

Planning and Environment Department
Howard Davis Farm, La Route de la Trinite
Trinity, Jersey, JE3 5JP
Tel: +44 (0)1534 441600
Fax: +44 (0)1534 441601

Deputy Robert Duhamel
Scrutiny Panel Chairman
Environment Scrutiny Panel
Scrutiny Office
States Greffe
Morier House
St Helier
JE1 1DD

17 October 2007

Our ref:
Your ref:

Dear Deputy Duhamel,

Environment Scrutiny Panel – Air Quality Review

Thank you for the opportunity to provide written evidence as part of the Air Quality Review in respect of action taken by the Planning and Environment Department to ensure that air quality in Jersey complies with best practice levels and with the aims outlined in the States Strategic Plan at 4.4. I would be happy to talk to the panel at one of the public hearings if you would like to liaise with my office to find a suitable slot.

Specifically you asked about action initiated and any recent or forthcoming development projects which may impact on air quality. In relation to concerns raised by the health authorities as a result of those proposals, I would expect that the Minister for Health and Social Services will respond on concerns that his Department has raised.

Legislation

I thought it might be useful to first set out the legal and policy context in relation to air quality. Whilst there is no specific local legislation on air quality and climate change Jersey has obligations under a number of multi-lateral environmental agreements (MEAs). These are set out below:

Ratification of the **1979 Convention on Long Range Transboundary Air Pollution (LRTAP)** was extended to Jersey on 15/07/82. The Convention lays down general principles of international cooperation for air pollution abatement, and sets up an institutional framework bringing together research and policy. Ratification of two further Protocols to the Convention have also been extended to Jersey:

- Protocol 3 (Sofia) Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (NOx Protocol)
- Protocol 4 (Geneva) Control of Emissions of Volatile Organic Compounds of their Transboundary Fluxes (VOCs Protocol)

The request for information focuses on air quality but does also mention climate change. As such two further Conventions and one further Protocol, which have also been extended

to Jersey, may be of interest.

United Nations Framework Convention on Climate Change - this relates to the monitoring and reduction of greenhouse gases and harmful emissions (extended 01/12/93)

Kyoto Protocol to the United Nations Framework on Climate Change – this aims to stabilise greenhouse gas concentrations in the atmosphere and allow ecosystems time to adapt naturally to climate change preventing dangerous consequences. It also aims to ensure that food production is not threatened and facilitate sustainable economic development. (extended 04/12/06). The measures taken to fulfil the requirements of ratification are set out in the attached Ministerial Decision and accompanying report.

Vienna Convention for the Protection of the Ozone Layer, and subsequent Montreal Protocol - this provides controls on the production and consumption of substances that deplete the ozone layer. (extended 12/10/01)

The extent to which Jersey is able to meet these obligations was the subject of a study by my Department in 2003. The output from this study was a Resource Plan Report, which concluded that further resources were required to properly meet the obligations under these Conventions. This was put forward as part of a bid for growth under the Fundamental Spending Review in 2003, but was unsuccessful. As such, it has been difficult for my department to progress air quality objectives in the absence of additional resources. The pages from the report relating to air quality are attached for your information.

The MEAs review is currently being updated as per the attached project plan outline. The full report will be available mid February 2008.

Monitoring

Air quality monitoring is undertaken by the Health Protection Department.

Air Quality Strategy

Responsibility for delivering the Air Quality Strategy as set out in the States Strategic Plan 2006-2011 lies with Health Protection, Health and Social Services Department. Planning and Environment are identified as Strategic Partners in the delivery of this Strategy and will provide the necessary assistance.

Proposals that raise Air Quality concerns

The Planning and Environment Department require Environmental Impact Assessment (EIA) to be 'carried out for developments of a scale, type or location that could have a significant impact on the environment'. This includes air quality concerns. The cumulative health and environmental impacts of the forthcoming developments in St Helier, especially around the Waterfront area are of particular concern in relation to air quality as a result of impacts during the construction phase and perhaps more significantly the resulting increase in traffic. These impacts are being considered within the context of the EIAs for each of the developments. The methodology to examine air quality for EIA for Esplanade Quarter is under particular scrutiny by the Health Protection Department, who are leading on the air quality concerns in relation to these reports.

We are considering that a Strategic Environmental Assessment is undertaken of the Strategy for the Future Development and Regeneration of St Helier and for the proposals for developing the area known as 'East of Albert'. This would pick up on cumulative air quality concerns before any specific development proposals are put forward.

Further initiatives relating to air quality:

The State of Jersey Report 2005 on the condition of Jersey's environment set out the position at that time on air quality. I have attached a photocopy of the relevant pages for your information.

Three recent policy developments, which have either been led by or contributed to by the Planning Environment Department have the potential to improve air quality.

Solid Waste Strategy: this was approved by the States of Jersey in July 2005 and included a commitment to replace the existing municipal waste incinerator, a full programme of recycling (32%) and the composting of green waste. Replacement of the MWI will contribute to improving local air quality.

Integrated Traffic & Transportation Strategy: The Council of Ministers approved the Strategy as lodged in the States in September 2005 as a high level framework at the end of January 2006. The Strategy contains a commitment to reducing the impact of traffic in Jersey by using less fuel, less polluting types of fuel and more efficient vehicles and by reducing congestion through traffic management and traffic reduction – by promoting more sustainable means of travel such as walking and cycling, and puts forward the following specific proposals. These are considered within the environmental tax proposals.

If approved, the implementation of environmental taxes on transport will contribute to the reduction in emissions of transport related emissions.

Energy Policy: This draft policy is currently out for consultation. The main focus is on atmospheric emissions which contribute to global warming but local air quality is touched on from time to time. Chapter 2 sets out information that will be of relevance to your review.

In addition to these three major policies, components promoted within the Countryside Renewal Scheme will also contribute to reducing GHG emissions, for example, giving rise to more permanent pasture, woodland leading to reduction in fertiliser inputs; energy audits and resulting remedial measures; grants to install slurry stores replacing synthesised fertilisers.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely,

Freddie Cohen
Minister – Planning and Environment

www.gov.je/PlanningEnvironment