

2.1 Deputy D.J. Warr of St. Helier South of the Minister for Treasury and Resources regarding the selection of SpaceHub Ltd to lead the redevelopment of the exterior area at Fort Regent (OQ. 271/2025):

In relation to the selection of SpaceHub Limited to lead the redevelopment of the exterior area at Fort Regent, will the Minister, in her capacity as shareholder representative, provide detail regarding the criteria the States of Jersey Development Company used to determine that there were “no commercial landscape architecture practices currently operating in Jersey”?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

Jersey Development Company carried out research into local landscape architecture practices via market familiarity, professional networks, past experience and continuous market scanning. This research identified one landscape architecture firm operating as a sole trader and 2 garden designers. In addition, 3 of the larger local architectural practices offer landscape design services. However, those functions are outsourced off-Island. There is one local architectural practice with a qualified landscape architect, and this firm has invited a tender for the role alongside 3 U.K. (United Kingdom) landscape architecture practices. J.D.C. (Jersey Development Company) carefully assesses delivery risk in all of its business activities. It is critical to the successful project that they appoint an experienced team with a positive delivery track record that have the necessary human resources to deliver against a particular brief and adhere to the programme. Fort Regent is a large and complex regeneration project, with the external landscape area totalling 30,000 square metres, or 7.4 acres. Jersey Development Company assessed the tenders on the basis of a wide range of criteria.

2.1.1 Deputy D.J. Warr:

I would say to the Minister, thank you for the answer and I appreciate that. It is interesting about key delivery risk because I understand that the Jersey Development Company did an expressions of interest about 12 months ago about how they could use more local businesses. One of the problems with their risk assessment was that there were about 3 qualified practitioners, so anybody with less than 3 qualified practitioners was considered to be a risk to J.D.C. and therefore could not go forward with any procurement. I have been approached by 2 businesses who said they were perfectly capable of doing that but they were totally unaware of any expression of interest because nothing was put on the public procurement portal. How are we ever going to support local businesses, recognising that they are limited in their scale and what they can do, but could come together in a more co-operative way and develop local businesses' local expertise? How are we going to change this culture, Minister?

[9:45]

Deputy M.E. Miller:

As I say, I think J.D.C., who have extensive knowledge of the area, identified one firm that operated as a sole trader and 2 garden designers. I think our procurement practices tend to look to a business that can supply. If a number of businesses want to get together and create some form of partnership and make tenders, there is nothing stopping them from doing that. The businesses themselves, I think, have to come together and create a plan that they can put to the J.D.C. I think for J.D.C. to appoint 3 different panels and then try to manage 3 different practices and manage those 3 practices together as separate entities to do one very large piece of work, that is going to be a very difficult thing for them to do. I am sure that we do look to engaging local practices as far as we can, but what matters is that we have people appointed who can deliver a very large scale of work.

2.1.2 Deputy I. Gardiner of St. Helier North:

I would like, if the Minister can clarify, if the expression of interest was shared with the Jersey Architectural Society or the Chamber of Commerce receive notification that a firm is looked for to create the design?

Deputy M.E. Miller:

I do not know the answer to that question.

2.1.3 Deputy I. Gardiner:

The second supplementary, based on the Minister's answer, just to make sure there are 3 firms that work with outside firms as a partnership to deliver landscaping. Why were these firms dismissed because they are a local-based company that can co-operate with a U.K. company and deliver combined knowledge, rather than just go to the U.K.?

Deputy M.E. Miller:

I think the point is that even if we had appointed a local practice, the work would still have gone to an off-Island provider, because they would have had to outsource the work because they did not have local internal resource. Engaging one partner to appoint another seems slightly ineffective when we could simply go direct to the supplier of a service.

2.1.4 Deputy A.F. Curtis of St. Clement:

On a similar line, the Minister did confirm that there were some skills on-Island that S.o.J.D.C. (States of Jersey Development Company) found through a local market exercise. But once it was confirmed that procurement should be opened up to the off-Island bidders, did S.o.J.D.C.(include any requirement for on-Island partnerships with those who have it as their direct skillset to be part of a partnership in that procurement to ensure that investment off-Island does deliver local capacity building?

Deputy M.E. Miller:

People are asking very, very detailed questions that I simply do not know the answer to.

2.1.5 Deputy A.F. Curtis:

At a general level, as shareholder representative for many organisations, does she believe that partnership in skills like landscaping should be something where development is delivered in-Island with off-Island partners? Will she note that this kind of partnership between off-Island and on-Island is done in many sectors, such as the digital services area, which has proven that we can build more local talent by working with off-Island providers?

Deputy M.E. Miller:

Yes, I agree in principle with what he is saying, if we appoint a local business who then has to bring in off-Island expertise. But we are talking about a project. Landscape architecture is not something that is a regular, unlike the digital environment where everybody has an interest. There will be a handful of developments requiring extensive landscape architecture regularly, so training someone through landscape architecture and then find there is no work for them may be counterproductive. I am sure that J.D.C. will work to those criteria to try to involve local practitioners as soon as they can. In fact, I know that they will be seeking to appoint a local main contractor for the construction when that arises.

2.1.6 Deputy J. Renouf of St. Brelade:

Government has a policy around procurement that does try to encourage the use of local contractors, I believe. Is there such a policy in place for the arm's-length organisations such as the J.D.C.? If not, does the Minister believe that there should be one?

Deputy M.E. Miller:

Yes, there is. The memoranda of understanding, certainly with the J.D.C., requires them to follow appropriate procurement procedures.

2.1.7 Deputy J. Renouf:

I am not sure "appropriate" covers what I was talking about, which was the use of trying to prioritise the use or capture the added value of using local companies as opposed to off-Island. Is the Minister satisfied that J.D.C. have done everything in their power in this occasion to ensure that that trade-off was followed through?

Deputy M.E. Miller:

I have no reason to believe otherwise.

2.1.8 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Could the Minister outline to the Assembly how she receives information about a procurement process so that she can provide oversight and be reassured that it is being conducted as per policy?

Deputy M.E. Miller:

I and my officers have regular quarterly meetings with the board of the J.D.C. However, what we have to remember is that the J.D.C. is overseen particularly by the Regeneration Steering Group, which comprises a number of Ministers, and that group will have more detailed reporting on particular projects. Fort Regent, in this case, is owned by Jersey Property Holdings and is within the responsibility of the Minister for Infrastructure, and the Regeneration Steering Group has made the decision to engage J.D.C. for the Fort Regent regeneration project. There is, I believe, plenty of oversight of J.D.C. and what it does, and plenty of reporting.

2.1.9 Deputy K.L. Moore:

Does the Minister consider that the procurement policy should be reviewed?

Deputy M.E. Miller:

There is a procurement policy; I do not know how long it has been in place. I will ask the J.D.C. to review it.

2.1.10 Deputy D.J. Warr:

I am struggling here because this all sounds like using local businesses is in the too-difficult-to-handle box of Government, when in fact it should be the absolute priority of it. I do not understand how it is not possible for the J.D.C. not to advertise this work on their public procurement portal. Can she explain why that omission was made?

Deputy M.E. Miller:

I think I have explained what the process was. That through an extensive amount of research, they identified who was available locally, and the one firm that was available locally was asked to tender with other practices. We have to remember that 90 per cent of the cost of regeneration of Fort Regent will be in the physical construction and that will be, I believe, placed locally. Yes, everybody does want to engage local businesses where they can, but the local businesses need to be able to deliver, and the scale of the businesses we had in the Island, my understanding is that they were not big enough. I am sure J.D.C. will be engaging local operators, where everybody tries to do that where appropriate and where it gets value for money and, crucially, delivery and performance to a standard that everyone expects.

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

May we raise the défaut on the Chief Minister, please?

The Deputy Bailiff:

Are Members content to raise the défaut on the Chief Minister? The défaut is raised.

Deputy I. Gardiner:

I would like to advise the Assembly that I will be away from 10.00 to 11.00 attending a medical appointment.