



Environment, Housing and Infrastructure Panel

Government Plan 2022-2025

Witness: The Minister for the Environment

Tuesday, 26th October 2021

Panel:

Connétable M.K. Jackson of St. Brelade (Chair)

Connétable J.E. Le Maistre of Grouville

Deputy G.J. Truscott of St. Brelade

Deputy S.G. Luce of St. Martin

Witnesses:

Deputy J.H. Young of St. Brelade, The Minister for the Environment

Deputy G.C. Guida of St. Lawrence, Assistant Minister for the Environment

Dr. L. Magris, Head of Sustainability and Foresight

Dr. T. du Feu, Head of Land Resource Management

Mr. W. Peggie, Director for Natural Environment/Acting Director for Regulation

[14:32]

Connétable M.K. Jackson of St. Brelade (Chair):

Good afternoon, Minister, and welcome to the Environment, Housing and Infrastructure Scrutiny Panel. This is a public review hearing on the Government Plan 2022-2025. I am Constable Mike Jackson, chair of the panel.

Connétable J.E. Le Maistre of Grouville:

Constable John Le Maistre of Grouville, vice-chair of the panel.

Deputy G.J. Truscott of St. Brelade:

Deputy Graham Truscott, panel member.

Deputy S.G. Luce of St. Martin:

Deputy Steve Luce, Deputy of St. Martin, panel member.

The Connétable of St. Brelade:

Your team, Minister?

The Minister for the Environment:

Thank you very much, Chairman. Yes, Deputy John Young, Minister for the Environment. I will ask the team to introduce themselves, please.

Assistant Minister for the Environment:

I am Deputy Gregory Guida, Assistant Minister for the Environment.

Director for Natural Environment/Acting Director for Regulation:

Good afternoon. My name is Willie Peggie. I am Director for Natural Environment and Acting Director for Regulation at I.H.E. (Infrastructure, Housing and Environment).

Head of Sustainability and Foresight:

Good afternoon, all. I am Louise Magris. I am Head of Sustainability and Foresight in Strategy, Policy, Planning and Performance.

Head of Land Resource Management:

Good afternoon, Tim du Feu, Head of Land Resource Management.

The Connétable of St. Brelade:

Thank you. That sounds good to me. Minister, I am going to start off with housing and food licensing questions. You suggest in the plan that you will provide funding to meet the cost of existing staff involved in the regulation of housing and food legislation. Can you outline what the proposed funding of £1 million will cover in respect of the 2 regulatory schemes for housing and food?

The Minister for the Environment:

Before asking Willie to answer, could you just point me to where that £1 million appears because there are a lot of numbers to pick up today? In which section does that appear?

The Connétable of St. Brelade:

That is in the housing and food licensing section, GP22, CSP416.

The Minister for the Environment:

Thank you. Willie, are you able to pick that up, please?

Director for Natural Environment/Acting Director for Regulation:

Certainly, yes, GP22-016. So if you will permit me to go through ... well, firstly, I apologise. I was hoping to have Alison de Bourcier here today, who looks after both of those areas, but she has very kindly updated me insofar as I am able to take forward some information to the panel. So, the Food Safety (Jersey) Law, as you know, has been in place since 1966 and we also have legislation on housing standards which has been in place since 2018. We have an updated food safety law now in draft form to reflect modern practice, which includes provision to introduce licensing of food operators. Similarly, housing standards legislation makes provision to introduce a licensing scheme for rented dwellings. So, the background to the sums you have just described, the intention that both schemes, if approved by the States Assembly and then implemented, would be on a cost neutral basis. As a result, the cost of the activities surrounding the enforcement of these laws would be recovered through a charge on the regulated businesses. The intended charges were anticipated to give rise to income for the department to the tune of £1 million. The additional incremental costs of administering the law was forecast to be £200,000, so the expected annual income allowed the department to propose a net saving of £800,000 within the budget for the existing Environmental Health team. This saving was accepted by the States, approved ...

The Connétable of St. Brelade:

I think Willie has frozen.

Director for Natural Environment/Acting Director for Regulation:

... 2023 and the Government Plan 2021.

The Minister for the Environment:

I think you would be better to put your camera off, I think, because we are missing part of your ... you broke up several times during that. Thank you.

Director for Natural Environment/Acting Director for Regulation:

You are not the first person to suggest I am better with the camera off, Minister. Right, going back then, let me just ... at what point did I break up there, Chair?

The Connétable of St. Brelade:

I think we got most of that, and if I can just continue really by asking whether you are confident that the funding of £1 million for 2022 will be sufficient to accomplish the programme's aims.

Director for Natural Environment/Acting Director for Regulation:

Well, yes, good question. Yes is the answer to that, principally because we know what those costs were prescribed for. We knew that we had a cost of £200,000 for additional income and then with that £800,000 that we were supposed to be generating as savings. So we know what costs are associated with it. We know what costs we have ongoing and why we need them. So the project will deliver inspection of food premises, examination of food imports, provision of export health certification, continuation of our Eat Safe scheme, essential inspection of rented dwellings to ensure that homes are safe, resolution of housing intensity-related complaints, the administration of voluntary rent save scheme, and then seeking compliance on residential tenancy matters. Now, those are all matters that have been historical business as usual. What they do not necessarily cover is our works that would be included in post-Brexit requirement or, indeed, in some of our increasing workload going forward, for which we, as you will know, put forward an increased budget requirement from our Government Plan bid for this coming year. So, in terms of covering the backlog of work associated with that work, yes, I am comfortable that we need to get that £1 million into the budget in order to cover that backlog. That will allow those works to continue, but we are very cognisant that the workstreams associated with those 2 areas are evolving all the time and hence we do need to ensure that the stock of staff and the stock of resources around the team are sufficient to deliver.

The Connétable of St. Brelade:

We note that the food safety law is in draft form. When do you anticipate that the new food safety law will be lodged?

The Minister for the Environment:

Chairman, I think I have been advised ... I was expecting it this month. I am pretty certain it will be ready by the end of the year. I think at the moment there are 2 pieces of work which go together, which are obviously the food safety and the post-Brexit rules, which are the O.C.R. (Official Controls Regulation) rules. This is work where we are being assisted by Mr. Stewart Petrie, who previously had the role leading that team. But that work has been ongoing because we needed to be dedicated to it because of the amount of change and to ensure that we were Brexit compliant going forward as far as food as well as the domestic improvements we needed to make. So I am very hopeful that that will be forthcoming very soon.

The Connétable of St. Brelade:

There was some discussion in time past regarding labelling of food imports from France, and at the time where importation channels were in question it was felt that could be a block to food availability in the Island. How do you plan to overcome that?

The Minister for the Environment:

Well, I think that is obviously a technical question and I will ask Willie. I think my understanding is obviously the arrangements have changed with a view of ... because of leaving Europe. I think we can start with the assumption that any food that is imported from the E.U. (European Union) into the United Kingdom will be able without any problems to get into Jersey. Obviously, if stuff is brought in direct, then that possibly is a separate issue because labelling requirements about, for example, the new law will deal with things like allergies and so on and I think that is pretty obviously important to a lot of people. Could I ask Mr. Peggie if he wants to come back on that to give us a more factual answer?

Director for Natural Environment/Acting Director for Regulation:

Yes, thanks, that is a fair point. We do need to ensure that labelling is going to be compliant on an ongoing basis, and these are conversations that we will be having in terms of the ability to deliver a southern supply route. We are in discussions with colleagues at the Economic Department but also with independent suppliers, who are keen in some areas to continue the delivery of foodstuffs, et cetera, from the south, from Europe, and we are discussing with them. Our involvement with them is solely to ensure that we do not put a foot wrong, as it were, with our new (a) labelling and (b) border control process that will need to be put in place to ensure that we are bringing materials in legitimately.

The Connétable of St. Brelade:

Thank you. The future fisheries and marine resources management, Minister, it is suggested that you will fund as required the revision of the international framework for the management of the Island's fisheries and marine resources. An additional programme has been included in the plan for 2022 to fund as required the workstream for future fisheries and marine resources management. Considering the scale of this work - that is scientific analysis, regulation and policy - do you anticipate further staffing will be required and, if so, are you confident in your ability in the current climate to recruit staff with the required skills to meet the project's aims?

The Minister for the Environment:

My understanding is that we have made a strengthening of the team recently and that has gone well. But, of course, this money on science, I think what is important is that we work and identify with suitable partners. I think it is, therefore, not just a question of our in-house resource, it is a question of how we engage with external partners, the way in which they work, the infrastructure that we provide and do we provide them with use of vessels and boats and using local fishermen, fishing boats and so on. So far, Chairman, the work that I have seen and the progress of it has been extremely good but, of course, we know going forward that programme will need to not just carry on and grow. From our conversations we had with the Normans, for example, at the recent summit,

they were very keen that we should develop our systems of sharing marine science knowledge. I certainly agree that we should be able to do that, albeit at the moment the situation is far from ideal, as it were, because of the introduction of the new licensing agreement. But nonetheless there was, I believe, a meeting of minds that we should share that work and work together with partners because obviously the species do not just live in our waters, they move across the channel. In my conversations also with George Eustice, the U.K. (United Kingdom) Secretary of State, I think he would express a similar wish to do it. So I think that is my high-level policy position. Again, for detail I am sure Willie could fill in the gaps, Chairman.

Director for Natural Environment/Acting Director for Regulation:

Thanks, Minister. Thanks, Chair. Yes, I think interestingly, you are right, we have bolstered the team and it is interesting that we have put the people to good use that we have recruited. They are based predominately in the scientific area and dealing with a lot of data, which is becoming more and more important as our discussions with the U.K. and with Europe go on. It is very true that the conversations that we are having more recently are reliant wholly on the science and the data and the interpretation of that data, potentially the differences of opinion of interpretation of that data between France, Europe and the U.K.

[14:45]

So that is why it is increasingly important to make sure that we have the right science and the right people delivering that science behind the data. Interestingly, yes, we have recruited and it is one of the areas in government so far where we are having less trouble recruiting the right people into roles. I think, Chair, you might be conscious that in other areas in the department we are attempting to recruit and in some areas, principally because of the requirements for similar types of staff across other jurisdictions post-Brexit particularly, we are finding trouble recruiting the right people in. So, we are having more targeted approaches now which we are engaging with specific consultants to assist with.

The Connétable of St. Brelade:

Thank you. Deputy Luce?

The Deputy of St. Martin:

Thank you, Chairman. Minister, it is great to hear that you have managed to strengthen what was already a first-class team in marine resources. They do great work and will continue to do even better work, I am sure, in the future. My question is this. I am pleased to see and to know that you are using local fishermen to create some of this data, but I just want to be sure that you will continue

to use the industry as much as you possibly can into the future to help them and to help you to come up with this information, which in turn then goes back and helps them to do more fishing in the future.

The Minister for the Environment:

Absolutely, Chair. It would be crazy to do otherwise. We have willingness from our local fleet to work with us in this way. All the reports I have had of that work so far are very good and certainly while I am in the chair, as it were, it will carry on. We, of course, have to use university partners as well. We bring those resources together in a way and I am very, very pleased in the way that Willie and the marine resources team have been able to shape up the particular piece of scientific work and really deliver what is needed. So, I think a big well done to that team and I can give that commitment.

The Connétable of St. Brelade:

So just to conclude on that one or to add into that one, what challenges, Minister, if any, do you anticipate in respect of this programme and for achieving its aims? I suspect there will be some hoops.

The Minister for the Environment:

Yes. Well, I suppose we are, of course, in a process of implementing the agreement, which obviously is ongoing on a daily basis. Not a day goes by without major conversations between the parties and we are progressing, but of course it is known that we do need to get to the point where that licensing regime has settled down and we can have resolution of the issue that we all know is really important, what is called and what we all know is the nature and extent of fishing in our waters, which the agreement with the E.U. provides that that nature and extent should be managed no greater than it is now. Indeed, going forward, that nature and extent will lead to decisions having to be made about, I believe, conservation measures where it is needed to bring the fishery resource into sustainability. That is going to take a little time. I think when we get through that, and I really believe we have to focus on our being able to do that, we then will move into the realms of we do need some resolution as part of those negotiations of the framework, whereby we discuss the science with our E.U. neighbours. So that framework is not yet there and I have asked the Minister for External Relations to progress that. Again, I am pleased to report that in principle in our talks our Norman neighbours indicated that they were open to that as well. Of course, moving beyond that, we will get to hard-core scientific issues about what this particular piece of data means, how you interpret it and all that kind of thing. So those I think are the discussions ahead but, of course, we do all this in that Jersey is the licensing authority and responsible for conservation measures to ensure that fisheries remains sustainable. Of course, we need to do that in partnership or at least in agreement, rather, I beg your pardon - we have the duty of notification to the E.U. - and work in a way that we can be confident complies with the T.E.C.A. (Trade and Economic Co-operation

Agreement). Those are the challenges ahead. When do I think those issues will arise? Next year would be my guess.

The Connétable of St. Brelade:

Minister, you mentioned that you have spoken with the Normans. What about the Bretons?

The Minister for the Environment:

The latest information I have is that we have yet to have the dialogue with the Bretons, but that is a matter I think you would probably best put to the Minister for External Relations. We are certainly open to that and we have indicated total willingness to that and made overtures to that effect.

The Connétable of St. Brelade:

Although no funding allocation has been provided for this programme, are you aware of any forecasts of potential funding it may require in 2022?

The Minister for the Environment:

Not at the moment, Chairman, no. I think we were very fortunate. I think it was very prescient of the Brexit group to give us those decent resources for marine resources last year. There is no question that had we not had that, then the work that we have been able to do, not just in managing the present but trying to manage the transition to the T.E.C.A. plus preparing for the future, as I have outlined, with conservation and science and so on, I think we would have struggled with that. What we now need to do is to keep that programme going and we need to be flexible in the way that I think we have all been talking about, with bringing partners on board, local fish fleet, external universities and experts and so on. So, at the moment, I feel we are in a good place.

The Connétable of St. Brelade:

Thank you. Moving to the U.K./E.U. T.E.C.A. biosecurity border controls and particularly the Vienna Convention vehicle testing, which I understand has come your way, it is suggested that it will be funded as required. Could you update us on the status of the workstreams in respect of this programme and what the key priorities for 2022 and the timeline for achieving them might be?

The Minister for the Environment:

Well, there are 2 parts to that. Obviously, the one that I am not able to answer - I do not think my officers will be able to - is about the situation with the vehicle testing plan. But the biosecurity border controls is very much within Mr. Peggie's area and there is a great deal of work going on there. I think Mr. Peggie is trying to work with the U.K. at the moment ... or at least that is rather ... no, he is working with the U.K., I beg your pardon, to try - I have my sequence of words around the wrong way - to see if we can generate a cost-effective arrangement for this in the future. Because none of

us want to have a lot of excess bureaucracy that achieves nothing and imposes a lot of costs on the Island. So perhaps Mr. Peggie can give us a little bit more flavour of that one.

Director for Natural Environment/Acting Director for Regulation:

Sure, thanks. Yes, I can give a very brief answer to the question with regards the Vienna Convention as well. Perhaps if I just do that first, the current project is indeed run by the Minister for Infrastructure. The responsible team are D.V.S., Driver and Vehicle Standards, and that falls within my remit at the moment at least. So, the plan at the moment is to try to establish a suitable site on Island for that project. The Minister around this table, his job will be at some juncture to either approve or deny the planning permission for the site, so we cannot really go into it in any great detail. But should you wish to have a separate briefing on that particular issue or sit down with the head of Driver and Vehicle Standards and myself, we can talk you through the nitty-gritty, as it were, of where we are at with it. I would have to be updated a little bit more on exactly where we are up to this day.

The Connétable of St. Brelade:

I think considering the Minister for Infrastructure is the lead Minister, it seems, for the vehicle testing project, which was identified in the mid-year review, it is just trying to understand what the involvement will be of that Minister with this programme and whether there will be a crossover of remits and how this will be managed to ensure the programme's aims are met effectively and timely.

Director for Natural Environment/Acting Director for Regulation:

I suppose, Chair, this is one of the proclivities of the structure of I.H.E. at the moment. One of our functions is driver and vehicle standards. That service rather than reporting to the Minister for the Environment reports into the Minister for Infrastructure, so he is the responsible Minister for driving that project forward and will be the owner, as it were, of the project. As I say, the Minister here today, the Minister for the Environment, will be responsible for the planning element and the regulation of that site.

The Connétable of St. Brelade:

What we are trying to understand is based on the fact that there seems to be no specific funding allocation being proposed for the programme, it is our understanding that it would be funded as needed dependent on a business case being brought and approved. Do you have any idea of what funding would be anticipated in 2022 to meet the programme's aims?

Director for Natural Environment/Acting Director for Regulation:

I do not think in 2022 we will be looking for a great deal of funding. Ultimately, the project will be ... let me not commit to that at the moment but let me chase up on exactly what the sum was. The

issue being that the funding was initially anticipated to be funded by government. It is now deemed a better approach that it is funded essentially as a construct and build, so the liability for the site facility is borne by the operator as well. It is the way that it is operated in, for example, Éire and in other parts of Europe, so it is a common approach which essentially takes the financial responsibility away from government, as it were.

The Connétable of St. Brelade:

Deputy Luce?

The Deputy of St. Martin:

Sorry, Chairman, it was for the fisheries bit. I will think of another question later.

Director for Natural Environment/Acting Director for Regulation:

I am happy to go on. The second part of that question was around biosecurity and border control. I do not know whether you have finished with ... sorry, if that ...?

The Connétable of St. Brelade:

No, please do complete that, Willie.

Director for Natural Environment/Acting Director for Regulation:

Thanks. So the Minister is absolutely right. If I take you back in time, when we first came through Brexit there was an understanding from the U.K. that we would be required to undertake the same types of border control mechanisms as the U.K. were anticipating being put in place at all their main ports and, indeed, their lesser ports. So, in Jersey that would have required potentially the construction of quite a large facility, potentially at the port or, if we could get away with it, inland a bit from the port, and could cost anywhere between £1 million and £3 million. We have been in discussion, my colleagues and I from Infrastructure, Housing and Environment, over the last few months with colleagues in Guernsey and colleagues in D.E.F.R.A. (Department for Environment, Food and Rural Affairs) in the U.K. and also colleagues in the A.P.H.A. (Animal and Plant Health Agency), the animal and plant health authority in the U.K., to try to establish what exactly a pragmatic and proportionate approach to border control would be. This culminated or the most recent culmination of that was a visit by D.E.F.R.A. officials to Jersey 2 weeks ago now to try to establish the scale of what goes on in terms of trade from Europe through our ports. We reciprocated by a visit to Poole a couple of days later. It was extremely useful insofar as it was not just about seeing what is going on on the ground. It is very much about building relationships with partners in D.E.F.R.A. and the A.P.H.A., who will be helpful to us in the long term. The upshot of that discussion was that we are contributing jointly, both Jersey Natural Environment and D.E.F.R.A., to a report that will go to senior players in D.E.F.R.A. to try to put forward a proposal that says we are going to

tackle the incoming trade from Europe in a more digital and systems-based approach rather than having to build a large facility, which at one point the U.K. were really quite intractable about. So we are hoping that with ongoing discussions this year we will come to an agreement that we will be able to put in place a much cheaper but more effective and proportionate approach to border control and biosecurity.

The Connétable of St. Brelade:

Have you considered the effects on the aquaculture industry with any process changes?

Director for Natural Environment/Acting Director for Regulation:

Yes, we have taken consideration because that falls inside the exports as opposed to necessarily the imports. Really, the border control issue is very much more about the imports rather than the exports.

[15:00]

So in terms of the aquaculture industry and exports both to the U.K. and the E.U., we do know and we are very mindful of the fact that the paperwork is and has changed, is changing and has changed, and we are in regular discussion with them to try to ensure that they are aware and we can help as needs be there. So, yes is the answer to that.

The Deputy of St. Martin:

Minister and Willie, that is great news if we are making progress, but my question is this. We have always known that we would want to come up to border inspection post standards the same as the U.K., and the U.K. were talking about only having 3 or 4 border inspection posts on the south coast. I do not know where they are with that now. Can we have an assurance that if we do move to a more data, more tech-based approach that we are not going to fall short of a full B.I.P. (border inspection post) standard? Because it is really important that we do not find ourselves in a different situation to those ports on the south coast that can accept anything and everything from the E.U.

The Minister for the Environment:

I absolutely agree. I am happy to give that commitment. We had the strong support of the Brexit ministerial group for this work and obviously we have always regarded as paramount that we meet the new requirements fully because the Island needs to be able to do that. I certainly would not want to be party anywhere to any shortcomings. I think what we are trying to do is trying to take a pragmatic approach if it is possible that does not have any downsides but if it does then I am sure that if we need to ... I am not aware at the moment we need to come back with any more resources. I do recall that we did not put in money for a permanent physical B.I.P., but we did put money in for

a temporary one, I seem to remember. So I assume we have that at the moment in the bank, as it were. I think that is probably the case now, but if we need more, then I think there should be the flexibility to be able to do that.

The Deputy of St. Martin:

That is really good news, Minister. The one thing I was thinking specifically about, and I am glad you mentioned resource, is that you can have a lot of technological answers to data and make life a lot easier for yourself using computers, but at the end of the day we may have the requirement to quarantine animals and we cannot get away from the fact that you cannot do that on a computer. You need facilities. You need veterinary assistance at the right moment.

The Minister for the Environment:

Absolutely. Perhaps Willie can just remind us what money we have in reserve for that sort of thing?

Director for Natural Environment/Acting Director for Regulation:

Yes, we have about 700 grand there that we initially earmarked for a hybrid situation which would be prior to or which would cover anything prior to the requirement to build a large-scale facility. If I could just perhaps take you back to or augment what I am saying there, going back to the “will it be good enough” question, we currently were proposing to D.E.F.R.A. and are currently ... we are sampling pretty much everything that comes in through the gate, as it were, of Jersey. We have a very high percentage turnover of inspections. Now, in the U.K. and in our discussions with D.E.F.R.A. they are almost suggesting or they are suggesting that we do not need to be having that turnover of testing. In fact, we just need a very small percentage, which is about right for large-scale jurisdictions who have millions upon millions of tonnes of material coming through the gate every year. The gate being the port, sorry. In a small jurisdiction which is high risk, as it were, or which we would not want to bring anything in which was going to impact on us, we are quite comfortable with a saturation testing sampling process at the moment, but it may be that that is a little bit overegging the pudding, as it were. So that is something to consider.

The Deputy of St. Martin:

Thank you for that answer. Can I just mention one thing before I forget it? I am pleased to hear that you are still saturation testing because the report in The Times this week was speaking about ash dieback and the effect that that disease is going to have on tree populations in the U.K. You are absolutely right, putting a 50 metre or a 500-metre circle around a diseased tree in the U.K. does not have great consequences; in Jersey it would be profound. So I am pleased to hear that you are going to continue that testing programme of plants coming from ...

Director for Natural Environment/Acting Director for Regulation:

To answer the question around that, that is the plant side. The animal side is absolutely right. So we are now looking at the potential to designate any particular holding as a quarantine facility, bearing in mind that we do not get terribly many imports of live animals. Then rather than hold at the harbour we have the potential to designate some specific areas around the Island for any potential animal problems. That is yet to be agreed with D.E.F.R.A. It is something that we and Guernsey are exploring, and D.E.F.R.A. so far, having now seen the scale of the Island and seen the scale of the trade, seem to be relatively positive about it. So the upshot of the meetings that we are having with our colleagues in D.E.F.R.A. are very positive so far.

The Connétable of St. Brelade:

Moving on, Minister, to the policy development on carbon neutral and sustainable transport, an allocation of £500,000 was made in 2021 for carbon neutral and sustainable policy development. In your written response to us, you outlined the spend to date, which included £382,649 for carbon neutral policy development and £164,647 for sustainable transport policy development. These total more than the £500,000 allocation for 2021. Can you explain the rationale for the increased spend and why the aims were not achieved within the £500,000 allocation?

The Minister for the Environment:

I think I am going to turn to both Louise and Willie, because obviously you know my views about the way the funding and spending controls work at the moment in the States, that once these monies are inscribed in our government plans, they then fall within the role of the Government Executive to make those individual spending decisions. Indeed, there is the accountable officer. Of course, as Minister what I am interested in is achieving the objectives, and obviously what is really important is that we establish that climate fund and we have made allocations from it in the Government Plan and we are progressing it. So I am going to hand over now to Louise to supplement that and give us the backup detail, Chairman. I am sorry it is complex but I am afraid these are complex matters.

Head of Sustainability and Foresight:

Thank you, Minister, and thank you, Chair. So you are right, essentially we were asked in the Government Plan to put an amount of money towards policy development, or we had to outline what we thought would roughly be the cost of particular strands of work. There is significant overlap between the carbon neutral work and the sustainable transport work. Both require policy development. Some are about implementing actual policy; some are about policy development that deliver sustainable transport or carbon neutral outcomes. The majority of expenditure in that line was around delivering the climate emergency carbon neutral climate conversation work and the citizens' assembly, so that was the majority of spend. There was additional spend on sustainable transport and one of the areas of expenditure that could span both is the resource allocation for the sustainable transport officer. She is a policy officer but she also delivers sustainable transport. As

it is in the response we gave, she is added in on the policy development line rather than the sustainable transport line, but it could be either. So that would explain the slight discrepancy. It is just where we have allocated particular pieces of work. I think at the moment it is a little bit confusing because we are in a massive policy development phase rather than implementation of policies, which is where the majority of the big funding comes from. So it is an allocation issue if that is helpful.

The Connétable of St. Brelade:

Thank you. So considering that £300,000 has been allocated for carbon neutral and sustainable transport policy development for 2022, are you confident that this is sufficient to meet aims for 2022? I suspect not but ...

The Minister for the Environment:

Well, the whole idea of the climate emergency fund was to provide initial seed corn funding, if you like, which would then lead to later spending decisions. So we are at the start of this programme and obviously Members as well wanted us ... they were not content to wait, as it were, on the sustainable transport policy, so the States gave us an instruction to speed that up. Of course, this work is being led by the team that as you know in government now does not sit within the I.H.E. team, it sits within the S.P.P.P. (Strategy, Policy, Planning and Performance) team. Therefore, what it does, and I think it is by its nature, Louise obviously heads up a vital part of that, but that has brought together - and I praise it - much closer integrated policy work across the piece than ever before. So here we have climate emergency and sustainability all starting to join up and we can see where the threads of this work is going. I believe it is paying dividends. But it does mean to say, I think, it is going to present us some challenges in terms of how we present our Government Plans. I think at the moment my view is that the Government Plan process is relatively ... I do not think it is quite right for the way in which we are progressing as a government and I would like to see in the future it changed and improved. Indeed, as you know, in this question of climate emergency, it is well known my position is that I believe there should be a future Minister. A future Minister would have oversight for this role across its breadth rather than have to deal with bits of it. So it is confusing at the moment, but what Louise has said about how it has expanded across and there has been a crossover between the 2 parts of the work I think is inevitable. Will it meet all the money that we are going to need for carbon neutral in the future? Absolutely not.

The Connétable of St. Brelade:

Well, that leads to my next question regarding the proposed funding request of £3,785,000 for 2022. Could you just outline what initiatives this will be utilised for?

The Minister for the Environment:

This £3 million, sorry, again you will need to point me to which part. This is the 2022 money on climate emergency?

The Connétable of St. Brelade:

Yes.

The Minister for the Environment:

I do not have that detail to hand. Louise, would you like to start while I see if I can find where ...?

Head of Sustainability and Foresight:

Yes. Thank you, Minister. So what we have done is in bringing forward the carbon neutral roadmap there will be a set of policies that have grown and been developed over the last year as a result of the work of the citizens' assembly and the work of the States Assembly in debating the citizens' assembly recommendations. Then they will be worked up into costed policies. What we know is that we have roughly £23 million allocated to this workstream as a result of the climate emergency fund. So those numbers that you referred to there is what we estimate will be the expenditure next year for the first phase of the policies that will be in the carbon neutral roadmap if the States Assembly agree those policies. So the carbon neutral roadmap will be published at the beginning of December and it will have this set of funded policies that you would expect to be in there. I cannot go into the detail. I know you would love me to, but I am afraid I cannot because it is still policy under development. But those policies will be exactly the sort of policies you might expect for an accelerated decarbonisation process. The money that we have put against them for next year is a professional estimate of what we think that those policies will be able to deliver against and how we can fund them in the year. The Minister makes the point quite rightly that the way the process works at the moment is it asks us to look at what we think we can spend the year ahead. Sometimes it is a bit more or it is a bit less. But we estimate that in the first year of the plan, assuming that the States Assembly agreed the carbon neutral roadmap in early 2022, we can get going and deliver those projects with that funding. So that is where that money comes from. What you see as well in the Government Plan is the projection for subsequent years. If you add up all 4 years of the projections you get pretty much the full £23 million. The important point there is that the intention of the Minister and Council of Ministers is that the climate emergency fund be fully spent on carbon reduction projects in the next 4 years to really accelerate our progress towards carbon neutrality.

[15:15]

The Minister for the Environment:

Can I add, Chairman, that it is ring-fenced, of course, and what I think Louise has described is in the nature of what you do when you set up a fund. It is a fund for a purpose and there is no question

the climate journey that we are all going to have to go on, I believe, is going to go on for decades. This is the start of it. The kind of run from one year to another is likely to be relatively uncertain, but nonetheless what the team have been able to do is to set a pragmatic set of targets, if you like, that we can make a start. Because we do need to have that in our forward planning. But, of course, the plan, we all need to respond to States Members because States Members may want to be more ambitious in how they embrace the roadmap. So we will see. We have had to make judgments on the basis of the work that we have seen from the citizens' assembly and the work we have done internally. I am sure there will be more later, Chairman.

The Connétable of St. Brelade:

Finally, down to the 2021 funding allocation of £500,000 for strengthening protection of the natural environment, what portion of the funding has been spent and on what initiatives?

The Minister for the Environment:

Right, good question. Well, I am struggling to find which page this is on because in the Government Plan all these projects get nice, fine totals, so I am going to turn now to Mr. Peggie, who can then ... while he is speaking I can find the detail to follow him up, please, if I can. £500,000 on natural environment. I think this is ... sorry, beg your pardon?

Director for Natural Environment/Acting Director for Regulation:

I think, if I am right, that covers water-related work, biodiversity-related work in terms of the biosecurity strategy. I do not have the numbers to hand at the moment, although I know in terms of the water work, which I know that you had questions specifically on, I do not know whether you want to cover those separately, Chair, or whether you would like me to perhaps ...

The Minister for the Environment:

Could I ask for the project number in the Government Plan? That is going to help me track my way through this thing.

Head of Sustainability and Foresight:

If I can help, Minister, I think the question refers to the projects that have been under way already this year, am I right in thinking, Chair?

The Connétable of St. Brelade:

That is correct.

Head of Sustainability and Foresight:

So I think you have asked ... and I think we have provided the exact details in a letter to you, which is I think what we are all struggling to get our hands on. I know that there was a variety of projects in there. There was some marine resources work. There was some countryside access work, the invasive non-native species strategy development. That is the programme of work. The tree work, the tree strategy work, was I think the pack of projects that made up the £400,000. I think your question was specifically how much of that have we spent to date.

The Connétable of St. Brelade:

That is correct.

Head of Sustainability and Foresight:

I am doing my best; I am afraid I do not have that exact number, but I think we have provided it and we certainly can provide it again for you. We know exactly the expenditure against it. There are monthly project meetings from an oversight project board which look at progression of projects throughout the year, so we can certainly find that and give that to you.

The Minister for the Environment:

I think we will have to come back, Chairman, because I have looked at the letters just now that we did exchange with your panel and I cannot see that that was included. Because, in effect, I think I get the impression this is what did we do with those projects that were put in last year's plan, and my understanding is that from what I have heard they are really making excellent progress. In terms of the actual numbers of where the exact spending is worked out, we are going to have to come back to you.

The Connétable of St. Brelade:

Thank you. For 2022 an allocation of £415,000 is proposed for biodiversity crisis initiatives. What is this intended to cover and are you confident the funding is sufficient to meet the aims?

Director for Natural Environment/Acting Director for Regulation:

This covers our tree work, the extension of our biosecurity strategy and, yes, we have more than adequate funding there to take that work forward. The biosecurity strategy, the initial funding of £200,000, it is informative, I would suggest, the intention being that we engage consultants and contractors to assist us in developing a strategy which will tell us, as time goes on, where the main risks for the Island are and what we as an Island will need to be putting in place to strengthen our resolve against some of those risks. So the money is enough to get the initial tranche of work done. I would not like to venture to suggest how much we would need to spend as time goes on over the next decade, 2 decades, 3 decades, to try to protect ourselves against incoming invasive non-native species, for example.

The Connétable of St. Brelade:

Thank you. Given the unforeseen impact of the COVID-19 pandemic and reduced travel on revenues from fuel duties, can you outline how the reduced revenue has impacted on the climate emergency fund and the delivery of any initiatives as a result?

The Minister for the Environment:

Louise, can you pick that up?

Head of Sustainability and Foresight:

I can pick that up. So I have the task of overseeing the governance on the income and expenditure of the fund. So because the fund at the moment is not fully spent, although it will be projected to be fully spent, the fact that we have not had the income we expected, you are quite right, we have seen a drop of about £200,000, I think it is, on the expected forecast income as a result of the lack of travel and, therefore, less fuel duty. That has not had a direct impact on the delivery of projects because that was funding for projects that have not yet happened. So we have not seen a loss but it is, of course, an avoided amount of money that we would have expected to come into the fund. That is a small amount of money that is not in the final figures of the fund. What we have done in the Government Plan proposal is readjust expected income from fuel duty to account for the fact that we are seeing people drive lower mileages, certainly in 2020 during the pandemic but actually we are expecting lower income from fuel duty. People have more fuel-efficient vehicles and probably will travel less. So we have taken a professional estimate of a reduction on income. The climate emergency fund is now projected to only be £23 million to take into account that avoided ... or the loss of that expected revenue into the fund. So we have accounted for it, but you are right, there is a loss. Of course, I am sure you know and perhaps the questions will go there, but we do have other plans to bring income into the fund from other economic instruments that would raise revenue that could then be put back into funding the climate emergency. Because as the Minister said and I think you have acknowledged as well, Chair, we well recognise that funding an accelerated decarbonisation programme will cost a lot more than the amount that is in the fund at the moment, which is £23 million.

The Deputy of St. Martin:

I was interested to hear the views of the Minister when he said for some States Members things are not moving fast enough. I just want to press him on something. Louise was just talking about how we can fund some of these things, but in his review of the Island Plan, the draft bridging Island Plan, the Minister has the ability to make significant differences to carbon emissions, particularly in old houses and emissions from buildings generally. Minister, are you happy that you have made enough

proposals and amendments to the Island Plan in the draft bridging Island Plan that can really make a difference to carbon?

The Minister for the Environment:

I think the plan is a good one. Is it perfect? No. Are there amendments on board to make it better? We have the inquiry coming soon. I think what we had to do, bearing in mind we went through the plan gestation period, had to be done principally during COVID, so there were enormous difficulties in doing that and in a compressed timetable. Of course, the work on carbon neutral as well, because we decided it had to be done by a citizens' assembly, was delayed a year. So I think it is fair to say that maybe ... I cannot say that I think we have gone as far as we can. I think it is absolutely possible to go further if there is a consensus and a belief in Members that we should. Of course, because unfortunately I am afraid this is the process we have had to go through, both these jobs, the Island Plan and the carbon neutral strategy, have had to be tackled at the same time. I was very lucky that my Assistant Minister, Deputy Guida, was prepared to chair a group of Members to address the climate follow-up from the citizens' assembly ... I beg your pardon, from the in-committee debate and address the citizens' assembly findings and go through them and work up the strategy, which is the first step towards the roadmap. I think that is what Louise was referring to. Ideally, I would have liked to have got to that point by now where we could publish it so we could talk substance, but I think we have to talk generalities at the moment. Louise I am sure wants to come in with more detail, but that group of Gregory ... and I want to praise it. It included I think 2 Assistant Ministers, it included non-executive members, and I am grateful for them doing that work with the officers. But there are some issues still in the final draft, which is why we are taking a bit more time before we publish it. Louise, please.

Head of Sustainability and Foresight:

Thank you, Minister. If I could add to that, the question asked about the bridging Island Plan, I think the Minister has quite rightly drawn attention to the fact that that is one policy lever that we have. If one thinks about the application of the bridging Island Plan to the specific areas of policy that it can impact, that quite often is new builds and how we seek to do things in the future. I think where there is a significant capacity to reduce our carbon impact is in existing properties. So we are talking apples and pears. The Island Plan to some degree deals with new builds and I think it does quite a good job of that. It puts some really quite strong standards for buildings that will be built. Of course, what we are interested in as well is the 40,000 existing households in the Island and how they can have their carbon impact reduced. That is where the carbon neutral roadmap will be the policy document that will address that and will bring forward the policies that will help people in existing properties to decarbonise, increase their energy efficiency and do all the things that we would like to see in that sector. I think it is probably worth making the point that, of course, you are aware of because we have talked about this at other scrutiny hearings. The bulk of the carbon emissions

come from existing builds, from houses that are already built and already have their heating systems in place. That is where the carbon neutral ... sorry?

The Deputy of St. Martin:

Louise, the Island Plan does deal with some aspects of historic buildings, and I say historic in both senses of the word. Because if you come to replace or redevelop or add or what have you, there are policies in the Island Plan for listed buildings and for extensions to buildings. It was just a question to the Minister, and I do not criticise him at all, it was just a question of the Island Plan is an opportunity, without costing the States any money, to have a major influence on carbon emissions and I just want to make sure we are making use of every opportunity.

The Minister for the Environment:

Thank you. I agree with Deputy Luce. I think I can say as Minister that obviously we are going to have the planning inquiry shortly. I am sure there are a number of amendments on the agenda for the inquiry. We will get the inspector's view about how far we have put forward or the adequacy of that and, of course, there is the opportunity for Members to amend and myself to amend after the inspector's report if we feel there is an appetite for those things. But it is very difficult to judge. We have seen in other areas where, for example, we have had to make a judgment on the level of housing we have put in on a different issue and, of course, we have seen very mixed reactions. Now, it may well be that we get a universal reaction along the lines that Deputy Luce has aired. I shall be delighted if we do. The whole thing is about ambition. How fast do we want to go as a society? I think that is the challenge before us. In fact, the whole world, frankly, not just us.

The Deputy of St. Martin:

I would like to think, Minister, that any affordable housing in the future would at the very least be carbon neutral and, as we all know, the majority of emissions, as Louise has quite rightly said already, come from older buildings. It is the historic stock of houses on this Island that burn the carbon in trying to keep them warm. While policies into the future for carbon neutral or even better are great, it is the old stock that is the problem.

The Connétable of St. Brelade:

Minister, we understand that the carbon neutral steering group has been established to ensure collaboration across the remits of the environment and infrastructure for the timely and effective delivery of the aims of the carbon neutrality and sustainable transport. Understandably, the Minister for Infrastructure is the lead Minister for the sustainable transport initiatives. However, considering the overlap with the carbon neutral roadmap for which you are the lead Minister, we would like to hear your views on some questions on sustainable transport wherever possible. Are you aware of any support initiatives being provided to private business to advance the Government's ambitions

for the carbon neutral strategy in sustainable transport? Is consideration being given to how private/public collaboration can be accelerated for rapid achievement of those aims?

[15:30]

The Minister for the Environment:

Certainly, since I have been a Minister, I do get - and it is really good, this - a lot of positive approaches from businesses, who come forward with what seem to me very good proposals that do offer significant advantages. Of course, I have to pass those on to the team for evaluation for viability and so on. So there has certainly been a flow of interest. How well have we been able to capture those? I am not so sure. For example, I would have much preferred if we would have been able to get a decision from the Council of Ministers on the encouragement for biofuels, second generation biofuels, because it does look as if there is a project there where through the efforts of people in business in Jersey they were prepared to make an investment, a modest one to start with, and start this thing off. Of course, it does need the taxpayer recognising that at the moment there is an imbalance because we tax ordinary diesel which pollutes and we do not tax biodiesel, which is for all intents and purposes carbon free for the purposes of carbon accounting. I would have much preferred we could have had a decision in terms of the way in which the Government Plan was prepared to make that switch now. Because it has been said to me by all sorts, by Members and others, why on earth have we not done this. So that is one example. Personally, as you know, my personal view is I have always believed that we will need at some point in Jersey to have a way of managing the impact of traffic on our lives. So it is one of those cases where the environmental issues go strongly hand in hand with a carbon neutral journey on the way we deal with traffic. There is issues of noise, there is issues of air pollution and there is issues of inconvenience and economic impact and so on. Having a means of being able to reflect those costs imposed by people using vehicles, I have always wanted just to tackle more ambitious systems earlier. But these are my personal opinions. I absolutely accept, as a member of the Council of Ministers and a Member of the States, we live in a democracy and one goes with the majority. The current structure at the moment, we have not been able to secure those journeys as fast as we can. I would like to see our urban areas made much more traffic free or traffic managed because that traffic impacts so badly on people's lives in our urban areas. But that is my personal ambition. You asked for my personal views, so those are my personal views. In the future I believe if we are to succeed in this area and it will be necessary, trust me it will be unavoidable at some time and it cannot be put off, we will need to do better. Therefore, I personally would like to see the next Council of Ministers, the next Chief Minister, review the ministerial structure. First of all, the separation between environment and infrastructure in terms of this policy, in my view, is not satisfactory. There needs to be, I think, a structure of one ministry and our structure within that is up for grabs. Also climate change, you may even put the whole lot in one, I do not know. But Governments elsewhere do this routinely.

Unfortunately, we seem to stick to a version that we put in the States of Jersey Law years ago and never made a change; it needs to change. Sorry, Chair, I have gone off on one, there we are.

The Connétable of St. Brelade:

Wearing your Minister for Planning hat, what is your view regarding mandatory active travel plans that require an element of shared transport to be approved for new commercial or residential developments, which will contribute to a cleaner environment and less traffic congestion?

The Minister for the Environment:

I do not think I am qualified enough, to be frank, to know enough about travel plans and whether or not they can be made to work. What matters to me is, can they work? Because we have to have vibrant urban centres where people can live and work, so they have to function. One of the things I think that I would like to see used more is when we approve new developments in urban areas, I would like to see planning obligation agreements used with more ambition. The current policy at the moment follows the U.K. It does not have to in Jersey but we have chosen in Jersey, historically, to limit planning obligation agreements to off-site infrastructure which is directly related to the development. I think that needs to go broader so that we can get financial contributions for whatever methods of alternative transport systems we can to help those developments in their functioning, so that is, again, a personal view. I think Louise may want to say something because I am sure she is far more expert than I and now she is shaking her head perhaps.

Head of Sustainability and Foresight:

No, I am happy to come in, Minister, on that. I think perhaps where I could provide some additional context is the work of the Revenue Policy Development Board this last year and the work that they are proposing to do next year. I think the question is centred on sustainable transport plans but I think the spirit of the question was around reducing car use and encouraging people to make other journeys in a more sustainable way. Of course, that requires investment in a sustainable transport system is what it will be proposed in the carbon neutral roadmap. But the flip side to the kind of the carrots is the sticks and one of the pieces of work that we have not shied away from in the sustainable transport plan is the car parking review. The fact that it is very cheap basically to park in Jersey and that we choose to have a lot of prime land in St. Helier for stacking cars for commuter journeys and private car parking spaces, of course, means that for many people it is a very cheap and convenient way to travel. I think the carrots and stick approach that will be necessary to make the accelerated decarbonisation moves will need to look at charging the right price for car parking but in tandem providing sustainable transport alternatives, co-ordinated through things like travel plans, as the Chair suggested, which would then allow people to make more sustainable choices with the right price being paid for their journey. I think that that is something that the car parking review, which is part of the sustainable transport rapid analysis plan, is undertaking at the moment

and will be bringing forward proposals for the new Assembly to consider. Now, recognising this is still very early stage but I think the principle is there, that if we are going to encourage people to do things more sustainably it is as important to provide good, cheap, fairly priced alternatives but also pay the true cost of polluting behaviour.

The Connétable of St. Brelade:

In the same vein, Minister, what is your view regarding, potentially, bridging the gaps of the existing network of green lanes to create a safe network of cycle routes to span Island-wide? This option has been highlighted as a quick win, as opposed to a long-term plan, to build out dedicated cycle paths.

The Minister for the Environment:

Okay, it is not my policy area. Obviously, I used to cycle a lot; I use an electric bike now. I think one of the principal barriers to people not cycling is, I am afraid, vehicles; people fear safety. I think we have a speeding and a road safety problem in Jersey. It is longstanding, it has got worse. I, for example, would be concerned about my grandchildren cycling to school with the roads as they are. When I was a youngster I used to cycle, when I was about 10, in urban areas in London. Therefore, we do need to make safe routes. We have this network, we have a countryside access group, which part of its plan is to help join up those links. Yes, so I would like to see greater joining up but they need to be safe and that requires a whole host of measures. We have the western cycle track, we have the railway walk, which is fantastic and it is wonderful we have that. I would like to find some way in which people can safely travel across. I like the cycle routes in town. I think this is a good initiative, only some people grumble about it. I think it is really good. But can I solve all the problems at a stroke? No. You have an alternative lobby that does not really like that. You asked again for my views. It is an uninformed view, it is my feelings. I think it is about making safety. Safety has to be paramount and the other thing is we do need to provide viable alternatives. I cannot get away from the fact that reducing vehicle use is having a much more comprehensive public transport system and that means money. Generating money to pay for it seems to be a really important goal. From where I sit I think we have the bus service, which is excellent but they seem to be willing to do more and I would like to encourage them to do more, and that means money and Government needs to make priority decisions. Again, of course, these decisions sit outside my ministry. Personally, I would have gone faster in that area.

The Connétable of St. Brelade:

Slipping probably a bit further towards your remit in terms of countryside access, this project, as I understand, to the current and future requirements of users, that in a survey has been now delayed due to COVID but was initiated this summer and: "It is anticipated survey results will inform improvements to the Island's access infrastructure in order to maximise its use, enjoyment and

benefits. The respect the countryside campaign is planned, there are some multi-user piles in the path for those with alternate needs will be established. Solutions to the problem of mountain bike use, particularly on the north coast path, are being sought with Jersey Sport and maintenance to ensure health and safety for users is ongoing.” We have a request for extended funding past December 2024 of £90,000 per annum. The mid-year review, Minister, notes that solutions to matters regarding mountain bike use are being sought. Can you provide further detail with regard to the issues you are looking to resolve?

The Minister for the Environment:

I have had complaints. Obviously, I think COVID did lead to people really appreciating and understanding just how wonderful our Island environment is; people getting out and enjoying it. But post-COVID, of course, we have seen a greater use, which is a good thing but, unfortunately, there has been ... I have had a case reported to me of, if you like, potential conflicts on our coastal paths where we have people using mountain bikes - and in fact powered ones indeed - very aggressively, with some nasty what I call rage incidents, very unpleasant and I have had complaints about those. Obviously, that is something we, I think, need to address. I have asked the team, rather than try and go at this with a big-brother approach at the moment because these areas, if they are defined under the law properly, we could introduce laws to deal with that. If these areas of land are subject to the ... I cannot remember what the law is but we have chosen to try and work with the groups of users and try and see if we can get to some kind of voluntary arrangement. I am going to hand over now to Mr. Peggie and I believe probably Tim du Feu may want to speak later, who is, I think, working on this. It is a difficult one.

Director for Natural Environment/Acting Director for Regulation:

Thanks, Minister. Yes, indeed since 2016, in fact under the last Minister’s mandate, we were charged with, potentially, to put forward an access strategy because of the challenges that are faced around the shared ownership and the shared use and the extension of our access routes around the Island, not just for the benefit of the public but also for the benefit of the biodiversity and natural environment. Thanks, Tim, for joining us this afternoon. Tim has been heading up the response to that and I know particularly has been engaged with the mountain biking fraternity as well. Tim, if I can just ask you to go forward, that would be helpful.

[15:45]

Head of Land Resource Management:

Yes. Thank you, Chair, and thank you, Minister, and good afternoon, panel. It is a thorny issue and it is a difficult one to crack. On the one hand we have a Government, quite rightly, post-COVID who want to get people active, enjoying the countryside; mountain bikers do that on the north coast. But

our chief concern really is, as well as the degradation of the path network, increased erosion and loss of biodiversity, which needs money to maintain, is one chiefly of safety, public safety of the other users of their enjoyment of the facilities that we manage. We have met with the Government insurers and they assure us, with the risk assessments in place that we have put in, that the question of liability or blame cannot come back on the Government; that was one thing to look at. Moving ahead trying to find solutions, what we have done recently is we have formed the Jersey Access Forum because we want to take it forward, together with Jersey Sport. I think it is important to realise that we manage some of the north coast footpath. We in no means manage it all, it is made up of a variety, I think, up to 70 private landowners and the danger, as well as public safety that mountain bikers cause, is that a private landowner could well say: "Well, I am getting fed up of the erosion and the disturbance caused by mountain bikers on my particular section that I allow public walkers to use and, therefore, I am going to pull out of the management agreement I have with you." The north coast footpath then becomes fragmented and we lose the whole in the entirety. That is a problem to try and overcome that. An additional tricky issue is, of course, a lot of these north coast footpaths are off the beaten track and we do need conveyancing support to find out who owns them and then negotiate with the owners once they are found into these management agreements to go forward. That is just one area just to show the complexity of what we are facing. As a solution, we have formulated the Jersey Access Forum, which is a forum of stakeholders under the access strategy, who include mountain bikers and Jersey Sport. It is hoped that we can get our heads together and try and find a solution. As the Minister rightly points out, it is not going to be a solution with a stick, it is more of a carrot of seeing how we can work together. The long-term solution, which, Chair, you alluded to the long-term funding of the access project, is really finding alternatives for the mountain bikers. They want the north coast. They want to go from A to B. We could introduce a code of conduct of special fines that can go but I think longer term what we need to do is look at alternative infrastructures that they can access, so hence the long-term funding of the access project. This could be redundant marginal farmland as that becomes available. It could be through planning obligation agreements, together with Planning, but really it is a joint Government project. If the Government want people, rightly, to be active and enjoy the countryside, yes, we need to include sustainable transport, Jersey Sport need to come on board and we are only part of that solution but we are pushing it where we can.

The Connétable of St. Brelade:

Thank you, Tim. Deputy Luce.

The Deputy of St. Martin:

Thank you, Chair. I am pleased the Minister is trying to be positive and find a solution moving forward here. But 2 things I might want to suggest to him, the first one is: is the continued use of mixed use coastal paths the right way forward? In the same way that we provided an area for the

motocross fraternity to practise on the north coast, is the answer to maybe provide a designated area for the mountain bikers as well, so they do not continue to destroy the north coast in great areas like they are currently doing?

The Minister for the Environment:

Thank you for the question. I think it is, that is the honest answer. I think that codes of conduct will help reduce some of the tensions. But some of the incidents I have heard about are very nasty and this is something that I think in Jersey the whole community should recognise is an issue. But, equally, we have to be able to, I think, provide facilities and I think trying to share some of those locations in that sort of way, I do not think it is ever going to work but that will cost money. I really love it when you go to Les Creux and you see the way the youngsters use their BMX there; it is great. That is the sort of amenity where, if you like, people want that kind of adventure. We do that now for go-karts, we do it for other activities. We say: "Here is a place you can do that and we ask you to manage your activity there and do it in a safe way" and everybody lives together, I think trying to do it all in one place. It may well be that this needs to be shaped up into some more ambitious plan. I like what Tim has come up with there with forming that group. I think the link with Sport Jersey or whatever they are called is a good one. But of course this is not just about organised sport, this is about informal active recreation. I do not quite know where that sits in our One Government but I think that kind of dialogue could result in some funds. It need not cost the Crown jewels, frankly.

The Connétable of St. Brelade:

When do you anticipate, Minister, the outcome of this - this may be for Tim - which will inform these improvements to the Jersey access infrastructure to be completed or published and what will the countryside campaign encompass?

The Minister for the Environment:

I am going to have to look to Tim. At the moment, I will be frank, I am not hopeful. I could not sit here and say that we are going to deliver this by the end of the year. This is a journey. Having something to bring to the table, some money and of course Members can bring amendments to the Government Plan; I will just flag that up for you. Having some money there might speed it up. But the team is very, very stretched. Dr. du Feu is dealing with water pollution, agricultural chemicals, cannabis, how many things at once? Mr. Peggie is having to deal with Brexit, fishing, you name it. One has to be honest, I have not been able to put this at the top of the priority list, I mean that is the honest truth; more resources would enable it.

The Connétable of St. Brelade:

We have an allocation of £160,000 for the project in 2022, so can you outline how the allocated funds would be apportioned?

The Minister for the Environment:

I have to turn to the officers, I am afraid.

Head of Land Resource Management:

Yes, I can come in there. Thank you, Chair. In terms of your first question, when will all the survey outputs be realised? At the end of this year we will get the first report, which will be good and that will inform and understand the current users and their future aspirations of using our access network. Which leads into your second question of how that money will be spent, will lead into a joint access with other large landowners, projects which is looking at signage and interpretation. That is working together with Jersey Heritage, National Trust, National Parks, Jersey Water, all the big landowners out there, it is on the basis of survey work as well. But to make a blueprint of the type of signage and the interpretation that we, as the public and visitors to the Island would like at our various sites along the access ways, so that could be a Q.R. (quick response) code, it could tell us about Grosnez Castle, it could tell us where the nearest toilets are or car parking facilities, so that is being planned at the moment. What we plan next year is to use Les Landes site as a guinea pig site to test these new signage. Then the plan is across the Island at relevant sites we will put the signage interpretation out in partnership with all the other big landowners, so that a visitor coming to Jersey has one standard sign, one standard Q.R. code and knows what to expect and let us hope that that will increase public access into our countryside as well.

The Connétable of St. Brelade:

I presume that £160,000 is to really produce the signage which the public will see. Do you see challenges in the delivery of this and have you considered how this might be addressed?

Head of Land Resource Management:

I think it is early days. We are doing a survey at the moment of the aspirations of the public, what signage they would like, how they would like to access it. One of the challenges would be perhaps getting everybody on board but that is, again, through the access forum or the access users group, where we can get their participation and of having one identity. It is fair to say that we, as Government, are not overly anxious to have our name plastered all over signs and everything. We are quite willing to let the National Trust have their logos on them and what have you, so it is one of working together. You mentioned the respect campaign, which is another area to be funded from that £160,000. Yet again I see that as a way of getting all big landowners to work together for the Island and it was an area identified in the access forum that Heritage, National Trust, National Park were all having difficulties about various respect by the public and the users of our countryside

network, be it dog mess, be it, as we mentioned, mountain bikes on the coastal paths, be it a whole host of issues. We have come together, we have drawn up a comms plan and, again, it will be a staggered campaign over the year looking at the various difficulties we face with messages to the public, again in a very proactive way, of how we can respect the countryside. It is a bit like the old countryside code but more ginned up for specific Island needs. I see it as a very important tool to get us working together with the National Trust and National Park and Heritage as one and work together for access and interpretation going forward.

The Minister for the Environment:

I strongly support that, Chair. I think that is the right approach but that is why I said I cannot see that you can have like instant answers. But if we can really start to get the realisation and I personally like the idea of the respect campaign because it is wider than just the mountain bikes, I am afraid.

The Connétable of St. Brelade:

That leads me on to the Jersey National Park. Minister, the panel is aware that you not the lead Minister for this project but in the panel's review of the Government Plan 2021 we recommended that the Minister, you, and the Minister for Economic Development, Tourism, Sport and Culture, by the end of quarter one 2021: "Put in place suitable protocols to ensure a more collaborative approach to their involvement in the Jersey National Park projects and then this support extended to the park." Has this recommendation been actioned by your department and, if so, please can you explain how and the outcomes thereof? Have you held meetings with Jersey National Park?

The Minister for the Environment:

I, personally, have not had meetings with them but, again, I am going to ask the officers to please comment.

Director for Natural Environment/Acting Director for Regulation:

Yes, I will call on Tim again but Tim has been in discussions with the National Park and has met, so do not let me steal your thunder, Tim.

Head of Land Resource Management:

That is all right. National Park, they have just reformed the board for the National Park, so we are members of that and able to contribute. It is fair to say we are almost in weekly contact with the National Park and its national environment trying to support them the best we can. We have had other Government Plan bids of countryside maintenance and, again, the access; money comes in as well. Where we can use this money to support the National Park we do. Also looking at the whole management of St. Ouen's Bay, the use of conservation grazing and develop that going forward. It is really one of, yes, regular officer meetings with Mike Stentiford and the team and the

National Park, giving them advice, giving them help and where we can bring in volunteers, we work with them there. Where we can use our money to improve their lot, albeit maybe the potholed access into the Frances Le Sueur Centre and absolutely we will come on board and do this and show willing. We are helping where we can and liaising as much as we can with the National Park.

The Connétable of St. Brelade:

Have you been in discussion with them regarding the clarification of the park's boundaries as part of the proposals in the bridging Island Plan and the legal status of the park itself? I wonder if there have been any challenges or concerns highlighted in that regard and how they might be addressed.

[16:00]

The Minister for the Environment:

That issue is a very current issue. It is known that the current boundaries of the Jersey National Park are well defined in the current Island Plan, which now will update. Of course, during the development of the new Island Plan, based on the work that was done as a result of the landscape appraisal work, the evaluation of the countryside and the lessons learnt, the experiences in the last 10 years since the plan was adopted, a recommendation was produced to revise the boundaries. Those boundaries were withdrawn and that current proposal sits within the draft Island Plan and that is going out, of course it is not just going out, it is going to the inquiry in a couple of weeks. Of course that issue has proved to be, I think, sadly and I believe disappointingly really, unnecessarily contentious. I think the objectives of that proposal have been, sadly, misunderstood and I am hopeful we will have a joint chance to recover from that and see through that at the forthcoming inquiry. I have had meetings with the lead players in this. I have had meetings with the agricultural industry, individually and collectively. I have had interest with landowners' interests at meetings. I have also had meetings with Jim Hopley, who is chair of the Coastal National Park and which I had discussions with him as to whether or not there were any compromise possibilities; that did not produce a result. I think the one thing that I think is important in the future, that the role of the Coastal National Park is separately identified because obviously it now sits within the Economic Development ministry, it is not part of the core ministry of Environment. I think it is incumbent upon that body and that Minister to produce some clear objectives. I think there is a case for redefining the boundaries for their special purpose with the clerk because the areas in the draft Island Plan proposed at the moment are much more extensive than they need to be, just for the purposes of, if you like, the St. Ouen's Bay area or because they need to be for the purposes of a planning zone. In the future I think that likes to be something which I think will need to be more clearly identified. But I think the principle of having a body charged with helping wise use and people to understand because that is really important, understand the environment and that means it helps with them respecting it and living within environmental means, if you like, and the activities that go on is

important. But I think the Jersey National Park team, sadly, were inhibited in how far they were able to go in that respect because they had no money. But of course we are able to put that money in place and of course that money has been available to the Minister for Economic Development, Tourism, Sport and Culture and at the moment I am not sure how it has been allocated. Perhaps I might suggest that you perhaps might enquire of the Coastal National Park as to where that is. Those are my comments at the moment. I do not know if the officers want to add to that.

Director for Natural Environment/Acting Director for Regulation:

Thank you, John ...

The Connétable of St. Brelade:

Perhaps I could just take us forward to your views regarding the progress of the projects to date and what is your understanding of the projects current progress and how the funding of £150,000 for 2021 was used? In fact we have a funding allocation of £200,000 allocated for 2022. Is this going to be sufficient to meet the projects' aims? Have you been made aware of what the proposed funds might cover?

The Minister for the Environment:

I have difficulty with that, Chair, because I do not think this money is going to me as the Minister for the Environment. I did not have any and nor did the officers in putting forward those new numbers, I do not think.

Director for Natural Environment/Acting Director for Regulation:

That is correct, Minister.

The Minister for the Environment:

I am afraid we will just have to say outside of our ...

The Connétable of St. Brelade:

Fair enough. I think the public are somewhat confused as to the role of the National Park, would you agree that is the case?

The Minister for the Environment:

Yes, yes. Maybe I was a bit too verbose in my answer but clearly there has been misunderstandings and I think that is probably at the root of the problems that have arisen in the way the challenges to the new draft Island Plan because people are not clear. People see it as taking over their land, providing a right to roam, as it were, that people can picnic on other people's land and so on and do what they like, well that is not the case. The role that I see as the role of the National Park is to

inform people about the area within the park boundary, which I believe would be the areas of special national qualities, of the highest landscape values, of the highest biodiversity values. But, equally, areas that people could enjoy and if they are provided with the right information on how they could enjoy it in a way which is not as threatening and damaging to those areas as it might be. In my view, that sort of role and so, therefore, how you draw those boundaries is quite important. You do not want to draw them any wider than they need be. It is education, it is awareness and promotion. I do accept that the Minister for Economic Development, Tourism, Sport and Culture sees this and probably Visit Jersey does, although I have not had that conversation with them. Jersey's environmental credentials and our wonderful, wonderful environment are seen as major drawers to our tourism industry. We need to have a way of keeping them that way. It does kind of cross over Environment in that respect but, equally, is primarily, I believe, a promotion and a management function.

The Connétable of St. Brelade:

Thank you. Deputy Luce.

The Deputy of St. Martin:

Thank you, Chair. I am pleased the Minister accepts that there is challenges and one of them is access and it is very difficult for many farmers and landowners who live, let us face it, kilometres away from the sea, to see their properties put into a Coastal National Park zoning and then to further see in the local media and publications on social media the National Park advertising a picnic in the park and saying to people: "Go and have a picnic in the Coastal National Park." There is a messaging issue, I think that is the problem. It could have been handled better and I say to the Minister, I sort of suggested to him maybe he should not call it the Coastal National Park, maybe it should be called something else. My question to him is, how has the Coastal National Park in the Island Plan that is coming to an end now failed us so badly that we need to change it?

The Minister for the Environment:

Can I answer that? I agree with Deputy Luce that I think this issue of, if you like, the messaging and the misunderstanding that I believe has happened is at the root of the challenges for the new Island Plan. I have to tell you, I do, personally, support the proposal that we change its title and that we make sure that the Island Plan policies are amended to make that clear, that the prime purpose is not, as it were, to privatise, to nationalise people's private land as people fear. I have to say I had that conversation and I hope to be able to agree that with the Coastal National Park team. But, unfortunately, at the meeting I went to the response I had was very negative, very strongly negative to me doing that. Because at the moment it appears - and they are right, I suppose - that the only definition of what the Jersey National Park is exists in the current Island Plan. If that name were to be changed there would not be any. But I do not see that as a reason why the Minister for Economic

Development, Tourism, Sport and Tourism should not produce that policy and redraw these boundaries. I would ask the inspector, Chair, at the planning inquiry to follow that issue up and I am hoping that out of it will come a resolution that I can go with, which will achieve the protection of our countryside that we want and I think an area of the Coastal National Park, which is very clear in what it is about and what it is not about.

The Connétable of St. Brelade:

Thank you. Minister, I am going to move to water, which I suspect will be in Tim's remit. The natural environment water quality, this project contains 3 sub-activities, P.F.A.S. (perfluoroalkyl substances) hydrological survey, pesticide monitoring and employment of agri environment officers. Stage 2 highly specialist work will shortly go out to targeted tender. Monthly meetings with the Technical Officer Group continue to progress the 25 recommendations in the 2019 and 2020 update reports. Some sampling has taken place. Targeted pesticide monitoring in streams and groundwater has taken place. Sampling undertaken by Jersey Water and results fed back to the industry via the Action for Cleaner Water Group. A funding allocation of £400,000 has been allocated for 2022, in your view, is the funding allocation sufficient to meet the projects' aims and can you outline what the proposed funds will cover?

The Minister for the Environment:

Right, well I am going to ask the officers to go. But I am very pleased to report that this project is a priority. This is because we have seen water pollution in a way that we have had to working with Jersey Water and the Action for Cleaner Water Group. I praise those members, including the agricultural industry who are part of that group, to come up with measures. We have at last been able to resource them and make progress. There are 3 quite distinct elements in that proposal. Work is already achieving and of course that programme needs to be ongoing. I think it is probably appropriate if Tim then picks up on the 3. The P.F.A.S., the one thing I would say is that I would ask members not to conclude that those sums of money in this year's Government Plan will enable us to clean up the P.F.A.S. plume in St. Ouen's Bay, it will not, sorry to tell you. The work is to identify what is there and how best to deal with it. But my gut feel and I do not have the numbers, is that cleaning up that is a much bigger issue but, nonetheless, please, over to Tim.

Head of Land Resource Management:

Thank you, Minister and Chair. You are absolutely right, P.F.A.S. is termed a for ever chemical and I think in Jersey it will precisely be that. The work is progressing, what we need to do as an Island is do it once and do it right because it is here to stay. We need to engage the best world expertise on this subject because the whole area of P.F.A.S. in terms of environmental and public safety is changing almost by the day with standards becoming tighter. I am very pleased to report, as the Chair mentioned, we went out to targeted tender, it is quite a long scoping exercise of exactly what

we wanted but we have a firm who undertook the work in Guernsey and are renowned world leaders in P.F.A.S. and they are called Arcadis. We hope that the contract for them will be issued certainly within days and we can commence that work going forward. There is such a lot of history on the Island when we talk about the airport remediation work and the previous work that has gone on. What we have been doing in the meantime is, if you like, digging out, pardon the pun, old reports and looking at the data that we have collected, sampling again, the data working with Jersey Water to assimilate all the previous historic data, so when Arcadis do start they can undertake an important desk study of where are we in the P.F.A.S. world and what do we need to do to understand the present distribution of the plume in St. Ouen's and Pont Marquet and understand the risks that poses to the Island going forward? Integral within that work and particularly with the Pont Marquet catchment in our public water supply, which is primarily what this is also about, that water safety with Jersey Water, is work with Jersey Ports. We have a separate investigation and Ports are very much working hand in hand with ourselves, with meetings because that is looking at the historic use of P.F.A.S. chemicals within the airport.

[16:15]

They have done a lot of work interviewing old firefighters, understanding where it was used, where the previous spillages happened and that is all linked into a ground site investigation, which, again, will start imminently by Ports and ourselves and Arcadis have been working hand in hand with Ports to advise them to ensure that we capture and subsequently can remediate any hot spots within the airport perimeter. That is important because that may well be feeding St. Ouen's Bay but particularly Pont Marquet catchment. That work is progressing and I am pleased progressing well; it took a time. You asked if the funding is sufficient, it is more than likely that we will not spend all of the allocated £125,000 this year because we have been scoping out the work and getting that tender document out. What we will be doing probably is making a request into Treasury that we can perhaps roll some of that money over to next year to join the £125,000 but we do not know the total expense of that until Arcadis have ascertained what further monitoring they need, which may well be drilling bore holes and further expense along that side. But that is the P.F.A.S. work. As I say, the Officer Technical Group continue to meet. Jersey Water have also done some work on treatment options of P.F.A.S. water. I think we all recognise that regulatory standards will get for ever tighter, as the world wakes up to P.F.A.S. and particularly shorter-chained molecules, so we need to prepare for that going forward. That is all moving ahead and I think we will move ahead quite quickly once Arcadis are on board and we start off with those meetings, together with Jersey Water and ourselves. We did issue a public document, which is an update report, in November 2020. We are due to issue one this year. What we would like to do is just delay that a couple of months to allow Arcadis to get on board, allow the Jersey Water work to get a bit more traction, so we can report back to the public on some concrete ways forward. The other money you alluded to is for pesticide monitoring, so it

is a very important ... this is an important tool to basically sample surface waters during the year but particularly concentrating on the potato-growing season and those detections, which I hasten to add are detections, not exceedances, any pesticide we detect are taken back to the Action for Clean Water Group, where we sit around a table with dairy and potato farmers and we together derive a solution to stop them from reoccurring where we can. That is absolutely vital work, the whole group is on board. They have done some sterling work at dividing up the Island into red, green and amber catchments, whereby only certain chemicals are allowed to be put on potato crops in red catchments, which are your Val de las Mare, your Le Mourier, your Queen's Valley water catchments and green catchments you can use other chemicals. It is a very much risk-based process going forward. But everybody remains on board and, as the Minister said, we are very thankful for the calming community to be able to sit round that table and openly discuss the various issues going forward. There are issues in the Metacid use, that those chemicals are getting withdrawn from the industry and as a group we can sit together and hopefully find solutions for then going forward. That is the pesticide work. The agri catchment officer is something which was identified by the Jersey Water Management Plan, which is some years old now. But, thankfully, we have just that officer in courtesy of the timely operating model and that officer has started work. He presently is working on slurry, slurry derogations, farmers are busy putting slurry out there, working at land run-off, what we have seen during the summer high rainfall events where we were getting lots of field run-off, so measuring the pesticides and nutrient content of those and, again, working with farmers to see how we can advise and work together with farmers to stop that where we can, stop the field run-off from a freshly ploughed potato field, for example. Not possible in every case but certainly we can work together to help alleviate those problems.

The Connétable of St. Brelade:

Thank you. Deputy Luce.

The Deputy of St. Martin:

Thank you and thanks to Tim for that answer about P.F.A.S. and we know the half-life, we know the concentrations down there and we know it is not going to be something that is easily solved. But, Minister, can I ask you this and I suppose it is a bit of a random question but Jersey Water have given up on the idea of using La Gigoulande Quarry as their next water catchment and water storage area, do you think that is a good move, given the fact that Val de la Mare, which will probably be the number one site to extend, has such a challenging catchment, with the P.F.A.S, with the levels of all the other farming chemicals in that particular catchment? Do you think Val de la Mare is the place to be putting our future water storage?

The Minister for the Environment:

Certainly, the La Gigoulande Quarry issue is going to be tested at the inquiry. My understanding of it and it is a lay understanding is that the hope that the Jersey Water team had thought that that was the solution to their problems, I think given the fact the engineering of that, the cost of it and, if you like, the reduced yield that would be available and all that in evidence on the planning work, I thought brought that viability under question about whether one would even get the benefit of that quarry. But that, I think, is for the test. But I think that is part of the reason why we want to do ... obviously the issues that are in St. Ouen's Bay are very, very serious. Jersey Water have said that they are particularly keen on the P.F.A.S. work that Tim has described because they want to see a way where they can extract more water from their bore holes down there. At the moment my understanding is they are only able to take out 5 per cent of what that potential could be from the aquifer, which lies below the water-bearing strata in the Simon Sand area. They want that piece, they are looking to a piece of that work to give the evidence about where the plume is, where it will migrate to and so on and what can be done to mitigate that, as Tim has already said. Do I think that there could be no problems ahead with extending Val de la Mare? I could not say now, no, the answer is no. It would need detailed engineering assessments and that would absolutely be one factor that will be taken as it comes. My understanding is that Jersey Water, of course, have the other option, so they can expand the desalination plant and of course there is the option of managing water leakage, which they do anyway. Also, my recollection is there would be the really quite radical alternative in the long term, which at the moment I do not think has featured in any discussion but it must, potentially, be possible. When our new S.B.W. (Silver Bullet Water) plant is completed, that they are recycling the outflow of that in some way back into domestic water supply. There are other possibilities. I think this is a question of timing, it is really difficult. This is a bridging Island Plan and I think we are going to have to see how the inquiry goes. There is the issue of the restoration of that area, which is a separate planning issue. It is probably one of the most complicated land use decisions that we have on our plate. I cannot give simplistic green lights to say this is definitely the way. I think we are going to hear what it says at the inquiry and make our views then, take our decisions then, I think. Sorry, but it is not a completely clear answer but that is the best I can do at the moment.

The Connétable of St. Brelade:

Thank you. Just to conclude the P.F.A.S. question, you highlighted that an outcome of the hydrological survey could recommend a clean-up process, which will be subject to further Government Plan bids. If so, when would that be forecast and to what level of funding do you anticipate that work would require?

The Minister for the Environment:

The second part I just cannot answer. I suspect it is mega money. What would depend is when the work that Tim has described, when it starts, what is their programme and how much extra sampling they want to do. It is really important that what is done there is as well informed as it can be.

The Connétable of St. Brelade:

Will there be any contribution from Ports? I understand originally they were responsible. Do you anticipate further contributions from them?

The Minister for the Environment:

I think I will not as Minister be able to answer that question. I have certainly asked Andy Scate, as the Director General of I.H.E., because I think that kind of project would sit more within his overall management as part of the infrastructure side to investigate that. Because I think you are absolutely right, how such a cost would be funded, I think it has to look at all of those available possibilities, yes.

The Connétable of St. Brelade:

Minister, we have further questions on marine resources and future fishery support, but given that Greg is not here and we have run out of time it would seem appropriate to put those to the department in writing. The clock tells us it is time to wind up. I thank your team and yourself for presenting to us today, it has been very informative and I look forward to speaking again soon. Thank you very much indeed.

The Minister for the Environment:

Thank you, Chair. It is always good to meet with you and thank you for your questions with you and your team, thank you.

The Connétable of St. Brelade:

Thank you.

[16:26]