

# Environment Scrutiny Panel

## PUBLIC MEETING

### Record of Meeting

Date: **15th October 2007.**

Meeting Number: **60**

Present	Deputy R.C. Duhamel (Chairman) (RD) Connétable K. A. Le Brun of St Mary (KB) Deputy P. V. F. Le Claire.(PLC)
Apologies	Connétable A. S. Crowcroft (SC)
Absent	
In attendance	Mr M. Robbins

Ref Back	Agenda matter	Action
	<p><b>Apologies</b></p> <p>The Panel noted Constable Crowcrofts apologies which were due to family illness.</p> <p>RD. KLB. PLC.</p>	
	<p><b>Waste Review Public Hearing</b></p> <p>The Panel discussed the outcomes of its public hearing of (insert date) relating to its Waste Review.</p> <p>RD. KLB. PLC.</p>	
05/10/07 Item 12	<p><b>Fifth Panel Member</b></p> <p>The Panel recalled that it had previously discussed extending an invitation to a fifth States member to join its number. The Panel noted and endorsed the approach made by the Chairman to Deputy C. Scott-Warren in this connection. The Panel noted that the Deputy had accepted the invitation and that the necessary formalities would be attended to by the Greffier of the States.</p> <p>by the Panel during the previous meeting, Deputy Celia Scott-Warren had been approached by the Chairman with an invitation to join the Panel. It was reported that the Deputy would be pleased to join the Panel. This was accepted by the Panel and the invitation was to be formally extended through the States at the next sitting.</p> <p>RD. KLB. PLC.</p>	
	<p><b>Proposition 159/2007.</b></p>	

The Panel discussed the forthcoming proposition 'Energy from Waste Facility: Public Enquiry' lodged au Greffe on 15<sup>th</sup> October 2007 by the Connétable of St Helier, A. S. Crowcroft.

The Panel expressed concerns in respect of the issue.

The report accompanying the proposition, quoted correspondence which maintained that a Public Enquiry was not required, it suggested that the decision rested with the Minister and that the Minister had decided not to hold such an enquiry. During a discussion around Article 12 of the Planning and Building (Jersey) Law 2002 the Greffier of the States provided advice in this regard. The Greffier advised that he would seek clarification from HM Attorney General as to whether or not the proposition allowed the Minister to hold a public Enquiry.

The Panel was concerned that if planning consent was granted at the Ministers' meeting of Friday 19<sup>th</sup> October 2007, that legal agreements may be entered into by the Minister for Transport and Technical Services.

Such decisions if taken would potentially undermine the States ability to make decisions when considering the preferred type of waste plant due to be presented by the Minister for Transport and Technical Services early in 2008.

The Panel learned via a public information telephone line that if the planning application was successful, the facility would go out to tender.

The Panel agreed that the Minister for Transport and Technical Services should be asked to confirm the position during the next available States question time.

RD. KLB. PLC.

### **Waste Plant Review**

The Panel having discussed and agreed a Waste Plant Review in principle considered the outline of the terms of reference and agreed that the following issues must be examined within the review.

1. The preferred plant as recommended by the Transport and Technical Services Minister.
2. The finances of the existing and other technologies.
3. The legality of ownership of the waste in Jersey
4. Large public involvement in the review.

It requested that draft terms of be made available for consideration at its next meeting.

MR

	RD. KLB. PLC.	
	<p><b>Meeting with Council of Ministers</b></p> <p>The Panel noted the forthcoming meeting with the Council of Ministers on 15<sup>th</sup> November 2007. It noted that a paper in respect of waste had to be presented to the Council by 5<sup>th</sup> November 2007.</p> <p>RD. KLB. PLC.</p>	MR

Signed

Date:

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Chairman  
Environment Panel