

**Minutes of a meeting of the Havre des Pas Improvement Group held at 6pm
on Thursday 10 October 2024 at the Lido, Havre des Pas**

Chairman: Sam Mezec (SM)

Present: David Warr (DW), Tom Coles (TC)

Apologies: Simon Crowcroft, Chris Band, Beatriz Porée, Lynne Capie, Julia Lydford, Ric Mallet, Janine Slous, Mary Gillen, Sandra Routier, Karen Plummer, Tom Bunting, Shelly Brunsdon, Steven Fitzgibbon

Approval of Minutes for 12 September 2024.

It was resolved to add the approval of the previous meeting's minutes to the next meeting following an email received disputing the minutes, which requires discussion.

Matters arising

It was resolved to discuss the matters arising under any other business.

Update from the Police

PC Dave Bowler, PC Chloe Jones and Chief of Police Robin Smith were present at the meeting. It was noted that the request to move the speeding monitor was denied as it is due to be moved next Wednesday. It was noted that it can be moved again in future. It was confirmed that the data will be downloaded from the monitor and will be provided to the group at the next meeting. It was further confirmed that officers will be conducting speed checks in the area based on the findings of the data.

It was reported that there had been 6 incident logs since the previous meeting; a stolen bike, an intoxicated woman, someone having a fall, a male sleeping in the shelter and reports of concern for a man jumping from the railings. As noted in the previous minutes, it was reported that anti-social behaviour is down 37% after the Summertime Policing Plan. Residents were reminded to continue to report issues in the area. It was noted that visibility has improved in the area following the lighting being fixed by Jersey Property Holdings (JPH).

It was raised that drivers are ignoring the no entry signs on Green Street and that there is no enforcement. It was noted that the issues are particularly bad in the early morning. The police stated that they have not received any reports of issues in the area, however it was noted that these issues are brought up at nearly every meeting. It was confirmed that the police will work with the Honorary's on enforcement and will run a campaign on social media to remind people of the rules. Robin Smith stated that he believes we are dealing with a symptom and that something bigger needs to be done to see a permanent change. He confirmed that the police can conduct a letter drop to residents of the Limes development who turn left out of the development when they are not permitted to do so. It was further noted that there is no 'no left turn' sign at the junction of Marett Court and Green Street so legally they can turn left despite that section of the road being a no entry. It was noted that at the workshops hosted by government at the beginning of the year the promise was made that at the next bus timetable change the number 1 bus would be redirected over Pier Road, so it no longer had to go down Green Street. However, it was confirmed that the deadline had been missed to make these changes and that they would be made next Summer now.

Update from Government and Parish Officers

No Parish or Government Officers attended the meeting. The following statement was provided by Infrastructure Minister Andy Jehan.

"As you know, we have now commenced an expressions of interest process for the Havre des Pas Lido and Concession, which closes on 31st December 2024. This will be followed by a tender process for operation of the site. I am also mindful that Jersey Property Holdings will have to take steps to recover possession of the site in the event that the current occupier does not give vacant possession by 1st November 2024.

For these reasons it isn't appropriate, for the time being, for representatives of the Infrastructure Department to attend these meetings. The Connètable of St Helier may still attend when he is able, but this will be in a Parish capacity. I have also been advised of the treatment received by the Director of Property Holdings from some attendees at the last meeting in September, which I do not expect members of my team to be subject to.

Should you or any of the constituency Deputies have questions of fact that arise from the meeting, I would be happy to address these promptly in writing following the meeting.

In advance of the meeting, I hope it is helpful to confirm that we have recently completed maintenance work on the electrical and fire safety systems and will be commencing work on the pool structural issues and redecoration shortly. We are also intending to have the CCTV for which we are responsible back in operation as a matter of priority and finally the pool will be drained and the weed removed at the next tidal opportunity with further details to follow.

I am happy for this communication to be shared with all those in attendance tonight."

Speeding issues on Green Street and lack of 20mph signage

It was noted that these issues had been covered with the discussion with the police. It was noted that Cleveland Road is experiencing the same speeding issues and that there is a lack of clear signage.

Any other business

DW began explaining that there was a proposition being brought to the Assembly to bring the Lido back to the people. DW stated that there are various issues with the tender documents and that if JPH remain as landlord and retain control that things are back to square one. DW noted that it seems coincidental that lots of things are suddenly being fixed and that there has been an overwhelming lack of passion and care for the site. DW expressed his belief that JPH are refusing to give up control over the site and that it would be simple for the Minister to agree to give control to the steering group. DW pointed out that at the previous meetings it had been confirmed that the maintenance of the Lido costs £120,000 per year, yet only £60,000 per year has been ringfenced for the building under the new tender documents. It was noted that the tender documents call for the space to have an alcohol licence but to also allow under 18s on site at any time which would be directly breaching the alcohol licence. DW expressed that he believes the tender documents to have been rushed and not properly checked. DW stated that he is calling for a lease extension for the tenant to keep the Lido operational during the tender process as the current plans would mean the building would be vacant for months whilst negotiations with the new tenant happen.

DW questioned the honesty of government and highlighted that numerous community projects have fallen due to lack of funding with the government unable to explain where the funding has gone. DW went on to state that a document provided by Infrastructure of improvements in the area implied that 6 new crossings are now in place when only 3 have been completed. DW expressed that he wants government to sit down with the steering group to see what actually needs to be done and what it will actually cost rather than just trying to sign a check and be done with it. DW believes this will save both the steering group and the government money. DW stated that giving the Lido back to the people will facilitate conversations about how to use the facilities best for the benefit of the community.

There was a unanimous vote in favour of allowing the current tenant to keep operating until the tender process is completed.

It was questioned as to why Constables are allowed to take on ministerial positions when they are the heads of their Parish and act in the interests of their parishioners. It was highlighted that the Infrastructure Minister is the head of the Island's smallest Parish and is essentially dictating to the head of the Island's largest Parish. The opinion was stated that Simon Crowcroft has turned his back on the group and no longer supports the proposition. It was stated that the behaviour of the ministers is disgraceful and that lots appears to have been going on which is not accounted for. It was stated that JPH are not capable of managing property. SM expressed his belief that it is undemocratic for Constables

to be states members but noted that they do separate their roles from each other. SM noted that under the current rules their ministerial positions are constitutionally acceptable.

Concerns were raised over JPH not being held accountable for any of the issues at the Lido, with some members reporting incidents of young children and elderly people being injured due to slippery steps and other issues.

DW encouraged members of the group, resident or not, to write to Andy Jehan to voice their concerns, stating that the pool belongs to the people. It was also suggested to write to the Chief Minister to express that the public have no confidence in his Infrastructure Team. It was further suggested that the media and the steering group be cc'd in all emails.

It was questioned as to what the reason was for shutting down a successful business who have turned the site around and diversified it. DW confirmed that no reason has been given other than JPH wanted to regain control. DW noted that previous Infrastructure Minister Tom Binet commissioned a report to investigate the allegations made by both parties and that the outcome of said report showed that the tenant had not done anything and should be allowed to stay on. DW further confirmed that this report was only made public following an FOI request. DW confirmed that he had invited all the States Assembly to this meeting and that none, other than the usual deputies, are in attendance.

It was noted that there is a funding struggle going on within government whereby lots of departments are fighting for extra funding. It was expressed that often the public don't fully understand the ins and outs of these projects that they are trying to dictate about. DW expressed that by bringing the Lido back to the people this would solve these funding issues as there would no longer be this red tape to cut and there would be far more funding options available.

Claims were made that comments are being deleted on the Lido Steering Group Facebook page. Marcus Calvani claimed to not administer the page, despite being listed as an admin publicly on the page and denied any allegations that comments were being deleted by himself or Deputy Warr.

It was noted that the issues the Lido faces started long before the current tenant moved in and that the focus needs to be on making JPH take accountability for the issues rather than focusing on petty arguments.

It was questioned as to what happens if the Steering Group fails to obtain funding. DW expressed that we know Government doesn't have the funding and that the Steering Group has far more chance of raising the funds than the current situation. DW expressed that we must start somewhere and again highlighted the success of Guernsey's Lido.

In response to a suggestion to ask the Minister to waive the tender process to allow the Steering Group to take over, SM suggested that this would set a dangerous precedent and allow for corruption if the Minister had the power to assign contracts how he wishes and that the charity should have to apply formally.

DW noted that he has already had to rewrite certain parts of the proposition as technically the tenant does not have a contract so this can't be extended. Instead, he has had to change the wording to reflect this and ask that the tenant be allowed to carry out business as usual. DW expressed frustration over how pedantic these requests have been and how unnecessarily difficult and complicated everything is.

SM expressed that Part A of the proposition does not achieve anything and should be withdrawn and rewritten to try to achieve something. SM confirmed that as it currently reads there is nothing in Part A to request changes to the Terms of Expression. DW confirmed that he will re look at the proposition and consider necessary changes.

It was confirmed that discussions had already been had with Jersey Heritage and that they also have no money and saw the property as being a bigger risk than reward. It was also noted that Jersey Heritage charge entry fees to most of their sites and that this would be unsuitable for the Lido.

It was questioned as to whether government would have any obligation to provide funding to the Lido if they relinquished control over it. DW believes that this would be a negotiable position. DW stated that government believe that there is enough potential income from the operation of the site to bridge this funding gap which DW believes not to be the case. Marcus Calvani claimed that he does not make any money from the site.

When asked how likely the States Assembly are to vote for the proposition SM responded by saying that he believes a proposition to change the Expression of Interest in very specific ways may be an avenue to success but that as it stands he does not believe that Part A of the proposition achieves anything no matter which way the vote goes. It was confirmed that Part B is still relevant and should it be voted through will buy time.

A query was raised as to Deputy Warr's role on the Infrastructure, Housing and Education Scrutiny Panel. It was confirmed that the scrutiny panel's role is to question the Minister on his plans and that the panel must remain neutral and cannot bring their own politics into it. Therefore, it was resolved that this role does not have any relevance to the issue.

Marcus Calvani (MC) wished to note his thanks to Deputy Warr and the deputies in the area for their continued support. MC noted that life-saving equipment had been purchased his company after an incident with a swimmer, which he will donate to the charity once it has been installed. MC reminded the group the Lido had been built by the Jersey Swimming Club after two children drowned in the area to teach children how to swim and thanked Carole Penfold, president of the Jersey Swimming Club, for sending him the Association rules regarding the availability of life-saving equipment. MC wished to thank his General Manager Jay who has been through a tough time but continues to show up every day and motivate their staff whose livelihoods are all at risk and don't know if they will still have a job next month. MC thanked all the people who have put themselves forward as steering group members. It was reported that out of all 170 Lidos in the UK not one is run by government or councils, and they are all run by community groups.

MC noted that if JPH were to force him out at the end of the month then he would be forced to remove everything his company has paid for which would include electrics, drainage and the panelling on the walls. MC he does not want to do this because it would leave the property in a state should the charity be successful and they would not have £400,000 to replace everything. MC confirmed that the Bailiff's Office have just approved the renewal of his alcohol licences until December 2025. MC further claimed that he had been advised that the eviction JPH are trying to enforce is illegal and notice must be served to the tenant for the following Christmas.

The next meeting will be held on Thursday 14 November at 6pm at the Lido, Havre des Pas.