



Environment, Housing and Infrastructure Scrutiny Panel

Quarterly Hearing

Witness: The Minister for the Environment

Wednesday, 9th October 2024

Panel:

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair)

Deputy T.A. Coles of St. Helier South (Vice Chair)

Deputy A.F. Curtis of St. Clement

Connétable D. Johnson of St. Mary

Witnesses:

Deputy S.G. Luce of Grouville and St. Martin, The Minister for the Environment

Connétable M.K. Jackson of St. Brelade, Assistant Minister for the Environment

Ms. K. Whitehead, Group Director, Regulation, Infrastructure and Environment

Ms. L. Magris, Director of Housing, Environment and Placemaking

Mr. K. Pilley, Head of Place and Spatial Planning

[10:31]

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair):

Welcome to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Today is Wednesday, 9th October 2024, and this is our public hearing with the Minister for the Environment. This is our general quarterly hearing but also we will be focusing on the Budget for 2025 as well in this meeting. I would like to draw everyone's attention to the following. So this hearing is being filmed and streamed live. The recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, please could you switch to silent. I would like to ask any members of the public who have joined us in the room today

to not interfere in the proceedings and, as soon as the hearing is closed, please leave quietly. For the purpose of the recording and transcript, I would be grateful if everyone who could speak to ensure they state their name and their role. For this then I would like to make the introductions. So my name is Deputy Hilary Jeune and I am the chair of this panel.

Deputy T.A. Coles of St. Helier South (Vice-Chair):

Deputy Tom Coles, Vice Chair.

Deputy A.F. Curtis of St. Clement:

Deputy Alex Curtis, panel member.

Connétable D. Johnson of St. Mary:

David Johnson, Constable of St Mary, panel member.

The Minister for the Environment:

Deputy Steve Luce, I am Minister for the Environment.

Assistant Minister for the Environment:

Mike Jackson, Constable of St. Brelade, Assistant Minister.

Group Director, Regulation, Infrastructure and Environment:

Kelly Whitehead, Group Director for Regulation.

Director of Housing, Environment and Placemaking:

Louise Magris, Director for Housing, Environment and Placemaking.

Head of Place and Spatial Planning:

Kevin Pilley, Head of Place and Spatial Planning.

Deputy H.L. Jeune:

Thank you very much and we have 2 hours to have this hearing. We have lots and lots of questions to ask you, Minister, but of course if there is anything that we would like to follow up we will be doing that in writing after the hearing.

The Minister for the Environment:

Of course.

Deputy H.L. Jeune:

But with 2 hours hopefully we can get through as many as possible. The first we would like to focus on is the proposed Budget for 2025 to 2028. Before we go into the details of some of the Budget areas, please could you tell us whether you are confident that there is sufficient funding allocated in the proposed Budget to achieve the actions identified in delivering the priorities set out in the Common Strategic Policy under your Ministerial remit?

The Minister for the Environment:

Thank you, Chair. Well, there's no doubt that 2025, 2026 and moving forward there is, unsurprisingly, pressures on government spend and we, as a Government, I am sure as a States Assembly as well, will want to spend taxpayers' money as wisely as we possibly can. We are looking at ways of making sure we are as efficient as we can be and we have made some commitments in this Government session, which is a quite short Government session - 2 years - to do what we can to reduce expenditure and to be as efficient as possible. So we have had to prioritise and we have had to do that in a number of ways. One is to look at the art of the possible, which means we are looking very carefully at what we are intending to do and whether we have time to actually do that. Then we are looking very carefully at the amount of money we have available in order to do what we would like to do and whether we can do that as well. Along with legislative time, which again is another finite resource, we need to make sure that the things we intend to do we have the time available with law drafting in order to do that work. All these prioritisations have taken some time and some thought. I am confident that in 2025, certainly, the prioritised list that we have come up with is funded, but I cannot pretend it is not tight. I cannot pretend that has not happened without some challenges. Obviously, you will know about recruitment and the way we are dealing with consultants that we have historically used in the past. The fact that we are not using consultants from now on, the fact that we are not replacing staff where vacancies might be taken out is an issue. It is a resource issue across government and not just for my department. But I am confident that in 2025, we have allocated resources enough to do the work we want to do. But I cannot say that it is not going to come without a challenge and it will be difficult. Throughout the year, I am sure that other challenges will appear because what happens is when you say this is the amount of work that we have to do, we have just got time, we have just got about the right amount of money and the resource and staff to do it, I would have to say there is very little contingency in that, if you like. If something comes out of the woodwork in the middle of next year, which becomes immediately a priority, stuff can fall off the list of things that we would want to do. Because it may be that we do not have the staff or we do not have the money without taking something else off. Because we are now in that point where we know what we want to do, just enough money, just enough time, just enough law drafting time to do all these things. But if something new appears, that list will have to be revisited. The answer is, yes, I am confident, but it is very tight. I do not know if, Louise, do you want to say anything more about money?

Director of Housing, Environment and Placemaking:

No, I am happy with, I think ...

Deputy H.L. Jeune:

Well, we have got lots more questions on this. Minister, did you request to receive more funding in the financial envelope when it was allocated to your department? Were there discussions? Did you request more to be able to cover the C.S.P. (Common Strategic Policy) priorities and the areas that you want to focus on?

The Minister for the Environment:

We have certainly made some requests, maybe not specifically for money, but we have certainly put in applications to a process to apply for exemptions from, for example, consultancies. Quite rightly, some requests for consultants have been granted where they are ... the application is extremely technical and it would be very surprising if government, within their ranks of the civil service, had people who were qualified to answer. I cannot think off the top of my head, but it is on a particularly technical subject. In other aspects, we have applied for some additional funds or exemptions to employ consultants and that has not been forthcoming. We accept that that process has been very rigid and it has been in line with our Government statement that we will stop, apart from the exceptional circumstances, the use of consultants. So we did make applications. I cannot think we specifically applied for more money. Yes, I would have loved to have a lot more money, but what we have done is, as a Government, we have said we are going to make these reductions and I have agreed that we are going to do some targeting of ... I have got the numbers here - £200,000 value for money - and we are going to save nearly half a million pounds on employment where we have had to look very hard at our staff levels. We have come up with some solutions which are not what we would like particularly but we are taking some small staff reductions in order to meet the challenges of reducing the budget because, as a Government, we have committed to reduce our expenditure and my department, like all others, have gone along with that and, for the greater good, we are doing our bit. A bit like your first question, it is challenging and we accept that and we are knuckling down and getting on with finding a way through the challenges.

Director of Housing, Environment and Placemaking:

Minister, is it worth making it clear to the panel that there was no growth bid process for 2025, so there was no actual process to be able to bid for additional funds that Members might have been familiar with in previous years.

The Minister for the Environment:

That is the reason we did not apply for any more money because we were not going to be allowed to. Across the board we have said no growth and, on top of that, we have had further challenges with being challenged to save money with expenditure.

Deputy H.L. Jeune:

Understood. Within that, because of course you were talking about that kind of applying for exemptions from very technical consultants or expertise that potentially are not sitting within your current staff, but what extent do you believe that the Council of Ministers understand the balance between the natural environment and the built environment and is this reflected in the Budget? Do you feel that there is a balance and that the Council of Ministers understands that?

The Minister for the Environment:

Well the challenges have gone across the board within my department and in some areas it has been easier to cope with. In Kelly's area in regulation obviously there is a lot of income. We have - I am trying to think - income of £6 million but to the department the vast majority of that comes through regulation. So in Kelly's stream of work, if you like, in her department it is much easier to cope with because there is money coming in. In the natural environment ... so you are talking about the built environment and the natural environment. Just for the sake of this discussion say regulation copes with built environment and the Environment Department, Howard Davis Farm, does very much more the natural environment. They have very much reduced amounts of income coming into the department, so it is a lot more challenging when it comes to their side because they do not have the income coming in. They rely entirely on funds that are given to them in order to run the department. I think the point I am making is where you have charges, yes, this Government has committed very heavily to increasing charges to the smallest amount possible but still you have the ability to create income, which allows you to run your department. Okay, yes, there are government funds that go in to help running that department as well. But in the natural environment side, there is not the income to help with how you might balance the finances. So in some ways, it has been more challenging for natural environment than built environment. But that is only because of the income streams.

The Connétable of St. Mary:

Sorry, the chair's question distinguished between natural environment and built environment. Is there not a further tier in the fact that environmental health seems to become an increasing part of your portfolio. Are you concerned about its growth in respect of your responsibilities?

The Minister for the Environment:

When you say "growth", Constable, could you just elaborate when you say "growth"? Am I concerned because the pressures on environmental health are increasing?

The Connétable of St. Mary:

No, because it seems to me that environmental health issues are coming more to the fore, being brought more into your portfolio, or do you disagree with that?

The Minister for the Environment:

Well, not necessarily. I mean, environmental health falls under the regulation, if you like ... maybe not regulations for environmental health. But the society we live in is regulating more. Health is becoming more important. We are looking all the time, the more you find, the more answers you get, the more challenges you have, the more you have to regulate, if you like. We are seeing this very much with food. I am thinking about allergens, we have got some work coming down the line next year. We are working to make sure that labelling is done correctly. But it is never quite as simple as it seems on the tin. It is not just labelling, it is the way kitchens operate, it is the way restaurants operate, it is the way food is imported. It is very complex. Environmental health is no different; it is becoming more and more complex.

The Connétable of St. Mary:

My concern really is your budget for that, because it seems to be ... it has been increasing, your portfolio, over the years and I have never been too convinced that the budget has gone with it.

The Minister for the Environment:

Well, maybe Kelly might have some views on whether the budget meets ... I mean we do have in regulation the ability, as I said ... I would not say just move around all over the place, but as a department it comes in and we use it to the best of our ability.

Group Director, Regulation, Infrastructure and Environment:

Absolutely. In terms of the legislation profile for Environmental Health, as it was known as a previous department and now Environment and Consumer Protection, the laws have always been within the Minister for the Environment's remit. There has not been an expanding of laws or legislation around environmental health in terms of the Minister for the Environment's portfolio. In terms of staff resources, we had a significant recruitment drive in early 2022, so the staffing numbers in terms of the roles that we have are sufficient to manage the introduction of licensing in several areas, which is effectively a new element of regulation.

[10:45]

What is exceptionally important in a regulatory context is essentially a cost-neutral position to general taxation and the reason for fees and charges that the States Assembly approve when they

introduce new legislation is to enable charging mechanisms for an element of cost recovery. As the Minister described, regulation is not cost-recovered, so we do draw on general taxation as part of our budget.

The Connétable of St. Mary:

Sorry to intervene.

Deputy H.L. Jeune:

It is interesting, Minister, about the fact that you have said about the income versus natural environment. It is very difficult because it does not generate income and I think it is something to reflect on. Is that a general kind of modus that the Council of Ministers have looked at the Budget overall of like the spaces where it does ... where extra income is able to generate, that has a little bit more of a supportive bubble around it versus those areas like natural environment that has, of course, a value but it has a value that is obviously not able to necessarily ...

The Minister for the Environment:

Yes, and I appreciate what you are saying because the natural environment obviously has a massive value to the Islanders and to the Island in keeping our countryside, our natural environment beautiful, and somewhere we can all enjoy is massively important but it comes at a cost because you cannot charge people for the enjoyment of going out into the countryside. But certainly within the department we are not that rigid that we cannot help each other. Obviously we all work together for a greater good here and it may well be that there are instances where some of the income that comes into regulation may be, under the department banner, in a position to help. When it comes to balancing budgets, certainly when it comes to putting in our bid ... putting in our numbers to the Government Budget, it is under the heading of Environment. So, consequently, what we do with it below is very much up to us. But I just go back to the commitment that the Government has given and another one of the challenges we all have is, on one hand, we commit to increasing fees, charges, whatever they are, to a very small amount of money, probably less than R.P.I. (retail price index), and at the same time trying to provide more services to the public of the Island, and the introduction of new charges then gives us a challenge because on one hand we do not want to be increasing the cost of living by increasing the charges we already have, and then we come along and say: "Oh, actually, in addition we are now trying to provide all these services as well, surely some of these must be chargeable", and then trying to challenge ourselves as to whether the impacts of increasing or starting some new charges, what the effect will be on the general public, on the taxpayer and on the cost of living. But people demand more regulations because they want to make sure we are safe. We provide more services and the principle of charging for services is something we have to do because it is unfair on the normal taxpayer if person A is asking for something and person B is not. Why should both of them suffer equally when only one is benefiting? So the one

that is asking for the service should be contributing something. I think the principle of charging for services across the board is one we accept and it may well be, moving forward, that it is something that we have to add to because new services are demanded and consequently are provided.

Deputy H.L. Jeune:

Minister, you sent us a letter responding to some questions ahead of this hearing about the delivery plans and savings proposed in the Budget. For example, a paused work stream is the prevention of pollution from construction sites. Do you think you could elaborate on the scale as how large this problem is and what mechanisms are there to deal with this already? I think this comes up in that discussion we have just had about the balance between the built and the natural environment and the fact that this is going to be paused. Could you give the panel some understanding?

The Minister for the Environment:

Yes, you are quite right. There was a list of subjects which we have had to pause while we have done our prioritisation work and while contamination ... pollution leaving construction sites is something that we have paused. It was not on my radar as something that was particularly an issue, but obviously with climate change ... yesterday was a classic example of a massive amount of rain falling in a small part of the Island. Pollution leaving construction sites is something we need to think about but, Kelly, it was not that high up the importance that we felt it needed to stay on. It was one of those that came up. It will be dealt with in the future.

Group Director, Regulation, Infrastructure and Environment:

It was a piece of legislation that we had also targeted to go alongside an update to the statutory nuisance as legislation. So both of those were worked in parallel. This was essentially a piece of legislation around nuisance and pollution particularly around construction sites, noise, dust, odour, things like that. We do have controls already in place through the planning system, so in terms of construction management plans as conditions on planning permits, but this is essentially a different type of regulation, which was more of the statutory nuisance angle. We paused it because we were prioritising other legislation that we felt had more of a significant risk to health, particularly around food, building bylaws. But we do consider it an important piece of legislation that we do want to bring forward once those other legislations have come into effect.

Deputy H.L. Jeune:

So how much work had begun on it already and what was the cost so far on that piece working on that, both I guess the statutory nuisance law and the specific one on pollution? If you are saying it should be together, how much work?

Group Director, Regulation, Infrastructure and Environment:

There was no external consultation costs so it was only in-house resource. I think there was some development of policy intent a number of years ago but it has not progressed any further to that. We did not go into consultation so it was a very initial programme of work internally looking at possible changes and amendments. In terms of the cost, it would have been staff costs on a previous year's budget.

Deputy H.L. Jeune:

From your answer, I can deduce that you are saying that there is enough there in the different plans around construction sites to make the impact on the environment less; is that correct?

Group Director, Regulation, Infrastructure and Environment:

And also on the impact of neighbours and human health. So we do have other controls that we can use.

The Minister for the Environment:

Certainly the Members on the Planning Committee will know and be aware an application that comes in, which is likely to create a lot of noise, a lot of disturbance for neighbours depending on the type ... there are always conditions these days that are put on planning applications and quite often neighbours of applications will present themselves to the Planning Committee saying: "I am really concerned about the noise, I am concerned about the dust." But there are additional restrictions being put on development all the time now; pollution just being one of them. But noise, dust, light. Of course, we are also trying to move construction down the road of recycling. We are aiming and very much hoping in some time in the future we will get to a point where there is no waste coming out of construction sites, because everything that is taken down is reused and skipped and put to somewhere where it can be recycled. There are a lot of challenges for construction sites but certainly pollution in its various shapes and forms is one that we will be on in the future.

Deputy H.L. Jeune:

I suppose, keeping to this and something that you just mentioned Minister earlier about fees and income into the department, the panel notes that the introduction to a development levy is another project that has been delayed. Can you explain why this has not been developed?

The Minister for the Environment:

Development levies have been proposed in the past and certainly I remember quite vividly the States debate where I took a development levy to the States back in 2016, 2017, something like that, and it got thrown out comprehensively. It is a real challenge trying to ...

Deputy H.L. Jeune:

But, Minister, this has been agreed in the States Assembly. I think it was in this term there has been a development levy proposition that was passed.

Deputy A.F. Curtis:

Deputy Kovacs brought it.

Deputy H.L. Jeune:

Deputy Kovacs brought it and it was passed, so it actually has been agreed that there should be a development levy developed.

The Minister for the Environment:

I accept that and I was in discussions with Ministers yesterday about other States decisions which have had to be put into a prioritisation list. I think we felt that despite the fact that the States Assembly had made this decision, and in my view quite rightly, we have to work on a basis here of the importance and significance of the work we are going to do between now and the next election. Also, I think it is fair to say that we need to take into account the difficulty, complexity of doing that work, and whether there is an appetite outside of the States Assembly for it. We have seen in the past where States Assemblies have taken decisions on housing policy, for example, where the industry reacted in a way that actually stopped housing being built, full stop. We, in a very short order, had to go back on that. At the moment, any additional levy on building ...

Deputy H.L. Jeune:

That will be on the land though. It will be on the land on a sale ... uplift of the land.

The Minister for the Environment:

What I was about to say applies the same, any additional levy that is put on land, building or whatever you like, will have a knock-on effect somewhere in the pipeline.

Deputy H.L. Jeune:

Although it could have a knock-on effect the other way. For example, we have the field at Sion that was sold for a substantial amount of money and they were supposed to be affordable housing and it has been very difficult to be able to get that balance right, to be able to have affordable housing with a developer who has had to or did pay a very expensive piece of land; way more than what it should potentially have been.

The Minister for the Environment:

I absolutely accept that and maybe there is work to do in this area but I think we need to remember that we also passed some sites in that same Island Plan debate for specific types of housing where

the owners are refusing to sell because they will not make enough money. We cannot oblige ... unless we are going to go down a compulsory purchase road for housing, which I do not think would be a clever idea.

Deputy A.F. Curtis:

Minister, that is in the Bridging Island Plan, that that is a legitimate scheme and a policy intention that if after 3 years of the commencement of the plan sites do not come forward that the policy is there to allow compulsory purchase. So it is not off the wall. That is written in the plan itself.

The Minister for the Environment:

Well it may well be but it is ... officers may have something to say about this but it has always been my understanding that the States only compulsory purchased land for safety or for health or something really and not for housing.

Head of Place and Spatial Planning:

Perhaps if I can pick up on both of those points, Minister. Perhaps I will deal with a compulsory purchase issue first. As Deputy Curtis mentioned, the plan does contain policy provision within it for sites that do not come forward to be considered for a compulsory purchase, but clearly that would require further decision of the States to actually make that specific decision in relation to sites. Going back to the issue of the development levy. As the Minister said, there was work undertaken under the Minister's previous tenure Minister for the Environment to consider the introduction of it. It was called the Jersey Infrastructure Levy at that time. There was a considerable amount of work that was undertaken before that proposition was brought to the Assembly, where work had to be undertaken to basically assess whether the value of development in Jersey was sufficient to be able to render a levy viable. So there is a considerable amount of work undertaken to do that and all of that material is available online. That was undertaken in 2017, I think, and we had to engage consultants to support us in doing that work. That was to test the economics, if you like, of viability of some form of levy. In addition to that, we would also have to bring in some form of vehicles, probably some new legislation to enable a levy to actually work in Jersey. While, as you have noted, there have been 2 States Assembly decisions to explore this issue, both in terms of the approval of the Island Plan, where it is a proposal to explore the establishment of what is called the Sustainable Communities Fund, funded by some sort of levy, and then Deputy Kovacs' proposition, which effectively reaffirmed that decision. What is required to be undertaken to inform that work is quite a considerable exercise. We did submit a bid in the last Government Plan round for some work for some resources to undertake that and that was not supported. As it currently stands, we do not have the resource or the ability to undertake that significant piece of preliminary work that is required to look at the introduction of a levy.

Deputy H.L. Jeune:

So has there been any work done on how much financial loss is being incurred by not introducing this levy? Do you think it would have been prudent to create an estimate of gains from this to help with that decision?

[11:00]

Head of Place and Spatial Planning:

I think that is quite difficult in the sense that clearly there are issues around, first of all, is a levy viable? If it is viable, what form of development is it viable on? Is it viable on residential development? Is it viable on commercial development? On what sort of basis are you going to charge the levy? What is the rate going to be? It is very difficult to second guess all of those issues without doing all of that preliminary work.

Deputy H.L. Jeune:

Okay, thank you. We know that that work then is being put on hold for now to even understand and answer those kind of questions. In the letter, Minister, moving on, you have not listed any works that have been cancelled. Is this the case? Most of the work that you have put on hold that is to be picked up, will that be picked up within 2026? Or it is really for the footfall very much, when we talk about it should come, that we are talking about in the next term of a Government or even further depending.

The Minister for the Environment:

I think it is probably in the letter where the word “consideration” comes and the paused projects will be reconsidered for 2026. But I think it is fair to say that some of those on that list will not be done before the next election and will need to be brought back to whoever the Minister is after the next election to see how they feel about picking it up and moving on again. Some of this work will be paused, waiting for other work to be done. Carbon offset purchasing strategy is one, for example, which I feel that we are probably going to need to wait a little bit longer to see how things develop. Purchasing carbon offsets is quite a challenging subject for some. We do not know whether it works, is the principle right, paying somebody else to do something that you should be doing yourself, it is a whole ... so there is one example there. I would imagine that carbon offset purchasing may be one that will be left for the next Government.

Deputy H.L. Jeune:

I think where we are more focusing in on, Minister, is in June the panel sent you a letter about an update on the Bridging Island Plan proposals, for example, and all the different elements. There were 40 proposals there, I think, and we were sent an update in different colours about how far have

those different things been progressed. Of course it is not reflected necessarily in your letter of those priorities that have been delayed. That it is not defined apart from St. Brelade's Bay. So could you confirm with us if, since that update, there have been any elements that have been prioritised or deprioritised, understanding that what you have just described to us was the departments have had to look in and reprioritise depending on now with more limited resources available?

The Minister for the Environment:

I will defer to Kevin in a minute because he is the expert and responsible for lots of these pieces of policy. But, yes, there is a list of requirements in the last Bridging Island Plan, which says before we get to the next one, the next debate, there are a number of things that need to be done. I am trying to think of the percentages, but I am not quite ... a third have been, a third are in train, and a third are yet to be started. But for me, I think work on the strategies, work and things that are needed for the next Island Plan debate are, I would say, a bit of a business as usual, inasmuch as I expect that they are being done in the background, and we know they have got to be done. It is not something we can stop, because the next Island Plan debate is coming down the line at us. There is no date for it yet, but it is clear that this was a Bridging Island Plan that was supposed to come to an end next year, 2025, 2026. It is clearly not going to do that, but we cannot take our foot off the pedal and not be continuing to prepare for the next Island Plan debate, which is going to be, to my mind, a really important one. But, Kevin, could you just update us on where we are with those pieces of work?

Head of Place and Spatial Planning:

Yes, sure. Thanks, Minister. As the Minister said, the proposals in the plan essentially fall into 2 categories. Some of the proposals in the plan are there to assist the implementation of the current plan, so things like preparation of supplementary planning guidance to support the implementation and application of some of the policies in the plan. Some of that work is undertaken, as the Minister said, is business as usual by my team. Other elements in there are being led by other parts of Government. So they are not all planning focused, but they do have a planning relationship. We are working with colleagues across government to deliver some of those. Then, as the Minister said, some of the proposals are really about undertaking some of the evidence-based work that we need to inform the next Island Plan. Clearly one of the things that the Minister has highlighted as being critically important in that is the question of a water strategy and addressing the critical question of how the Island is going to address the challenges around having a robust water supply. The Minister is seeking to progress that piece of work, for example. It is difficult for me to give you an update on all of the 40 proposals.

Deputy H.L. Jeune:

I think it is more because the only thing that really is mentioned here is that paused projects would be the St. Brelade's Bay improvement plan. The question, I suppose, from the panel is what is going on ... if it is business as usual why has that specifically been highlighted as paused? I assume then that everything else is carrying on. Then what is taking the place of that that has been paused?

Head of Place and Spatial Planning:

I think if you look at the St. Brelade's Bay improvement plan, that was subject to a timeline in the proposal in the plan so we can be very clear about that in the sense that that timeline is not going to be met. Some of the proposals in the plan would require the engagement of external support, because we do not either have the capacity or the skillset within my team or within Government to do that work. I have just talked about the Sustainable Communities Fund. That is one of those projects where we would need to secure some expert advice about the evidence needed to support that piece of work.

Deputy H.L. Jeune:

Would you be able to get that on the current criteria about consultants and the technical? I do not know what the criteria is for how much to define what technical expertise is needed for a consultant. Do you fully accept that piece of work? We have not looked at that against the criteria that are currently established but, as I said earlier, there are essentially 2 parts to that piece of work. One is around the surveying and economic expertise around the viability of development costs, and then the other is around a policy mechanism about developing a new tool, whether that is policy or law required, to deliver that piece of work. We would need to look at both of those elements relative to the existing criteria. But clearly that would also require financial resource for that work to be commissioned.

The Minister for the Environment:

If you want to talk about St. Brelade's Bay specifically, Deputy Scott, as we know, is a great proposer of this particular piece of work, and she is the one that has championed it. I spoke to her when we considered putting it on the pause list. Obviously, she was disappointed. I am disappointed as well. But one thing, we can look back to is the most recent Bridging Island Plan debate, and the Constable sitting alongside me had a lot of input into that debate when it specifically came to St. Brelade's Bay. One thing we can say - okay, it is not a get-out if you like - but there were some specific amendments which came forward and were won by the Constable appertaining to St. Brelade's Bay, so additional protection was put in. It is not an improvement plan, a large document, but at least we are cognisant of the challenges in St. Brelade's and, I do not know, Constable, do you want to just ...

Deputy H.L. Jeune:

I do not think it is necessarily about St. Brelade's. I think it was more specifically - though that is obviously important - is that wider list and understanding, I think, your prioritisation, Minister, on what you needed to do and when you said that there is business as usual work carrying on in putting these proposals from the Bridging Island Plan into play, then of course it being very specific on this. But I think understanding that there is a specific deadline with that where the others do not have particularly a timeframe. So my question to you, Minister, then is: do you think that all these proposals should be ... and all these elements within the Bridging Island Plan should be completed prior to drafting any Island Plan in the future? Do you think that we would be able to get there?

The Minister for the Environment:

Kevin will correct me, I think they have to be done before the next Island Plan debate, do they not?

Head of Place and Spatial Planning:

Well, as I say, some of the proposals in there are about collating the evidence to address the challenges that the Island has got and that have some planning manifestations. So things like, I have referred to it already, but the work around the water strategy is critical because we know from the evidence that was presented during the Bridging Island Plan that if there is a challenging summer, then the Island has got a ... we have got a challenge now in terms of the capacity of our existing water resources. Clearly, that is likely to become more of an issue in the future. I think that is one issue - a critical issue - that needs to be addressed by the Island Plan. Because if there is a land use requirement arising from the need to enhance our ability to provide more water resources for the Island, then the plan really ought to address that, otherwise we end up with a situation where, if the plan does not address that, we may get a planning application for some form of development that is not recognised in the plan. We all know that ends up when you look at the situation with the hospital when that was not in the plan. So there are a few challenges.

The Minister for the Environment:

We are lucky and unlucky with the next Island Plan debate inasmuch as obviously it was due after the Bridging Island Plan to be in 2026. Island Plans generally are very focused on housing requirement. One of the main reasons that we have an Island Plan is to identify sites for housing. I think it is fair to say that had the need for more housing continued in the way we thought it was going to be when we were developing the Island Plan and where we thought we were going, the requirement to have this next Island Plan debate would have been much greater than it has been. It is because unfortunately, because I personally feel that a growing population is something that we need on the Island in order to do a whole load of things, but because the population seems to have plateaued at the moment we now know that the Bridging Island Plan identifies enough housing sites for at least 2 or 3 years before we start to see a requirement coming forward, a need coming forward, which will be over and above the sites that we have identified in the Bridging Island Plan. There are

pros and cons. The fact that we are not desperately in need of more housing sites at the moment means that we do have a bit more time, but we cannot take our foot off the pedal. The next Island Plan will need those pieces of work to be done, which is why it is a bit business as usual. I am sure that Louise and Kevin are progressing those 40 pieces of work where they have time, money, resource and staff. But we are under no illusion that on all those headings it is challenging.

Deputy H.L. Jeune:

Absolutely. Thank you, Minister. I think our next focus of questions were really about the fact of the role reductions, in the sense that not hiring those roles that are becoming vacant, and then also for reduction in consultancy budgets. Although we have covered a lot of ground already on those, we have already identified a few areas, and I think we will continue to through our questioning. A lot of the areas that your portfolio covers are quite technical, and the panel wants to understand if your team has the expertise within it to be able to deliver all these different elements that, for this longer term, need an Island Plan at some point. We cannot keep putting it off. It does need to come to fruition. Under the delivery of the key common strategic priorities even around, for example, the Carbon Neutral Roadmap there are elements that are needing technical expertise. We just want to understand, Minister, that the criteria that has been put in place on being able to get exemptions understands the need for that technical expertise and the level of work that is required under your portfolio, I think.

The Minister for the Environment:

I do have a number of areas under my portfolio where some very technical work will need to be done in the future, and Kevin has mentioned water.

[11:15]

Certainly, that will be one area where I think we will need some additional help. We have had to change the way we are running our wind farm project, for example, where we had a number of experts employed on a consultancy basis to help us with that work. We have reprioritised our staff within the civil service to allow us to continue that work but I cannot say that it has not slowed us down a little bit, because obviously changing staff halfway through a project never speeds things up, but we have in-house resource which is going to help us to do that. But there will be always some technical areas where we will need to employ people, and it is a challenge. There is no doubt about that. We have been challenged to come up with some real tough criteria to give reasons why some of these technical people are justified in employment.

Deputy H.L. Jeune:

Do you think there is a risk to not have that oversight from very technically specialist people?

The Minister for the Environment:

There certainly would be a risk if we are not going to be allowed to employ them. On wind, for example, we are out to tender at the moment of procurement for our experts in some areas of the wind farm project and if for a reason we would not be allowed to employ that person that would certainly be ... would leave an area of the project without the right sort of input because obviously, as an Island, we have never built a wind farm before, we are never going to build one again. This is a one-off project, which will need some very specialist people who we quite rightly do not have working for us in-house. So we will need to employ them. I am hoping that we have got permission to employ those, and that is right.

Director of Housing, Environment and Placemaking:

Would you like me to add a little bit on that, because I think that is a good example of the technical expertise piece? The wind farms are quite an informative example, actually. We have used consultancy expertise for 2 reasons in the past. Number one would be for very technical pieces. So, for example, water flow modelling to underpin the water strategy would be a super example of something that we are very unlikely to have in-house. We have also employed consultancy as surge capacity; basically, additional policy officers, if you like. The wind project, you will recall, because of course you were part of it at the beginning, Deputy, we had surge capacity to help us take on this extra growth work that the Assembly and Ministers felt were very important. Where we have changed, where this Government has thought hard about where it would like to use its consultancy budgets, it is suggesting that we should not be using them for surge capacity people, we should be developing people from within and prioritising for projects within the civil service and the skills that we have. So the wind project, we are ramping out our surge capacity consultants. They are handing over to a new internal team. So we have some new people that have come over to my team in particular. They have extensive policy development skills. They are good, seasoned professionals and I am very happy to have them in my team. They are picking up what was previously held by surge capacity. That is an example of losing surge capacity in saving that expenditure and developing internal talent. However, as the Minister rightly said, there are also some really technical pieces in the wind work. A good example would be the strategic options appraisal, which looks at the very technical way you may and may not build a wind farm and what the cost-benefit analysis of that might be. That is not work my team can do. None of us could. It is very, very specialist. That is an example of something that we do have permission to go out and get technical additionality on. That is out, there is an I.T.T. (invitation to tender). I left a team of people looking at an awful lot of tenders before I came here, and we are evaluating that in the way that we always would have done. I think it is about, as well, recognising where we are using surge capacity and technical expertise.

The Minister for the Environment:

But just getting back to the strategic level, employing consultants, paused work and all that type of thing, if we have 100 people in the civil service and we want to do 100 things, that is fine, let us say we can cope with that. If, as a Minister, I say: "Well I want to do more and I want to continue to do some of this work that is on the pause list" it has been fine up until now because we have said, right, we have got 100 people here but if we employ some consultants, they become additional resource, they allow us to do more work. But if we decide as a Government we have got to cut down on our expenditure and we decide that consultancy is something we are not going to spend money on, we have to accept that our ability to do 120 pieces of work reduces back to 100 and we only have the civil servants and some very specific technical consultancy that we can draw on. The downside of saying we are going to spend less money is that we actually unfortunately can only do a certain amount; we do less work. So our aspirational list for what we might like to do between now and the next election has to be reprioritised.

Deputy H.L. Jeune:

Thank you, Minister. Just the last few questions on the Budget. The States Assembly have already approved a freeze on fuel duty and once again in the draft Budget for 2025 the fuel duties are being proposed to be frozen. Of course there is the element of some of that fuel duty goes in towards the Climate Emergency Fund, so could you provide a brief description of the impact this freeze will have on the Climate Emergency Fund?

The Minister for the Environment:

We are going to continue ... the important thing from the Climate Emergency Fund perspective is that we are going to continue to have our 9p, so that is good in some ways. As a Minister for the Environment, I would like to see government initiatives, if you like, to focus people's attention on burning carbon. Obviously in some ways it is disappointing that we have chosen to freeze fuel duty, but in other ways, when we are trying to help Islanders and taxpayers with the cost of living, that is not a surprise. So this was a discussion that we had around the Council of Ministers' table, as you might not be surprised. As the Minister for the Environment, there was a case to be made for trying to encourage people away from carbon fuels. One of those is obviously the duty element. But, as a Government, we decided we were going to help the taxpayer keep cost of living down and reduce that duty. But from my personal perspective and the Climate Emergency Fund, it was vital that that money continued to come in and it is going to come in. We would like more. We have put our case, but the agreement around the table is this is what we were going to do in the immediate short term with fuel duty. We will be criticised whatever we do. If we do not increase it, those that want to save carbon will be unhappy. If we do increase it, those that want to burn carbon will be unhappy. I think we have probably got a balance between the 2, but certainly from the Carbon Emergency Fund, as you said, there is no change. That was good, because that is an important source of income to our fund, which then allows us to go out and encourage people to save carbon in other directions.

Deputy H.L. Jeune:

That leads me to Deputy Coles, who will actually now focus on the Carbon Neutral Roadmaps.

Deputy T.A. Coles:

As the panel notes within your letter responding to the panel's questions regarding the delivery plans and saving proposals from the 2025-2028 Budget, although climate change is a priority there are a number of policy areas that will be paused that come from the Carbon Neutral Roadmap. Can you say what activities will be delivered, commenced or continued in 2025, as agreed within the Carbon Neutral Roadmap?

The Minister for the Environment:

Louise, this is firmly your ...

Director of Housing, Environment and Placemaking:

Sorry, the question was what will be carried on?

Deputy T.A. Coles:

Yes; delivered, commenced and continued.

Director of Housing, Environment and Placemaking:

We do intend to continue delivering what the roadmap says that we will deliver bar the things that are mentioned. I think probably a couple of things to reflect upon is ... the biggest area of focus we think going forward is going to be around the low-carbon heating incentive. So you will be aware that the grant incentives to help electric vehicles have been very popular and we are almost at ... you will have perhaps seen the press release, that we are almost at the end of the budget allocation for that particular initiative. That has completed and will come to an end. I think where there is possibly more complexity has been around changing people's heating systems. That is something that we have underachieved on against our objectives. We have got about 350 applications in and we hope to have 1,000 done by the end of 2025. It is unlikely we are going to do 600 next year at the current rate.

The Minister for the Environment:

That was a challenge actually because, as Minister, I came in, as you will know, I decided to push back the banning of replacement boilers. We wanted more discussion with the industry. Certainly when you look at the numbers and the number of boilers to be replaced to the number of years available, the number of boilers per year that need to be done and the ability of the industry to cope with that, there is a lot more work to do. We are working with the industry to try to encourage them

to get their staff up to speed to do that work. The money that we are giving out for boiler replacements, we have obviously got flow boilers and we have got heat exchangers, what we are finding is that people are tending to go for the cheaper capital cost at the beginning but actually leads them to increased maintenance and running costs into the future. I am certainly going to be looking at ways that we might encourage them to go for the more expensive option at the outset, which is much easier and cheaper to run and better for the future. Of course the other thing we are doing is reprioritising our work about the review of the building bylaws because I felt that getting that document back up to where it needs to be would then inform the certificates that we put on pause. I am trying to think the other thing that we put on pause. But I certainly felt that a building bylaw review is really important and once that was set that gave us the guidelines, if you like, which then allows us to inform the other parts of the common work that we need to do in that particular area. How is the bylaw review getting on, Kelly?

Group Director, Regulation, Infrastructure and Environment:

So we have initiated the project governance for the building standards review; this is reviewing the technical guidance documents. Currently we are doing within the existing staffing capacity research on best practice and U.K. (United Kingdom) standards in comparison to the current technical guidance we have, identifying areas of recommendations for changes and gaps in areas to focus on. We are hoping to ... we have already engaged, we had a really successful workshop at the Sustainable Construction Summit with industry stakeholders about areas that they would like to see prioritised. We are hoping that that sort of initial policy consideration will come out in Q1, 2025.

Deputy T.A. Coles:

Can you confirm if there are any agreed Carbon Neutral Roadmap budget lines that will be transferred between headings?

Director of Housing, Environment and Placemaking:

Not at the moment, I do not believe, no. No, we would not be able to do that without the agreement of the Minister and quite potentially the States, depending on the magnitude or difference in that. At the moment, the expenditure lines are as outlined in the Carbon Neutral Roadmap. Obviously, the opportunity to rethink those and look at them again will come at the end of this delivery period. So, of course, you will be familiar that the plan is that the Climate Council will be commissioned to have a look at our success or where we have missed our targets to date. They will be an external resource to help evaluate the success of the policies or otherwise. Then they will be able to help propose where our policy focus should be for the next delivery period. At that point, we would look at refocusing the spend to meet those policy directions. Then, of course, then we would have to rebase that budget and seek approval to do it in that way.

The Minister for the Environment:

It is not completely separated, but the fact that we have got a Carbon Emergency Fund over here, it is not as integrated as everything else is. So we are fortunate in a way that we cannot just dip in and out of it as we would see fit. It is there for a specific purpose and that purpose is maintained.

Director of Housing, Environment and Placemaking:

Yes, and even between the budget lines, so for example, we have got X amount of money for X incentives or X policy initiative. We do not tend to move those around because we should not. We are sticking to the policies until we have a chance to evaluate them, check that is successful otherwise and then pivot. Is that helpful?

The Connétable of St. Mary:

The initial incentive scheme for commercial boilers, et cetera, the budget allocation is almost complete?

The Minister for the Environment:

No, that is ongoing.

The Connétable of St. Mary:

It is ongoing?

Director of Housing, Environment and Placemaking:

That one is underspending, it was ...

The Minister for the Environment:

The one that is getting very close to finishing is the incentive for vehicles. We know that we are now in the last 10 per cent of the monies that we have got available. We have announced that that scheme will be closing. We expect that there may be a bit of a rush because there will only be a finite amount of grants that will be left to give out. I have to say, I think it has been a great success. I think we are waiting for the climate report to tell us how much of a success it has been. In some ways, I would like to know before that. I would also like to have some money to do some more work in that area, because actually direct substitution of internal combustion engine for electric is a win-win.

[11:30]

It is not just reducing it slightly, it just goes from you are using carbon and you are not using carbon, and that is really good. I think Jersey is ... although we do not have the data, my gut feeling is that

Jersey has really done quite well with electric vehicles in the last couple of years. I am sure the scheme has had something to do with it, but it would be nice to be able to continue in that work. What I did do was I found that the scheme for electric bikes - I was not happy - was not working as well as it should have done. We were seeing less than a 30 per cent redemption rate. So for every 100 applications we approved, less than 30 of those people came forward and actually bought bikes. I did say if this does not improve in the first few months while I am Minister I will look to repurpose that money somewhere else. It did not improve. In fact it was actually getting worse. So I said: "Right, we are going to take the small amount of cash, we are going to put it into electric vehicles", and I have specifically targeted small commercial vehicles. Instead of £3,500, they have gone to £4,000. It will only do a small number of vehicles, but it is going to encourage a small business who are thinking about replacing a van, white van man, here is an opportunity to go for an electric van and here is a government grant to help you do it. Again, I am hoping we are going to replace some diesel or petrol vans to straight electric. But after that, the electric vehicle scheme will come to an end, but the boiler scheme continues.

The Connétable of St. Mary:

Yes, thanks for clarifying the boiler carries on.

Director of Housing, Environment and Placemaking:

Most certainly. If I can just be really clear, the beauty of the Climate Emergency Fund is because it is a constituted state fund it rolls over. So if we have a particular budget line that is under spending - a.k.a. the boilers - then that will just roll forward. What the Minister is not proposing to do is, for example, to take money out of the boiler line and put it towards more E.V.s (electric vehicles) just because E.V.s are more popular; that that would not be within the spirit of what was agreed by the Carbon Neutral Roadmap. When the E.V.s come to an end, they come to an end, and the Minister will rethink based on the evaluation; and then the boilers can just roll forward and we can put a big push on that and hopefully increase uptake. The Minister mentioned evaluation, and obviously that is a really important part of understanding the success of the work that has been undertaken - or otherwise - and so we have just started an evaluation piece on the E.V. work. We have done a massive consultation with the people who redeemed electric vehicle grants to understand what vehicle they purchased, what its usage habits are, all of those sorts of issues, to understand how that money was best spent on behalf of the taxpayer. That will form part of the plan going forward as to whether that is a policy that would be continued or reinvented in some way in the future.

Deputy T.A. Coles:

You mentioned within your answer about the Climate Council, so has work commenced on setting this up?

Director of Housing, Environment and Placemaking:

That is on the books; it is not long, is it?

Deputy T.A. Coles:

No.

Director of Housing, Environment and Placemaking:

Yes, the team are beginning to think about evaluating that, because they have to be in place and ready to go for next year, so that work has begun in the background.

Deputy T.A. Coles:

Okay, and what other areas of policy and legislation for the Carbon Neutral Roadmap are in process for 2025?

Director of Housing, Environment and Placemaking:

What other pieces? Particularly around skills, one of the things that we know is a problem in getting the heating system incentives out of the door is the ability of the industry to fully respond to the demand from people, but also the amount of installers, the supply lines, all of those sorts of things that make heating system swaps easy and quick, which currently they kind of are not. So we are working with Skills Jersey on the delivery of industry workshops, those sorts of things, to help the wraparound matters that increase the uptake of the grant. That is a really obvious piece that is underway. We are liaising with Highlands about heating system designs and installation, heat pump installation courses, those kind of matters; so focusing on green skills is part of the background work that is going on this year as well that is important.

The Minister for the Environment:

There is also evaluation that is going to be required on the latest electric potential for replacing oil-fired boilers. We have got 2 major challenges in carbon replacement: we have got transport and we have got housing. We know in the housing that, historically, it has been very difficult to find an electric boiler to replace an oil-fired boiler to heat an old Jersey property; granite property, for example. But there are 2 things that we need to be looking at. The first one is that the latest generation of electric boilers, which I am told are very much more on par with the thermal output of an oil-fired boiler. And the other one is I want to do more work on not necessarily replacing oil boilers with electric, but just converting that boiler into vegetable oil-burning rather than carbon oil. So, there is lots of work going on there. Both pieces of work will lead to no carbon, but I want to investigate the alternative for using liquid fuel as opposed to electricity. But that is important work that is going on as well.

Deputy T.A. Coles:

Thank you. Within the Budget, the panel notes that the 2025-2028 closing balances for the C.E.F. (Climate Emergency Fund) include the sum of £1.2 million of investment in non-current assets related to sustainable transport policies. The sum will be appropriately transferred from the C.E.F. in future years. The fund's cash balance, including these non-current assets, will be presented separately. Can you elaborate on the rationale behind utilising the Climate Emergency Funds to fund sustainable transport policies and not other projects or policies?

Director of Housing, Environment and Placemaking:

Yes, I am very happy to do that. Are you happy for me to take that one, Minister?

The Minister for the Environment:

Yes, please.

Director of Housing, Environment and Placemaking:

When the Climate Emergency Fund was set up, there was a period of time between the fund accumulating income and the agreement of the Carbon Neutral Roadmap, so essentially there was some money sitting there waiting to be used for policies that had not yet been agreed. There was some work done and amendments put by States Members in a subsequent Government Plan 2 to 3 years before the Carbon Neutral Roadmap was agreed, and some of that was agreed for Strong Start sustainable transport initiatives. So those were States decisions that were agreed to use Climate Emergency Fund money for S.T.P. (Sustainable Transport Policy) outcomes. Those are capital projects. As I am sure you are aware, they quite often take a while to get going and then to deliver and then to be deployed and all of that. Some of those projects have delivered capital assets, so they are accounted for separately, as you have seen in the fund, but they were the result of the States decision to use the Climate Emergency Fund for S.T.P. outcomes.

Deputy T.A. Coles:

Okay. Can you explain what is meant by the statement that this sum will be appropriately transferred from the Climate Emergency Fund in future years?

Director of Housing, Environment and Placemaking:

It means it is an accounting anomaly. I should not have used that word because I can never say it. It is just an accounting term. It is confusing having it sitting there because what it is doing is representing a capital balance, so it will be moved back to the department that will be maintaining that capital asset. For example, if it is a cycle track or a bus shelter or a mobility hub or something a bit like that, that will be transferred back to the I. and E. (Infrastructure and Environment) capital

areas and those teams that maintain that asset. So that money will not be reported against the fund; it will go back to the managing department.

Deputy T.A. Coles:

What work has been completed in 2024 around the financing strategy post-2026? What is planned for 2025, and what do you, as Minister for the Environment, hope to deliver?

The Minister for the Environment:

The financing strategy in which we ...

Director of Housing, Environment and Placemaking:

The long-term financing strategy, I think.

The Minister for the Environment:

For carbon ... yes, okay. It will not be a surprise that the long-term strategy is going to be a challenge. I think everybody around this table will know - the chairman especially - how much money we are going to need to put into carbon, climate change, however you want to describe it. We know that we have not got much time to come up with a strategy, but I have to say at the moment that work is not really hugely advanced, but it will be.

Director of Housing, Environment and Placemaking:

Yes.

The Minister for the Environment:

Louise, do you want to add a bit more to that? But we know the numbers are going to be very big and we will have to find a way to do that.

Director of Housing, Environment and Placemaking:

That is absolutely right; it is a challenge and it is a challenge for this Government to take on board the entirety of the financing envelope all the way to net zero at 2050, so the task has been broken down into smaller chunks. We have started some work on what we think the delivery profile will look like for policies in the next delivery term and what the financing of that will be. What it is also doing is looking at the kind of models of investment you might use. For example, not necessarily just giving people grants for heating system incentives; it might be co-funding loans or something a bit like that. So we are doing some policy work to see what those next-stage delivery objectives and policies might look like for Ministers to consider, but then also attaching what the costs of those might be. So there is quite a lot of background development work. I think it is fair to say that probably

the direction has been to pull back from trying to deal with the whole entirety of the net zero costs in one giant elephant; it is more about taking smaller bites.

The Minister for the Environment:

It is all about having a plan for a plan.

Director of Housing, Environment and Placemaking:

Yes, and responsive to the delivery.

Deputy H.L. Jeune:

I think the question would be, Minister ... obviously yourself and myself as a predecessor are lucky to have the Climate Emergency Fund to be able to deliver the Carbon Neutral Roadmap. At the end of your term in 2026, would you feel that you have set up the future Minister who will be delivering the Carbon Neutral Roadmap with that same amount of funds or to be able to do that delivery into the future as successful as you have just been describing it now? Would you be confident that you are handing it over to the next term of Government in that same capacity?

The Minister for the Environment:

Well, we have not got long before we have to hand over. I think the best I could hope for would be to have a plan for the next Minister to take forward, so I have set it all out in front of them - whoever they are - and say: "This is the works you are going to have to do; this is the work you are going to have to do to calculate how much money you are going to need; these are some options as to how you might raise that money." Louise has mentioned already a few options that we are thinking about. But I do not think there is time for me to come up with between now and the middle of 2026 with a plan that is going to show how we are going to fund this right the way out to 2050 ...

Deputy H.L. Jeune:

I do not think it was about 2050, it is mainly really if in the next 4 years, would there be a pot of money to be able to implement the next stage of the Carbon Neutral Roadmap from the middle of 2026 onward for that next term of money? Would the next Minister have the same, I suppose, luxuries?

The Minister for the Environment:

At the moment, I do not have it in my mind that we are coming up with an additional new pot of money; that has not been mentioned. It may well be that when we get to mid next year, late next year, we have to start thinking about it. But I am certainly not at the moment looking to go anywhere to ask the Treasury to find large pots of money to fund 2026 to 2030, which is going to be the phase 2 report. Obviously, we have money coming into the fund every year, but the sort of things we are

going to have to do will require more money than that as well. We have had a really good start, as you know, Chair, with a large amount of money in the pot, which we have been slowly working our way through. We top up the fund, but we know, as we complete the low-hanging fruit projects which are easy to do and deliver us a reduction in carbon for a reasonable amount of money, we are going to have to spend more for smaller increments. It is going to get more and more difficult as we get closer to the target. We are going to need money and strategies and policies to do that.

Director of Housing, Environment and Placemaking:

It might be worth adding that the absolute minimum, I suppose, is the continual income from the 9p a litre from the fuel duty. You will remember that it was envisaged that there would be an escalator of 2p a year added on, and that has been frozen for reasons that we all understand, but if that minimum of 9p a litre keeps coming in, I am sure you will be aware that as people convert out into electric vehicles or other sustainable forms of transport or just even with more fuel-efficient vehicles, we are selling less petrol. So the 9p a litre on less litres means that there is a diminishing income coming into the fund and you will realise that that is a challenge as well. So naturally, part of the work that Treasury colleagues will have to consider going forward is the replacement of fuel duty as the profile of the fleet changes. I know that work has begun in that space, although they too, like us, have to do some prioritisation exercises. A replacement for fuel duty - for general revenue purposes, as well as for the 9p a litre of the fund - is also quite critical to make sure that at least the roughly £4 million a year that is coming into the fund to fund the base load of policies is critical. If the fuel duty escalator were to be reintroduced at any point, then obviously that would be helpful.

The Minister for the Environment:

I think the escalator is important, and certainly, I think after we get over this short term “hold”, if you like ... certainly in 2025 Government are committed to try to keep the cost of living down and reduce increases on the taxpayer. Once we get out of that period, as a department, as a Minister, I will certainly be fighting for that escalator to go in because, as Louise says, we know that the sales of car petrol and diesel are reducing. That means that if we maintain 9p a litre, our income is going to reduce. We need to try to, at the very least, maintain that and hopefully increase it a bit. The escalator is an important factor for us, really.

[11:45]

Deputy T.A. Coles:

My final question in this area. The most efficient fuel that we use is the fuel that we do not use. Given the announcement that the J.E.C. (Jersey Electricity Company) is increasing its tariff prices, can you please tell the panel what details you are doing to increase the energy efficiency of homes for Islanders to help reduce their bills?

The Minister for the Environment:

The first thing we are doing, as we mentioned 15 minutes ago, is our review of building bylaws and that will bring us right up to speed with the latest insulation specifications. Our target, of course, is - well, we are very close already - but we want new homes which do not cost a lot of money to heat and, in many cases, cost nothing to heat because they are insulated so much that they will not need that. Can you remind me of the question again, before I went off on a tangent on building bylaws?

Deputy T.A. Coles:

It is about increasing the efficiency of current homes as well; are there any incentives planned?

The Minister for the Environment:

Past the bylaws, that is the big one, because ...

Director of Housing, Environment and Placemaking:

To remind the Minister, there is an energy efficiency component in the low carbon heating system incentive as well. In order for people to do a fuel switch, they need to look at the energy efficiency of their property, because - your point is really well made - even if they were to switch to a low carbon heating source, they should be using that energy they are using to the greatest efficiency, so there is a component on that. The Minister will remember from the first time he was Minister, the issue around energy efficiency in existing homes is a really difficult nut to crack because it is often, not always, but it can be complex and invasive work to improve the energy efficiency of buildings.

The Minister for the Environment:

The historic housing stock is the challenge that we have, and certainly in the past - and I would hope into the future - where we have granted money or helped with extensions and ... we have always said that a percentage of the value of that extension build has to be put into reinsulating the property that the extension is being attached to. I think moving forward that is something that we will continue to have to work even harder on. It is all very well building a lovely extension to your home, which is beautifully insulated, if all the heat from the extension is going back into the house and disappearing. But the historic housing stock is a challenge and will continue to be a challenge, and we will do what we can to encourage people to insulate, to do all the things they can to stop the heat escaping, and then hopefully they can then move over to a different heating source, one that may not chuck out quite so much thermal capacity, but they will not need it because the house will be more insulated.

Deputy H.L. Jeune:

Thank you, Minister. Stepping into that wider energy is Deputy Curtis.

Deputy A.F. Curtis:

Thank you. Minister, I will try to keep us to 15 minutes on this section, so other questions will be cut and we will probably send those through in writing, just because we have got a lot of topics. But on energy strategy, Minister, on 3rd June the C. and A.G. (Comptroller and Auditor General) published her report into critical infrastructure, resilience, energy. From your department and your portfolio, could you provide a general overview as to the progress of addressing these issues found in the report?

The Minister for the Environment:

One of the things that the C. and A.G. said was that maybe we should have an Energy Minister, and that certainly is of interest to me. I think energy, moving into the future, is going to be critically important, along with water.

Deputy A.F. Curtis:

Have you taken that to the Council of Ministers yet?

The Minister for the Environment:

I have not yet; certainly, I have mulled it over in my mind. While I might be described as the Minister with responsibility for energy, it is very clear, doing work in the energy sector, that there are a number of Ministers around the table of Council of Ministers who have energy responsibilities for different reasons, whether that is emergency or economic. I see myself as the Energy Minister with sort of an overview, if you like, without dealing with some of the specifics. But I would like to think that in the next Government that it may be that energy is important enough that the next Chief Minister might consider that a proper, specific Energy Minister with more responsibility in that direction would be something they could think about. Certainly, the transition towards electricity is something that we have to continue to look at. We hope very much that electricity will continue to be extremely low carbon; we are fortunate at the moment that it is. But we do need to look at oil; we do need to look at gas. If we are going to meet the targets that we have to meet, if we are going to do our bit to try to help with climate change, we have got to work really hard. I think there are some challenges in the energy sector, and the C. and A.G. is quite right.

Deputy A.F. Curtis:

I think what we will do is we will ask a few questions on that report in, but one of the key findings is that government arrangements to assure the resilience of energy supply as both a community leader and a key customer are weak. Specifically to that finding, are you undertaking work to address this?

The Minister for the Environment:

We are certainly looking at it. As you say, the report has been issued, we have looked at it, and when we are told we are weak in a particular sector, it is incumbent upon us to go away and do some work in that area. As we all know, we have private companies responsible for electricity, responsible for gas, responsible for all our energy requirements; Government needs to be talking to these people and making sure that we have contingencies in place with them so that the population of the Island can be assured that there is continued energy, regardless of which energy the population chooses. Obviously, we have had some challenges with gas recently. We know oil prices vary depending on global issues and at the moment we have very serious challenges in the Middle East which have come on the back of the Ukraine war, and that affects oil prices. No matter how hard we try to insulate ourselves, the Jersey Electricity price of buying electricity from the European grid is affected by what happens in other energy sources; if the oil price goes up dramatically, that will affect the price of electricity.

Deputy A.F. Curtis:

There is an interesting question there because, Minister, you highlighted that there will be a delay and a slowing-down on work on the wind farm project based on how the Government is approaching consultancy. Yet at the same time, just like the development levy, there are opportunities to be weighed with cost and speed of movement. So, one area of the wind farm is potentially to address energy sovereignty and resilience. How do you square up those kinds of decisions that slow ...

The Minister for the Environment:

You say there is a slow down; I would like to think that there might be a gentle pause for a short period of time while we transit between consultants and in-house staff to do that. But we do have a timeline for the wind farm, and I am very confident that we will be able to continue that timeline. We know that not far from now we will come to the States Assembly with the legislative framework, but we very much still hope that before the next election we come back to the States Assembly for a much bigger decision about how we move forward with the wind farm. I said during the original wind farm debate that we had really good support. I know there were some sceptics asking questions about whether landing on Jersey was a requirement; whether those who felt we could lease the seabed out and just have a nice cheque drop into the Exchequer; and you mentioned security; there is sustainability; there is affordability. All these things need to be mixed up and balanced. But the support in the Assembly for moving forward was good. I, as Minister, want to make sure that that support is there when we come with the next important decision, which is why we are working really, really hard to try to come back to the Assembly before the next election. Who knows where we are after the next election.

Deputy A.F. Curtis:

To capture what I think you said there, Minister, you do not foresee any delay to your original forecast timelines based on how you have changed your staffing profile?

Director of Housing, Environment and Placemaking:

Perhaps I can help?

The Minister for the Environment:

Well, yes. I can see where the Deputy is going here ...

Deputy A.F. Curtis:

No, I thought I heard that, so I ...

The Minister for the Environment:

It is still my hope ... there may be some slight changes in the timeline, but the target is to come back to the Assembly before the next election and I am confident that we can do that. At the end of the day, that is the important thing. There is the election and we need that debate before we get there. How we get to that point ... may have to chop and change, it may have to slow down in some areas and speed up in others, but we have got a timeline. I do not know if you ... you are the expert ...

Director of Housing, Environment and Placemaking:

I think the Minister covered it. We are still aiming for that deadline. It is really important to the Minister, and I think to the Assembly, that we return within this term of Government to set the position. Your point about the wind farm and the contribution it could make to energy security is an important part of the energy strategy, which I know you would probably want to question me on, but we may move on ...

Deputy A.F. Curtis:

We will move on.

Director of Housing, Environment and Placemaking:

But, exactly right. This is an important part of the jigsaw that we need to close off in order to move forward with the other bits of work. So, still aiming high.

Deputy A.F. Curtis:

Great. We will ...

The Minister for the Environment:

No, I was just going to say, inasmuch as the building bylaw review is really important to moving forward with other pieces of work which relate to it, the wind farm work is really important in regard to the energy strategy, because until we decide on the wind farm it is going to be difficult to come up with a strategy. Because if we come up with a strategy, we would have to have 2 options; one with a wind farm and one without.

Deputy A.F. Curtis:

We will jump straight to the water strategy and to P.F.A.S. (per and polyfluoroalkyl substances). Minister, it has already been mentioned in this panel the importance of a water strategy, so would you be able to provide an update as to how the development of that strategy is going?

The Minister for the Environment:

Yes. I think it is publicly known, and I have certainly said it a few times and I continue to say, the water strategy was my number one priority when I came in as Minister. It is clear that by the middle of the next decade and thereafter we may, if the population goes in the direction we hope it will do, well have some challenges to have enough water resource on the Island to do everything we want to do. I felt it was incumbent upon me to prioritise that work. The reason I say that is that if - and it is a big if - but if we decided we need additional resource in the way of reservoirs, whether that is adding to an existing reservoir or a new reservoir, in order to meet this demand, I am conscious that it is a 10, 15, 20-year lead-in time to get that done. If a reservoir was the way we decided to go and 2035, 2040 is where we need to have it ready, we need to start now; that work needs to be in train. It may well be that we do the work and find, actually, the reservoir option is not where we are going. We are going for water recycling, we are going for desalination, we are going for something else. That will allow us a much shorter time period to get to where we need to be, but we need that decision about reservoir made one way or the other, which is why the strategy work was so important. I have had to accept that getting everything done in the way of the water strategy between now and the next election is not going to be quite as possible as I would like; I am coming up with a plan for a plan. I am going to identify all the various little streams of work which are going to need to be done to inform the strategy, but I am still going to, and my intention is still - a bit like the wind farm debate - to come to a decision on the fundamentals and resource that we will need, moving forward, before the end of this session of Government. I will not have a full strategy in place; I just do not think I am going to have time to do all those many different pieces of work. Because I would like to look at flood alleviation; I would like to look at rainwater mixing with drains; I would like to look at recycling; all sorts of stuff. But I am not going to get all that done. But I will get the decision made on resource for water into the future, and I will get a plan for a plan in place before the next election.

Deputy A.F. Curtis:

Those are topic areas that clearly could form part of a water strategy; are they captured in a scoping document or in terms of reference? If so, could they be shared with the panel?

Director of Housing, Environment and Placemaking:

Would you like me to help?

The Minister for the Environment:

You could, yes. I mean, this is hot off the press news, really, which is why you do not know about it yet.

Director of Housing, Environment and Placemaking:

I am just catching up. No, absolutely, the team are beginning to do the work on the development of the strategy. We are just working up those scope documents, because we have just been relooking at our resources, but we would be very happy, with the Minister's permission, to share as soon as we are able to.

The Minister for the Environment:

Absolutely.

Director of Housing, Environment and Placemaking:

I think it is worth mentioning that, along with the development of the strategy, there is a lot of actual work still going on on water, water quality and water safety, as of course you would imagine. Again, we are just recutting our project resources, whereby my team are utterly focused on the development of the strategy and we can talk to you about that in due course, and Kelly's team are doing a lot of work and managing some of the operational issues on water. I do not know if it is helpful for you to hear about those now, or you would rather not because we are running short of time, but that is kind of the way we are running the 2 strands of work at the moment, if that is helpful.

Deputy A.F. Curtis:

That is great; that is brilliant. We will follow up I think on the detailed matters, but one area we touched on was regulation and operational, and the panel notes of course, Minister, you signed on 2nd August a dispensation for Jersey water on nitrate levels, which is key to water quality. The brief question from the panel would be to hear what did you weigh up in approving that and how did the conversation go with the Minister for Health and Social Services that was required under Article 19.1? What feedback did you receive from the Minister for Health and Social Services on approving this kind of ...

[12:00]

The Minister for the Environment:

I was faced with a request from Jersey Water to sign a dispensation, as we have signed in the past. Obviously, it is a clear choice: do I sign or do I not sign? Do I allow them a dispensation which may, for some extraordinary reason in the future, mean that we have nitrates in our water above the level that we say? I looked at the information in front of me and the fact that Jersey Water have not exceeded that level for a very long period of time now. I am comfortable that, whether I signed the dispensation or not, they will continue to be in that vein. The quality of water that they put into the mains as regards nitrates is well below the level that we set. I felt, therefore, that signing the dispensation was actually okay. Some people will say: "Well okay, they have not exceeded this level for X number of years. Why do they need a dispensation?" I think we need to accept that there may be, at some point in the future, an extraordinary circumstance whereby the level of nitrate in the water is just a smidge above or a little bit above where they would like it to be. But there will be extraordinary circumstances for that, and if I had not signed the dispensation and those circumstances occurred, they would be coming back to me and saying: "Minister, tomorrow we have got 2 options. Either we break the law or we turn off the public water supply." Now, I know that there are recommendations in the nitrate world, if you like, that says nitrates can have an effect on health. I feel that the science behind that is right ... it is blue baby syndrome. The number of people who have babies who have been affected very clearly by nitrates is very, very small and it has occurred in very, very few places, but in extraordinary circumstances where massive levels of nitrates have been ingested. So I am satisfied, myself, that a small exceedance over that level would not have a detrimental effect on health. On the basis that the company have been so good over the last few years ... let us praise where praise is due. Everybody involved in water going into the reservoirs has worked hard in the last 10, 12 years. The Action for Cleaner Water Group, involving the farmers and all others, has come up with some really, really good results. The levels of nitrates in our drinking water have reduced, they continue to reduce, and I do not see it as a threat, and I was happy to sign the derogation on that basis.

Deputy A.F. Curtis:

That is fine. We note it was only to provide that no regulatory sample shall exceed 55 milligrams a litre and no more than 10 per cent of regulatory samples shall exceed 50 milligrams a litre. Thank you.

Deputy H.L. Jeune:

Thank you very much. I know we will follow up on a number of questions that we have around the water strategy, noting that you are also just hot off the press in some of those elements as well. Turning over to a different topic, Connétable, around planning.

The Connétable of St. Mary:

Yes, planning service reforms. You recall that as recently as last week, Minister, you reiterated that you are fully committed to delivering real change and reform to the planning service. We are obviously aware that you have already published supplementary planning guidance, but can you outline any further policies or change you will put in place to deliver change?

The Minister for the Environment:

You will know, Constable, and others will all be aware, that we have an Island Plan with policies in it and the only time we can change policy is when we have another Island Plan debate. What I do have is the ability to issue supplementary planning guidance, but that guidance can never change the direction of travel of a policy. All it can do is add detail. While I have the ability to guide people through a policy and maybe a little bit to one side or the other, what I cannot do is change the policy itself without going back to the Assembly. Supplementary planning guidance, I have issued very recently on greenhouses, and I know some people were disappointed by that ...

The Connétable of St. Mary:

Just to let you know, I have a couple of questions later on on that.

The Minister for the Environment:

Okay. I am trying to think of other supplementary planning guidance I intend to change. I am introducing an additional paragraph into the supplementary planning guidance on historic windows, which I hope will help some people who have listed buildings with old plastic windows in them, when they come to replace those windows ...

The Connétable of St. Mary:

With old plastic windows or with old glass windows?

The Minister for the Environment:

At the moment, the policy says that if you have old plastic windows in a listed building and you are seeking to replace them, you will replace them with wooden windows. But what I have come out with is a paragraph which introduces the concept of betterment. What I have done is come to a point where, rather than have old, horrible-looking plastic windows or new wooden windows, we can find that there may be circumstances where a window that looks like wood, but is not wood, could be acceptable.

The Connétable of St. Mary:

That is music to various people's ears, I am sure.

The Minister for the Environment:

Well, I hope it is. I have worked very hard with the team on this, and I thank them for their work on it. But the concept of betterment ... something which I wanted to do ... it will make the property look better, more like it should look, but it will not introduce the cost of the wooden replacement. So that is one piece of work that we are very close to issuing. I have also been looking at some guidance which came out of the last Government around 3,000 square feet on properties and the restrictions which were put in there; I am looking at whether that policy might be changed as well. Again, that is guidance.

The Connétable of St. Mary:

That is helpful. Thank you. On to a more general question of average time to validate new planning applications, I think you advised that this would drop from 10 to 2 weeks, is that right? Due to improvements made to the system by planning officers. Can you elaborate on what improvements were made?

The Minister for the Environment:

Yes, when I became Minister there were a number of things which were put in front to me and I was keen to get into the department, talk to officers. Kelly's team have responded magnificently to the challenge I put in front of them, which was let us get out and talk to people, let us see where they think there can be improvement, let us see what we can do to help people through this planning process. One of the areas that you quite rightly identified is that when applications are received into the department, they need to be validated. That was taking a period of time, and the average was around 10 weeks at the time. We have now, through sheer hard work and determination, reduced that down to about a fortnight; we are very proud. That is just one part of the work we are really proud of that we have done in the Planning Department. We are trying our level best to increase our performance, which will be to the benefit not only of ourselves, but to everybody else. The first thing that happens, as I said, applications come in, the quicker we can get them validated, the quicker the officers in the department can start to determine them. I do not know if you want to say any more, Kelly? You are in charge.

Group Director, Regulation, Infrastructure and Environment:

Thank you, Minister. I will just say that the improvements have been additional resources, but also improving communication with our agents and customers in the requirements for validation. We have introduced a validation matrix, which we are going to continuously improve, and it is about our customers knowing what information is required as they submit that planning application. We are always seeking to improve and we would like to see that 2 weeks come down even further. But, as you know, the aspects of validating an application, it is a waiting time for the customer as well as on

the department. Waiting for fees and owner signatures and things like that. So there is always going to be a conversation between the customers and the Planning Department.

The Connétable of St. Mary:

Okay. So I note the improvement is through better communication. Has it also involved recruitment of more staff or engagement of more staff in the process?

The Minister for the Environment:

All of those.

Group Director, Regulation, Infrastructure and Environment:

It has not required more recruitment; it is the same number of staff, but it is also about training our existing staff. The staff that we do have on validation have been with us now for a longer period of time and we are doing an excellent training programme and they are doing an amazing job.

The Connétable of St. Mary:

Okay, thank you for that.

The Minister for the Environment:

Kelly mentioned talking to people and one thing I have tried ... I like talking to people; I find it is a good way of resolving. In every part of the department, we are now trying harder to talk to people. So we are talking to the agents, talking to the people who submit these applications to say: "Look, just have a chat through, rather than emails or tick boxes. Have we got all the things we need? Have you got the cheque, or have you transferred the money?" Just talking through the problems and finding ways to get around them. That is one of the reasons we are improving performance.

The Connétable of St. Mary:

Okay. Another question on this generally. The Planning Industry Partnership Board, when will it publish its first report?

The Minister for the Environment:

That is a good question. Kelly might know the answer, but I do not. But before she gives you the answer, I would say that it has worked really well. I have had an enormous amount of positive feedback from members of the industry, from across the industry, because all sections are represented on this board. The idea was that we are going to sit down on a quarterly basis; I attended the most recent meeting. We feel it is working that well we actually might increase the frequency of the meetings in the immediate short term to get over the additional ... you know, "Are

there any things that we need to sort out? Where can we have discussions about?" When is the first report going to come back, Kelly?

Group Director, Regulation, Infrastructure and Environment:

It is going to be discussed at the next board meeting in November, but we felt that potentially an annual situation would be appropriate. I agree with the Minister's comments; the feedback we have had from industry has been incredibly positive for the establishment of that Industry Partnership Board.

The Connétable of St. Mary:

Okay, thank you.

The Minister for the Environment:

We have these meetings, we have a real good cross-section of the industry that attend, challenges are thrown at the department, and we go away and see where we can make improvements. Quite often we are coming back and saying: "We could do this." We find this 2-way dialogue is working really well.

The Connétable of St. Mary:

Given the planning reforms, or the improvements to the situation which you have outlined, which should make these situations easier for the industry as a whole, how does that square with the fact that yet another construction company has just recently gone out of business? Are the 2 connected?

The Minister for the Environment:

I do not think so. Certainly everybody likes to have a pop at Planning and, not immediately in the past, but in the not-too-recent past we have had people that would take aim at us and say we are the reason the slow process has contributed to ...

The Connétable of St. Mary:

Because what was reported in the press in fact ...

The Minister for the Environment:

Yes, that is unfortunate that some of that comes, certainly in the last few months. Our performance has improved greatly, but I think we need to be clear that there are challenging times for the construction industry. Construction costs and material costs - everything seems to outstrip inflation at the moment - but the cost of building, the difficulties in finding staff, the prices, the difficulty in pricing forward is all contributing, but I would like to think that the steps that we have taken recently in the Planning Department are not the reason why people are getting into difficulty. We are doing

everything we can to get applications in and out of the department with a positive determination just as often as we can.

Group Director, Regulation, Infrastructure and Environment:

I would just like to add there, Minister, the quarter 3 statistics have hit 85 per cent; the highest level since the beginning of 2023. The approval rate was above average at 85 per cent and the determinations within target have overall met the target of 85 per cent.

The Connétable of St. Mary:

Okay, thank you.

The Minister for the Environment:

A lot of that work is down to a new ... we are encouraging people to come into the department now for pre-application advice. "Let us talk about what you want to do with you and come out with an application which is far more likely to succeed." We are seeing the fruit of that now, as Kelly said, 85 per cent in the last quarter. That is by far the best statistic we have had since the beginning of 2023.

The Connétable of St. Mary:

Okay. Earlier in this part of the meeting, you referred to the question of derelict greenhouses, and you referred to that in your question time last week. Do you believe there is an additional educational piece of work to undertake in respect of derelict greenhouses?

The Minister for the Environment:

Possibly. Derelict greenhouses are a challenge and it is challenging seeing greenfields built on when we have greenhouse sites which are derelict or dangerous, but the Island Plan is very clear and there are policies in the Island Plan which allow the development - or not - of derelict greenhouse sites. If people feel that they have not been rezoned through an Island Plan debate, that they feel they want to do something with those sites, there is a process to follow, there are policies to follow, and I think that has been challenging. It may well be that at the next Island Plan debate, politicians feel that these sites need to be used better, or more, or differently, and it will be incumbent upon either the department to come forward with some proposals that indicate that change of direction or, more likely, Back-Benchers to come forward with amendments to the Island Plan which get debated in the Assembly.

[12:15]

The Connétable of St. Mary:

Before then, maybe I misheard, but did you not suggest in your replies to questions last week that you would consider conducting an audit as to the number of derelict greenhouses there were and have that published?

The Minister for the Environment:

Yes. I have spoken to officers about this and we are certainly going to do initially a desktop study, which is the simplest and quickest, easiest way. I do not want to commit officers to doing large pieces of work which take them away from our priority list, but there is certainly a way of identifying these sites, which we will do. We know that the number of greenhouse sites in or adjacent to the built-up area is quite few. Over the years, some have been developed, and every time we develop one closer or in the built-up area, that means that the ones that are left are out in the countryside, remote, away from services, away from bus stops, shops, schools. It is a challenge, but there are policies. The policies in the plan do allow for the redevelopment of greenhouse sites, but applicants are only going to get the bare minimum that is going to allow them to afford to put the rest of the site back into agriculture, back into amenity space, because unless they are re-zoned through an Island Plan debate for housing, the policy does not allow for wholesale housing to be built on derelict greenhouse sites.

The Connétable of St. Mary:

It does not allow for wholesale, but the wording is “in exceptional circumstances” and that presumably is the key.

The Minister for the Environment:

In exceptional circumstances, an applicant may come back and say: “I have got a 10 vergée or whatever it is and I want to build 2 small houses in the corner of the field. The income I generate through building and selling those houses will allow me to take down all the existing greenhouses. I will have some income from the sale of the aluminium bits and pieces, but I will also have enough money to relandscape, put it back into agriculture, or put it back into green, open space.” But what the policy does not allow for is a huge profit to be made from the redevelopment of a derelict, dangerous greenhouse site outside of a planning or a housing rezoning. I may not be explaining it very well. Kevin, you are the expert. But if you want to redevelop the whole of your glasshouse site, it has to go through an Island Plan debate where that site is rezoned in its entirety.

The Connétable of St. Mary:

Except for a whole site. We go back to the definition of “exceptional circumstances” here. You already indicated that if someone wants to develop a small part of a site, which would be to the benefit of the community ...

The Minister for the Environment:

Kevin will know the policy off by heart, I am sure; I do not. My recollection is that ...

The Connétable of St. Mary:

Is there such a policy or is it not down to the Planning Committee itself to authorise it?

The Minister for the Environment:

The Planning Committee can go against policy if they decide they wish to on any particular application. They might put themselves open to a challenge or an appeal or something like that, but the whole reason for having a Planning Committee is, where you have a very finely balanced application, they may decide to go against what the officer recommendation may be, and they do that. Kevin, can you just ...

Head of Place and Spatial Planning:

Yes, I think the Minister has explained it, but it is perhaps worth looking at the wider context. As the Minister said, the demise of the glasshouse industry in the 2000s meant that there was a relatively large amount of glass in the Island. A lot of that glass has now been redeveloped to provide housing; so, Samarès Nurseries, De La Mare Nurseries, they have now got houses on them. The sites that are left are more challenging in planning terms because the spatial strategy of the plan is to focus development in the built-up areas. Where glass is left, it tends to be more remote, as the Minister has said. We did assess a number of glasshouse sites through the Island Plan review process, but it was considered in planning terms that the rezoned housing sites that have come forward were better located in planning terms than the glasshouse sites. So, we have the position that we have where there is a policy in the plan that is very clear: there is a general presumption against the redevelopment of remaining glasshouse sites. But as the Minister has said, in exceptional circumstances there may be circumstances where the decision could be made to allow a limited amount of development to secure the clearance of the site and the restoration of as much as possible to agriculture or alternative, environmentally beneficial uses and ...

The Connétable of St. Mary:

That clarifies it. That is an area of battleground. Thank you.

Head of Place and Spatial Planning:

The guidance that the Minister has published talks about how you assess those exceptional circumstances. So, the purpose of the Minister issuing that guidance is to help decision-makers - be that planning officers or Planning Committee - interpret those proposals that might come forward for the redevelopment of glasshouse sites. As the Minister ...

The Connétable of St. Mary:

I will leave it there and hand back to the chair.

The Minister for the Environment:

I think one of the challenges with the glasshouse S.P.G. (supplementary planning guidance) - and I was not there, so I do not know - but I think certainly some glasshouse owners got the feeling that reviewing the S.P.G. or issuing an S.P.G. on the glasshouse policy was going to change the policy in a way which would allow them to do all sorts of things. Unfortunately that could never be the case because S.P.G.s cannot change the policy.

Deputy H.L. Jeune:

Thank you, Minister. We have 10 minutes left and there are 3 big areas that the panel would like to look. If you allow me, I am going to just focus on a few things, but we will be sending you a letter to follow up. On the Rented Dwelling Licensing Scheme, of course it would be interesting to hear about the statistics that have happened and how many inspections, but really, from you, when can we expect a first report to be published on the statistical report on finding out how many licences have been ... how many inspections have been taking place, et cetera, so that we have that understanding?

The Minister for the Environment:

I do not know if a report is planned - Kelly will tell us in a second - but we know that we are now over 17,500 applications and licences have been issued. I think it is common knowledge that we thought it might be around 15,000 when we started the process. So we have identified 2,500 properties - rented dwellings - that we potentially did not know about. Although, of course, we did not know what we did not know. But we thought it might be 15,000 to 17,500. We know just over a third of those are social housing. We are still processing things like the refunds on Rent Safe and stuff like that. We are still working very hard with the Jersey Landlord Association about developing the living document - we are going to continue to call it a living document - the C.O.P. (code of practice) and the toolkit. We are going to continue to develop that. I have to say, I thank them for their input and we have had some really positive discussions with the Landlord Association about developing the code of practice; that has gone really well. We will continue to do that. Inspections have only just started; we have done, in fact, single figures.

Deputy H.L. Jeune:

In that, you have mentioned about the social housing; is there a lot since August ... the deadline for August and then, of course, after August every property that was then licensed after that would have to be inspected. How many have been?

The Minister for the Environment:

They did not have to be inspected; they “might” have to be inspected ...

Deputy H.L. Jeune:

Okay.

The Minister for the Environment:

... but I will let Kelly explain. The answers to the questions around the social housing providers who were registered by 1st August got very confusing because of – a bit like planning applications having to be validated - putting an application in for a rented dwelling until the money was paid and there were other ... it could not be registered. We have had some stats in the department we have been running all the way through: “These are the numbers who applied; this is in the system at the moment; these have been paid; these are actually licences that have been issued.” It is different numbers. But, Kelly, can you just explain where we were with those social housing providers on 1st August and why there was that potential for a bit of confusion?

Group Director, Regulation, Infrastructure and Environment:

Absolutely. Thank you, Minister. In August, essentially it was the situation we had with our I.T. (information technology) system. So we held back a lot of different types of providers, not just social housing, to when we had the bulk-upload facility. Within August, we processed over 8,500 licences just in that month; so obviously, questions coming pre-August and then to the end, it was a substantially different situation. In September, which was after the transitional period, we have had about 250 applications submitted or licences issued. We have done some proactive inspections on that and one of those has a conditional licence issued. But, as we can see, the majority of that 17,500 has happened within the transitional period.

Deputy H.L. Jeune:

Thank you. The report; will there be reports regularly?

Group Director, Regulation, Infrastructure and Environment:

There was a commitment I think the Minister gave to report by the end of the year.

Deputy H.L. Jeune:

Okay, thank you and we will look forward to that. Just one last thing on this, and we will follow up in letter, is that of course we were talking about the code of practice and that difficulty during inspections of applying the guidance and understanding that guidance; how are you ensuring that officers take a consistent approach when going to inspect properties and how can they take that consistent approach? What kind of training are they doing?

The Minister for the Environment:

Kelly will give you the detail, but the way that we get to a consistent approach is that every one of our officers is trained and qualified to a particular standard. They cannot go out and do the work unless they are of that standard, and that in itself means that they use protocols and whatever to calculate or to assess, to come out with a decision on any rented dwelling. Kelly ... hazards, of course.

Group Director, Regulation, Infrastructure and Environment:

Absolutely, and the code of practice explains exactly how an inspector would be going out to undertake the inspections and the standards of assessment that they would use. Obviously, as well, it is not just reliant on a single inspector at that point in time, and there is a review process of senior officers and managers back in the office as well before any significant decisions are made.

Deputy H.L. Jeune:

Thank you. That was my second question about that. So there is this kind of escalation if there is something to be seen and concern from an officer about a potential hazard? There is a process to go through?

Group Director, Regulation, Infrastructure and Environment:

The initial inspection of an officer would obviously take photographs and evidence and make notes, and then they will take that away, and then any further action by the department would be done at a later time in writing. So there is the opportunity to have officers review what was seen and evidenced in an inspection. The inspection is not the point then of making judgments, essentially.

Deputy H.L. Jeune:

Thank you very much and we will follow up definitely with some more questions, but lastly, turning to the food law. Minister, you said last week in the States sitting that you are keen to progress the legislation, however you are unable to provide a timeline to when the legislation could be brought forward. Has law drafting commenced on this piece of legislation and when do you think it will be brought to the Assembly?

The Minister for the Environment:

Law drafting has not commenced and we are working really hard in the department to come up with the timelines. As I said right at the outset, the labelling of a packet of something in a shop is really important and we want to make sure we have got that right. But that particular ... that is just a small part of the whole food allergens piece of work, and it is important that we get it right in the first place. There is no point in making sure there is information for customers when they go into a restaurant

about food allergens and find that the requirements in the kitchen have not been properly put in place, or the chef has not been trained, or the paperwork to identify where the product that is going into making the food in the first place comes from. Kelly, you might want to say a bit more, but we will have a timeline in the very near future for States Members; I did commit to that and I will be doing that, but at the moment we are still working on it.

Group Director, Regulation, Infrastructure and Environment:

Absolutely. There is a prioritisation occurring with the law draftsman as well, and our food officers are talking to the law draftsman this week about the months in which next year we are able to take forward the law drafting time and the allocation of law drafting time will then fit within a consultation. So at the moment, we are not sure entirely on which quarter and which month is consultation and law drafting, because we are waiting for that prioritisation exercise to occur as well. But we will have a timeline within the week for the Minister's next States ...

Deputy H.L. Jeune:

Are you hoping that this will be in your period of office?

The Minister for the Environment:

Yes, absolutely. I am very aware from a family perspective how important this issue is. I get a lot of representations on it, as you will not be surprised to hear. But I do have first-hand experience of how crucial it is that what it says on the tin is what it does. I am also aware that there is a lot more to it than that. As I said, restaurants, food preparation, food buying, all that type of thing; we need to make sure that we have every part of the process covered so that we cannot introduce allergens into food that people are buying. Whether they buy it in a shop, in a café, in a restaurant, at a charity event.

Deputy H.L. Jeune:

Thank you. Finally, in the last few minutes, we touched briefly on this in the last hearing, but it was very brief, about your desire to set up a Tree Advisory Board. Has this happened? Are there terms of reference, and who is on the board?

[12:30]

The Minister for the Environment:

Well, I was looking at Kevin, but the Tree Advisory Board is moving ahead. We are very pleased that we have asked National Trust, Trees for Life, Farmers' Union, representatives of agricultural industry, and the other one I must add is His Excellency the Governor, who I spoke to even over the weekend about the importance of how he and his office want to be involved as well. But we are

focusing ... we have got the team in place, they are starting to meet. This is the time of year when we start needing to think about planting trees and how we do that. We need to be thinking about putting the right tree in the right place. We are thinking about the establishment of new woods on the Island. Obviously, we need to talk to the farming community about that. We are thinking about special trees, tree protection, champion trees. Kevin is working on the protection side and we know that we have a small list. We are working on the protection of a big tree in La Motte Street; there is a property that the States own that may be sold into the private sector. We want to make sure that that tree is protected before that happens. I am trying to think what else, but it is a work in progress and we are pleased that it is going the way it has. We do not have anything to show for it at the moment other than lots of people who are very enthusiastic, working hard together. I do not know if you want to add anything, Kevin, but I am very satisfied with the way it is going. We have got a lot of co-ordination across the Island. All facets of the countryside are getting involved, and all the right people are sitting around the table talking about how we can do all that.

Head of Place and Spatial Planning:

Yes, I was just going to say, and as the Minister said, I am specifically working on the area around the review of the tree listing process. Clearly, given the decision of the Assembly not to support the establishment of a new tree regulation regime, the only legal tool that is available to protect trees is the listing of protected trees, so we are looking to review that system as set out in the Minister's response to the tree strategy. We will look to take drafts of that work to the Minister and to the Tree Advisory Board before taking it to wider consultation, so we will engage with those stakeholders as part of that piece of work.

Deputy H.L. Jeune:

Thank you. Thank you, Minister. We will follow up in our next quarterly hearing. I think that we have come to the 2 hours. I know it has flown by, I am sure, Minister. I would like to say thank you very much to Minister, Assistant Minister, to your team for attending today. Of course, we have a number of questions we still want to follow up on, so we will be sending them to you.

The Minister for the Environment:

Yes, please send them over and we will provide the answers.

Deputy H.L. Jeune:

Thank you very much.

[12:27]