pa	£460,000 pa	£290,000 pa
Net Profit/Loss of Office Development	£2.320m	£3.310m	£1.240m	£1.020m	£1.740m	(£0.290m)
NET DEVELOPMENT COST FOR COURTS - £ million						
Net Development Cost - Courts	£13.840m	£12.850m	£17.450m	£15.620m	£15.090m	£18.560m



OPTIONS 1, 1A and 1C

- Re-route Rue Marguerite
- Retains The Royal Court, Strong Room and St James Chambers
- Demolishes the Old Prison (Option 1C retains 1811 cell block)
- Creates an island site for The Royal Court and its extension
- Good access for emergency vehicles; preferred security arrangement



OPTIONS 3, 3A and 3B

- Close Rue Marguerite
- Retains all of The Royal Court and the 1811 building
- Demolish all scheduled buildings within the Old Prison save the 1811 building
- Security implications where courts abut adjacent private land
- Emergency vehicle access limited

6 Court Accommodation – Requirements and Fundamental Criteria

It is important at this stage to revisit the basics of the scheme. The original brief was developed through extensive user consultations. Users' views on existing accommodation together with projected growth and business aims were combined with design information from the 'Crown & County Courts Standards and Design Guide' published by the Court Service to create the Schedule of Requirements (SOR). During the six months review period, the original project brief and fundamental criteria were re-examined and discussions proceeded on the basis of court requirements outlined previously. The scheme design and the application of these standards formed the basis for costing the proposals.

More details in respect of fundamental criteria are given under **Appendix B**.

7 Court Accommodation – the Priorities

Proposals for new court accommodation are timely inasmuch as new legislation, for example the incorporation into local law of the European Convention on Human Rights, may have a bearing in the future regarding facilities required for court activities. Certainly, existing facilities are inadequate for present needs.

The States' priority in agreeing proposals for new court accommodation must be to meet the needs of all court users, including the following:

Those Served by the Court Buildings

- General public, including parties in civil cases, defendants, witnesses and disabled persons
- States Members
- Visiting dignitaries
- Media

Those Providing Services in the Court Buildings

- Judiciary (Bailiff, Deputy Bailiff, Magistrate and exceptionally Judges of the Court of Appeal)
- Jurats
- Law Officers of the Crown
- HM Greffier
- HM Sheriff
- HM Sergeant
- Probation Service
- Prison Service
- Police
- Victim Support
- The Guernsey Bar

[Note: The Cadastre, which is currently accommodated in Smith Street, has not been included in the schemes in this report. However, consideration is being given to the possible inclusion of the Cadastre.]

Consideration must be given to overcoming existing shortcomings and to anticipating future needs in terms of natural growth of activities resulting from a more complex litigious society and less law abiding community, as well as legislative changes.

Security is a fundamental issue because of the nature of business being carried out, the vulnerability of some of those who must attend court or work in the courts and States Members visiting and working in the building. It is clear that a wide spectrum of users must be accommodated in the complex – from children attending family hearings and VIP's attending States functions, to those facing trial for serious crimes. The most vulnerable users do not have a convenient platform for voicing their need for secure modern facilities, but their needs must be met. Similarly, the court users themselves do not have a voice in this regard. The Board has a duty to properly reflect their reasonable needs within its proposals.

It is acknowledged that other matters including planning considerations, heritage and traffic issues must also be considered. However, the fundamental purposes and essential requirements of the scheme must not be significantly compromised. In particular **security must not be jeopardised**. Whilst they must not be exaggerated neither must there be complacency. The aim is to build a court complex that is inherently more secure than at present and to allow for the addition of other security measures (e.g. screening machines) in the future, if needed. Security can only become more important and a building with inherent defects in terms of security should not be provided.

In formulating its recommendations, the Board has had to resolve priorities with the above crucial factors in mind. The courts serve the Island as a whole, in terms of law and order, resolution of family disputes and commerce and industry. The courts are an expression of the Island's stability and security, reflecting a community where high regard is paid to the rule of law.

The Board's responsibility therefore is to provide a building in which the crucial judicial, political and administrative functions can be carried out effectively for the foreseeable future.

8 Acquisition of Adjacent Privately Owned Land

Resolution 1 of 23 February 2000 (see above) directed the Board to investigate the redevelopment of the old prison site in co-operation with other specified Committees and included a provision requiring the Board together with the Island Development Committee to consider the use of adjoining properties in private ownership.

The Board considered the acquisition and use of part or whole of the under-mentioned properties:

7 New Street

Reference was made in the Board's previous report to the possible acquisition of a small portion of 7 New Street in order to effect the road realignment required under Option 1. The Board has written to the owners of 7 New Street during the review period. No commitment has been entered into by either party at this stage. Should the States approve Option 1, then it is envisaged that discussions could recommence but it should be stressed that the acquisition of a small area of land whilst convenient would not be essential.

19 New Street and 4 North Clifton

The Board wrote to the owner of 19 New Street and 4 North Clifton (the former Red Cross building) with regard to the possible acquisition of these premises in order to effect junction improvements (by road widening) to facilitate a two-way traffic scheme in New Street proposed under Option 3. However, negotiations proved difficult and were constrained by live planning applications.

During investigations, it was suggested that temporary arrangements (e.g. signage and restrictions) could provide an adequate solution at this junction when two-way traffic in New Street is required. However, if two-way traffic in New Street is required under Options 3, 3A or 3B then it may be considered essential to purchase the above premises in order to carry out junction widening works. There is no certainty that the premises will be offered for sale. The cost could be as high as several hundred thousand pounds.

Land Behind Bonamy House

The acquisition of land behind Bonamy House, adjacent to the old prison site, would offer potential benefits to the project. Indeed, investigations showed that while Options 1, 1C and 3 could be developed without this land, the additional area would create the potential to provide improved court development with financial advantages.

For this reason, and in order to satisfy Island Development Committee and Heritage Committee views, the political level working party directed the Board to commence formal negotiations. It should be emphasised that while it would be in the long-term interest of the States to acquire this land, it is not needed under Option 1, which would provide surplus land. However, Option 3A and Option 3B are dependent on the acquisition of the Bonamy House land.

Two leading, professional valuers (Lovell and Partners and Martel Maides) were instructed to advise the States. Meetings were held between Board staff, the valuers acting on its behalf, the valuer acting for the owners of the land, and with the owners. The results of these negotiations were reported back at staff and political level and reports prepared. The Board's advisors, acting under professional guidelines laid down by the Royal Institute of Chartered Surveyors and having the benefit of development plans for each of the Options, originally valued the target land at £555,000. Based on further information provided by its advisors, and in an effort to obtain that land, the Board offered the higher sum of £650,000 to the

owners, this being almost £100,000 in excess of the valuation received. This offer was rejected. The Board was informed by the valuer acting for the owners that £1.3 million was required by his clients in order to secure a sale. This figure was subsequently reduced to £975,000 following further discussions with the Board's valuers.

The political level working party was advised that valuations had been complicated by the fact that the land has no planning permission for development. However, the valuation had taken account of the development value of the land according to development proposals put forward by the Board. Under its present zoning and without planning permission, the garden area has been valued at a mere £20,000. At the political level meeting held on 21 August 2000, it was agreed that, as negotiations on Bonamy House gardens had not been satisfactorily concluded within the stipulated time limit, the evaluation of options should take place focussing on Options 1 and 3 alone (schemes that do not incorporate private land). Section 4 herein refers. Subsequently, both the Island Development Committee and the States Heritage Committee expressed their wish for a resumption of negotiations for the acquisition of the Bonamy House target land. The Board continued negotiations, although by the final meeting of 15 September 2000, agreement on a value for the land had still not been reached with the owners. The Board then sought the views of the Advisory and Finance Committee as to any further action that might reasonably be taken. The Committee advised that the Board should not offer a sum above that previously offered, i.e. £650,000. Negotiations could therefore be considered to have come to an end. This effectively removed Options 1A, 3A and 3B from the list of schemes under consideration, as each involved development on the Bonamy House gardens.

Importantly, if the States approves Option 1, the acquisition of the Bonamy House land at some point in the future could still offer benefits but its acquisition is not essential to Option 1 and the land should only be acquired if offered at an acceptable price.

9 Traffic Issues

The States Traffic Committee has indicated that it could implement whatever measures are needed as a consequence of the chosen scheme. Although it is understood that both Option 1 and Option 3 (and their variants) would involve legal procedures to effect a road closure, the particular issues associated with each Option vary substantially. The staff level working party consulted with the Constables and Douzaine of St Peter Port, who provided the following comments in their letter of 11 August 2000:

***"Option 1 is the Douzaine's preference, though not unanimously...It is believed it will provide more options for traffic flow, pedestrianised areas, the servicing of Town shops, commuter access to existing car parks, and will not reduce public parking to the same extent as the other options ...any development excluding the realignment of the road (New Street extension) will have a greater ripple effect on the town traffic generally."** See Appendix C for the full contents of this letter.*

The Guernsey Police also offered comments with regard to traffic issues. Their letter of 10 July 2000 stated:

“My preference for Option 1 is based on two main factors The access for the cell vehicles in Option 1 is onto St James’ Street not far from the junction with College Street. This will permit rapid exit (and with traffic control entrance) thus minimising the opportunity for attack or obstruction when the cell vehicle leaves or returns.” See also Appendix C.

The road traffic issues may be summarised as follows:

Option 1 and its variants involve a re-routed road that maintains existing circulation patterns and provides for a substantially pedestrianised Rue du Manoir. It also allows for a wider road (7.5m) than that which exists at present, thereby improving access to Le Febvre Street and New Street. While the gradient is greater than that which would normally be recommended, the States Traffic Committee has said that it would support this proposal.

Option 3 and its variants require the closure of Rue Marguerite (New Street North), without the provision of a new, alternative road. Significant changes to traffic circulation would be required. The substantial pedestrianisation of Rue du Manoir would not be possible. There would be one-way traffic during office hours and two-way traffic at other times. When Rue du Manoir is closed for court security reasons or repairs, all traffic accessing New Street and Lefebvre Street will not be able to use the one-way system. Temporary arrangements would be required, necessitating two-way traffic along New Street and around the very difficult junction with North Clifton and Berthelot Street (see Section 8 regarding the possible need to purchase premises in this regard). Traffic would then be directed along Sausmarez Street to College Street. The changes could include the removal of pavements to provide for two-way traffic. Residents and other occupiers in New Street would then walk from their entrances onto a road surface. The Board considers that these changes would be unacceptable to the majority of interested parties, including property owners, residents and businesses that would be directly and indirectly inconvenienced by the loss of Rue Marguerite.

The Board concluded that Option 1 would be far less disruptive than Option 3 for traffic in the area. It would assist rather than hinder circulation and access, including emergency vehicle access. The Board also considered that given reactions during the review period, and the alternatives open to the States, that the road closure was not at all likely to be well received.

10 Rue Marguerite Road Closure – Legal Considerations

The Law Officers have advised that should the States resolve to pursue an Option which would necessitate the permanent closure of Rue Marguerite as a public highway then that road closure should be achieved by legislation. The Law Officers have advised that the current statutory procedure which would entail an application being made to the Royal Court would be inappropriate having regard to the involvement of the Bailiff and Jurats as court users interested in the outcome of any application to the court.

The Board acknowledges the clear reasoning of the advice given by the Law Officers and agrees that any necessary road closure should be achieved by legislation. The legislation would require that Rue Marguerite would not be closed until a date appointed by the Public Thoroughfares Committee when the re-routed roadway is fit to be used as a public highway.

11 Option 1 – the Recommended Option

While the Board regrets the requirement that the 1811 building be demolished under this scheme, it is firmly of the view that this is the best scheme.

The Board arrived at Option 1 as its recommended Option, having taken into account findings during the six months review period. This has included specialist advice, the views of third party professionals such as the Police, and court users. This Option was recommended to the States in February 2000, and findings since that time support and confirm the Board's original recommendation. However, neither the Island Development Committee nor the Heritage Committee support this recommendation.

The benefits of Option 1 are detailed below.

- Single Integrated Site
- Continuity of Operations
- Island Site for Optimum Security
- Lowest Net Cost Compared With Option 3
- Maintains Traffic Flow
- Quality Accommodation with Good Segregation and Simple Circulation
- Future Flexibility
- States Owned Surplus Land for Office Development

Option 1 re-routes Rue Marguerite (New Street North) in order to create space for the extension and provides a single, secure site that integrates the new accommodation with the existing Royal Court. Surplus land is released for additional office development, which allows for the future expansion of administrative and civil court areas. Furthermore, Option 1 ensures continuity of court operations during construction.

This option requires the demolition of all the buildings and walls on the old prison site. However, it achieves a crucial aim of shifting criminal court operations to the extension, so enabling the existing Royal Court building to have a viable long-term future for civil court work. It also allows flexibility for the re-configuration of the States debating chamber if required and scope for additional facilities for States Members. The above-mentioned functions will be greatly improved following the removal of criminal court proceedings with their associated higher level security requirements to the new extension.

Option 1 will require permission from the Heritage Committee for the demolition of all registered buildings and walls on the old prison site and for alterations to the

Royal Court. Other Options require less extensive permissions. However, the new extension will incorporate elements preserved from the old prison, including the dressed granite, openings and other features. In particular, the Board has directed the architect to incorporate the façade of the 1811 building into the new concourse. Mr Clerici considers that the façade can be incorporated as an integral historical feature in a modern courts concourse. It will serve as an on site tangible reference to Guernsey's Georgian penal system.

The States has it in its power to ensure that the new building will be a major addition and enhancement to this part of St Peter Port. Its presence will be an expression of the importance of the administration of justice and rule of law in the Bailiwick. Care will be taken to preserve the appearance of the Royal Court frontage by creating a new and separate main court entrance off St James Street. The design will ensure that the new extension will not dominate the skyline but will sit within the existing roofscape below that of Elizabeth College and the St James Concert and Assembly Hall.

The road layout will ensure a significant reduction in traffic along Rue du Manoir. All vehicles can be prohibited during working hours. The substantial pedestrianisation of the Royal Court frontage, with suitable paving, will enhance its civic qualities and reduce traffic noise levels and pollution in this sensitive area. Option 1 will also provide for the widening of St James Street.

The layout under Option 1 offers optimum functional relationships for all users in an efficient design with simple internal circulation. Segregated areas for the judiciary, public and defendants have been arranged together with the provision of new accommodation for groups such as Victim Support, and an Official Receiver. The office accommodation for H M Greffier, H M Sergeant and H M Sheriff would provide necessary scope for anticipated future growth. The Companies Registry could be created as part of the Greffe or independent of it. It will be a substantial improvement on that which exists at present.

The advice of the Chief Officer of Police has been sought on the important issue of security – an issue that should not be compromised (**see Appendix D**). The island site with its clearly observable perimeter will provide effective security. The single main entrance will enable all visitors to be monitored and screened if necessary. Secure parking for vehicles will be provided. Importantly, good access for fire appliances to both the court complex and Lefebvre Street will be provided. However, UK optimum recommendations on custody van access and stand-off distances are not met under any of the Options given site constraints that prevail.

Importantly, this option does not rely on the acquisition of private land (i.e. the Bonamy House garden).

12 Costs for Option 1

The estimated capital cost for the extension, including refurbishment of the existing building, amounts to approximately £16,160,000. This estimate is at current prices and therefore subject to inflationary increases. The figure includes a risk allowance (an evaluation of likely abnormal costs) and professional fees.

Option 1 will allow for the development of office accommodation on remaining parts of the site, i.e on land surplus to initial court requirements. This accommodation can be constructed at a baseline cost of around £4,670,000 and provides approximately 20,000 square feet of accommodation (net area) - to let in two blocks. When inflation allowances, professional fees (13%) and Letting Agents fees are added, this figure amounts to £5,540,000. A development budget prepared by Lovell and Partners identifies a net profit for this development in the region of £2,320,000 (based over 21 years). An annual rental of £590,000 can be expected. It is the view of the Board that it would make sense to retain such accommodation in States ownership in this important civic area.

It is important to note that the construction of additional office space on surplus land, to be let to potential private tenants, is not necessarily required immediately under Option 1, nor under any of the other Options save 1C which would require office accommodation for the Law Officers at the outset of the project, since a substantial part of St James Chambers would have to be demolished.

The availability of surplus land will provide for future flexibility in the administration and functioning of the courts. The timing and exact nature of any such office accommodation development will need to be investigated in more detail, including consideration of planning issues.

All the above figures are at feasibility stage and are therefore subject to a margin of error consistent with this level of investigation. More detailed costings will be provided as the project proceeds to detailed design.

An estimate of **£3,000,000** has been prepared for enabling works and to bring the project to a recommended tender. For clarity it should be noted that this sum is not in addition to the overall court estimate, as its constituent allowances are incorporated within the allowance of £16,160,000. The enabling works estimate includes an allowance for pre-contract professional fees (including Architectural, Quantity Surveying, Engineering, Project Management and other specialist services), as well as allowances for the careful demolition of the old prison site and re-routing of Rue Marguerite. It is envisaged that these works will be carried out prior to the main extension building contract. It is important to note that the extent of the enabling works is at a very early stage of evaluation and is subject to the defining of the procurement process and design. The overall allowance has increased by £300,000 from that contained in the Board's report of 10 January 2000, when enabling works were shown at £2,700,000. This reflects general adjustments in the estimated figures, inclusion of works for the underground car park and inclusion of pre-contract fees for the office development.

The following is a breakdown of the Option 1 enabling costs:

Demolition of old prison site	£ 350,000
Re-routing of road	£ 450,000
Works to support diverted road & initial works to underground car park	£ 300,000
Archaeological survey	£ 20,000
Condition survey of existing building	£ 20,000
Soil investigation	£ 20,000
Professional fees for all enabling works	£ 140,000
Sub-total for enabling works	£1,300,000
Pre-contract works - professional fees to tender stage for court and office development	£1,700,000
TOTAL	£3,000,000

Note: Future estimated costs for post-contract monitoring - £700k

Professional fees to tender stage for the whole development relate to the whole design team – including architectural, quantity surveying, civil engineering, building services and project management advice. The team will work through detailed design, advise on tender preparation and assessment of tenders. See chart “Capital Cost Comparison of Options” at **Appendix E**, for more information.

13 Other Options Considered

During the six months review, both working parties considered a range of Options, as alternatives to Option 1. Details of these schemes (including variants of Option 1) are shown below.

Option 2 - involves bridging across Rue Marguerite. It was rejected by the Board prior to the publication of its original report due to its inherent weaknesses. Option 2 could not provide a single, integrated site. It was far less cost and manpower efficient and was less satisfactory in terms of security (having more than one entrance and incorporating the use of a bridge with consequent security implications). It was agreed during the six months review period that this scheme should not be resurrected because it did not meet the agreed fundamental criteria. It was therefore rejected.

Options 1 and 3 - the working parties gave detailed consideration to the variants of Option 1 and Option 3. When Options 1 and 3 and their variants were considered the crucial traffic issues inherent in these schemes were evaluated. Options 1 and 3 may for consideration purposes be divided into two site categories:

- Option 1 Rue Marguerite is re-routed
- Option 3 Rue Marguerite is closed

The variants of these basic alternatives rely on land acquisition or additional demolition as follows:

Option 1A	Includes the Bonamy House garden
Option 1C	Assumes demolition of the Royal Court Strong Room and a significant part of the recently refurbished St James Chambers
Option 3A	Includes the Bonamy House garden and would orientate the new courtrooms East - West
Option 3B	Includes the Bonamy House garden and would orientate the new courtrooms North - South

As outlined above, after taking all factors into consideration, including specialist court advice and the views of court users, the Board has rejected these other Options and firmly recommends Option 1. The following factors were deemed to represent the critical issues, and in conjunction with the drawings, are intended to demonstrate how the Board reached its conclusions.

Option 1A - has the same court scheme as Option 1, but requires the purchase of the Bonamy House gardens. This would allow for an improved office development to be let to private tenants. As explained earlier in this report, this Option could not be taken further due to the breakdown in negotiations to acquire the additional land.

Option 1B – this Option attempted to re-route the road and retain the 1811 building, including limited demolition of the Strong Room only (i.e. leaving St James' Chambers). It soon became apparent that such an approach could not provide the accommodation required.

Option 1C - whilst the Board had identified Option 1 as its preferred scheme, supported by investigations and consultations during the review period, neither the States Heritage Committee nor the Island Development Committee had accepted the case for demolition of the 1811 building. For this reason, the Board revisited and developed Option 1C that would realign the road and preserve the 1811 building. Although this approach was eliminated during earlier studies because of disruption to the courts, the scheme has been developed in sufficient detail to understand its implications for court users and to generate comparative costs.

Option 1C combines an integrated site and good security with the preservation of the 1811 building. However, there are many disadvantages in achieving the above. These are best summarised as follows:

- Courts costs – capital cost for courts alone (i.e. not including additional office space) of £18,690,000 (£16,160,000 for Option 1 - £2,530,000 less).
- Disruption – demolition of the Strong Room extension and part of St James Chambers is required, which would result in significant disruption for occupants of the Royal Court buildings. Continuity of court use is one of the essential criteria. The lost accommodation would need to be provided elsewhere within the scheme.
- Potential Office Rental – potential revenue of £360,000 per annum for additional office space (£590,000 per annum for Option 1).

- St James Chambers - Option 1C would require the partial demolition of St James Chambers – which has been refurbished at a cost of around £500,000 in 1994. The Law Officers and their staff would have to be relocated before construction commenced. The Law Officers would thereafter be in separate accommodation, i.e. not in the main court complex.
- Completion Date – Option 1C would not be completed until Winter 2006/2007 (Spring 2005 for all other Options).
- Extended Programme - Option 1C would extend the programme with the consequence that HM Sheriff, HM Sergeant and Probation would not be able to leave Cambria House by July 2005, when there is an option to end the lease. After this date, the lease would not expire for another 12 years. The current annual rental is £90,000. Over 12 years this equates to a minimum of £1,080,000.
- Loss of secure parking – Option 1C provides only 20 spaces (39 spaces for Option 1).
- Widening of St James Street - Option 1C will not allow for the widening of St James Street.

Option 3 – the disadvantages of this Option and its variants are as follows:

- Generally more expensive
- Option 3 poor quality office accommodation
- Options 3A and 3B require the Bonamy House land and do not overcome the inherent weaknesses of Option 3
- Disruptive traffic scheme required
- Inferior security
- Generally fewer secure parking spaces
- Reduced access for emergency vehicles

One reason for the Board deciding to eliminate **Options 3, 3A and 3B** was the detrimental consequences of the road closure to the local environment and traffic circulation. The closure would necessitate one-way traffic through Rue du Manoir, at all times, and two-way outside office hours. Furthermore, the need to close Rue du Manoir from time to time, i.e. during civil court hearings and States debates and for security reasons would entail temporary arrangements for two-way traffic along New Street (south) routing all traffic along Sausmarez Street and North Clifton. The Constables of St Peter Port have in discussions indicated that they would not support the closure of Rue Marguerite unless it is re-routed. Other main reasons for the Board eliminating Options 3, 3A and 3B concern security, access and users' requirements for satisfactory accommodation.

In summary, Option 3 and its variants are inferior to Option 1 on all of these counts. The more detailed reasons for rejection are set out below.

Option 3 retains the 1811 building but would necessitate the demolition of the Victorian parts of the old prison buildings together with some of the perimeter walls. The inner part of the site is constrained by the existing high prison walls. These cannot be altered as they act as retaining walls to the garden of Bonamy House and the party wall to No 7 New Street. The scheme buildings would have to

be built up to these uncompromising faces, severely limiting opportunities for daylight and natural ventilation. The resulting quality of the accommodation which would be provided has little flexibility and as such cannot meet user requirements for modern office accommodation. Issues such as security, fire fighting and emergency access are unacceptable. The perimeter of the Royal Court complex is vulnerable to unauthorized access from adjacent buildings and gardens. The Police have indicated that the following additional security measures would be required to address this problem: secure roofs and high level glazing, increased CCTV coverage. Furthermore, during high security incidents additional police would be needed to monitor the whole building and immediate surroundings.

Option 3A is similar to Option 3 but relies on purchasing additional land. There would be some improvements to the quality of office accommodation and security when compared with Option 3. The site would offer greater separation from adjacent buildings and gardens, with improved security and the ability to provide more accommodation with natural light and ventilation. However, Option 3A cannot be recommended, not least because the adjoining land cannot be acquired at an acceptable price. Furthermore, the Board cannot recommend this Option in view of the road closure that is necessary without provision for re-routing the road. Although some improvements can be achieved by purchasing land, the scheme remains inferior to Option 1.

Option 3B has all the disadvantages of Option 3A. It is a development of the above Option which places emphasis on the 1811 building and its setting. A large courtyard in front of the 1811 building would seek to improve its context within the scheme. However, the courtyard itself is stepped to address level differences with adjoining accommodation. The main consequence of this approach is to place the new courtrooms at the top (western end) of the site, which greatly extends internal circulation, reduces design efficiency and increases capital costs. It also constrains the surplus land such that the office development becomes far less attractive to potential private tenants and less financially viable. This Option does not provide the most efficient use of States owned land in this strategic location and therefore has long term cost implications.

14 Application to Demolish Any Registered Building or Structure

As mentioned at the beginning of this report, the States resolved at its February 2000 meeting to give approval in principle for the use of the old prison site subject to, *inter alia*, the Heritage Committee considering any application to demolish any registered building or structure. However, in the absence of any agreement during the six months review period as to the Option to be pursued, the Board considered it to be inappropriate to make any such formal application to the Heritage Committee for permission to demolish buildings on the site. When a States decision is taken regarding the Option to be adopted, the Board will submit the necessary formal application to the Heritage Committee.

The Heritage Committee has consistently indicated that it would take fully into account any public interest justification when an application is received regarding the demolition of registered buildings. In particular, in its written response of 21 January 2000 to the Board's policy letter of 10 January 2000, the Committee

confirmed that, *"...it is prepared to accept the outcome of a full and informed debate"*. The Board hopes that the Committee will stand by this statement and understands from this that the Committee will consider favourably an application to demolish scheduled buildings in the light of the States debate on the matter, should the States resolve that it is in the public interest that the buildings be demolished.

15 Case for Demolition of Scheduled Buildings

The States has approved in principle the use of the old prison site for new courts. This decision assumes that the majority of scheduled buildings on the site will require demolition, subject to the approval of the Heritage Committee.

While recognising the general assumption that scheduled buildings are to be retained, the Board is of the opinion that there are over-riding considerations of public interest in this case that should take precedence. It is clear that any formal application to demolish scheduled buildings must be supported by a convincing case based on sound arguments. The Heritage Committee has power under the Law to de-register buildings or permit their demolition.

The primary aim of ensuring that the Royal Court continues as the centre for the administration of justice and for meetings of the States of Deliberation can be achieved under each Option described in this report. However, the need to provide accommodation at a reasonable cost, within a suitable timeframe and meeting the reasonable requirements of the court users (which have in the Board's view already been delayed for too long), can only be achieved with the demolition of all the buildings on the old prison site.

Option 1 allows for a court scheme that is integrated with existing facilities. Options that seek to retain the old prison buildings can only in reality preserve a single element, the 1811 building, which will become an isolated remnant out of its historical context. The residual heritage value of the 1811 building will therefore be compromised not only through this loss of historical context but also through essential modification – to allow proper access and meet modern requirements in terms of services etc. If the 1811 building is not substantially redeveloped structurally its usefulness will be very limited (restricted to storage of documents, for example). Generally, the preservation of the 1811 building results in increased costs and a less satisfactory court scheme.

The Board considers that the case for demolition of all the buildings and walls has been made. The arguments in favour of their retention would have an unacceptable adverse impact on the provision of vital court facilities and cannot be supported.

16 Comments of Committees Involved in the Review Process

The views of participating Committees concerning the Board's recommended Option 1 are appended to this report (see **Appendix F and Appendix G**). The States Traffic Committee has not submitted written comments to be appended to this report, and has confirmed that it did not wish to do so.

It is pertinent to offer a brief response to the comments that have been received, as follows:

Island Development Committee Comments (letter of 12 October 2000)

The Committee has stated that *"The new building will result in a dramatic alteration to a historic part of St Peter Port and must be of an excellent standard of design, appropriate to its function and environment."* It is clear that each scheme that has been considered would involve significant changes in this part of the Town. The Board concurs therefore that the highest standards of design must be applied. With regard to function and for reasons outlined earlier on in this report, the Board considers that Option 1 provides superior accommodation when compared with Option 3.

The Committee has expressed a strong preference for Options 3, 3A and 3B. The Board is very disappointed that sufficient weight does not appear to have been given to the clearly expressed views of those such as specialist court advisors, the Police, Prison Service or other court users in this respect. Furthermore, the very real difficulties associated with a road closure, poorer security and inferior accommodation due to reduced natural light etc under Option 3 do not appear to have been fully taken into account by the Committee. However, the Board is grateful that the Committee has stated its intention to work with the Board in a constructive and expeditious manner in taking plans forward.

States Heritage Committee (letter of 12 October 2000)

The Committee has again stated its willingness to consider the demolition of scheduled buildings on the site *"provided that it can be demonstrated that the favoured Option was the best that can be achieved overall in the interests of the Island and that a compelling case can therefore be made for demolition"*. The Board is most concerned that the Committee appears to remain unconvinced by arguments in favour of Option 1 and the findings of the six months review period. In particular, the Board is concerned that the Committee will, despite assurances to the contrary, seek to retain the 1811 building irrespective of the true cost of such retention.

The Committee considers in respect of Options 3, 3A and 3B that *"the perceived problems have workable solutions, whether or not the Bonamy House Gardens can be purchased"*. However, the Board's Consultant Architect has consistently advised that Option 3 (without Bonamy House land) cannot be recommended due to the inherent weaknesses in the accommodation that could be offered (as described under Section 13 of this report). Furthermore, the Board and its specialist advisors, bearing in mind the findings of the review, cannot recommend Options 3, 3A or 3B (even if additional land were available) due to their inherent weaknesses which unacceptably and unnecessarily compromise the Island's needs for secure and efficient courts accommodation.

The Committee considers that the Board's decision to recommend Option 1 to the States is *"premature"*. The Board is amazed at this approach, and can only assume that the Committee does not share the Board's sense of urgency in this matter, or

the Board's sense of priority regarding court users' needs, security, traffic and cost. Furthermore, the Committee's stance disregards the States resolution of 23 February 2000 which is explicit with regard to timing.

With regard to the Committee's statement that work on Option 3 is "*incomplete*", the Board considers that recent investigations must now result in firm recommendations and that the time has come for action. Whilst one could argue that all the Options could be investigated still further, the Board and its advisors consider that sufficient information is now available to allow a decision to be taken by the States.

The Committee appears to consider that the valuation process in respect of the Bonamy House land, which was based upon standard professional practice, might have been undertaken differently. However, the valuations took fully into account proposed development on this land with respect to all the various Options put forward during the review. Martel Maides, Lovell and Partners, Online Architects and Citex Ltd. brought their expertise to bear in the process. The Board is satisfied with the advice received, and believes that all the proper procedures have been followed. The fact is that the owner of the land in question has not accepted the offer that has been put forward.

Unfortunately, the Committee is still commending the purchase of the Bonamy House land (presumably for a higher sum) despite the breakdown in negotiations. Furthermore, and of more concern perhaps, the Committee is recommending yet more work (and consequent delays) on Option 3, despite the weaknesses identified under this scheme.

17 Conclusions

Option 1 has received overwhelming support from the majority of those involved during the review period – including the Police, Prison Service and the St Peter Port Constables. The Board and its advisors consider that Option 1 provides the best scheme for the real needs of court users. While Option 3 and its variants can meet their needs to a much lesser degree, these do not provide the best scheme and involve unacceptable compromises in terms of key matters such as security and the quality of accommodation which are central to the extension of the court facilities, such extension having already been accepted by the States. If the retention of the 1811 building were possible without compromising such key criteria, then the Board would whole-heartedly support such an Option. However, this is not the case.

There is now a pressing need for a clear decision on this matter, and the early commencement of enabling works. The States last debated this issue almost a year ago and such delays have serious implications for the functioning of the courts.

Regrettably, the six months review did not provide a consensus of opinion from the participating committees, reflecting in large part their different mandates and priorities. The Board is particularly disappointed that the Island Development Committee and States Heritage Committee do not appear to have given sufficient weight to advice received from court experts with experience in court design and

knowledge of the Island's needs, as well as to court users, the Police and Prison Service.

The States should not ignore the essential priorities for this scheme. Moreover, the States should be mindful of the full costs involved, both financial and otherwise. The consequence of not approving Option 1 is that an opportunity to provide the best scheme will have been lost, and court users will have to suffer the consequences of an unacceptably compromised scheme.

18 Recommendations

The Board recommends the States:

1. To approve in principle the planned redevelopment of the Royal Court on the old prison site on the basis of Option 1 as set out in this report;
2. To agree that over-riding public policy considerations dictate that the public interest is best served by the redevelopment of the old prison site, as described under Option 1 - notwithstanding that it would entail the demolition of all buildings and walls on the site which have been registered in the Register of Ancient Monuments and Protected Buildings;
3. To direct the Board of Administration to arrange, in consultation with the States Heritage Committee, for the recording of the old prison site, as detailed in the Board's report of 10 January 2000 (Billet d'Etat IV, 2000);
4. To direct the States Heritage Committee to note the States view that it is an over-riding public policy consideration that all the old prison buildings and walls be demolished, when considering under the relevant laws any application from the States Board of Administration for their demolition;
5. To direct the Island Development Committee to take note of the above when considering under the relevant laws any request from the States Board of Administration for that Committee's comments concerning proposed redevelopment on the old prison site as contemplated in Option 1;
6. To approve the Board's proposals to undertake enabling works as detailed in Section 12 of this report, including surveys and the appointment of consultants, at a total estimated cost not exceeding £3,000,000;
7. To authorise the Board to seek tenders and award, subject to the approval of the Advisory and Finance Committee, contracts for the proposed demolition and engineering works as detailed in Section 12 of this report and from within the sum of £3,000,000 mentioned above;
8. To authorise the Board to commission a project design team through the appointment of consultants, including a Project Manager, within the sum detailed above, subject to the approval of the States Advisory and Finance Committee, which team is to prepare detailed proposals, including tender documentation for the extension and refurbishment of the courts;

9. To vote the Board of Administration's Capital Allocation a credit of £3,000,000 to cover the costs of the above works, which sum is to be charged to the Capital Reserve;
10. To direct the Law Officers to prepare the necessary legislation for the permanent closure of Rue Marguerite as detailed in Option 1, such closure to come into force when the re-routed road has been constructed.

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

I am, Sir,
Your obedient Servant,
R. C. BERRY
President,
States Board of Administration.

APPENDICES

- A COURTROOM USAGE**
- B PAPERS FROM CONSULTANT COURTS ARCHITECT**
- C CORRESPONDENCE ON TRAFFIC ISSUES**
- D SECURITY ISSUES**
- E PAPERS FROM CONSULTANT QUANTITY SURVEYOR**
- F COMMENTS FROM ISLAND DEVELOPMENT COMMITTEE**
- G COMMENTS FROM STATES HERITAGE COMMITTEE**

APPENDIX A

COURTROOM USAGE

GROWTH IN USE OF COURT ROOMS 1984-1999

Figures are of half day sessions when each of the three rooms were in use. The theoretical maximum each year is 500 sessions per room, based on 250 working days.

	1984	1989	1994	1999
Royal Court Chamber (incl. States sittings)	201	201	281	289
Magistrate's Court Room	435	458	468	454
La Cour Ordinaire (opened 1982)	114	190	176	296
	—	—	—	—
Total all three rooms	750	849	925	1039

1. In timetabling use of the Royal Court Chamber, allowance has to be made for 96 half day sessions of the States each year, to accommodate both the scheduled sittings and the "overrun" a fortnight later. Actual States sessions have doubled from 28 in 1984 to a peak of 56 in 1997; the 1999 figure fell back to 47.
2. On average, the three court rooms are running at over 66% of theoretical capacity. In practice allowance has to be made for last minute cancellations, maintenance etc. In reality the maximum possible utilisation is 90-93%, and this is achieved in the Magistrate's Court, where the business is less complex than in the Royal Court and can be more flexibly timetabled.
3. The main pressure on court time is from the growth in civil litigation, which in turn is related to the success of the finance industry. This is reflected in the growth of the Guernsey Bar:

	1984	1989	1994	1999
Advocates on the Roll	28	48	57	79

4. The Royal Court Library had to be used for court sittings on at least 10 occasions during 1999.

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APPENDIX B

PAPERS FROM CONSULTANT COURTS ARCHITECT

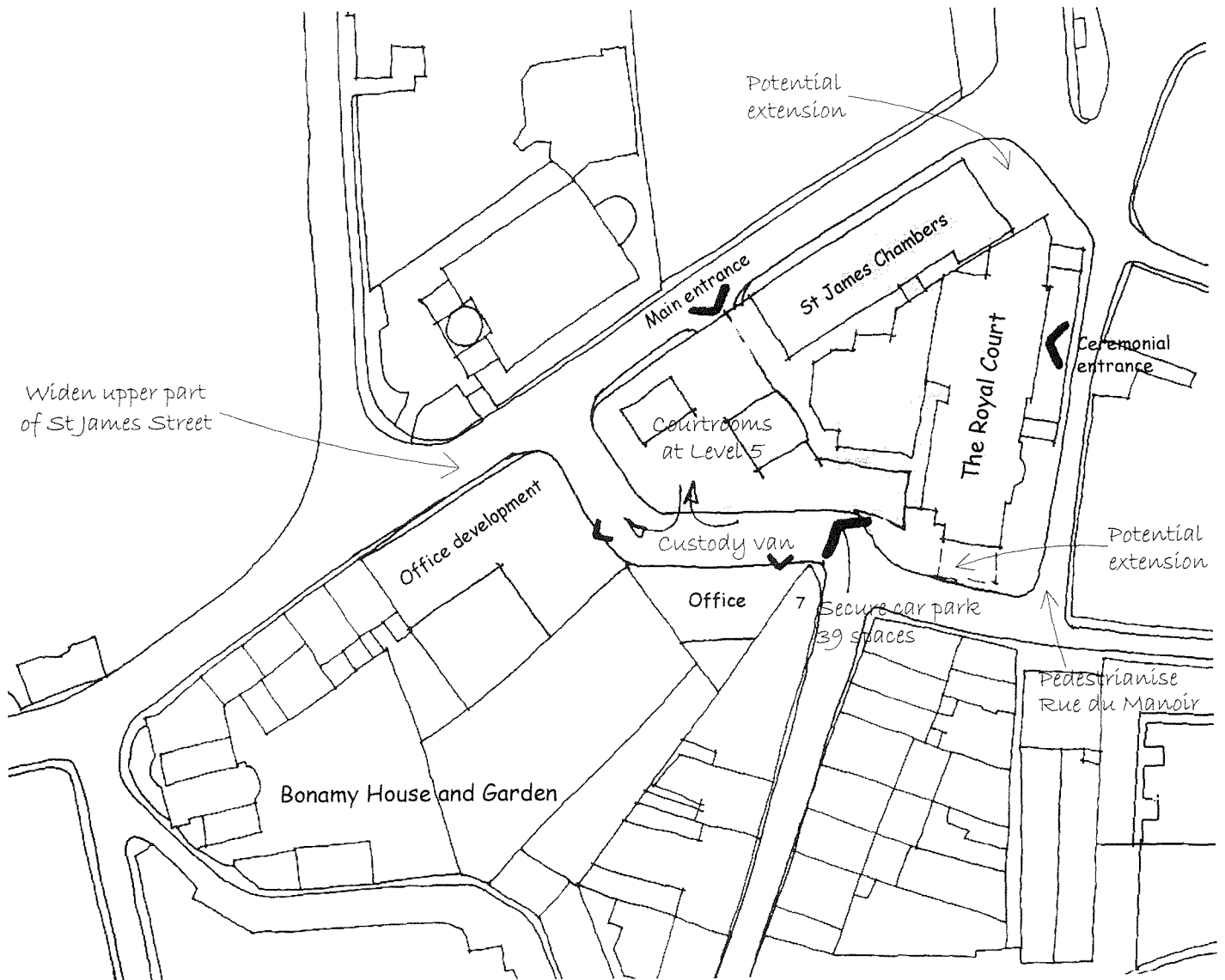
- Schedule of Accommodation: User Groups
- Drawings of Options 1, 1A, 1C, 3, 3A and 3B
- Fundamental Criteria for the Courts Scheme
- The Royal Court Briefing Information
- Review of Option 2
- Potential Future for the Old Prison Buildings
- The Royal Court Option Programmes

The Royal Court extension

SCHEDULE OF ACCOMMODATION: USER GROUPS

Name	SOR m²	Sub-total	Notes	% of max
The Royal Court	190.3		existing building	
Bailiff's Office	163.7		existing building	
Jurats	56.3		existing building	
Courtrooms	533.5		new Criminal Court	
			new Magistrate's Court	
			relocated Cour Ordinaire	
			Police' courtroom	
Judiciary	276.5		includes for Lt Bailiffs	
Victim Support	30.0		new	
Grefe	515.0		offices	
Sheriff	196.0		offices	
Custody	191.0		to Home Office standards	
Police	10.0		site base	
Advocates	30.0		private advocates robing	
Office Services	40.0		shared facilities	
Prosecution Witness	36.0		new	
Public	292.0		up-grade existing plus witness suites	
States Members	232.0		existing building	
Common Services	34.0		shared facilities	
Building Service and manned control	58.0		shared facilities	
		2,884.3		74.64
Law Officers	579.0		allows for 11 advocates	
		3,463.3		89.62
Probation	186.0		small expansion	
		3,649.3		94.44
Sub-station	51.0		electricity board requirement	
		3,700.3		95.76
Company Registrar	97.0		t b c	
Official Receiver	67.0		t b c	
total		3,864.3		100.00

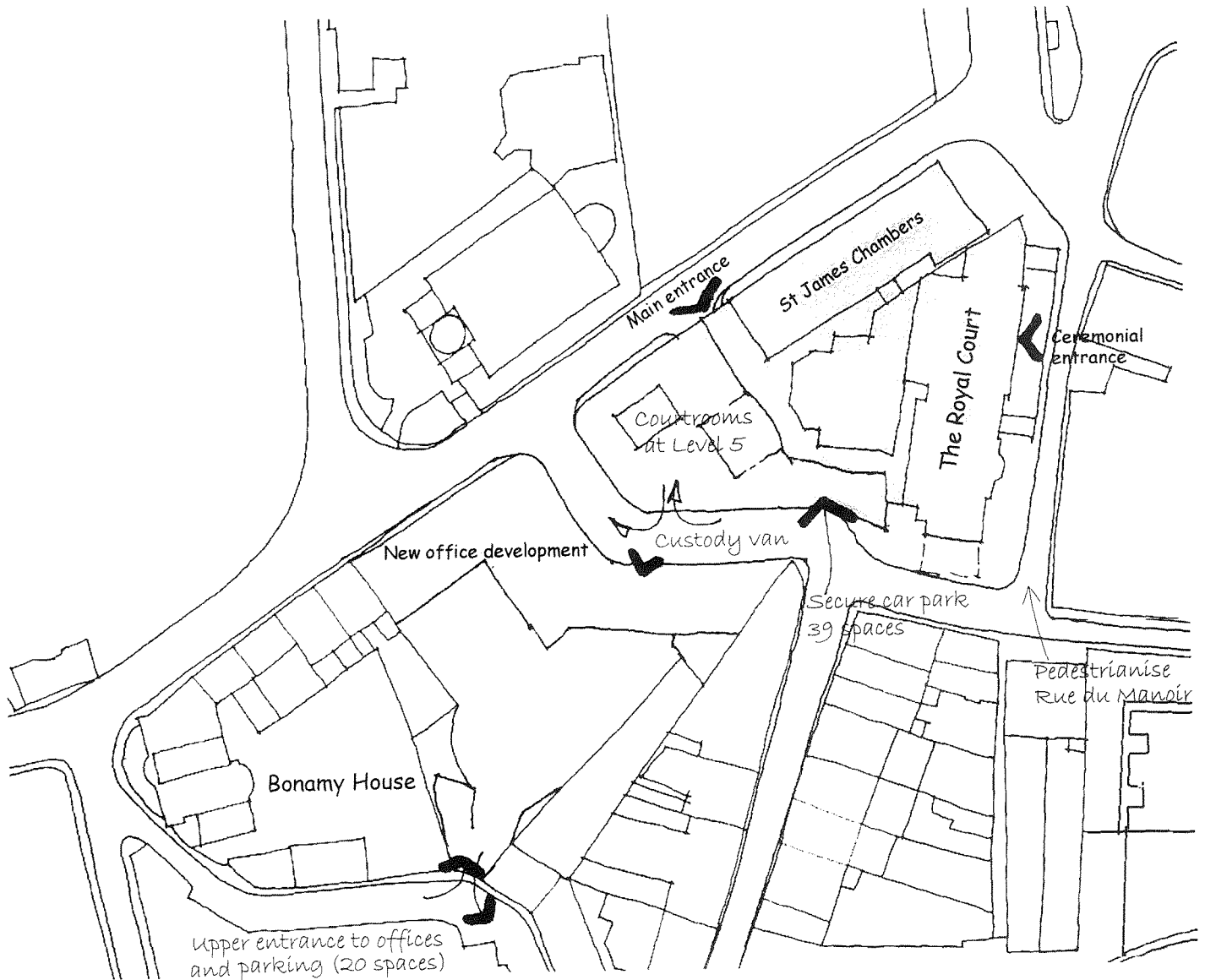
OPTION 1



NOTES

- Completion Spring 2005
- Secure car parking for 39 cars (910m²)
- New build 3,400m²
- Office development 3,700m²

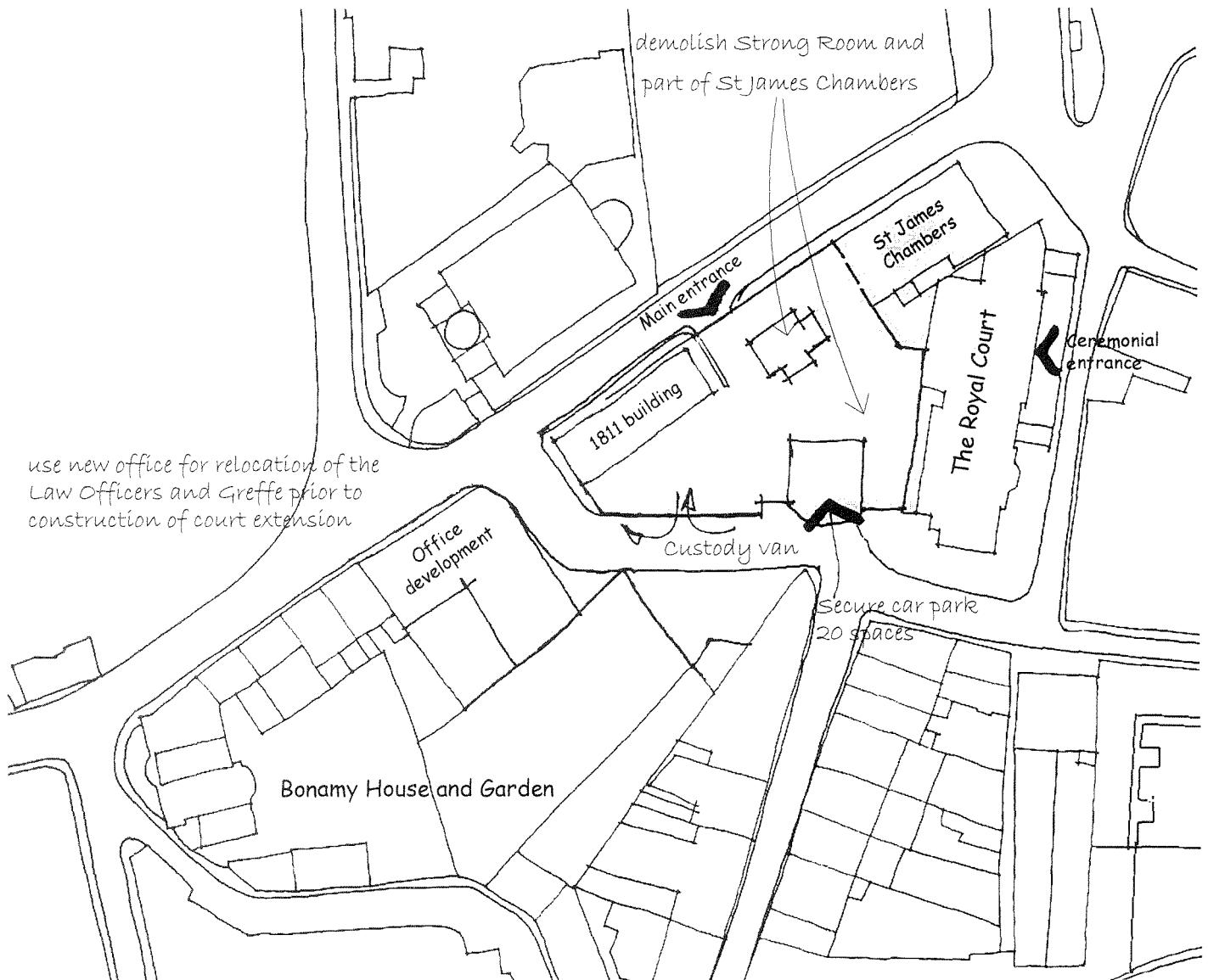
OPTION 1A



NOTES

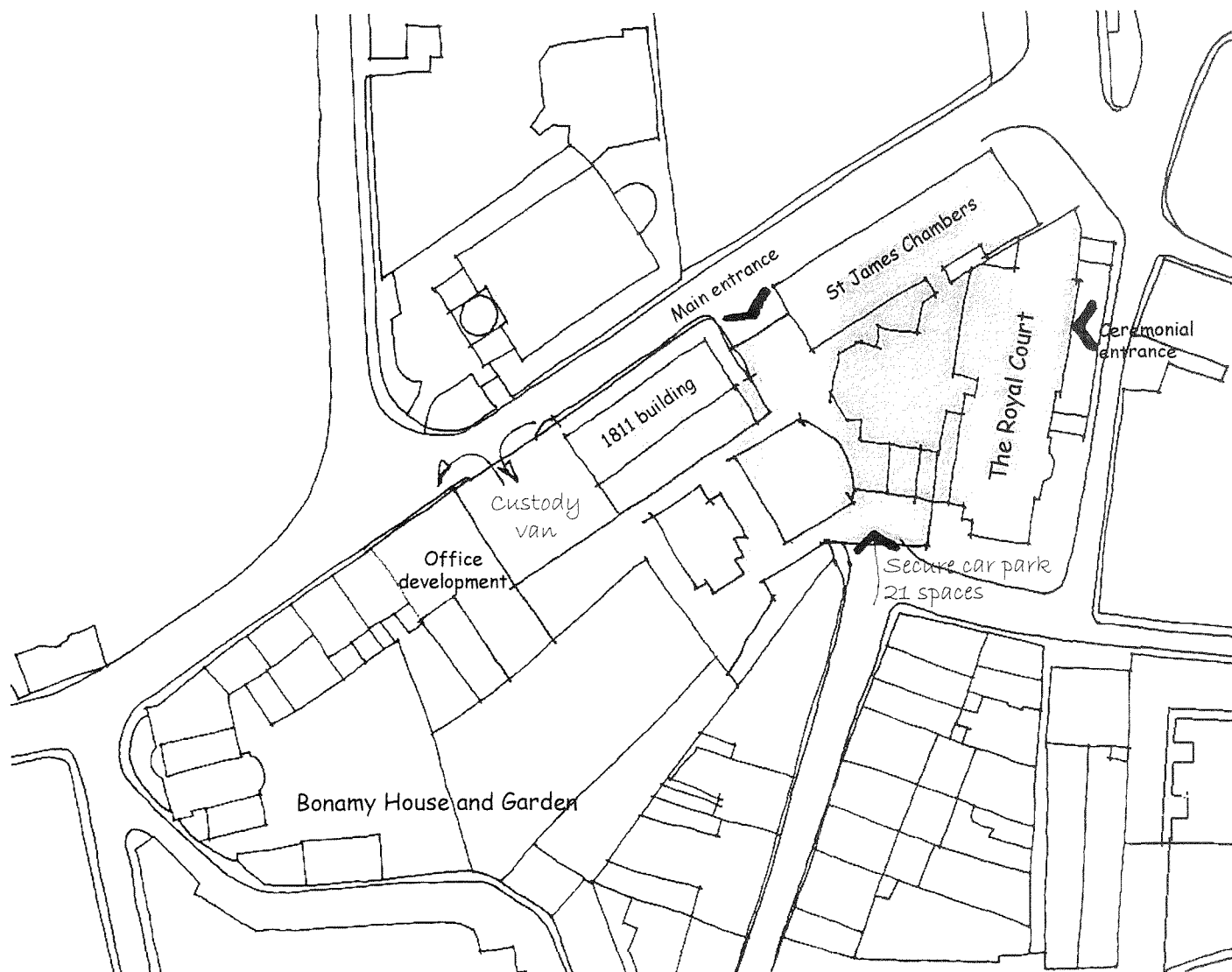
- Completion Spring 2005
- Secure car parking for 39 cars (910m²)
- New build 3,400m²
- Office development 3,700m²

OPTION 1C

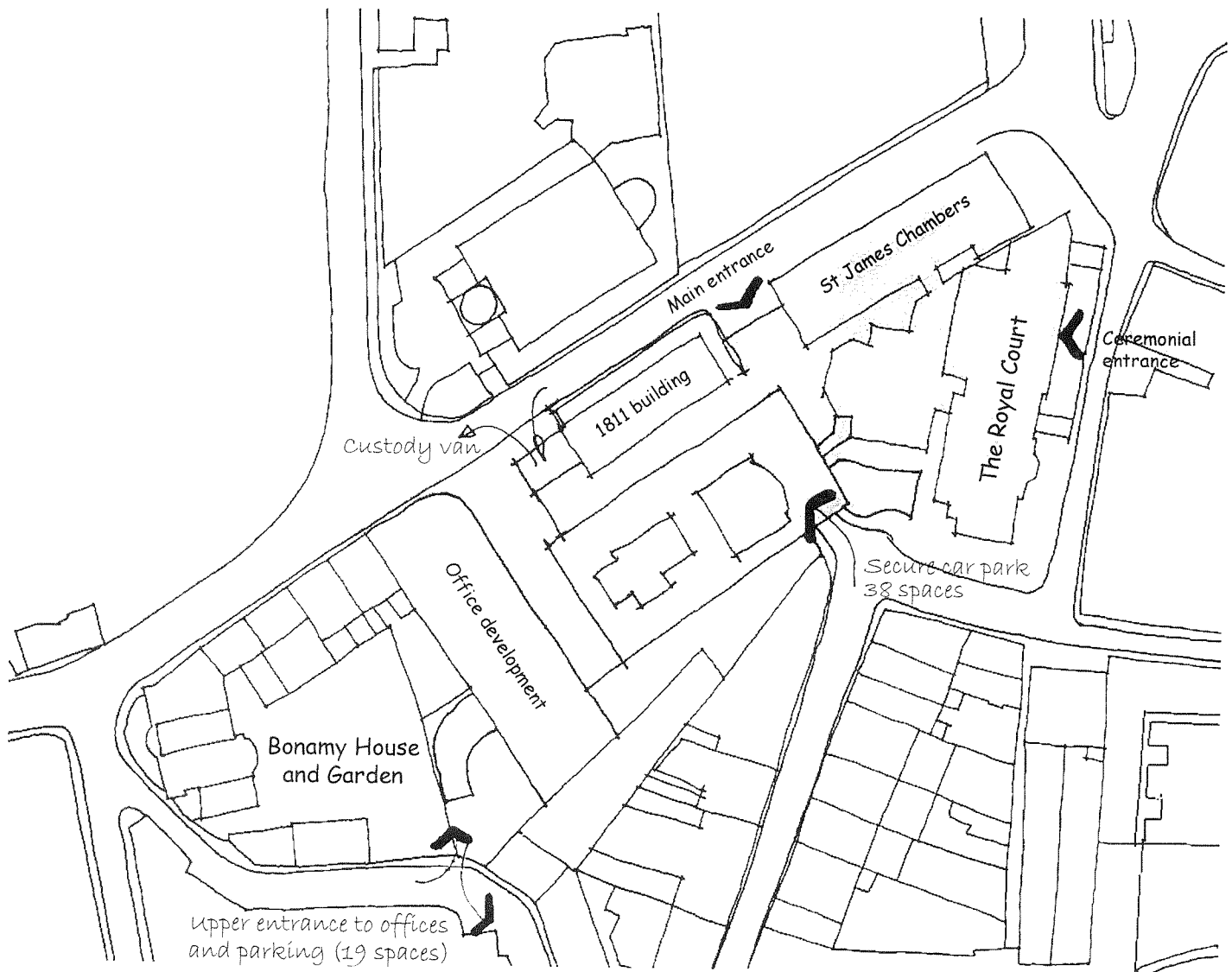


NOTES

- Completion winter 2006/2007
- Secure car parking for 20 cars (510m²)
- New build 4,700m² includes reprovision of Strong Room and part of St James Chambers
- Office development 1,570m² plus 760m² parking

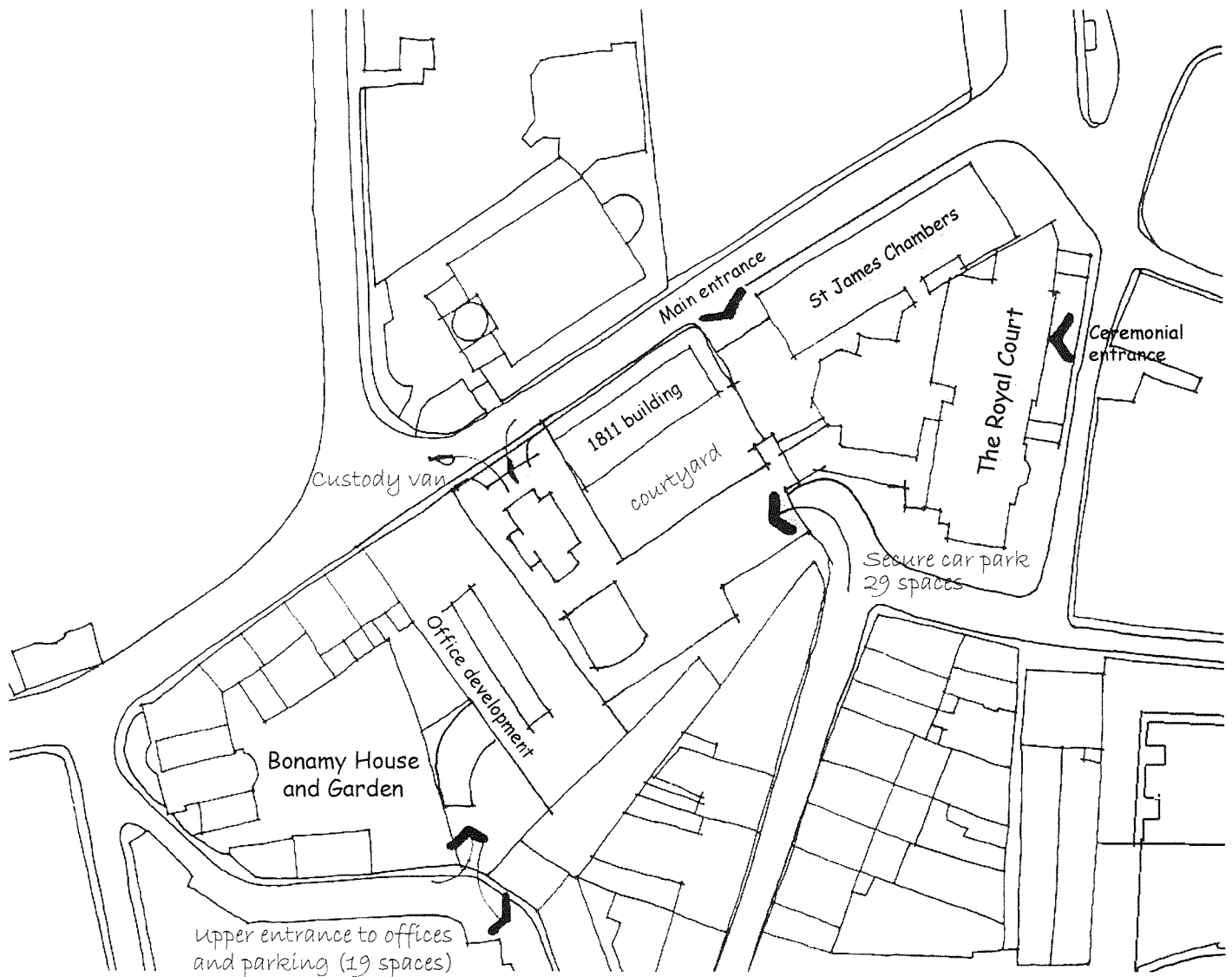
OPTION 3**NOTES**

- Completion Spring 2005
- Secure car parking for 21 cars (590m²)
- New build 3,600m²
- Office development 970m² plus 450m² parking

OPTION 3A**NOTES**

- Completion Spring 2005
- Secure car parking for 38 cars (990m²)
- New build 3,500m²
- Office development 1,810m² plus 420m² parking

OPTION 3B



NOTES

- Completion Spring 2005
- Secure car parking for 29 cars (650m²)
- New build 4,100m²
- Office development 1,430m² plus 560m² parking

APPENDIX

FUNDAMENTAL CRITERIA FOR THE COURTS SCHEME

There are fundamental criteria that must be realised through the implementation of this project:

1. Provide for the continued administration of justice.
2. Provide for the States of Deliberation.
3. Comply with regulations.
4. Be affordable.
5. Allow for future expansion.
6. Use the old prison site.
7. Provide for security requirements.
8. Provide court design in line with UK standards in respect of separation of users etc.

Each of these headings has been developed from a conceptual level to specific criteria that represent real aims and targets. The above summary can be broken down as follows:

FUNDAMENTAL CRITERIA – OUTLINE

1. Administration of Justice

- (i) Provide for continuous court operations
The Island cannot suffer any prolonged interruption to court operations.
- (ii) Provide proper facilities
There is an agreed need to address current shortcomings and look to achieving appropriate standards of accommodation.
- (iii) Ensure security for participants
'High level' category adopted.
- (iv) Provide security for general public
Emphasis on vulnerable users.
- (v) Allow public accessibility
The building should not hinder the rights of access for all users.

2. The States of Deliberation

- (i) Provide proper facilities
The Members and the debating Chamber require an improved environment with better facilities.
- (ii) Ensure public accessibility
Consider both members of the public attending meetings and communications via the media.

3. Comply with regulations

- (i) Strategic and corporate planning
The recognition that Law and Order is a fundamental factor in the Bailiwick's Government.
- (iii) Planning Law
Comply with IDC policies and obtain their support.
- (iv) Heritage Law
Obtain approvals for changes to any building or structure within their jurisdiction.
- (v) Traffic Regulations
Obtain approvals from the Traffic Committee.
- (vi) Building Regulations
Obtain Building Regulation approval. Recognise that parts of the court accommodation will require a waiver if appropriate security measures are to be incorporated into the design.
- (vii) Health and Safety
Comply with current policies.
- (viii) Sustainable development
Comply with current policies.
Review sustainable issues with respect to this major public building.
- (ix) Best practice
Review 'best practices' and implement those that will benefit the Island. For example, the appointment of 'planning supervisor' and 'value engineering' the design.

4. Members support

- (i) Key decisions and approvals by the States
Gain approval to proceed.
Secure funding for the project.

5. Affordable

- (i) Value for money
Demonstrate value for money in all areas.
- (ii) Capital costs
Appropriate procurement.
- (iii) Life cycle costs
Understand design decisions with respect to long-term operational costs.
- (iv) The States of Guernsey estates management
A co-ordinated approach to ensure efficient management of the estate.

6. Allow for the future

- (i) Know expansion of business
Review business cases for individual departments with respect to spatial and staff needs.
- (ii) Predicted expansion to be incorporated.

7. Use the Old Prison Site

- (i) Provides only area for the court extension
Propose uses for any land not required for the courts.
- (ii) Consider long-term requirements.

THE ROYAL COURT BRIEFING INFORMATION

1. SCHEDULE OF REQUIREMENTS (SOR)

The basis for creating the SOR was based on interviews with key users and managers and followed tried and tested procedures based upon the Court Standards and Design Guide (CS&DG) published by The Court Service. The SOR area excludes circulation/plant/toilets and "fit".

For those unfamiliar with the CS&DG, it forms a comprehensive basis for Crown and County Court Design in England and Wales and includes guidance on all aspects of the design and procurement of court projects. The major part of the document comprises Room Data Sheets which detail required performance criteria. The information provided is a culmination of experience gained in court design over the past two decades.

Reviewing Guernsey court functions and testing them against recommended provision given in the CS&DG generated the SOR created for this project.

In analysing the SOR for this project there are four categories of accommodation, which together form the final SOR:

- Existing accommodation that will remain unchanged (although their locations might be changed)
- Additions to existing accommodation to address existing deficiencies
- New accommodation to cater for predicted short term growth
- Accommodation that will be used initially for decanting when the Royal Court building is refurbished and then for future long term expansion.

2. COURTROOMS

There are 3 courtrooms plus the Library, which is used as a regular addition to the number of courts sitting at any one time.

HM Greffier has analysed changes in court business workload and the Law Officers has advised on potential increased work, generally:

- Criminal casework is subject to an increasing workload. At present the court has difficulties in accommodating lengthy trials particularly when The States has fixed meetings plus reserved dates for when their deliberations overrun.
- The Magistrates Court is fully utilised and has no spare capacity.
- Civil caseload is significantly increasing due to more family and financial work.
- Legal aid will result in more court business.
- The introduction of judicial review and The Court of Human Rights will inevitably increase court business.
- The States of Deliberation has an increasing workload.

When this is combined with the need to address security and access issues, and the problems caused with long criminal trials being disrupted by States meeting days the requirement for a new Criminal Courtroom is crucial.

It has been accepted that the current Royal Courtroom is totally inadequate as a place for criminal trials. Furthermore it is impractical to carry out alterations to address its shortcomings as this would involve significant alterations to the Royal Court building, a listed building, and result in compromising the effectiveness of the space for States deliberations.

La Cour Ordinaire is an effective, but small civil courtroom that cannot meet the needs of civil court business and is already augmented by the use of the Library for civil hearings. Its use as a criminal courtroom is totally inadequate with no security for users and unacceptable seating arrangements particularly the public who are not segregated from the participants.

The proposed SOR includes four courtrooms together with judicial accommodation:

- a new Criminal Courtroom, with Judge and Jurat retiring rooms
The design of the criminal courtroom follows the principles of the current Crown Courtroom layout but has been adapted for Jurats who sit on the bench. The proposed room is based on the 'standard' courtroom (173m²) rather than the 'large' courtroom (222m²).
- a new Magistrates Court, with a Magistrate's retiring room
The design reflects a 'formal' Magistrate's courtroom with a side dock.
- a larger Cour Ordinaire occupying the existing Magistrates Court
This enables the existing room to be retained as a courtroom without the constraint of providing a secure dock and link to the custody suite.
- The Royal Court supported by the existing Bailiff's and Jurat's Rooms
Once criminal proceedings are relocated the Royal Courtroom can be rearranged to improve provision as a civil courtroom with more space for papers, IT and improved access.

The use of the original 'Police' courtroom will cater for small civil hearings as well as informal committee and other meetings.

3. STATES MEMBERS

The Members gain an office and private lounge/library plus part use of a committee/meeting room. The main benefit relates to The Royal Courtroom itself; here the removal of criminal trials allows for changes to the interior design to improve the Chamber.

4. JUDICIARY

Although The Bailiff and Deputy Bailiff have offices there is a lack of accommodation for the third judge, who will soon be 'full time', the Lieutenant Bailiffs and visiting judges. This is of particular concern when there is a Court of Appeal - there is no proper accommodation for senior members of the judiciary who need a proper base during their stay on the island.

5. LAW OFFICERS

The Law Officers are increasing in number together with a corresponding increase in admin support. Their library and copying facilities are to be improved. They are to be provided with a meeting room.

They will soon expand into the space relinquished by Probation who is moving to Cambria House. This will provide additional space on an interim basis but the Law Officers will need further space to meet predicted growth. (The proposed compliment of 11 qualified staff plus admin support compared to 23 qualified staff in Jersey indicates further potential expansion.)

6. CUSTODY

Access by defendants from a secure custody area is an integral part of the operation of the new Criminal Courtroom. The current custody area is inadequate with poor security and difficult access from the Old Prison.

The current custody area cannot provide for the segregation of defendants (male/female, youths/adults).

The existing provision of 90m² (excl the Van dock) needs to be increased to an SOR of 191m². This allowance is less than an equivalent UK custody suite due to the omission of a kitchen.

7. PUBLIC

The existing provision is unsatisfactory:

- No information point at the entrance, no PA system
- No means of security checking visitors
- Inadequate waiting areas
- Inadequate toilets
- No consultation spaces
- No provision for defence witnesses, prosecution witnesses and families with children.
- No video link for child witnesses
- No provision for Victim Support
- No first aid room

At the moment witnesses and participants are forced to wait in the same corridors where it is impractical for staff to monitor potential intimidation or coercion.

8. STAFF

Offices for HM Greffier and HM Sheriff include for a small increase in staff and a rationalisation of storage to enable them to effectively support the courts.

The Sheriff's general storage will be moved off site.

Some of the Greffe might be relocated to staff the proposed offices for the Official Receiver, Public Trustee and Company Registrar who need good access to the courts. Other changes to the Greffe may arise from the constitutional review, for example through the creation of a 'States Greffier' enabling the equivalent role of 'Chief Clerk of the Courts' to be led by a 'Court Greffier'. Each office would require appropriate admin support.

Cadastre is also being considered for inclusion within the court complex.

In moving these offices together savings can be made through the shared use of photocopiers, storage and staff facilities.

Probation has approval to increase their complement and this has been taken into consideration in the SOR. In the UK, Probation has a presence in Crown Court buildings to deal with those on Probation Orders and to advise the court. Guernsey's probation office is small and cannot be split between that accommodation and another office dealing with the remainder of their business. They should therefore be located within the court complex in accommodation that allows for out of hours work whilst maintaining the security of the remainder of the building.

9. FLEXIBILITY

Guernsey administers all aspects of the judicial system but it is not appropriate to provide bespoke accommodation for all eventualities and so one of the essential aspects of the accommodation will be flexibility in use.

- The building has been designed to accommodate the brief through, for example, listing juvenile cases on separate days;
- Courtrooms will have flexible furniture;
- Admin areas can support cellular and open plan arrangements;
- It includes the potential for occasional meetings by St Peter Port Constables;
- At the moment there is no searching of visitors using a metal detector as commonly practiced in the UK, but the design allows for that option to be installed at a later date;
- This flexibility in accommodation will be supported by a flexible management approach.

10. SUMMARY

The SOR currently totals 3887m²

The assumption is that all of the accommodation listed in the SOR should form an integral court complex otherwise staff and running costs will increase. This component of the overall cost is not to be underestimated when considering a design life in excess of 60 years. It is our experience when dealing with PFI (Private Finance Initiative) .

Court schemes that the facilities management and staff costs are major elements of the whole life costs. Furthermore if the design creates inefficiencies in operations requiring additional staffing then these costs can increase significantly.

(Twenty years ago Nottingham had two court buildings separated by a road. They suffered the inconvenience and costs of operating in two buildings before being re-housed in one court centre.)

Whole life cost will form part of the financial review of design options.

Anthony Clerici

REVIEW OF OPTION 2

THE ROYAL COURT EXTENSION, ST PETER PORT, GUERNSEY

The 1998 Feasibility Study concluded that an extension sited across the public highway and linked with a bridge was not desirable. It presented an unsatisfactory building with higher life cycle costs with many operational difficulties stemming from extended internal circulation routes.

Since then further work has been carried out on this option where the 1811 building was retained.

There is no doubt that the option has merit when considering road and traffic issues, mainly because it requires no change to the present street pattern. The only recommendation being the required clear headroom for any bridge crossing.

The users have considered and agreed with the comments made at the 'political' meeting where this option was presented and fundamental problems highlighted:

- The scheme is not an integrated addition to the Royal Court building:
 - The building 'footprint' extends across the whole site creating long circulation routes
 - Duplication of some accommodation, for example, public waiting and defendant waiting to the new courtrooms cannot be shared, leading to inefficient planning and consequential increased staffing.
- Concern about relationship with adjacent sites particularly to the south and west.
- Security criteria not achieved:
 - Two distinct buildings.
 - More than one public entrance.
 - Bridge and tunnels difficult to secure and present increased operational risk.
 - Overlooking by adjacent neighbouring buildings a concern.
- Staff management less efficient and may necessitate additional staffing.
- Lack of natural ventilation and daylight due to relative heights of adjacent properties lead to poor quality office spaces. This could be mitigated through the purchase of adjacent land.
- Operationally, several public areas and extended circulation will lead to difficulties in calling witnesses, etc.
- The benefits of retaining the 1811 building with minimal traffic changes should be not outweigh the basic requirement for proper court facilities.

POTENTIAL FUTURE FOR THE OLD PRISON BUILDINGS THE ROYAL COURT EXTENSION, ST PETER PORT, GUERNSEY

INTRODUCTION

The history of the Old Prison has been documented and recorded in sufficient detail for the decision making process currently underway for the Royal Court project.

The Old Prison buildings and walls were placed on the list of protected buildings in November 1999.

Whatever the outcome of deliberations the site should be formally recorded including any archaeological investigations.

This paper aims to continue the debate on potential uses for the redundant buildings.

THE EXISTING BUILDINGS

Since the opening of the new prison at Les Nicholles the Old Prison buildings have been isolated behind the walls with minimal maintenance and care. The Sheriff's temporary accommodation was vacated earlier this year.

CURRENT USE

At present the site remains as the best (only) place for the prison van to deliver and collect defendants travelling to the Courts from the prison. The prison staff escort their charges from the van, which parks inside the gate on St James Street, through the Old Prison courtyards, down steps, under New Street and into the back of the Royal Court via the ramp. Security for this operation has been recognised as being inadequate and places both defendants and staff at risk.

OPTIONS 1 (and 1A)

Requires demolition of the buildings and walls.

OPTION 2

Option 2 is not discussed in this paper.

OPTIONS 1C, 3, 3A and 3B

Retains the 1811 building and most of the walls facing New Street and St James Street.

PROPOSED USE

The process of finding uses for redundant buildings involves many factors. However, for the purposes of enabling serious dialogue, I have set out some points for consideration:

1. Any retained building should have a long-term viable use.
 - Financially viable
 - Reasonable life cycle costs
 - Should not add conflicting constraints to the new extension
2. There is a preference to fully integrate the 1811 building into the court complex.
 - Single management
 - Aids security of the whole complex
 - Maintenance etc integrated with The Royal Court and its extension.
3. Consider less efficient use of the spaces if this results in a compatible, viable use.
 - Reference to 'Little Dean' where inefficient storage for much of the area is acceptable.
 - Cellular arrangement difficult to use effectively.

4. The building should remain in the 'public domain'.
 - Public funding of the restoration should be seen.
 - Reflects the importance of the building.
5. Repair, restoration and conversion.
 - Sufficient funds should be allocated for restoration and conversion.
 - If required, rebuild west gable if Victorian extension removed.
 - Care when introducing building services, access etc
 - Comply with current legislation unless there is a strong case for applying for a waiver.
 - Building Regulations: means of escape, access particularly for the disabled etc
 - Health and Safety 'best practice' to be adopted
6. Aim for minimal alterations with reinstatement of original features.
 - May conflict with conversion.
 - What features remain?
7. During the course of the project a number of possible uses for the 1811 building have been mentioned:
 - Custody cells
 - not recommended; cannot meet Home Office standards of security and safety
 - cannot be successfully integrated with the remaining custody accommodation
 - Court accommodation
 - favoured option if functional relationships can be met
 - ensures integrated solution
 - complies with many of the above criteria
 - Museum (one or all of the following)
 - Tourist Board: Victor Hugo museum letter
 - Prison museum: prison history and artefacts
 - States Museum: States Charters, currency etc
 - potential for the ground floor to be a small museum
 - first floor presents access difficulties
 - need to ensure correct environmental conditions for exhibits
 - Museum Services storage
 - secure armoury store
 - need to ensure correct environmental conditions for exhibits
 - floor loading?
 - States Bookshop and Stationery Office
 - good location would provide activity within concourse
 - Franchised coffee shop/restaurant
 - need to ensure separate access etc to eliminate security problems
 - ground floor only?
 - good location for daytime clientele from offices and courts, evening St James
 - provides revenue and service to court users/staff
 - Court Storage
 - need to accept area inefficiencies
 - staff may need to cross public circulation to access stores
 - need to ensure correct environmental conditions
 - floor loading?
 - States Archives
 - need to ensure correct environmental conditions
 - floor loading?

[illegible]

APPENDIX C

CORRESPONDENCE ON TRAFFIC ISSUES

- Letter of 11 August 2000 from Constables of St Peter Port
- Letter of 10 July 2000 from Guernsey Police



TELEPHONE 01481 720014
FAX NO 01481 722429

*Constables' Office,
Lefebvre Street,
St. Peter Port,
Guernsey,
GY1 2JS.*

Your Ref.

Our Ref. 1/17A

P.J.H. Morgan, Esq.,
Chairman,
Independent Cross Party Review Committee,
Advisory & Finance Committee,
Sir Charles Frossard House,
Charroterie,
St. Peter Port.

11th August, 2000

Dear Peter,

Development of the Courts

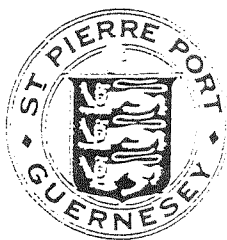
We write on behalf of the Douzaine and Parish Deputies to thank you for the presentation you gave us at the start of our Douzaine Meeting on the redevelopment of the Old Prison Site and the Court complex (namely: Options 1 & 3) on Monday, 24th July 2000.

After having the benefit of the Cross Party Review Committee's totally impartial views on both options, seeing drawings and the model, and having had the opportunity to put questions to the committee, we must advise you of our observations for your consideration:

As you are aware, we have a strong interest in the development as we are in need of a Parish Hall for community work, and we would like to think that the present Magistrate's Court might provide such an amenity.

Another major concern is for the preservation of the character of our Town - in that there are large developments planned in the near future (St. James, the O.G.H. Hotel, the Markets, the Royal Hotel site, Glatigny Esplanade site, the Bouet MURA and possibly St. Paul's Gardens), and we need to ensure the preservation of some of the character of the Town.

Option 1 is the Douzaine's preference, though not unanimously, as there are concerns on the preservation of the 1811 building. It is believed that it will provide more options for traffic flow, pedestrianised areas, the servicing of Town shops, commuter access to existing car parks, and will not reduce public parking to the same extent as the other options.



The Douzaine and Deputies were particularly concerned by the fact that the current Royal Court room would still remain as the debating chamber for the States of Guernsey. This necessitates the closure of Court Row, and if Option 3 were implemented, there would be very restricted traffic flow in the area. However, whichever option is chosen, they feel that provision should be made for the debating chamber to be situated in as quiet a location as possible – i.e. so that the chamber is not affected by outside noise/disruption. Furthermore, the resulting building should be the most prestigious building in the Town.

We have also given consideration to the effects of the two options upon access to Lefebvre Street, particularly the lower end, where there is a greater volume of traffic, not only in vehicle size but also in quantity. Servicing of the premises in High Street/Arcade is a day long activity, and this is likely to escalate when work commences on the Market site as we anticipate there will be restricted access to Church Square.

The area in the vicinity of the cenotaph will also provide an opportunity for some improvement in traffic management by adopting Option 1. Furthermore, an extension of pedestrianisation would be deemed as most welcome.

We must also bear in mind that any development excluding the realignment of the road (New Street extension) will have a greater ripple effect on the town traffic generally. This could impact on the Clifton Street area, where a one-way system should be maintained.

As a side issue, the experiment of closure of the Quay has served to highlight the serious effect of increased traffic in the older quarters of the town, impacting on both quality of life of the residents and also potential damage to the structures of the old buildings.

We enclose for your information a copy of a letter from Deputy Roy Bisson who was unable to attend the presentation.

Yours sincerely,

Keith
Michael

D.K. MISSELBROOK
M.J. BEACHAM
Constables.

**Roy Bisson**

People's Deputy for St. Peter Port
West Lynn,
Croutes Havilland,
St. Peter Port,
Guernsey GY1 1ET

Telephone: 01481 710854
GSM mobile: 07781 100296
Facsimile: 01481 713645
E-mail: Roy@Bisson.com

The Constables of St. Peter Port,
Constables' Office,
Lefebvre Street,
St. Peter Port
GY1 2JS

Dear *Kate & Michael*

Ref.: Old Prison site & New Court Complex

Thank you for sending me the draft response to the recent presentation which I was unable to attend. I am aware of the options through my membership of IDC.

I agree with your request for "Parish Hall" facilities, and that the use of the space to be vacated by the Magistrate's Court would be suitable.

I am concerned that you should support Option 1, although, I presume that to be a result of the traffic implications of Option 3. Option 1, as the model showed, is a very tall and commanding adjunct to the roofscape of St. Peter Port - dominating St. James. Furthermore, we have not seen any elevations of the building that might go there. Finally, the diversion of New Street becomes so tortuous as to find little favour with any of the road engineers so far consulted. There are also very high cost implications for Option 1.

Option 3, no doubt as presented to you, blocks-off New Street - an option completely unacceptable to me. It also "encloses" the Old Prison building, negating the whole reason for its preservation!

The good news is, that recent developments have meant that Option 3 is creeping westwards, and there may yet be a point at which New Street opens. The creep is also opening a viable space in front of the Old Prison.

I find it amazing that it has taken so long for common sense to prevail. Purchasing the Bonamy land and utilising the L-shaped space to build two 3 story conventional buildings, and a 2 story court complex, will halve the cost, provide an excess of accommodation, preserve the existing streets and buildings, and offer a substantial space in front of the Old Prison. The only problem is that some court officials might have to pass through a 50 metre passageway under the road!

I have made representations to the CPRC at officer level, and it is quite clear that more time is required to get this important project right.

May I ask you, in your final letter, to put your concerns first and your (reluctant?) acceptance of Option 1 second. This may enable Option 3 to creep westwards sufficiently to open New Street and fulfil your objectives.

Yours sincerely

Roy Bisson
5th August 2000



GUERNSEY POLICE

Telephone (01481) 725111
Fax (01481) 256432
Telex 4191335

M H Wyeth BA (Hons)
Chief Officer of Police

Police Headquarters
Hospital Lane
St Peter Port
Guernsey
GY1 2QN

MHW/CPO'M

10 July 2000

Mr P Tidd
States Traffic Committee
P O Box 145
Bulwer Avenue
St Sampson's
GUERNSEY
GY1 3HY

Dear *Peter*

ROYAL COURT EXTENSION

I refer to your meeting with Mike Watson and Paul Gill held on 4 July 2000. I attach Mike's memo. of 6 July 2000. I entirely endorse Mike's comments.

I understand from Mike that you asked if I would summarise my security concerns in respect of Options 1 and 2.

My preference for Option 1 is based on two main factors.

- (a) Option 1 forms an "Island Site" which has advantages in terms of being able to isolate it using public space. This might be to keep people out or keep people in via a cordon. In the event of a security operation it does permit rapid deployment and redeployment around the site.
- (b) The access for the cell vehicles in Option 1 is onto St James' Street not far from the junction with Collège Street. This will permit rapid exit (and with traffic control entrance) thus minimising the opportunity for attack or obstruction when the cell vehicle leaves or returns.

In contrast Option 2 would create a narrow convoluted route along New Street or Rue du Manoir which has a terrace overlooking the road providing an extra security concern.

I hope these comments will be helpful.

Yours sincerely

M H WYETH
Chief Officer of Police

APPENDIX D

SECURITY ISSUES

- Letter of 10 April 2000 to Committee for Home Affairs
- Letter of 12 May 2000 from Guernsey Police
- Letter of 12 May 2000 from Guernsey Police
- Security Brief – Prepared by Consultant Courts Architect in Consultation with Guernsey Police and Prison Service

Our Ref: R767

10 April 2000

The President
States Committee for Home Affairs
Sir Charles Frossard House
La Charroterie
St Peter Port
Guernsey
GY1 1FH

Dear Conseiller Torode

EXTENSION AND REFURBISHMENT OF THE COURTS

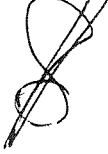
You may recall that the Board was recently directed by the States to continue consultations with named States Committees in respect of the above. A cross committee working party has been formed to progress matters. In the absence of a chairperson at the present time, I am writing to you to seek your Committee's assistance as regards security issues.

Security matters are being developed as a matter of priority at officer level as these will influence the design of any revised proposals in a significant manner. The Board is very much aware that security considerations are of the utmost importance in relation to the provision of an expanded courts complex that will meet the needs of the Islands for many years to come.

In this regard, the Board's advisor, Mr. Anthony Clerici, has prepared a draft security brief for the scheme. He has liaised, albeit informally, with the Chief of Police and Prison Governor and the resultant paper was recently tabled at a staff level meeting on the courts. However, at some point a firm recommendation will need to be put to the States regarding the level of security to be provided within the new buildings. Before this is possible, it is important that the security brief is thoroughly tested and that the advice of the necessary authorities has been fully taken into account. I should therefore be pleased to receive your Committee's advice regarding security requirements for the courts complex, both at the present time and in the longer term. I appreciate that your Committee may wish to take advice from U.K. authorities such as the Home Office in this regard.

I look forward to receiving your response, and confirm that the Board's Chief Property Manager, Mr. John Silvester and Mr. Anthony Clerici will be available to liaise with your staff as appropriate to expedite matters. The Board may then update the working party as appropriate.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R C Berry', written over a circular stamp or mark.

R C Berry
President

cc: The President, Island Development Committee
The President, States Traffic Committee
The President, States Heritage Committee

bcc: The Strategic Property Advisor
A Clerici, A Plus Design

**GUERNSEY POLICE****16 MAY 2000**

Telephone (01481) 725111
Fax (01481) 256432
Telex 4191335

M H Wyeth BA (Hons)
Chief Officer of Police

Police Headquarters
Hospital Lane
St Peter Port
Guernsey
GY1 2QN

MHW/CPO'M/29.05.06.27674

12 May 2000

Deputy R Berry
President
Board of Administration
Sir Charles Frossard House
P O Box 43
La Charroterie
St Peter Port
GUERNSEY
GY1 1FH

Dear **EXTENSION AND REFURBISHMENT OF THE COURTS**

I apologise for the delay in responding to your letter of 10 April 2000. I consider the security of the Refurbished Court Building to be of great importance.

I have been briefed by the Chief Officer of Police and the Prison Governor and I know they are being consulted by the Board's Advisors in whom they have the greatest confidence.

I consider this to be an 'operational' matter and I am content to delegate to the Chief Officer and the Prison Governor the role of advising your Adviser and your officers. They are aware that they can call upon the support of the Committee for Home Affairs if 'political' support is required in respect of any security issue arising from the refurbishment project.

Yours sincerely



M W TORODE
President



GUERNSEY POLICE

Telephone (01481) 725111
Fax (01481) 256432
Telex 4191335

M H Wyeth BA (Hons)
Chief Officer of Police

Police Headquarters
Hospital Lane
St Peter Port
Guernsey
GY1 2QN

MHW/CPO'M/05.07.27842

12 May 2000

Mr A Clerici
Director
Design Plus
King's House
St John's Square
WOLVERHAMPTON
WV2 4DT

Dear *Audrey*

THE ROYAL COURT EXTENSION - SECURITY

Thank you for your letter of 19 April 2000. I apologise for the delay in my response. The approach as outlined makes perfect sense.

In respect of the numbered points:-

1. Draft Security Report? - approved.
2. 'High' risk category? - approved (we must anticipate needs of the future).
3. Location of users?

From a security point of view it is essential that the Law Officers are on the same site. The location of the Probation Service is less crucial though they should have a secure 'base' on the site.

Mr A Clerici

12 May 2000

4. Adjacent development? There are (at least) two angles to this:-
- a) the nature of any planned adjacent development as regards vantage points for intrusion of any nature. The opportunity would exist to make representation during the planning process.
 - b) The scope for anticipating and neutralising the risk of 'intrusion' in the design of the refurbished building.
5. Access?
- a) Vehicular
 - (i) Prisoners - essential to maximise security and facilitating fast entry/exit of vehicles e.g. high risk/profile prisoners. Intrusion risk (e.g. Press) to be dealt with.
 - (ii) Judiciary - essential to maximise security of persons and their vehicles whilst unattended. Fast entry/exit essential, intrusion risk as per prisoners.
 - (iii) Staff - high profile staff e.g. Law Officers as per judiciary.
 - (iv) Public - not applicable.
6. Pedestrian
- (i) Judiciary/Staff - separate entrance, facility for access control human and/or electronic permitting smooth/rapid entry/exit.
 - (iii) Public - preferably single point permitting high security checks by human/electronic methods including luggage screening. "Channelling" to permit CCTV/still record of every visitor.

I have not had the opportunity to discuss these issues with our own "specialists" but will do so and/or make them available to you as you prepare detailed specifications.

Yours sincerely



M H WYETH
Chief Officer of Police

SECURITY BRIEF

THE ROYAL COURT EXTENSION, ST PETER PORT, GUERNSEY

INTRODUCTION

This paper sets out an approach to achieving an appropriate level of security for the court extension and existing accommodation. Should part of the accommodation be separated from an integrated court complex that accommodation's security requirements are also to be defined.

The basis for the preliminary recommendations listed below can be found in the Courts Standards and Design Guide published by The Court Service. However local risk assessment is a crucial to achieving the correct security brief.

It is important to agree a strategy for site issues during this six months review period.

THE EXISTING BUILDING

The current level of security within The Royal Court building is very basic. The operation of the building places users and visitors at risk on a day-to-day basis. There is little or no provision for vulnerable users. Security of defendants in the custody area, which includes the van dock in the Old Prison, is very poor.

A security 'audit' of the existing building should be undertaken to ensure correct remedial measures are taken.

SECURITY CATEGORY

The need for security can be considered as follows:

- Security of the building against terrorist attack.
- Security of the building against unauthorised entry or exit and security of persons and fabric within the building.
- Security of defendants and prisoners within the custody area.

Security against terrorist attack.

In the- UK courts are categorised as follows.

High - applicable to 1st and 2nd tier courts where High Court judges may preside.

Medium - applicable to third tier courts

Low - for County Courts where they are not provided jointly with Crown Courts

At present The Bailiwick has a panel of judges who are called in to preside over Courts of Appeal and other matters. Of these the most senior judges are Deputy High Court Judges but it is likely that High Court judges will be included in the foreseeable future. Other visitors to the Bailiwick who attend meetings with States officials in the Royal Court require varying degrees of protection.

This places Guernsey's court in the 'High Risk' category.

RECOMMENDED SECURITY PROVISION

'High Risk' category court buildings should have:

1. A minimum number of entrances
2. Controlled parking for authorised users
3. Avoid glazing to internal doors
4. Ideally a 30m stand-off distance from any road or area where vehicles are parked.
5. An incident control room with two outward opening doors
6. A purpose designed search area at the main entrance and positioned to allow 100% bag search
7. Soft landscaping to avoid trees and bushes with low foliage within 15m of the building
8. No overhangs at first floor level
9. All external windows to have 7.5mm laminated glass
10. Exterior to be lit at night.

General security of the building.

The following systems are recommended:

1. Fire warning system
2. Emergency lighting
3. Voice alarm and public address
4. Personal attack alarm system for judges and others to be specified; for example, staff, interview rooms etc
5. Escape door alarm system
6. Appropriate locking of doors; for example to judges restricted circulation etc.
7. Repeater alarm panels in Police Room and Police Station.
8. CCTV. Internally and/or externally?

NOTES

1. A site appraisal to be undertaken to review overlooking from other buildings and the ability to minimise prejudice to security by avoiding the necessity of building on the site boundary. The policy for future development of adjacent sites must be addressed. This will involve participation in the 'planning' process for the court site and adjacent developments.
2. Develop this list of users and their relation to security provision:

User	Notes
Judiciary and Jurats.	Segregated internal circulation including at interface with staff areas. Secure car park with controlled access/egress. All visitors to the restricted circulation areas to be escorted. Personal attack alarm call points in chambers and in courtrooms.
Law Officers	Secure car park with controlled access/egress. Secure offices with separate staff entrance.
Court staff (Grefe and Sheriff)	Segregated offices. Secure cash counter. Appropriate protection of records
Defendants	Apply Home Office standards where relevant The custody area will be staffed by officers with responsibility for those in their care. Generally Home Office standards for custody areas will be applied from the van dock through the custody suite to the courtroom dock areas. Allow for replacement vehicles Provide video 'remand' link
Public	Ability to carry out 100% bag search Supervised public areas Facilities for families and children
Witnesses and Victim Support	Appropriate segregation of witnesses
Non-staff users (Advocates, Police)	Secure offices
Probation	Segregated and secure offices with appropriate public access Consider 'out of hours' operation
Maintenance and building management	Needs access to all areas

3. Future changes.

The perceived security needs of today must be reviewed with respect to how the building should be able to perform during its intended lifetime. For example, if stand-off areas and 100% bag search are not required today, the building's brief must address likely future security needs.

- Consider management of the building and surroundings for different security incidents
- Provide ability for CCTV for the building to link with the St Peter Port system.

Generally the need for security is an increasing burden on the fabric and operation of court buildings.

Anthony Clerici

APPENDIX E

PAPERS FROM CONSULTANT QUANTITY SURVEYOR

- Capital Cost Comparison of Options
- Summary of Costs
- Breakdown Cost of Enabling Works

CAPITAL COST COMPARISON OF OPTIONS - SUMMARY

	OPTION 1 (realignment of New St & demolition of 1811 building)	OPTION 1A (as option 1 but incls bonamy land)	OPTION 1C (as option 1 but retains 1811 building)	OPTION 3 (closes new street)	OPTION 3A (as option 3 but incls Bonamy land)	OPTION 3B (alternative design to option 3A - incls bonamy land)
COURTHOUSE AREAS	sq m	sq m	sq m	sq m	sq m	sq m
Gross Floor Area (Courts - new build)	3,400	3,400	4,700	3,600	3,500	4,100
Gross Floor Area (Courts - refurbishment)	2,600	2,600	1,800	2,600	2,600	2,600
Gross Floor Area (1811 building)	N/A	N/A	400	400	400	400
Underground Carpark	910	910	510	590	990	650
Total Area	6,910	6,910	7,410	7,190	7,490	7,750
Total Area excluding Carpark	6,000	6,000	6,900	6,600	6,500	7,100
SOR	3,864	3,864	3,864	3,864	3,864	3,864
Design Efficiency	1.55	1.55	1.79	1.71	1.68	1.84
COURTHOUSE COSTS	£	£	£	£	£	£
Site Cost	Excluded	Excluded	Excluded	Excluded	Excluded	Excluded
Building Cost (New Build)	6,640,000	6,640,000	8,570,000	6,920,000	7,020,000	7,830,000
Building Cost (Refurbishment of existing Royal Courts & St James Chambers)	2,410,000	2,410,000	1,900,000	2,410,000	2,410,000	2,410,000
Average Risk Allowance (12%)	1,090,000	1,090,000	1,260,000	1,120,000	1,130,000	1,230,000
Guernsey Location Factor (41%)	4,160,000	4,160,000	4,810,000	4,280,000	4,330,000	4,700,000
BASELINE COST	14,300,000	14,300,000	16,540,000	14,730,000	14,890,000	16,170,000
Inflation Allowance	Current Prices	Current Prices	Current Prices	Current Prices	Current Prices	Current Prices
Professional Fees (13%)	1,860,000	1,860,000	2,150,000	1,910,000	1,940,000	2,100,000
COURTS WORKS COST (£)	16,160,000	16,160,000	18,690,000	16,640,000	16,830,000	18,270,000
OFFICE DEVELOPMENT AREAS	sq m *	sq m	sq m	sq m *	sq m	sq m
Gross Floor Area - Offices	3,430	3,460	1,570	970	1,810	1,430
Underground Office CarPark - Area	270	1,130	760	450	420	560
Total Area	3,700	4,590	2,330	1,420	2,230	1,990
OFFICE DEVELOPMENT COSTS	£ *	£	£	£ *	£	£
Office (New Build)	4,670,000	5,960,000	2,700,000	1,730,000	2,810,000	2,370,000
Underground Carpark	incl above	incl above	incl above	incl above	incl above	incl above
Average Risk allowance (12%)	incl above	720,000	320,000	incl above	340,000	280,000
Guernsey Location Factor (included in construction rate)	Incl	Incl	Incl	Incl	Incl	Incl
BASELINE COST	4,670,000	6,680,000	3,020,000	1,730,000	3,150,000	2,650,000
Inflation Allowance	Current Prices	Current Prices	Current Prices	Current Prices	Current Prices	Current Prices
Professional Fees (13%)	610,000	870,000	390,000	220,000	410,000	340,000
Letting Agents fee and Interest (from Lovells report)	260,000	390,000	160,000	110,000	180,000	160,000
OFFICE WORKS COST (£)	5,540,000	7,940,000	3,570,000	2,060,000	3,740,000	3,150,000
BONAMY LAND COSTS (£)	N/A	700,000	N/A	N/A	700,000	700,000
TOTAL DEVELOPMENT COST	21,700,000	24,800,000	22,260,000	18,700,000	21,270,000	22,120,000
CAPITALISED RENTAL VALUE (From Lovells - see separate report) (£)	7,860,000	11,950,000	4,810,000	3,080,000	6,180,000	3,560,000
NET DEVELOPMENT COST (£)	13,840,000	12,850,000	17,450,000	15,620,000	15,090,000	18,560,000

APPENDIX

SUMMARY OF COSTS

	<i>Option 1</i>	<i>Option 1A</i>	<i>Option 1C</i>	<i>Option 3</i>	<i>Option 3A</i>	<i>Option 3B</i>
Courts Building Costs [rounded] millions	£16,160m	£16,160m	£18,690m	£16,640m	£16,830m	£18,270m
Net profit / loss of office development	£2,320m	£3,310m	£1,240m	£1,020m	£1,740m	(£0.290m)
Net Development Cost	£13,840m	£12,850m	£17,450m	£15,620m	£15,090m	£18,560m

The Courts building costs are feasibility estimates including all new building works identified as well as the refurbishment of the existing Royal Courts. The figures include an average risk allowance and professional fees. They are at current prices and therefore subject to inflation. No decanting costs are incorporated within the figures.

The net profit / loss of the office development is the difference between the capital build cost of the office development (including the cost of Bonamy land if applicable) less the capitalised rental value. The capitalised rental value is the annual rent payable capitalised at an appropriate yield to obtain a capital value / sale price in the open market.

Options 1C, 3, 3A and 3B all include an allowance for basic refurbishment of the 1811 building to allow limited usage for court operations (eg storage). Allowance is included for the refurbishment of the 1811 building at £360,000.

Breakdown Cost of Enabling Works	Option 1	Option 1A	Option 1C	Option 3	Option 3A	Option 3B
	£,000	£,000	£,000	£,000	£,000	£,000
Demolition of Old Prison Site	300	300	150	150	150	150
Diversion of Road	450	450	450			
Road alterations				400	400	400
Works to support diverted road & initial works to underground carpark	250	250	250			
Archaeological Survey	20	20	20	20	20	20
Condition Survey of existing building	20	50	50	50	50	50
Soil Investigation	20	40	40	40	40	40
Fees for enabling Works	140	140	110	80	80	80
Fees to tender stage for whole scheme	1,800	2,000	1,850	1,600	1,700	1,800
3,000	3,000	3,250	2,920	2,340	2,440	2,540
	3,000	3,300	3,000	2,400	2,500	2,600

APPENDIX F

COMMENTS FROM ISLAND DEVELOPMENT COMMITTEE



12 OCT 2000

STATES OF GUERNSEY

**ISLAND
DEVELOPMENT
COMMITTEE**

Our ref: R767/A2.113

Sir Charles Frossard House
PO Box 43 · La Charroterie
St. Peter Port · Guernsey
GY1 1FH · Channel Islands
Tel. (01481) 717000
Fax. (01481) 717099

The President
States Board of Administration
Sir Charles Frossard House
La Charroterie
St Peter Port
Guernsey

12th October 2000

Dear Deputy Berry

EXTENSION AND REFURBISHMENT OF THE COURTS

Thank you for giving the Committee sight of the draft policy letter.

The Island Development Committee's main concerns are the conservation and design issues that arise from this scheme. The new building will result in a dramatic alteration to a historic part of St Peter Port and must be of an excellent standard of design, appropriate to its function and to its environment.

As you know, during the review period, the Committee expressed a strong preference for Options 3, 3a and 3b because they conserve important aspects of the existing townscape whilst also offering very promising design possibilities. They also offer the benefit of retaining the 1811 building and prison wall. The Committee encouraged the purchase of the Bonamy House land and the development of these options. It is therefore disappointed that the Board has not recommended these options to the States.

The Committee has important reservations about Option 1, which will involve extensive demolition of existing townscape. The resulting building will sit in awkward relationship to existing buildings and will be difficult to elevate. The Committee would like to take this opportunity to record its reservations. Should, however, the States decide to approve Option 1, the Committee will work with the Board in considering the detailed plans in a constructive and expeditious manner having regard to all relevant planning issues and in particular to the design aspects which will require careful scrutiny.

Yours sincerely

DEPUTY P MELLOR
Vice President

APPENDIX G

COMMENTS FROM STATES HERITAGE COMMITTEE



States of Guernsey

12 OCT 2000

HERITAGE COMMITTEE

The President
Board of Administration
Sir Charles Frossard House
PO Box 43
La Charroterie
St Peter Port
Guernsey
GY1 1FH

Committee Secretariat,
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

12 October, 2000

Dear Deputy Berry

ANCIENT MONUMENTS AND PROTECTED BUILDINGS (GUERNSEY)
LAW, 1967
ROYAL COURT DEVELOPMENT

I enclose a statement of the Heritage Committee's comments on the draft policy letter regarding the above. I would be grateful if this could be appended to the policy letter when it is submitted to the Advisory and Finance Committee.

Yours sincerely

C H Waite
President
Heritage Committee

Enc

HERITAGE COMMITTEE STATEMENT

ROYAL COURT DEVELOPMENT

In February 2000 the States resolved that discussions between the Board of Administration, the States Heritage Committee, the Island Development Committee and the States Traffic Committee should be resumed. The States Resolution recognised that the provision of new court facilities is a costly and complex project of great importance to the Island and involves weighing a number of important considerations in arriving at the best possible solution. The States considered that the possibilities had not been fully explored and that consultation with key Committees, including the Heritage Committee, had not been adequately carried out. In addition the Resolution implicitly acknowledges the scheduled status of the historic prison buildings and that the potential for their retention within the new complex should be fully investigated.

It was decided that the Review should be conducted through a Working Party of political representatives from each Committee with an independent chairman, to which an officer group reported.

The buildings on the old prison site together form a complex of outstanding historic importance both locally and nationally, of which the 1811 building is the most significant (see Appendix attached). The Heritage Committee, in accordance with its mandate, has been instrumental in ensuring that their importance as part of the Island's Heritage is fully recognised. The protection of historic buildings, in the public interest, is an important part of the consideration of this scheme.

However, mindful of the wider public interest, the Heritage Committee has repeatedly and consistently stated that it is willing to consider all possibilities up to and including the demolition of the scheduled buildings on the site, provided that it can be demonstrated that the favoured option was the best that can be achieved overall in the interests of the Island and that a compelling case can therefore be made for demolition.

A comprehensive examination of all aspects of the project was undertaken, including the needs of court users, access, traffic and security considerations, urban design issues (a model was commissioned) and the relative importance of the various historic buildings within the complex, as well as other aspects of the scheme.

The officer group was soon able to report that the closure of New Street and the management of traffic in the area could give rise to a viable alternative option which would retain the 1811 building and part of the prison walls. This has become known as Option 3. The States Traffic Committee agreed that, whilst problematic in some respects, this option could be made to work from a traffic point of view. In addition, the accommodation requirements of the court users, a high degree of security and an integrated, flexible site could, in principle, could be provided. It was apparent that

both this and the original option would benefit significantly from the acquisition of the adjacent Bonamy House garden and the Board of Administration was requested to open negotiations for its purchase.

Two viable alternative options (Options 1 and 3) were therefore generated. In addition improved versions of these (Options 1a, 3a and 3b) were made possible by the use of the Bonamy House garden. The officer group was asked to develop these into workable and fully comparable schemes for the Working Party's consideration.

Unfortunately, by the time of the final presentation to the Working Party, the asking price of the Bonamy House land remained in excess of the Board of Administration's valuation. The Working Party could, therefore, only consider the two options without the advantages of the additional land.

The Heritage Committee's view, expressed in the Working Party and in subsequent correspondence is that Option 3 – and especially Options 3a and 3b – offer the opportunity to create a very exciting building, combining the new with the old in a harmonious relationship. The perceived problems have workable solutions, whether or not the Bonamy House gardens can be purchased.

The Committee has considered the Board's further Option to include the 1811 buildings within Option 1 (known as Option 1c). The plans available show that this Option may successfully retain the 1811 building. It is unclear, however, whether major changes to the building would be involved or whether its long-term future could be guaranteed. What is clear is that it would result in greater disruption for the courts and cost to the States. The Heritage Committee, therefore, has severe doubts that Option 1c could be developed into a successful overall scheme. It believes, however, that Option 3, 3a and 3b are capable of such development and that any further effort should be concentrated on these.

The decision of the Board of Administration to recommend Option 1 to the States is considered premature for three reasons:-

- Work on Option 3 is incomplete. There is a workable scheme capable of development which would deliver a high quality courts complex and keep the 1811 building and outer walls as part of the Island's heritage.*
- The decision not to purchase Bonamy House land is based on valuation which does not reflect the true potential of the land to the States, nor of the non-economic aspects of the valuation – the retention of a unique building in an outstanding historic setting;
- In deciding to recommend Option 1 above all others to the States the Board of Administration has not given sufficient weight to the various considerations involved in each option, with the result that the heritage and urban design considerations have not been given full value.

In the current circumstances the Heritage Committee considers that a compelling case to demolish all the buildings has not been made. It commends the purchase of the Bonamy House land and further work on the development of Option 3.

* It is worth noting that the records of officer level discussions show that they were aware that work on Options 3, 3a and 3b, although advanced was not completed at the time of the final presentation to the Working Party.

APPENDIX

THE OLD PRISON BUILDINGS

In the early eighteenth century, the States of Guernsey decided to replace the dungeons of Castle Cornet with a purpose built new gaol. The new gaol was to be all that was best in prison design; men and women were to be segregated from each other in individual cells and debtors were to be kept separate from criminals. Conditions were to be healthy, humane and secure. A number of designs were commissioned from English prison designers but the eventual design was a local adaptation of English ideas.

The 1811 cellblock

The oldest and most interesting building on the site is a two story building over a semi basement. The façade is composed of a seven bay, two-storey arcade with galleries behind and is very unusual. The quality of the dressed granite work is particularly fine.

There are cells on all three levels. The debtors, who enjoyed a more lenient regime, occupied large cells on the ground floor. When the building was surveyed in 1863, the central cell was being used as a chapel and another as a crank room (a form of treadmill used to punish inmates). These prisoners used the yard for exercise. On the upper floors were the criminals' cells, which were smaller rooms. Eight were designated for men, two for women. The gallery was used for exercise.

The cell block and nearby Governor's house are shown in an engraving of 1815, taken from Berry's 'History of Guernsey' of that date. The building is an exceptionally early and complete survival.

The later extensions

The new prison soon proved inadequate. There were problems with heating and sanitation and there was no kitchen or laundry. In addition, informed opinion considered that prisoners should have constructive work and religious instruction to aid their moral improvement. Land was purchased to the west for the extensions:

The men's block - a new range of cells was added to the original block, linked by adding an extra arch to the original arcade.

The stone-breaking yard - the rather grand gateway next to St James was, in fact, the cart gate where stones were delivered to the prisoners for breaking.

The chapel - this structure has some of its original fittings. It was carefully designed so that the men and women entered by their own doors and could not see each other during services.

The women's block – A small block to a similar specification to the new men's block. A wash house was built on the side to provide the prison with clean laundry and the women with useful toil.

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

10th November, 2000.

Sir ,

I have the honour to refer to the letter dated 26 October 2000 addressed to you by the President of the Board of Administration on the subject of the provision of new court accommodation and the preferred site for that accommodation.

Whilst the Committee recognises the concerns expressed regarding conservation and design issues, and is normally reluctant to support the demolition of buildings with a heritage value, in view of the compelling public interest factors it strongly supports the provision of the new court accommodation as described under option 1.

The States of Deliberation made their decision to site the much-needed accommodation on the Old Prison Site in February of this year and the matter is now pressing. The Committee is disappointed that the States resolution requiring the Board to report back as soon as possible after the expiration of the further six month consultation period has not been met. However the Committee recognises that the delay was due to the Board of Administration revisiting a number of issues in a final attempt to secure agreement.

In reaching its decision to strongly support option 1 the Committee has given very careful consideration to the views of the Island Development Committee and the Heritage Committee particularly with regard to their stated preference for Options 3, 3a and 3b to be further developed and for the Bonamy House land to be purchased, albeit at a value higher than that recommended by the Board's professional advisor.

The Committee has also considered the extensive studies carried out prior to February of this year, the additional investigations carried out since, the views of the other committees, the users, the professional advisors and the Douzaine and the fit of the various options with the fundamental criteria that must be met.

The Committee considers there to be sufficient information for an informed decision to be taken and that the information clearly establishes the case for the site boundaries and general accommodation to be as proposed by option 1. In reaching this conclusion the Committee recognises that whichever option is selected it will be necessary to carry out considerable further design and planning work to ensure the provision of a landmark building of which the Island will be proud and which will provide good value court accommodation for at least one hundred years.

Whilst the acquisition of the Bonamy House land is not required under option 1 the Committee has noted the various comments expressed regarding the value of the land and that the Board of Administration has offered more for the land than the valuation indicated by professional advice.

The demolition of the walls and buildings is a matter for the Heritage Committee and the States cannot, except by legislation, overrule a decision of that Committee not to grant permission for the demolition of the buildings. However the Committee welcomes the Heritage Committee's previous assurance that it is prepared to accept the outcome of a full and informed debate. If the States accept the overriding public interest factors and approve option 1 the Committee trusts the Heritage Committee will recognise that the States have reached an informed decision, that all important issues have been considered, and grant permission for the demolition of the scheduled buildings and walls when application is made by the Board of Administration.

In February of this year the States established the need for additional court accommodation and recognised that they have a paramount responsibility to provide without undue delay essential accommodation and facilities so as to enable the judiciary and others concerned with the administration of justice to discharge their duties. In this regard Members will be aware that the judiciary, Law Officers and court officials, by convention, do not voice their opinions either in public or in the States Chamber on matters of this nature. However the Advisory and Finance Committee is aware of their strong concerns over the deficiencies in the existing court facilities and the requirement for proper accommodation to be made available.

The Board's proposals represent the best way in which the States can meet its obligations for now and into the future and the Advisory and Finance Committee recommends the States to approve the proposals.

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

The States are asked to decide:—

- VI.— Whether, after consideration of the Report dated the 8th November, 2000, of the States Board of Administration, they are of opinion:—
1. To approve in principle the planned redevelopment of the Royal Court on the old prison site on the basis of Option 1 as set out in that Report.
 2. That the over-riding public policy considerations dictate that the public interest is best served by the redevelopment of the old prison site, as described under Option 1, notwithstanding that it will entail the demolition of all buildings and walls on the site which have been registered in the Register of Ancient Monuments and Protected Buildings.
 3. To direct the States Board of Administration to arrange, in consultation with the States Heritage Committee, for the recording of the old prison site, as detailed in that Board's report dated the 10th January, 2000, and contained in Billet d'Etat No. IV of 2000.
 4. To direct the States Heritage Committee to note the States view that it is an over-riding public policy consideration that all the old prison buildings and walls be demolished, when considering under the relevant laws any application from the States Board of Administration for their demolition.
 5. To direct the Island Development Committee to take note of the above when considering under the relevant laws any request from the States Board of Administration for that Committee's comments concerning proposed redevelopment on the old prison site as contemplated in Option 1.
 6. To approve the States Board of Administration's proposals to undertake enabling works as detailed in section 12 of that Report, including surveys and the appointment of consultants at a total estimated cost not exceeding £3,000,000.
 7. To authorise the States Board of Administration to seek tenders and award, subject to the approval of the States Advisory and Finance Committee, contracts for the proposed demolition and engineering works as detailed in section 12 of that Report and from within the sum of £3,000,000 mentioned above.
 8. To authorise the States Board of Administration to commission a project design team through the appointment of consultants, including a Project Manager, within the sum detailed above, subject to the approval of the States Advisory and Finance Committee, which team is to prepare detailed proposals, including tender documentation for the extension and refurbishment of the courts.
 9. To vote the States Board of Administration's Capital Allocation a credit of £3,000,000 to cover the costs of the above works, which sum is to be charged to the Capital Reserve.
 10. To direct the preparation of such legislation as may be necessary for the permanent closure of Rue Marguerite as detailed in Option 1, such closure to come into force when the re-routed road has been constructed.

STATES AGRICULTURE AND COUNTRYSIDE BOARD**REVIEW OF CULL CATTLE COMPENSATION**

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

1st November, 2000

Sir,

REVIEW OF CULL CATTLE COMPENSATION.Introduction.

Following the ban on the sale of bovine animals imposed by the United Kingdom, the States approved a scheme to assist farmers who were faced with the loss of a significant outlet for cull cattle that would previously have been sold for human consumption. The ban had been stimulated by rapidly increasing concern over the risk of transfer of the infective agent of BSE (Bovine Spongiform Encephalopathy) to the human population. The ban remains in place and the scheme has continued to operate to assist local farmers with the financial consequences of the collapse of the export market for animals that had previously been sold into the meat trade in the UK.

The States agreed that farmers should receive limited financial support under this cull cattle compensation scheme as follows:

- a) meets the cost of slaughtering and disposing of the carcasses of all bovine animals over 30 months of age at the time of slaughter; and
- b) pays compensation of £150 in addition to the slaughtering and disposal costs for cull cattle over 30 months of age at the time of slaughter that would have been considered fit for human consumption prior to 20 March 1996.

The Board undertook to report to the States each year on the future need for the compensation scheme and in addition assured the States that it would report back immediately if there were any developments in respect of BSE that would lead it to recommend that the scheme should be substantially altered or discontinued.

It should be noted that this over 30 months cull cattle compensation scheme is separate to the compensation payments paid to farmers for cattle that are slaughtered under powers exercised by the Board under its animal health legislation to remove BSE infected animals from the Island herd. Under those arrangements, the owner of the animal receives £600 with slaughter and disposal charges being covered by the Board. The £150 cull compensation is not paid in these instances.

International Developments.

The European Union has agreed that trade in beef from the UK can commence, but currently this is at a low level and some countries have yet to allow imports under the new trade rules. Trade may only take place from herds, which meet strict requirements regarding freedom from BSE and meat must be processed in slaughterhouses specially approved for the export of meat.

There are still no farms on the Island that could yet meet the health requirements that would allow it to be classified as “BSE free”, but regardless of this, there remains a ban in the UK on the slaughter of cattle over the age of 30 months for human consumption.

As most, if not all, cull cattle from the Island would be older than 30 months at the time of slaughter, such animals cannot enter the food chain and therefore the market for cull animals remains closed.

The Board understands that the UK authorities are reported to be considering a review of the rule that bans the consumption of meat from cattle that are over the age of 30 months. That review has yet to be carried out.

Disposal of Guernsey Cull Cattle.

In 1999 a total of 608 cull cattle were disposed of by incineration out of which 66 did not qualify for compensation.

Reported Incidence of BSE in Guernsey.

BSE cases in Guernsey have occurred as follows:

1987	4	1994	69
1988	34	1995	44
1989	52	1996	36
1990	83	1997	44
1991	75	1998	24
1992	92	1999	11
1993	115	2000	11 (up to 11 10 2000)

Since 1993 the trend has been one of decline, which generally mirrors events in the United Kingdom. There have been fluctuations year on year and the number of cases in 1999 may be regarded as low compared to the overall trend in the decline of the incidence of the disease.

The Board expects the general trend of a decline in cases to continue in future years.

Implications for Agriculture in Guernsey.

At the present time there remains no market for Guernsey cull cows off the Island and only animals less than 30 months of age may be slaughtered for human consumption on the Island. Local farmers are still faced with the prospect of having to dispose of surplus animals from which they might otherwise have derived some income.

The Board therefore recommends that the States

- a) continue to meet the cost of the slaughter and disposal of cull cattle; and
- b) continue to pay compensation of £150 per carcass for animals that would have been considered fit for human consumption prior to 20 March 1996.

Duration of the Compensation Scheme.

The Board proposes that the duration of the compensation scheme should continue for a further year from 1 January 2001 to 31 December 2001, before the end of which the Board will again report back to the States with recommendations that it continue unchanged, be modified or discontinued.

The Board also undertakes to report to the States sooner in the event of any major developments in respect of BSE which suggest that the compensation scheme should be modified or discontinued.

Resource Implications.

There are no staffing implications for continuing to operate the compensation scheme and financial provision for compensation and the disposal of carcasses has been made in the Board's budget for 2001.

Recommendations.

The Board recommends the States to:-

- a) continue to meet the cost of slaughtering and disposing of the carcasses of all bovine animals over 30 months of age at the time of slaughter.
- b) continue to pay compensation of £150, in addition to the slaughtering and disposal costs, for cull cattle over 30 months of age at the time of slaughter that would have been considered fit for human consumption prior to 20 March 1996.

- c) agree that the cull cattle compensation scheme should operate from 1 January 2001 to 31 December 2001.
- d) agree that the cost of the compensation should continue to be categorised as formula-led in the budget of the Agricultural and Countryside Board.
- e) direct the Board to report on the operation of the cull cattle compensation scheme before 31 December 2001 or sooner if developments in respect of BSE mean that it should be substantially altered or discontinued.

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,
 P. J. ROFFEY
 President,
 States Agriculture and Countryside Board.

[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 1st November, 2000, of the States Agriculture and Countryside Board, they are of opinion:-

1. To continue to meet the cost of slaughtering and disposing of the carcasses of all bovine animals over 30 months of age at the time of slaughter.
2. To continue to pay compensation of £150, in addition to the slaughtering and disposal costs, for cull cattle over 30 months of age at the time of slaughter that would have been considered fit for human consumption prior to the 20th March, 1996.
3. That the cull cattle compensation scheme shall operate from the 1st January, 2001 to the 31st December, 2001.
4. That the cost of the compensation shall continue to be categorised as formula-led in the budget of the States Agriculture and Countryside Board.
5. To direct the States Agriculture and Countryside Board to report on the operation of the cull cattle compensation scheme before the 31st December, 2001, or sooner if developments in respect of BSE mean that it should be substantially altered or discontinued.

STATUTORY INSTRUMENT LAID BEFORE THE STATES

THE RABIES (AMENDMENT) (NO. 3) ORDER, 2000

In pursuance of the provisions of section 4 of the Rabies (Bailiwick of Guernsey) Law, 1975, I lay before you herewith the Rabies (Amendment) (No. 3) Order, 2000, made by the States Agriculture and Countryside Board on the 20th October, 2000.

EXPLANATORY NOTE

This Order will:

- exempt any cat or dog that was microchipped, vaccinated and blood tested before the 28 February 2000 (the start date of the United Kingdom Pilot Scheme) from the requirement to have to wait for six months after the date that a blood sample was taken for testing before it can travel.
- exclude an acaricidal collar from the permitted treatments against ticks.
- provide that, in countries or territories which operate an official identification scheme for cats and dogs, the vaccination against rabies and subsequent blood test may be carried out before an animal is identified with a microchip instead of after identification with a microchip and varies the declaration required in Schedule 6 accordingly.

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

The Royal Court House,
Guernsey.
The 24th November, 2000.

