

**REPLY BY THE PRESIDENT OF THE COMMITTEE FOR THE
ENVIRONMENT & INFRASTRUCTURE
TO QUESTIONS ASKED PURSUANT TO RULE 14 OF THE
RULES OF PROCEDURE BY DEPUTY NEIL INDER**

Question 17

Will the Committee be requiring full planning consent for its preferred option?

Answer

Planning consent is required and the Environment and Infrastructure Committee would, subject to the decision of the States' following consideration of the Committee's Policy Letter in September, seek full Planning consent for the preferred option.

An Environmental Impact Assessment may be required as the beach is an Area of Biodiversity Interest and the Common is a Site of Special Significance.

Question 18

Will the intrusion of the proposed groynes on to one of Guernsey's pristine beaches require the Committee to negotiate a rent or a one-off cost with Crown or its agents? If so what would be the cost?

Answer

It is arguable whether beaches can be described as pristine, that is unspoilt and in their original condition, when natural shingle and sand dunes have been replaced by coastal defences or, as in the case of L'Ancrese, by now redundant military defences.

As regards the question of rents etc, historically the Crown has not requested a rent or a one-off charge for coastal defences - walls, rock armour installations. There is no reason to suggest that this proposal presents a different case calling for the consideration of such a charge.

Question 19

There has been a suggestion by the Committee that a delay in the project will increase costs. I've looked at the tendering portal and can see no indication of a tendering process having begun for the Committee's preferred option. Can the Committee confirm whether a formal tendering process has begun?

Answer

A formal tendering process will not commence until such time as the States gives its approval to the current proposals and funding is agreed. The proposals will be set out in the Committee's policy letter, which, it is intended, will be debated in September 2017. A delay in the agreement to a long-term solution may hinder the commencement of the work in the best seasonal window during spring 2018, or, potentially, 2019.

Question 20

The estimate for the preferred option is just over £1m. Can the Committee provide a basic breakdown of the estimate and explain how the Committee arrived at that figure? The response to include a consultation and design costs and to separate the ground works for the removal of the wall with a separate line item for the groynes.

Answer

The Committee can not provide the requested cost breakdown because of the commercial sensitivity in respect of the estimates for the removal of the wall, provision of rock armour and labour involved. Providing such a breakdown, in advance of a formal procurement exercise through a competitive tender for the work, is not best practice as it has the potential to financially disadvantage the States of Guernsey, and therefore the taxpayer.

The costs of the consultancy services of Royal Haskoning DHV cover feasibility, design and resourcing investigation, total £63,000. *(Note this is a repetition of Q 15 from the first set of Qs)*

Question 21

Will the professional fees associated with the Committee's preferred scheme be conducted on work done or a percentage of the value of the whole works?

Answer

Professional fees will be based on work done following a procurement process and competitive tender.

Question 22

Should the scheme fail and there is a breach on the golf course, what work has the Committee conducted with the Law Officers or with the Vale Commons Council to establish where the responsibility for the ruination of the course would lie?

Answer

The Committee is, and has always been, fully aware of the amenity value of the area and the importance of not placing that at risk by any coastal management works undertaken.

Importantly studies that have been done in relation to this area (the results of which have been presented to the public) clearly indicate that the topography of the area behind the bay is such that there will be no increase in the risk of substantial flooding to L'Ancrese Common for 50-100 years in the future.

Consequently there have been no discussions with the Law Officers or with Vale Commons Council on the issue of liability should the golf course flood following a managed realignment.

Date of Receipt of the Question: 31 July 2017

Date of Reply: 14 August 2017