

Appendix



ENVIRONMENT

A STATES OF GUERNSEY GOVERNMENT DEPARTMENT

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Deputy C N Parkinson
 Minister
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 Sir Charles Frossard House
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3 June 2010

Dear Deputy Parkinson

DRAFT STATES REPORT – SALE OF STATES' LAND AND PROPERTY

In response to your consultation on the draft States Report on the Sale of States' Land and Property.

The Board has considered the draft States Report and by majority has no objection in principle to the proposed new arrangements in relation to the disposal of historic properties. As the Department is principally responsible for the designation of protected monuments and buildings and the creation of policy for the Island's historic heritage generally through the planning system, as well as being a signatory of the Historic Sites Strategy, I am confident that the proposed arrangement contains appropriate safeguards for the future of historic property. The Department notes, however, that as the Culture and Leisure Department is also a signatory of the Historic Sites Strategy, there may be a case for including that Department also in any consultation on the disposal of historic property as the Strategy will be the principal touchstone for future decisions. The Department also feels it would be helpful if the Strategy were to be included as an appendix to the States Report.

As a matter of detail, I note that the description of Swissville should include the information that the walls and gateway comprise a protected monument.

The disposal of property generally raises the issue of achieving the optimum value for the States in so doing. The Department remains committed to providing planning advice where your Department is considering the disposal of property, particularly where strategic considerations arise. I would remind you of the Department's response to the Corporate Property Plan in its letter dated 9th April 2009, a copy of which is attached for ease of reference and which remains relevant.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Sirett', written over the closing 'Yours sincerely'.

Deputy Peter Sirett
Minister, Environment Department



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9 April 2009

Dear Deputy *Charles* Parkinson

CONSULTATION WITH DEPARTMENTS – THE CORPORATE PROPERTY PLAN

Thank you for the opportunity to comment on the draft States Report on The Corporate Property Plan.

The Department's first comment is that, although the principal objectives of the Plan recognise the role of States-owned land and property in meeting the economic social and environmental objectives of the Government Business Plan (to be renamed . . .), the main text of the Report emphasises economic imperatives. It is not apparent how other corporate objectives are to be embedded in future property decisions, but the planning process will be central to the task. The report provides almost no comment on how this will be achieved.

Since the commencement of The Land Planning and Development (Guernsey) Law, 2005 on 6th April 2009 it is doubly important that property decisions are aligned with the States adopted planning policy administered by the Planning Division of the Environment Department, and that both help to deliver the States corporate objectives. It is the role of the Planning Division to give planning advice and to balance economic, social and environmental objectives in planning decisions. In my view, the Report should make this explicit.

This advice should not be regarded as necessarily a constraint on the optimum use of States' assets; on many occasions good planning advice will help to unlock the full potential of a site, for the benefit of the States. Major sites released by Health and Housing would benefit particularly from early engagement with the planning system.

The report contains reference to developments that may require planning permission, particularly within the list of properties which it is proposed to sell as open market properties. As far as I am aware, the development of these properties has not been discussed with the Planning Division; it is however evident that a number of them raise planning issues which will need to be resolved if the aspirations of Treasury and Resource Department are to be realised. Consultation with the Planning Division should be undertaken as soon as practically possible on these sites and a commitment to do so within the report would be welcomed.

Turning to the section on Corporate Property Standards, there would seem to be an important alignment of interest between our two departments. However, in looking at 'Standards of Build', it is important that the States does not take a short sighted view in relation to the quality of its own developments. It is vital to maintain architectural quality, sustainability and other aspects of design which are essential to maintain the value of the property and to minimise its whole life costs. My Department is aware of UK advice and practice (much of it produced by the CABE) which aims to achieve value for money whilst maintaining high standards of design.

As a final observation there appears, within the plan to be a lack of clarity as to the meaning of property and hence when the proposals/directions relate solely to buildings and when they will relate to buildings and/or land. In those cases where land is captured the lack of clarity extends to whether or not the land to be addressed only relates to land with a clear commercial value or whether it relates to all land. As simple examples: Would the cost of occupation and notional rental charges be applied to Saumarez Park? How do the proposals for asset management plans and stock condition surveys apply to coastal headlands and cliff paths and hence how do they inform views as to whether coastal areas of land are surplus to requirements? How does one minimise the opportunity cost of holding land when that land is a beach?

If the intent of the plan is to only address property and land with a clear commercial value and such clarity can be provided in the plan then these latter concerns are, of course, readily addressed.

Yours sincerely



Deputy Peter Sirett
Minister, Environment Department