

This 14 day of February 2024

AN ASSEMBLY of Principals and Electors of the Parish of St Ouen duly convened and held in St Ouen's Parish Hall on Wednesday 14 February 2024 at 7.00 pm to :-

1. Receive, and if deemed advisable, approve the Act of the Parish Assembly held on 13 December 2023.
2. To consider making an unconditional offer of £950,000 to purchase High Marsh House, La Route de Vinchelez, St Ouen.
3. Should Item 2 above be approved, authorise the Connétable and Procureurs du Bien Public to enter into the necessary negotiations and represent the Parish in the passing of the necessary contracts before the Royal Court.
4. Furthermore, should item 2 above be approved, to authorise the Connétable and Procureurs du Bien Public to seek planning permission to demolish the buildings in order to construct suitable accommodation to extend the Homes for the Elderly, and all associated costs incurred.

The Connétable welcomed those present and offered apologies from Advocate Richard John Michel (Member of the Roads Committee), Miss Susan Jane Syvret, Deputy Lucy Kate Frances Stephenson, Deputy Ian Joseph Gorst.

The Connétable then asked the Parish Secretary to read the convening notice.

The minutes of the meeting held on 13 December 2023 were on the seats and the Connétable asked if there were any comments from those Parishioners who had attended that meeting. There were no comments. On the proposition of Mr Allan John Quenault (Procureur du Bien Public) seconded by Mr Royston Stanley Le Bas (Procureur du Bien Public) the minutes were unanimously agreed.

Item 2 on the agenda was to consider making an unconditional offer of £950,000 to purchase High Marsh House, La Route de Vinchelez, St Ouen. The Connétable advised that he was addressing the Assembly because of an approach he had received from two Parishioners, Clive Frank Murphy and Vingtenier Thomas Charles Le Maistre (Member of the Homes for the Elderly Allocation Committee) following negotiations they had had with the agent from Living Rooms. He further advised that the details were as a result of their negotiations with the agent and not the Connétable's.

The Connétable went on to explain that prior to the 2022 election the then Government rezoned a number of fields across the island for the development of homes for the elderly and first-time buyers. Unfortunately, nobody had checked the drainage infrastructure at the time. Plans were subsequently submitted to develop 12 homes for the elderly and 24 first time buyer homes on land bordering La Rue de la Croix in St Ouen which were subsequently refused because there was only a 4" main.

High Marsh House then came on the market and the then agent was asking £1.6 million. This was reduced to £1.4 million, and the Parish put an initial offer of £1.2 million with certain conditions. The Parish obtained a drainage impact report and pre-planning advice which were both positive although there were no real answers with the pre planning advice. The offer of £1.2 million was not accepted and shortly after, the bottom of the market fell out. The site was re-valued at £850,000 to £950,000 but the then agent refused to consider the Parish offer so the Parish walked away. More recently another agent was appointed, and they were approached by two members of the Parish although another offer had been accepted by the vendor, Clive Murphy and Tom Le Maistre started

negotiations with the new agent. The Connétable then asked Tom Le Maistre to address the Assembly.

Tom Le Maistre explained that he and Clive Murphy understood that the location of High Marsh house was ideal for more homes for the elderly, with shops, a bus stop and the village green very close by. They felt that it was the only location that could be developed in the near future and, subject to planning consent, 8 units could be built on the site. The proposal would be to purchase the site for £950,000 and that along with the associated fees would be taken from the Homes for the Elderly reserves. He confirmed that positive pre-planning advice had been received and the drainage impact report was good.

The Connétable asked if there were any questions or comments.

Mrs Janet Brotherton stated she was worried about parking in the area. She was a tenant in the current homes at Le Jardin de la Rue and already there were parking issues, especially if there were visitors and tradesmen in the area. Clive Murphy explained that parking would be taken into consideration. The plans available to those present were not the final plans, they just demonstrated an idea of how the site could be developed.

Mrs Brotherton continued that the math did not add up and reiterated that there were currently parking problems. Mr Murphy advised that the planning department would not allow a new development without sufficient parking.

The Connétable advised the Assembly that in discussions with the architect it had been noted that some of the open spaces within Le Jardin de la Rue could be used for parking, however it was intended to move the building back and remove the hedge so there would be more than enough area to accommodate parking.

Mr Richard Alan Buchanan enquired how many people were on the current waiting list and how long was the average wait to be allocated a home. The Connétable responded that there were approximately 70 people on the waiting list and unfortunately there were waiting for residents to die to move in so it would be difficult to quantify the waiting time. Mr Buchanan suggested that those who would move into the new homes, should they be developed, would release their accommodation for other younger families.

Mrs Lorna Dorothy Anne Corfield asked how much money was needed to follow this project through and where it was coming from. The Connétable responded that in the last published Parish accounts, there was £3 million held in the Homes for the Elderly accounts. He also stated that the building works would be paid for by the Coulter Trust, which had a value of approximately £5.3 million. Mrs Corfield asked for clarification that £3 million would be required. The Connétable confirmed it would be £1 million to purchase the building and land and the Coulter Trust would transfer the entire amount to the Homes for the Elderly Association. The Connétable advised that he had had a conversation with the Trustees earlier in the week and the Trust would pay for the demolition of the current property, the architect and surveyor fees.

The Connétable further said that if the Parish was successful in purchasing High Marsh House, the new buildings would be named Coulter Close. There would still be an option to use land in La Rue de la Croix but not before 2027. It was hoped that there would still be funds available from the Trust to build another 12 homes on the Romeril land once the drainage situation has been sorted. The

Coulter money had been available for 17 years and this needed to be considered as the Parish did not want to lose that money.

Mrs Caroline Le Breton enquired about pre-planning and asked the Connétable how confident he was and what would happen if permission was not granted. The Connétable responded that the pre-planning advice received was positive, he had spoken with the Planning Department on Monday. The drainage impact report was positive, and the present vehicular access was unacceptable, but it would be proposed to block that up and use access through Le Jardin de la Rue. The only thing required was to see the scale and mass of the proposed development, which was not possible without detailed plans. Mrs Le Breton stated that the proposal was to spend £1 million, and the Parish did not know if they would be granted permission. The Connétable responded that in the eventuality that permission was not given, the Parish still had an asset. They were buying at the bottom end of the market and the money would not be lost. The Connétable asked Mr Clive Murphy to comment.

Mr Murphy explained that he and Mr Tom Le Maistre had looked at this many times and there was a risk, but it was so slight. There were 70 people waiting on the current Homes for the Elderly waiting list.

Mr Basil George Carré spoke and advised that the property concerned was an original cod house. He thought Jersey Heritage would object. The Connétable advised that the property was not listed. Planning were not aware of the extensions on the building, only the main house and there was no grading on it.

Mr. James Gordon Reed stated that given the issues with the Romeril land, what other sites were being looked at, including the field alongside The Rectory and the Parish Depot. The Connétable explained that nothing could be re-zoned until 2025 and until the sewers had been sorted out. In the Government Plan £16 million had been allocated for drains for the next two years and they were working at West Park and Maufant. There were no plans to undertake the necessary drainage works in St Peter until 2024, however it was not known where the holding tanks would be situated, so it was unlikely that any building would commence in St Ouen before 2027/2028.

Mr Reed questioned the viability of the land next to The Rectory and the Parish Depot, but the Connétable advised that they were deviating from the agenda for the evening, and this did not form part of the discussions.

Mrs Linda Elizabeth Crawford advised the Assembly that she had been a resident of Le Jardin de la Rue for 11 years and if the Assembly agreed to purchase High Marsh House for further homes for the elderly, it would be life changing for those on the current waiting list.

Mr Allan John Quenault (Procureur du Bien Public) advised the Assembly that he was not able to support the proposition. The Procureurs role was to conserve and augment the property of the Parish as you would your own, and more so if you are able. To purchase High Marsh House was a gamble and nobody could confirm that planning permission would be obtained. The Parish had tried to purchase the property and offered a £50,000 non-returnable deposit and condition to purchase within one year, but somebody had now offered £850,000. If the Parish agreed to the proposition we would be gazumping. The Parish was being pushed by the Coulter Trust money, if there was no Trust, we would not be considering this. He further explained that he had no objection to

development, he was keen to build more homes. His mother had benefited from living in one of the Le Jardin de la Rue homes for many years, but the Parish should not consider making an unconditional offer or gazumping another purchaser. Finally, he asked those present if they would gamble their own money.

Mr Brian Philip Follain spoke and advised he was totally in favour of building homes for the elderly. However, he did have serious concerns, in line with Mr Quenault. He quoted the Oath of Office of the Procureur "that you will conserve and augment the property of the Parish as you would your own, and more so if you are able". The Connétable had advised that the Planning Department had said that the proposal may be possible. The Parishioners were being asked to gamble £1 million. He had great sympathy with the Connétable and asked Parishioners if they would lend or invest £1 million of their own money on a possible or maybe. To invest this from the Homes for the Elderly could be an act of irresponsibility. He was concerned that the Parish was considering gazumping whoever it was who had offered £850,000. There were additional costs that had been incurred and if the proposal was accepted this evening, there was the prospect of the Parish being responsible for the prospective purchasers' legal fees. He agreed that there was a real need in the Parish for more Homes for the Elderly, but felt the proposition was a gamble too far to take.

Mr Richard Alan Buchanan asked the Connétable to clarify the exact planning position. The Connétable advised that he had asked for pre-planning advice and the proposal had ticked a lot of boxes, but there could be no comment until scale and mass and detailed plans had been seen.

However,

DFI had confirmed that the foul drainage proposal was acceptable. Mr Buchanan commented that the Planning Department had not said no, and it looked positive.

Mr Peter Richard Paxton commented that the discussion was about acquisition and if the Parish did not purchase the site, what would happen, developers would make a fortune. Nothing would be lost if the Parish bought the site, it was an investment. The Connétable reiterated that the Parish would be buying at the bottom end of the market. Mr Le Maistre and Mr Murphy had gone as far as they could with negotiations and there were no other viable sites in the Parish to consider using the Coulter Trust monies.

Mr Norman Henry Dingle enquired whether Mr Quenault accepted that if planning permission was granted, the property was still worth purchasing.

Mr Richard Philip Romeril stated that the current market price of the property was £850,000, it was a very unwise person who would call the bottom of the market.

Mr Jean Amy Le Maistre said that he had been listening intently to all the comments and that Mr Quenault and Mr Follain had shown courage to say what they did. They were totally entitled to share their views, however he felt they were wrong. The island was desperate for housing for the young and old. The Connétable had made it clear that other sites within the Parish could not be developed because of drainage. Mr Le Maistre fully accepted that there was an element of risk, but this was normal in life. It would not be money down the drain, the island was desperate to develop. This was a once in a lifetime opportunity, it was a site next to current homes for the elderly. There was also the possibility of losing the Coulter Trust monies if that money was not used. If the Parish did not develop the site, then somebody else would, why would the Assembly vote against that. If this opportunity was missed, the Parish would be closing the door for eight elderly people to move in

and make their current properties available for young families. The Assembly needed to put people above losing a bit of money and share their sense of community and caring. He finished by saying that the Assembly needed to send out the message that the Parish cares and he would be very surprised if the Planning Department did not support the application.

Mrs Julie Margaret Battrick asked why the Parish were considering offering £950,000 when the vendor had accepted an offer of £850,000. The Connétable advised that he had not been involved in negotiation and asked Tom Le Maistre to comment. Mr Le Maistre advised that he and Mr Murphy had been involved in the negotiations and they did not know what the other offer was, but the vendor was prepared to accept £950,000 from the Parish.

Reverend Ian Pallent spoke and said he would never normally speak at Parish Assemblies. He was a member of the Homes for the Elderly Allocation Committee, and he was not worried about the risks, however his concern was that the Parish was considering gazumping and he was not happy with that.

Mr Paul James (Rate Assessor and Roads Inspector) suggested that the decision had to be made that evening and gazumping was part of the business of property transactions.

There were no further questions, so the Connétable asked if there was a proposer that the Parish make an unconditional offer of £950,000 to purchase High Marsh House, la Route de Vinchelez, St Ouen. Mr Jean Le Maistre proposed, and Mr Richard Buchanan seconded. Approximately 135 people voted for, with 7 against and 8 abstentions.

The next item on the agenda was to authorise the Connétable and Procureurs du Bien public to enter into the necessary negotiations and represent the Parish in the passing of the necessary contracts before the Royal Court, this was proposed by Mr Richard Buchanan and seconded by Mr Martin Norman Le Maistre (Member of the Roads Committee) and was unanimous.

The final item on the agenda was to authorise the Connétable and Procureurs du Bien Public to seek planning permission to demolish the buildings in order to construct suitable accommodation to extend the Homes for the Elderly and all associated costs incurred. This was proposed by Paul James and seconded by Mr Kenneth Priaulx Vibert and unanimously approved.

Mr Clarence James Syvret stated that he presumed that the Procureur du Bien Public would be happy to represent the Parish in the Royal Court, to which Mr Quenault replied he had no choice.

The Connétable asked for a proposer and seconder that the minutes of this meeting be approved at the next Parish Assembly. Mr Allan Quenault proposed, and Mr Basil Carré seconded.

Mr Kenneth Priaulx Vibert congratulated the Connétable on bringing this matter forward explaining that he was the Connétable when the Coulter Will came through. He was now more than glad to see this coming forward. The Connétable thanked all three former Connétable's who were present at the Assembly for their forethought and continued support.

There being no further business, the Connétable thanked everyone for their attendance and closed the meeting at 20.15 hours.