

**STATEMENT MADE BY THE PRESIDENT OF THE ENVIRONMENT
AND PUBLIC SERVICES COMMITTEE ON 15th SEPTEMBER 2004**

TRANSCRIPT FROM STATES MEETING

“Sir,

Overnight I have been giving thought to how best to respond to the situation concerning the Environment and Public Services Committee.

As members will know, the Committee faces a vote of no confidence. There are obviously 20 members who have signed it and 33 who have not.

Members will understand when I say that I cannot agree with the assessment of the situation by the Deputy of St. Peter. The Deputy of St. Peter, in his proposition, raises other issues apart from the issue of the St. Peter application. Having spoken to a number of members who signed the confidence motion, it is clear that different members have signed for different reasons; one is that Planning does not listen to the States, and I understand the concern that members have about that; one member signed the proposition, they say, solely on the grounds of the Trinity Infill issue and before the Vice-President made her statement yesterday morning.

I have not made any comment about the Canavan report in public yet. I want to say that I have accepted the recommendations within the report and I thank Mrs. Canavan for her work. I also feel I should say to members that both Deputy Hilton and Deputy Taylor had offered to stand down over the affair after I returned from holiday just over a week ago. After consultation with other Committee colleagues, I made the decision not to accept their offer to stand down. I supported the Vice-President and Deputy Taylor; they have an extremely difficult job to do. Corrective action is in place to ensure a repeat could not occur. I also accept absolutely the mitigating circumstances that arrived at the Sub-Committee's decision on the day.

I wish to state publicly that I believe that Deputy Hilton is an excellent Chairman of the Planning Applications Sub-Committee. As a relatively new member she has discharged her responsibilities with energy, passion and diligence. I believe that she should not resign over the affair, and I take full responsibility for that decision; the same is true for Deputy Taylor.

What is more significant and will be of concern to this Assembly is the situation with Senator Edward Philip Vibert. I must report that we have arrived at a situation where my fellow Committee members and I find it impossible to discharge the Committee's responsibilities with Senator Vibert remaining on the Committee. There is nothing personal or any animosity towards Senator Vibert, but it is simply the case that, I believe, the Committee cannot discharge effectively its duties when one member of the Committee constantly is at variance with the rest of its membership. There is no individual issue, such as the issue of Trinity, or the issue of Buses, or planning applications, or the St. Peter decision, or the way the Scrutiny Panel has operated, or the Senators opposition to the Water Law or Waste Strategy, or turning up to meetings, but it is a series of issues over many months.

I say again, and it is not said with any sense of rancour, that I am deeply saddened by the situation, as I and my Committee colleagues, and indeed the department, have worked hard to find a way of compromising and harnessing Senator Vibert's undoubted energies and talents. I and the Committee have failed. I have no doubt that the Committee cannot survive as at present; to use the words of Geoffrey Howe, with one member of the team smashing the cricket bat before being asked to go out to pitch.

Senator Vibert has made it clear that he will not resign. This is further confirmed by information published on his website last night. Clearly, this situation and this state of affairs cannot continue. This Assembly needs a united Environment and Public Services Committee that is capable of getting through the enormous agenda of work it has. If the Committee fights the vote of no confidence and wins it, which I believe and I am confident it would, I will be unfortunately faced with the proposition of having to lodge a further proposition to remove Senator Vibert from the Committee. A vote of no confidence and a proposition to deal with Committee membership will

inevitably take up to two days of this Assembly's time.

There is also now inevitably going to be a period of uncertainty. This period of uncertainty is something I am extremely worried about. Time is at a premium. There is an enormous agenda to deal with. The Committee has, this morning, launched the long awaited Waste Strategy which members will understand has itself a tight timetable. Public meetings are planned within the next two and three weeks. The Committee's other agenda of huge work is in train; the Transport Strategy; developing a Rural Economy; finalising the new property strategy; and preparing an amendment to the Planning Law.

On Monday, I completed a report to go to Committee next week to bring into force the new Planning Law at the beginning of next year with a replacement to the Planning and Appeals Commission and a proposal to bring in limited third party appeals at the beginning of 2006.

The Committee has work on the Parishes issues to deal with the Constables which I am confident it would find solutions for. It was finalising a memorandum of understanding with St Helier on closer co-operation and further cost savings.

The Committee has an agenda of three years to complete in less than a year. Every week matters. This is quite apart from the day to day responsibilities of running the Planning, Public Services, Property and Environment Department. It is inevitable that this period of uncertainty will mean planning applicants will face delays in the determination of their applications irrespective of the fact that there is an option to deal with a vote of no confidence in another way. One application is the Island Site which is, as members will know, a long awaited issue.

I think the public of the Island deserve more than to see this Assembly spend two further days of bloodletting in fighting a vote of no confidence and if successful a proposition to remove Senator Vibert. I do have an alternative and that is to resign and stand again. In order to not only save this Assembly's time, but for the good order of government, I have decided to resign the Presidency and seek re-election of the current Committee without Senator Vibert. This Assembly needs a Committee that can deliver.

I will be guided by the House; Standing Orders indicate that an Assembly may elect a new President and its Committee at its next meeting or before. I believe this decision is in the best interest of the Assembly and I am in the hands of members."