

Environment Scrutiny Panel Meeting No. 36

11th January 2007

Le Capelain Room, States Building.

Present Deputy R.C. Duhamel (Chairman) (RD)
Deputy G.C.L. Baudains (Vice Chairman)
Deputy R. Le Hérisssier (RLH)
Connétable K. A. Le Brun of St Mary (KB)
Deputy S. Power (SP)

In attendance M. Robbins, Scrutiny Officer (MR)
C. Le Quesne, Scrutiny Officer (CLQ)

Time Started 10.10 am

Ref Back	Agenda matter	Action
1	<p>Minutes</p> <p>The Minutes of 22nd November 7th and 27th December 2006 and 4th January 2007 were approved.</p> <p>RD, RLH, KB, GB, SP</p>	MR / CLQ
2	<p>Matters arising from previous minutes -</p> <p>In Committee Debate - Waste Review The Panel recalled that it had briefly discussed its approach with regard to presenting its Waste Review Report to the States. It requested that its previous suggestion to investigate the possibility of In an Committee States debate be considered further. The Chairman was requested to discuss that option with the Greffier of the States.</p> <p>Cost of Advertising The Panel revisited the cost of placing advertisements in the Jersey Evening Post, together with the contractual costs incurred through the requirement to used Idea Works to provide the artwork. The Panel agreed that the costs in both instances were excessive It was suggested that the issue should be pursued by the Chairmen's Committee.</p> <p>Effective use of the media was discussed and it was agreed that an innovative approach to using all types of media was essential to achieve public interest. It was agreed that certain timings were more effective when using radio and that the website should be promoted and used more intensively.</p>	
3	<p>Planning Process -</p> <p>The Panel received the final draft of its Planning Process Review Report and considered the text in detail.</p> <p>Mr. I. Clarkson, Scrutiny Officer provided a comprehensive guide through the document and the response to a previous draft from the Planning Department. The Panel having considered all of the proposed minor technical and grammatical amendments approved the changes required to ensure accuracy in its report.</p>	IC

The Panel considered and approved the proposed cover for the report as presented by the Officer.

The Panel extended its appreciation to Mr. Clarkson for his commitment to completing a very comprehensive report. He was requested to make the necessary arrangements for media interviews at which the report would be launched. Deputies G. Baudains and R. Le Hérissier would avail themselves to the media.

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The Panel noted the following items for information -

Questions without notice -

The Panel discussed the effectiveness of questions without notice in the States. It agreed that a more structured approach was required to ensure that the Ministers were held to account. In addition it was essential that a formal and full response was provided by the Ministers as a follow up to these questions.

It was suggested that the Chairmen's Committee should encourage a co-ordinated approach to the opportunity to ask questions so that questions could cover a wider range on a particular issue.

The Panel agreed that it was essential for the efficient and stable states to be able to hold Ministers to account without seeking to take them out of office over single issues.

It was agreed that a forceful approach must be taken by Scrutiny as a whole to ensure that it was provided with full disclosure with regard to Ministerial Part B agenda items and the related background reports. The Panel agreed that without that access to information the role of Scrutiny was diminished and the process was ineffective. The Panel agreed that the Chairmen's Committee should pursue more comprehensive rights of access to information through the Privileges and Procedures Committee as a matter of urgency.

Forthcoming Questions to the Minister of Planning and Environment -

The Minister would be invited to endorse the Panel's Planning Process Report.

It was agreed that some questions would have to be asked of the Minister with regard to the application made by the Transport and Technical Services Minister (TTS) seeking in principle planning consent for the construction of an incinerator. The Panels concern was on the basis that the States' decision had been that the Minister TTS had been charged to report back with alternative options prior to an incineration option being pursued.

4.22 Ministerial decisions -Design Statements Policy G4

The Panel agreed that further comments on the Design Guidance policy should be incorporated within its Design of Homes Review Report. Policies G4 and H6 were to be requested electronically from the Planning Department.

It was agreed that it would be more effective for the Planning Department to work with architects to produce a booklet of what was

	<p>considered good design. It was agreed that further attention was required with regard to the lifetime home concept and carbon neutral sustainability in a number of documents.</p>	
5	<p>Design of Homes Review -</p> <p>The Panel received an oral report from Deputy S. Power outlining the current position of the review. He advised that at the end of November the work programme for the review had been to develop a questionnaire in electronic format. That electronic form would be used as the basis to approach large companies to invite them to participate in the Scrutiny review by completing the questionnaire in e-format.</p> <p>The budget had not previously been approved by the Panel which had prevented progression of the data collection. Lower cost options were being investigated. It was noted that the intention remained to target specific postal codes like Century buildings.</p> <p>The Deputy advised that a number of submissions had now been received and that interest had been revived to some extent with the support of local radio providing a forum to raise the profile of the review.</p> <p>It was noted that heads of report would be developed in the near future.</p> <p>Vienna - Fact finding trip -</p> <p>The Panel recalled that the previous decision to undertake a fact finding visit to Vienna to view new build developments and some of the innovative approaches taken had been postponed. The Minister had been able to confirm the time allocated to the visit but would be available to travel for a three day visit from the 5th to 7th February 2007.</p> <p>The Panel noted that the proposed fact finding visit had drawn some criticism from States members and the media. However it agreed that subject to the Minister confirming his participation on the visit it would take place. It agreed that it was essential that it undertook its rôle fully and that it was common practice in other jurisdictions for Scrutiny to undertake fact-finding visits in order to view alternative approaches to a subject it was reviewing. The Panel agreed that costs should be kept to a minimum.</p> <p>The Panel agreed that should the Minister not confirm his participation prior to the visit arrangements being finalised it would revisit its decision.</p> <p>The Panel agreed that it would hire a minibus and English speaking driver and not a car when in Vienna to ensure best use of its time.</p> <p>The Panel agreed that subsequent to its visit it would agree dates for its Public Hearings.</p> <p>The Panel confirmed that the Chairman, Deputy S. Power, Mr. D. Mason, Adviser for the Design of Homes Review and the lead officer would attend the visit, together with the Planning Minister who would reimburse Scrutiny for his costs.</p>	MR/CLQ

The Officers were instructed to make the travel arrangements.

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Waste Review -

The Panel welcomed the Scrutiny Manager to the meeting to briefly discuss the rôle of officers prior to discussing its waste review. It acknowledged that one of its officers had been released to provide administrative support to the Health, Social Security and Housing Sub-Panel and its Mobile Telephone Mast Review for an eight week period. The Manager advised that it was important for members to recognise the procedural advice and guidance provided by officers. It was added that whilst all officers were prepared to work additional hours, this could only be done in the short-term and it was important to note that time would be recouped in a flat rate basis which may have an effect on ensuing reviews.

The Manager advised that it was essential in the development of officers to ensure that they were provided with the opportunity to support a complete review, from scoping, through hearings to the culmination with drafting a final report. This had not been the case with the support officer for the Waste Review and it was agreed that that officer would prepare the draft Waste Review Report.

The Panel accepted that an officer had not been fully trained until all processes of a “conventional” review had been undertaken. With regard to the draft report, the Chairman advised that he had provided the officer with the heads of report and some of the supporting information required for him to begin drafting the report. All other information held by the Chairman would be made available to the officer forthwith. It was anticipated that a first draft would be available to members upon return from the fact finding visit to Vienna.

The Panel discussed an innovative approach to launching the report and agreed that the report release would coincide with a recycling exhibition scheduled to be held mid-March 2007 at which alternative uses of recycled materials would be displayed and companies providing alternative disposal technologies would provide short presentations.

The Panel discussed its approach in communicating its activities and it was suggested that a much more proactive approach must be adopted. A more assertive approach to releasing information to the public would provide it with a clearer view of what technologies were available and provide an opportunity for informed decision making,

Some concern was expressed about the lack of recycling equipment made available for the establishment of community projects through the recycling department as a result of insufficient funds. The Panel was concerned that it appeared that there was no real desire to continue increasing the percentage levels of recycled goods and reducing the amount of waste requiring disposal.

The Panel decided that Chairman should make a statement in the States to alert it of its concerns. The statement should cover concerns over the curtailing of recycling through a lack of equipment provision, the pursuance of planning consent in principle for the construction of an incinerator contrary to States direction and the misleading information on the energy to be produced from an

	<p>incinerator and the houses it might produce energy for. The Panel also requested that the proposed use of the existing Jersey Electricity Company chimney be refuted.</p> <p>The Chairman advised that the findings of the joint Zero Waste Trial with the Parish of St. Helier were being prepared as a report and would be with the Panel at its next meeting.</p> <p>The Panel agreed that it would launch its Waste Review Report at the Town Hall or a similar venue over a two day period.</p>	
7	<p>Deep Ground Water -</p> <p>The Panel received an oral report from the Chairman following his attendance at the Deep Ground Water Working Group. The Chairman outlined his continued concerns over the robustness of the isotopic signature readings taken and the integrity of the bore holes drilled for the purpose.</p> <p>The Panel was reminded of the detail relating to the drilling and noted the inconsistencies suggested by the Chairman. Whilst the Panel was sympathetic to the issue it did not consider that the matter warranted a Scrutiny Review and decided that the Chairman should pursue the matter as a private member of the States.</p> <p>The Panel agreed that should the Chairman decide to pursue a private report it would be prepared to comment on his findings.</p>	
8	<p>Integrated Travel and Transport Plan -</p> <p>The Panel received the Integrated Travel and Transport Plan and noted that it appeared to resemble that which had previously been presented. The Panel agreed that it would be necessary to examine the robustness of the proposals and to verify the research upon which it was based.</p> <p>The Panel decided that due to time constraints it would convene an informal meeting to discuss the content of the plan and to consider what if any action would be required. It suggested that it might be necessary to undertake a short focussed review on the proposals. It agreed however, that any such action should be taken within the context of developing its annual work programme.</p> <p>The Panel agreed that it would not be necessary for an officer to be present at its informal meeting but requested that a room be made available to it on the afternoon of 18th January 2007 at a time to be confirmed.</p>	CLQ
9	<p>Business Plans 2007</p> <p>The Panel, having received the 2007 business plans, in respect of Planning and Technical and Transport Services Departments, noted that the Ministers had been invited to attend upon the Panel to present their respective plans.</p> <p>The Minister of Planning and Environment would attend upon the Panel on the 22nd January 2007. A date would be agreed with the Minister of Transport and Technical Services in due course.</p>	MR

10	<p>Cornerstone Magazine</p> <p>The Panel welcomed Mr. Farley, Cornerstone Magazine to the meeting and received an oral presentation on his publishing idea to diversify his publication base to incorporate an energy focused publication for distribution to the trade.</p> <p>The growth in interest in energy saving technology was recognised as a growing area and the publications would be targeted for the construction trade most of whom had environmental element within their businesses. In addition a one off publication promoting environmentally friendly goods would be developed. The Panel was advised that Mr. Farley was approaching a number of individuals and organisation in an effort to identify and confirm the level of interest and support.</p> <p>The publication would allow for interested parties to submit editorials on key energy issues. There would be no charge for invited editorial and the opportunity to participate would include government issues/initiatives and many others who are involved in the area.</p> <p>The Panel agreed that the proposed approach reflected its ethos and could provide an opportunity to promote further consideration within industry. The facilities available at the magazine were outlined and the Panel agreed that it would be very interested in availing itself of the opportunity to have some editorial included in relation to its forthcoming reports and future reviews.</p> <p>The Panel was advised that the eco advertising website was suffering as a result of no funding and was made aware of the requirement to raise its profile. The Panel agreed to consider the matter at a subsequent meeting.</p> <p>The Panel thanked Mr. Farley for attending and wished him well with his innovative publication.</p>	
11	<p>Chairmen's Committee</p> <p>The Chairman provided an oral report on the decisions made at the last Chairmen's Committee meeting and it was noted that in future officers would prepare a bullet point report on Panel activity for the Chairman to approve for submission to Chairmen's Committee monthly agenda.</p> <p>The Panel noted and endorsed the approach.</p>	
12	<p>Future meetings</p> <p>The Panel noted the dates of its next meetings, an additional informal with no officer present on the 18th January 2007, a meeting with the Planning Minister on the 22nd January 2007, a Panel meeting on the 25th January 2007 and a meeting with the Transport and Technical Services Minister on the 2nd February 2007.</p>	

Signed

Date

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Chairman, Environment Panel

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