



PARISH OF ST HELIER



Minutes of the Parish Assembly	
Wednesday 7 August 2019 at 7.00 p.m.	
Assembly Room, Town Hall	
42/19	Welcome and Apologies –
	<p>Apologies: The Dean, Deputy Mary Le Hegarat, Deputy Carina Alves, Stewart Mourant and Jackie Hilton</p> <p>Senators and Deputies in Attendance:</p> <p>Senator Sam Mezec, Deputy Stephen Ahier, Deputy Judy Martin, Deputy Russell Labey, Deputy Geoff Southern, Deputy Rob Ward and Deputy Inna Gardiner.</p> <p>Procureurs in attendance:</p> <p>Peter Pearce and Geraint Jennings</p>
43/19	Item 1: Approve the minutes of the Parish Assembly held on 31 July 2019.
	<p>Minutes of 31 July 2019</p> <p>Proposer: Edward Trevor, Seconder: Mary Osmond</p> <p>The minutes were adopted</p>
44/19	Item 2: Approve a recommendation of the Connétable and Procureurs du Bien Public to sell St Helier House and Westmount Day Nursery for the sum of £ 2,900,000. The Parish to pay our reasonable legal fees involved in the transaction and the Assembly to authorise the Connétable and at least one Procureur du Bien Public to pass the necessary contract in relation thereto; P03.2019*;
	<p>Proposer: John Baker, Seconder: Deputy Stephen Ahier</p> <p>The Parish's Head of Infrastructure Silvio Alves explained the background to the proposition.</p> <p>The Constable confirmed that the Parish had made a request of the bidder to have their identity known to the public and he could confirm he had their agreement. He advised the Assembly that the bidder was the Colombia Group located in St. Helier, who provides a number of units of affordable accommodation in the Island.</p> <p>John Baker stated he thought it to be a sensible proposal with maximum benefit to the Parish, as the sale would assist with the extension of a further 20 bedded dementia unit at St Ewolds and enable improvements and upgrading to the existing home, in which bedrooms would receive en-suite facilities. It also has the opportunity to provide a children's nursery in a location nearby and maintain employment for a number of Parish employees. He urged parishioners to vote in favour of the scheme.</p> <p>Senator Sam Mezec thanked the Constable for having answered a number of his questions, he stated that the Parish was honest and sincere and he believed the Constable truly thought he was doing the right thing. Senator Mezec agreed that the Parish had not stood still following the regrettable closure of St Helier House; as a result of the Grenfell Fire and clearly the building remains a liability to the Parish. He believed the conclusion to sell was the right one, but questioned was the Parish and its parishioners getting the best deal in terms, of not only the financial aspect, but also social returns. Senator Mezec felt it was regrettable that the first time the public were presented with the proposal it was the only option tabled. Until this evening the developer had not been identifiable, it is difficult to verify that the Parish is being offered market value and there were no safeguards for the future of what the site would become. It was not an ideal situation on which parishioners should be asked to vote. Once sold the Parish will lose control of what happens to the site and that there were no guarantees that affordable homes would be built. He urged the Assembly not to sell to the private sector when there were other alternatives.</p> <p>Due to previous States Policy, investors had bought prime land on the Waterfront and properties were not sold to people who needed a home. The States and Parish should be limited, that when disposing of land they guarantee it will only be used to provide affordable homes. We have the chance this evening to set a higher standard, by asking the Parish to come back with a better proposal, which benefits the public as well as offers value for money.</p>

The Parish argument is solely financial; it is for the Home and Nursery. The Parish have allocated their money for this year and therefore the sale is not urgent; there is plenty of time as long as there is a sale at the end. If it has to be sold to obtain the money, then it should have been brought to an Assembly earlier and if this was the case, there should have been more consultation.

Some say 2.9 million is too high; some say it is too low. In my view, sometimes it is appropriate to sell for less than financial reasons, if there are other advantages. I believe a bid from Andium Homes was dismissed, as it was less than others were, when their bid would have provided parishioners with social housing and a new nursery, as well as allowing for regeneration of the site next door and the whole Westmount area. To approve that sale, would have had considerable benefit to the whole community and as a public authority, we can do better. Senator Mezec said the purpose of the Assembly was not just to rubber stamp the Parish views and that parishioners could say thanks but no thanks to the proposition. He personally would vote against it.

Edward Trevor suggested an amendment be made to read the following: Make item 2 number 3 and add as item 2 a covenant to the sale contract to read "That should the purchasers or if disposed at any time within 10 years by any means and to include their successors in title, having obtained a planning consent which increases the value then the Parish and the developers shall share the increased value on the basis of 50% each."

Alison Baker reminded the Assembly that St Helier House and Westmount Day Nursery were not public buildings owned by the States or the Public of the Island, they were buildings owned by the Parish and parishioners and therefore the Parish should not be restricted by the sale. If another Parish wished to sell its property, would they be restricted to selling for Social Housing, she very much doubted it. She reminded Parishioners that the buildings are in the ownership of all St. Helier ratepayers.

As a St Helier Parishioner I feel a proposal to sell, the site and nursery would be a huge loss to parents and the Westmount area. She proposed to refurbish it and asked for the reason behind not doing so; it was asked had the Parish considered a joint venture? The sale price at 2.9 million amounted to nowhere near the evaluation in the Parish Accounts booklet published in July, which for both properties combined was nearer 3.9 million. I spoke to Mr Macdonald at the Town Hall today and was advised the price had dropped because the Home was unoccupied. If my house were unoccupied when I sold it, I would still get the same amount of money. The Parish should keep the property, as it is a prestige site, situated in an excellent position and can be adapted to meet the needs of all ages. The Parish still has sufficient sums to refurbish St Helier House; they can take funds from other places such as general reserves and not allow private developers to reap the profits. Maison De Ville is the perfect example of this, I will not be voting to sell one of the Parish's best assets.

I am a new resident to St Helier and do not know a lot about St Helier House, I know it was built in 1963 and do not know if it is subject to constraints. I would also like to know what the legal costs of this sale are and how much would be deducted from the 2.9 million received. If we take away, our crown jewels we can never get them back.

Silvio Alves, Head of Infrastructure stated there were no funds available to refurbish St Helier House. Planning and the Regulator had advised, that due to the nature, size and shape of building, under today's standards it would not be able to be refurbished as a residential home. Legal costs are usually about 1% of the property price.

Bernie Manning asked could the Assembly be told, if Andium Homes and Property Holdings had put in a bid.

Mr Macdonald, Resources Director advised that Andium Homes did submit a bid and came up with a solution but did not offer anywhere near the figure in the proposition. Property Holdings did not make a bid. In answer to a previous question, the valuation in the accounts booklet was from 2016 when St Helier House was open and the Parish were generating a return, since then it has become unoccupied which would lower the valuation.

Georgia Le Maistre said the building is over 50 years of age; she has been informed that many of the buildings in the Parish only have a 25-year lifespan, and that is why St Helier parishioners constantly live in a building site. I would question is the building worth recladding, as once work commences it is likely to show up a number of other faults and defects and then the developer will be putting in an application to demolish it. In my view 2.9 million is a minimal sum, pocket money to a developer for this prime site with sea views; it has to be worth more than that.

Steve Beddoe stated he was confused, it had just been said that 2.9 million is too low and yet it was a sum, which is considerably higher than the bid, by Andium Homes. The Parish has some real estate, which is of no use to it and therefore it is up to the Parish and parishioners to maximise what we can get for the site. The Planning Department have very stringent rules, so it does not mean the developer will be able to build what they want. I suggest we sell the property and let the developer take the risk with Planning. We will do the best with the money to provide a new Nursery and accommodation for the elderly. 2.9 million will only be considered low if the developer gets permission to develop double the density, look at the Masion De Ville site where the Parish lost £400,000 trying to get a scheme through Planning, if they can do this to us then they are just as stringent with others developers. The bottom line is we did not get a better offer.

A gentleman described Planning as being very inconsistent, it is a very rushed proposition and we need time to think about it.

Another gentleman stated he also backed Sam Mezec and like the previous speaker was concerned, this proposition has been rushed. I have done a conservative calculation and the developer could make 6 million pounds profit. We are told Social Housing is not in this ballpark, are we allowed to know what their bid was. We are advised that you are not allowed to give parishioners any further information and we do not know how many units will go on the site. We have seen from the Westmount Quarry sale, what can be built on a site and how much a developer can make. I believe Parishioners could have better benefited from that sale.

The Constable reminded parishioners that the Parish received an additional amount from the sale of Westmount Quarry, due to there being no residential Home built.

Ted Vibert asked where common sense is, as when you sell a property, you cannot expect to have any control over who buys it and you cannot tell them what to do with it. If it was your own home property sale, you could not agree to the sale but stipulate they cannot change the bathroom. It is quite right, that if income is no longer being received, then the valuation of a property will go down. My concern is that if this proposition is not approved tonight then we will see the value of this property go down further. The Parish Procureurs have to do a proper job and no Procureur is going to accept less than it is worth on the balance sheet. Meeting the Social Housing needs is the responsibility of the Government of Jersey and not the Parish. If we are not careful, we will end up in a similar position to the Police Station, where a Senator stopped the sale and look where the new Police Station has been built. Stop making assumptions on what a property developer can make and what properties are worth, start thinking with your head rather than your hearts.

Procureur Peter Peace stated he has taken an oath in the Royal Court to protect the Parish's finances better than his own and therefore there is no way he could propose that the Parish accept an offer that is less than the valuation; in my view none of the other offers were acceptable. The Parish have been working on this proposal for 12 months and analysing all the issues. If we do not make a decision, the offer may be withdraw, and as Procureur that is a risk I do not want to take.

Elizabeth Higham said that the Home at St Ewolds was a long way from town and was not easy to visit. A nursing home needs to be built on the St Helier House location and the nursery is in a good place and was needed by the community. Why do we not have sheltered housing in the Parish when they do in the other Parishes.

Deputy Judy Martin said she had watched the saga of Maison De Ville played out over a number of years. This is an offer on the table; we are not the Government of the Island who have thousands of homes. Andium have been allocated a considerable money and therefore cannot expect to offer a pittance to the Parish and expect them to accept it. If you do not accept the offer the nursery will close, people will lose employment and St. Helier House will begin to cost you money as it falls down. We have been in this position too many times.

Robert Weston stated he could see the benefit in Mr Trevor's amendment, could he ask why the Parish had taken the decision not to advertise the site publically rather than choosing closed bids. There are many people looking for projects in the Island and you may have got a better value for it.

The Constable said that they did approach the public sector and a number of developers but with the nursery next door, the last thing we wanted to do by going public was to force the closure of it by putting an advert out.

Mike Smith representative from Colombia Estates stated they were Property Investors in St. Helier supplying affordable homes; they look to convert rather than rebuild. With this site, there is considerable expense of a six-

figure sum to replace cladding, remove asbestos, etc. No decision has been taken as to whether the properties would be for sale or for rent.

Val Payne asked what would happen if a site for the nursery could not be found by the summer of 2020.

The Constable replied we hoped to have a site by this evening's meeting and we are working as hard as we can to find an appropriate site, I suppose we could ask the buyer for an extension of time. My view in relation to a nursery is clear. We are asking people to vote on this, this evening and if you are not satisfied with this answer, you will vote against it. The nursery is not viable situated next to a building site.

Peter Robbins stated Andium are fine if you are in the old scheme, but when you want to move flat, you are hit with revised rents. I wanted to move to a property 1 floor up in the same building and to do so will cost me an extra £67 per week. People talk about affordable housing, Andium are not affordable, there are people struggling to pay the rent and if Andium get it, there will be more people in trouble.

Deputy Ward thought there was short notice of the Assembly and that whilst financially the offer made may be the highest number, St Helier is selling its assets for short-term gain. He congratulated the Constable on having a long-term plan, but not if it involved selling to a private buyer who is all about profit. There is a mixture of debate as to whether the nursery is part of this deal; but if it goes ahead, it will have to move and find another site and there is no guarantee that this will happen; that a site will be found, or that the money will be spent on the nursery. Any nursery proposition will need to come back to an Assembly and there is a risk that when asked the public who do not have children may not want to pay for it. A private investor should not make money from Parish Property. As you do not have a site for the nursery and we do not know what will be built on it, or whether it will be affordable, I cannot support the proposition.

Procureur Geraint Jennings stated that even the Procureurs were not party to some of the confidential information, until tonight we did not know who the developer was. We are required on behalf of ratepayers to act in their best interests; it is not for us to judge to whom a site should be sold.

We agreed to bring it to a Parish Assembly at earliest opportunity and we now have a deal we can recommend to the Assembly. We have done this with as much information as we are allowed to provide. It is not our responsibility to do the States job in providing housing; it is our job is to recommend what we believe to be in the best interests of parishioners. If we had the reserves to do it ourselves then it may be different, but we do not have. We have invested in the care of the elderly including dementia. We cannot recommend to the parish that they take commercial risks, it is much better for a private developer to do this; the knock back received with Maison de Ville was proof of that. That application included housing and a nursery and we could still not get it through Planning. Placing money in reserves ensure a future to develop a viable nursery, it enables us to revisit Parish services with the maximum amount of money from the highest bidder. Everyone has good ideas for St Helier, sheltered housing, care provisions, youth centre, parks, etc.; none of it can be achieved without money. Lower offers for St Helier House would not provide as much money to undertake other projects in the future and to develop further high quality services. I hope this explains the reasoning behind the decision; it was a difficult proposal to bring due to the public information that could be shared. I believe that all avenues have been looked in to and this proposal ticks the box and is in the best interests of the Parish.

Deputy Southern said the Assembly had heard why we should and why we should not and there are enough reservations this evening to vote against this proposition. It would not be the first time the Assembly will have disagreed with the Constable

As a parent with children at Westmount Nursery, I ask that you club together and make the nursery a priority; it should be relocated first before the site is sold. I cannot praise the staff at Westmount enough and the fact they are sitting here tonight and waiting to hear their fate is unfair, they are invaluable. The Social element of the nursery means that less fortunate children get a good start in life; children should be put first by the Parish. It is they that will suffer if the nursery closes. We are discussing the fate of people's jobs and feel that the nursery should be taken off the proposition.

Maurice Dubras asked could you explain why you are bringing this proposition now, before the nursery is able to secure a future site.

The Constable stated the Parish could not get a response for tonight. Even if the sale does not go through, the Parish will continue to seek to find a new site for the nursery.

	<p>A gentleman asked how much it would cost if people go against the proposal tonight, what the cost of the insurance etc. is and how the building is currently being monitored.</p> <p>Silvio Alves, Head of Infrastructure assured the Assembly that currently there were no risks to children at the nursery and that checks of the building were being made daily. There is a cost to keeping the building empty; the annual fire inspections are £6000 and the insurance a further £4,000.</p> <p>John Baker summed up, advising the Assembly that a bird in the hand is better than two in the bush and that the Parish were securing a nursery site, so the Assembly should vote for the proposition.</p> <p>Deputy Sothern said the loss of the nursery was misleading and that this was the first they had heard this evening, when Mr Baker stated they had found a site for the nursery. He thanked the Constable for letting people speak, but advised the Assembly they need to be careful in what they are agreeing, as it is an asset and my last word is keep it.</p> <p>The Constable asked the Assembly to vote on Mr Trevor's amendment: That the sale contract includes a betterment clause that, in principle, shares any increase in value due to planning gain 50:50 between the Parish and the purchaser and that the clause covers a 10 year time period, applying to the purchaser or any successor in title.</p> <p>The Amendment was put to the vote by a show of hands and was agreed 41 votes for and 22 against</p> <p>The Constable asked the Assembly to approve a recommendation of the Connétable and Procureurs du Bien Public to sell St Helier House and Westmount Day Nursery for the sum of £ 2,900,000. The Parish to pay our reasonable legal fees involved in the transaction and the Assembly to authorise the Connétable and at least one Procureur du Bien Public to pass the necessary contract in relation thereto; P03.2019*;</p> <p>The proposition was put to the vote by a secret ballot and was agreed 48 votes for and 43 against</p>
45/19	Item 3: To approve a recommendation of the Connétable and Procureurs du Bien Public to provide a replacement day nursery at an alternative site as soon as possible P03.2019*;
	The recommendation was put to the vote by a show of hands and was agreed unanimously
	The date of the next scheduled Meeting is a Parish Assembly on Wednesday 28 August 2019