

STATES OF JERSEY

Environment Scrutiny Panel Air Quality Review

FRIDAY, 23rd NOVEMBER 2007

Panel:

Deputy R.C. Duhamel of St. Saviour (Chairman)
Deputy P.V.F. Le Claire of St. Helier
Deputy C.J. Scott Warren of St. Saviour
Connétable K.A. Le Brun of St. Mary
Connétable A. S. Crowcroft of St. Helier
Professor D. Laxen (Advisor)

Witnesses:

Deputy G.W.J. de Faye of St. Helier (The Minister for Transport and Technical Services)
Mr. D. St. George (Manager, Transport Policy)
Ms. C. Anderson (Director of Transport)

Deputy R. C. Duhamel of St. Saviour (Chairman):

It is important that you fully understand the conditions under which you are appearing at this hearing. The panel's proceedings are covered by parliamentary privilege through Article 34 the States of Jersey Law 2005 and as a result you are protected from being sued or prosecuted on anything said during this hearing, although this privilege should obviously not be abused. The proceedings are being recorded and transcriptions will be made available on the scrutiny website. Thanks for attending. Air Quality Review. When ministerial government kicked in in 2005 the first task of the Ministers and Council of Ministers was to come to the States with their collection of strategic aims and directions and to get the House to approve them. Within the environmental aims under section 4.4 of the Clean Air, Clean Water and Uncontaminated Land there was another item 4.4.5 about debating and implementing in 2007 an air quality strategy for Jersey, including proposals for monitoring and publishing levels of local air pollution, targets, policies and time scales, reduction in air pollution levels to reflect best practice globally. The overall responsibility for that aim was given to the P. and E. (Planning and Environment) Committee. We have

subsequently heard this morning that according to P. and E. it does not appear that they are in control - or in the driver's seat - of this particular aim and there is some debate as to whether or not those responsibilities have been passed over properly or improperly to Health and Social Services and notably through to the Environmental Protection Unit. Obviously within the Transport and Technical Services Department you do have a stake in the overall strategic aims because you do have some elements of responsibility in terms of transport planning, in terms of roads and we do give encouragement or discouragement for various modes of transport and putting people on buses and things. So, there are issues that you would naturally be interested in. The first question we would like to ask is what action has been or is being taken by the Transport and Technical Services Department since 2005, when these strategic aims were outlined, in order to ensure that air quality does meet with best practice and the aims that were outlined in the strategic plan? It looks as if it has all gone horribly dead for 18 months and we are just wondering whether or not as far as your department is concerned, you are alive and kicking or whether or not you are on the monetary table with the rest of us?

Deputy G. W. J. de Faye of St. Helier (The Minister for Transport and Technical Services):

Could I just point out when we received your questions your question one referred to section 4.4.1.

Deputy R. C. Duhamel:

Yes, it should be 4.4.5.

Deputy G. W. J. de Faye:

Which, of course, is the waste strategy. 4.4.5 does indicate, I think in essence, the control area. I would assume the role of regulator lies with Planning and Environment. I am interested to hear you say that your latest information is that they are not aware of their control or dispute their control in this matter.

Deputy R. C. Duhamel:

In actual fact there have been 3 occasions in which the Council of Ministers have produced a follow up document to outline the progress. That has been made

according to the various strategic policies that are being undertaken. The first 2 of those documents appeared with the lead committee being ... or department being P. and E. The last one produced just recently indicates that it has moved to Health and Social Services which we thought was surprising. On top of that -- bearing in mind that the aim was to debate and implement in 2007 the air quality strategy for Jersey, and presumably they would have been an overhead for the introduction of legislation and whatever in order to achieve these aims and targets, we are in November and the end of 2007 is rapidly approaching. It does appear that that particular strategic aim is not to be delivered, although it has been reported on 3 occasions that everything is tickety-boo in terms of the timetabling. The relevant green kind of markers to indicate the satisfactory performance against the strategic aims have been produced by the Council of Ministers to the rest of the States' Assembly.

Deputy G. W. J. de Faye:

I do not regard Transport and Technical Services Department as necessarily the lead department in this particular area, although clearly we have a contribution to make and I am happy that we are contributing, perhaps not with, as it were, direct action at the moment, but certainly for example, policies relating to fuel and traffic have ensured that since probably the peaks of fuel usage around the turn of the last century, 1998/1999, fuel consumption has been falling away and has now reached new lows according to our latest figures. Without doubt that has contributed to a fall off in emissions simply by virtue of the fact that less fuel is being consumed on an annual basis. That is linked in with our approach to traffic management and encouragement to fuel-efficient vehicles.

Deputy R. C. Duhamel:

That is an interesting view. Professor Laxen?

Professor D. Laxen:

I would certainly like to follow up on that one but I had a question before that, very briefly. Has your department been approached by either the Planning and Environment or the Health Protection to help prepare or contribute to the developmental strategy?

Deputy G. W. J. de Faye:

No, we have not been approached from either of the departments.

Professor D. Laxen:

To follow up on the fuel consumption. I have not myself seen any figures to support that. Is that information that can be provided?

Deputy G. W. J. de Faye:

We can provide it to you, Professor, immediately.

Professor D. Laxen:

This is fuel used in terms of sales of petrol and diesel, is it?

Ms. C. Anderson (Director of Transport):

I believe so, those statistics come from the Driving Vehicle Standards, so I believe that is exactly what it is. Obviously the reduction has something to do with, if not a lot, to do with more efficient engines that are now on the road.

Professor D. Laxen:

Has traffic grown during those periods on the roads?

Ms. C. Anderson:

It is an interesting point, in fact we were just debating on the way down.

Mr. D. St. George (Manager, Transport Policy):

Our figures ... we have counters that count continuously 24 hours a day and we have 5 main sites we have analysed and certainly from 2000 to 2005 the traffic levels have been flat. There is a little bit more work to do on the 2006 figures but they look much the same as well. So, contrary to what some people are suggesting levels of traffic have not been increasing. I suspect that is related to the economy. We certainly expect it to start increasing with the economy and number of jobs available.

Deputy R. C. Duhamel:

How does your department determine the level of usage in the registered vehicles on the roads?

Mr. D. St. George:

We have automatic traffic counters on various sites. We always traditionally had 5 sites which were aligned pretty much across the island and we have added all the main routes into St. Helier now so we are now going to be able to start comparing all the traffic that uses the main routes like Queens Road. So we have got a cordon around the entire town now so we have got very good data coming in but going back historically it was based on the 5 key sites. So that gives us the usage of ...

Deputy R.C. Duhamel:

Does that cordoned off area provide real time recording or is it done on a one-off kind of survey basis?

Mr. D. St. George:

It is real time. It is recording vehicles going over there continuously throughout the entire period, all day and every day of the whole year.

Connétable A.S. Crowcroft of St. Helier:

Mr. Chairman, can I take us back to ... We are getting into detail. I think we need to establish a few strategic responsibilities first; 4.4.1 of the Strategic Plan has been referred to but surely the key section of this plan is ...

Deputy G.W.J. de Faye:

That is the waste management section, Constable.

The Connétable of St. Helier:

Surely the key section of the plan is the one that deals with T.T.S. areas of responsibility to bring forward the transport policies, which will lead to improved air quality and that is 2.10. In that, the plan pledges to bring in proposals of the States forward planning 2006 and the implementation of the funding by 2007. I just wondered what the progress is on that and clearly the Minister has said you do not regard ourselves as a lead player, but clearly the development of transport policy is a

crucial part of air quality. I do not think there is any doubt about that. I think people accept that traffic and transport are crucial in air quality. Could you update us please on the progress towards a transport strategy?

Deputy G.W.J. de Faye:

As I said only recently in the States, Connétable, I am not sure if you were present at the time, the Integrated Travel and Transport Strategy has been held up for a number of reasons, most specifically my department has had to focus its attention on the plans for traffic management at the waterfront, which was a particularly complex piece of work and had to be dealt with as a priority issue. That simply meant that the I.T.T.P. (Integrated Travel and Transport Plan) has had to be effectively put on hold. We are also suffering the difficulty that due to the failure to introduce vehicle emissions tax or any form of environmental tax, the I.T.T.P. currently will be almost without any funding and therefore as a pragmatic issue I have had to devalue its priority within the department's work. Nevertheless, it will be coming forward. It is near completion, but I am going to have to go through it to check whether it is up to date, because it has been on hold for some time now, and within that there will be elements dealing with air quality. How transport relates to air quality breaks down into a number of areas. Clearly there is the aspect of fuel efficiency, with engines that use certain products. There is encouragement towards vehicles that have low emissions or even no emissions and there is also the element of preserving traffic flow in order to prevent the difficulties that relate to traffic at a standstill that simply is there with engines running.

The Connétable of St. Helier:

When I was last in States and you were asked about the plan you said that it was imminent. Could you perhaps give us a date when the plan will be presented?

Deputy G.W.J. de Faye:

I am making it a matter of policy now not to commit myself to dates, so I will not.

Deputy C.J. Scott Warren of St. Saviour:

Can I just follow that up and say I assume you are talking about within the year?

Deputy G.W.J. de Faye:

I am talking about within the next limited number or next few months.

Deputy R.C. Duhamel:

Can I ask you, Minister, the signing of Jersey on behalf of multilateral agreements with other countries in terms of global climate conditions or standards or whatever possible, are these things determined by the Chief Minister, whose department takes over responsibility, and then delegated downward to any departments who may have a particular interest; or, indeed, is the process one of the departments themselves sponsoring work on behalf of the Chief Minister's Department to procure international agreements from the bottom up? Or is it a mix between the 2?

Deputy G.W.J. de Faye:

To my own knowledge, I have never been made aware of any ratification of international agreements. None have been brought to my attention and I think that if it is the case, and I will refer to my office as they will have a broader experience than I do, if it is the case that these are being ratified without proper consultation to the departments that are obliged to put them into effect, that would be and possibly is an extremely unhelpful position to be in. But I will refer to see if we do have consultation on these matters before such conventions are ratified.

Ms. C. Anderson:

Certainly I am not aware that we have had. Dave, on the 3 that are mentioned there?

Mr. D. St. George:

I only became aware of them when I was researching it for the Integrated Travel and Transport Plan but maybe my predecessor had ...

Deputy R.C. Duhamel:

Specifically the Scrutiny Panel would be concerned that the Island is perhaps entering into agreements which do have financial strings or other commitments attached to them without proper consideration of those issues, and it does strike us to be a little bit silly in order to increase our international personality, or whatever the current

phrase is, we should be signing these things and yet perhaps, in some instances, not complying with them fully.

Deputy G.W.J. de Faye:

The Chairman will know that I think that both he and I were the only 2 States Members to take strong exception to an international convention agreement relating to Ramsar that I personally thought was entirely ill-advised at the time and has subsequently proved to be so.

Deputy C.J. Scott Warren:

Can I ask also, on the waste manage side you are subject to the Basel Convention and I would like to know how much consultation went into that? I know that is some years ago.

Deputy G.W.J. de Faye:

I think it should be a matter of obvious policy that no single department leads the Island into some level of international commitment without thorough consultation with all the departments that may be affected as well as appropriate scrutiny and, ultimately, ratification by the States.

Deputy R.C. Duhamel:

Bearing in mind that one of the reasons for setting up the Council of Ministers was to operate in areas where there was this overlap between the various departmental ministries, could you see any way of improving on that particular structure, if indeed it is not delivering what it should be delivering on the packet?

Deputy G.W.J. de Faye:

I do not think it is my place to get an air quality hearing to give my views on how other departments run their business, but clearly there is room for improvement.

Deputy R.C. Duhamel:

How would you improve the system then? What would need to take place in order to ensure that any agreements that do have areas of cross-responsibility between

departments adequately ensure that all of those departments are in the frame before the things are signed?

Deputy G.W.J. de Faye:

I believe in keeping things simple, Chairman. I think it is a straightforward tick box where a department has to tick a box to indicate that it has been advised of and has offered its own view, then that should weigh as an effective veto to progress any such agreement.

Deputy R.C. Duhamel:

Would you go further and strongly endorse the idea that perhaps the motivating departments must be the departments whose core interest is the issues that the departments lead in, rather than leaving it to an association of Ministers whose perhaps first and foremost interest might not be in those particular areas?

Deputy G.W.J. de Faye:

I think there is a clear logic for those types of international agreement, treaty or convention that relate to obvious departmental responsibilities should first of all be primarily assessed and analysed by that department.

Deputy R.C. Duhamel:

Right, thank you.

Connétable K.A. Le Brun of St. Mary:

Could I just ask on that then, Deputy, would you think it more in order then if we were starting from the low point and moving up so therefore that should then be processed through the Council of Ministers and then ultimately the Chief Minister for these rules and regulations, or do you think it should still come from the individual departments?

Deputy G.W.J. de Faye:

I think that, as I have indicated, all departments should be brought in, as it were, on a tick box basis, and then that type of thing would be progressed as any other

proposition is progressed for consideration by the Council of Ministers, offered to Scrutiny and then ultimately ratified by the States.

The Connétable of St. Mary:

So kind of 3 ticks, then a panel team and it can move forward?

Deputy G.W.J. de Faye:

An international convention may well require more than the 3 ticks, I would venture to suggest.

The Connétable of St. Mary:

What I meant by 3 ticks, I meant by 3 different departments as such. It could be a recommendation from one or 2, and 2 out of 3, the third one might have an objective view.

Deputy G.W.J. de Faye:

I think we are venturing into procedural minutiae to an extent here, but I would suggest that all areas in the States need to be put on notice and those departments that are happy that it is not relevant to their area, simply indicate that it is not relevant and they are therefore subsequently excluded from the levels of consultation that may be applied latterly.

The Connétable of St. Helier:

Before we leave the Strategic Plan I want this to be absolutely clear. Minister, do you accept that your department has not delivered on one of the commitments made in the Strategic Plan in relation to air quality, which is the bringing forward of the transport policy by the due date?

Deputy G.W.J. de Faye:

No.

The Connétable of St. Helier:

So could you explain why you do not accept that, given that the figures and the dates in the Strategic Plan mean that it would really have to have been produced and debated by now, otherwise it is overdue?

Deputy G.W.J. de Faye:

Because I am working on something that I am due to announce.

The Connétable of St. Helier:

I see, and is that announcement to be made before the end of 2007 and the debate takes place, because the Strategic Plan makes it clear that this will be discussed and will be brought forward and debated by the end of this year? We have only got one more States' sitting and no time to lodge so I am just curious how you can deny that there is ... I am not saying how serious the delay is but surely there is an evidenced-based comment that can be made which is that your department has not delivered this particular part of the Strategic Plan in line with the targets set out by the Council of Ministers.

Deputy G.W.J. de Faye:

One, I do not agree with you on delivery; (2) I have already said I do not commit myself to dates; (3) when the announcement is ready to be made, it will be made.

The Connétable of St. Helier:

But, Minister, you do not commit yourself to dates but the Strategic Plan has committed your department to dates which have not been met.

Deputy G.W.J. de Faye:

We may not make that date.

The Connétable of St. Helier:

You accept you may not make that date?

Deputy G.W.J. de Faye:

I do.

The Connétable of St. Helier:

Right, okay. You said earlier on that the reason for that was that resources had been allocated to the waterfront traffic study and that had taken priority away from the I.T.T.P. Was there a ministerial decision made to take resources away from the Strategic Plan commitment and to apply them to the development of the traffic study for the waterfront?

Deputy G.W.J. de Faye:

No.

The Connétable of St. Helier:

There was no decision made?

Deputy G.W.J. de Faye:

No.

The Connétable of St. Helier:

So could you explain to the panel how the decision took place?

Deputy G.W.J. de Faye:

Force of circumstances.

The Connétable of St. Helier:

Was it made by officers or was it made in consultation with the Minister?

Deputy G.W.J. de Faye:

One can agree that things happen without making ministerial decisions.

The Connétable of St. Helier:

Would you describe the process that led to the I.T.T.P. being deferred in favour of the waterfront traffic study?

Deputy G.W.J. de Faye:

It would take far too long.

The Connétable of St. Helier:

Could you supply that information to the panel?

Deputy G.W.J. de Faye:

No, I do not think it is relevant.

The Connétable of St. Helier:

That is an interesting answer. Clearly, the panel does have the power to request that information and it seems to me that it is quite important because we have a Strategic Plan commitment from various departments, and yours is not the only one that has not met the target. But we have a commitment from the Council of Ministers and if this document is to mean anything then before departments decide to reprioritise their resources I would have thought there needs to be a ministerial decision. You said it was not a decision but I am saying I believe that that information may well be requested by the panel.

Deputy G.W.J. de Faye:

You are welcome to make that request.

Deputy C.J. Scott Warren:

Can I just ask you to clarify? You said you do consider that the switch from the transport and travel plan to the waterfront issue was the greater priority. Do you still believe that?

Deputy G.W.J. de Faye:

Yes. Almost all my time is spent determining what has to take priority within limited budget allocations. It is quite apparent to me that getting the traffic management analysis in place for the proposed plans for the waterfront was an extremely high priority. It would have made no sense whatsoever to have pressed ahead with a very, very enormous planning development without having a full and complete understanding of all the traffic management implications and they were indeed extremely serious. It would have been an utter disaster for the Island to have completed this project and then found that we had created effectively a situation that

gave us automatic gridlock at various times of the day. I think that is an obvious and clear priority and I had no hesitation, given it was becoming clear over the last year that funding opportunities for the I.T.T.P. were disappearing into the dust, that that was per force by the nature of what was taking place being effectively deemed by the States as a priority.

The Connétable of St. Helier:

Can I ask if the waterfront traffic study took into account air quality issues, what discussion was had with other departments in relation to air quality, such as Environmental Health and possibly Planning, and whether that waterfront traffic study is a document that we can see? Is it a published document or a document that we can have access to?

Mr. D. St. George:

The planning application will have to include an environmental impact assessment, which will give all those details and that will go through for review by the Environment Department.

The Connétable of St. Helier:

Did your study take into account air quality issues and did you have contact with the other departments?

Mr. D. St. George:

The end that I am looking at is how to make the traffic work and that will obviously feed into the level of emissions and the environmental impact assessment will look at a much broader range of things of which traffic transport will be one element.

The Connétable of St. Helier:

So it will have numbers of vehicles and traffic flow rather than air quality?

Mr. D. St. George:

Well that is the side that I get involved with, but the air quality side will be part of the environmental impact assessment.

Deputy C.J. Scott Warren:

Can I just ask, are you concerned with the state of the equipment for the monitoring of the air quality regarding traffic emissions?

Deputy G.W.J. de Faye:

Yes. I think I have a level of concern because it is my understanding that we have relatively basic equipment and there are more sophisticated types of measuring equipment that you can buy. However, I think you have to balance your determination to upgrade the quality of equipment and the locations it supports against the priority of the issue itself. My understanding is that when we look at the broad analysis of air quality, that we conform to all the guidelines that I am aware of, then you have to make your judgment as to the priorities of expenditure.

Deputy R.C. Duhamel:

Being a contributor presumably, and maybe, I am not quite sure, the only contributor to the environmental impact assessment for the waterfront area in terms of air quality, has your department been asked to individually assess, from your own point of view, the environmental issues concerning air quality and to what extent have those considerations been developed into the environmental impacts that might take place over a wider area? The environmental impact assessments can be done on a localised basis for an individual household. If you are dealing with road traffic or whatever, you can obviously talk about the section of road running through a particular area, but there are other overarching considerations as to how much traffic is coming in to an even bigger area and I am just trying to work out how your department fits into those discussions and who is organising the work to ensure that those questions are adequately covered in the environmental impact assessment work that is done?

Deputy G.W.J. de Faye:

In short, it is not the Transport and Technical Services Department that carries out the air quality monitoring and we do not do traffic management studies, as it were, that revolve around air quality as a primary driver in traffic management. The traffic management is based around entirely different sets of criteria that are progressing towards achieving smooth flows of traffic and that is the contribution to relieving the

polluting effects of petro-diesel engines, is ensuring that they are going somewhere else.

Deputy R.C. Duhamel:

In terms of being the main sponsoring body or whatever, as far as the argument goes for trying to deliver perhaps an encouragement to the population to use vehicles that did not use petrol engines for example and perhaps use fuel cells or electrical vehicles or hybrid vehicles, would you see yourself as being - no pun intended - in the driving seat in pushing those arguments, or would it be coming, in your view, from the Environmental Health Department or, indeed, from Planning and Environment? Where is the centre for the argument?

Deputy G.W.J. de Faye:

I would dispute your description of the Transport and Technical Services Department as the main sponsoring body.

Deputy R.C. Duhamel:

I was not suggesting it was, I was asking.

Deputy G.W.J. de Faye:

Unless my officers correct me, I am not aware we have any budget whatsoever to deal with air quality as a specific issue. I would also suggest that you throw into the pot of departments responsible the Treasury, because without doubt the main driver in reducing air quality over the last 5 to 10 years has been the imposition of additional fuel tax and it has been extremely effective, probably more effective than any other single measure. I accept entirely that Transport and Technical Services has a role to play and I have been investigating what that role is and how we may implement things but, as is becoming a rather repetitive mantra of mine, we require the funding to do these things and it simply is not there.

The Connétable of St. Helier:

Can I ask, going back to the I.T.T.P and before work stopped or was suspended on it, what work did your department undertake in terms of improving air quality as part of

traffic flow planning? Were there any meetings, for example, with Environmental Health or Planning or other agencies?

Deputy G.W.J. de Faye:

I do not want to give the impression that there has been no work on the Integrated Travel and Transport Policy at all. As Members well know, there has been a draft out initially, there has been a subsequent draft that has been circulated, and indeed I am able to pursue a number of elements through it on existing public services transport policy. So I think we need to put that in context. Yes, consultations have been passed by other departments, and primarily Planning and Environment because they work alongside us in a number of areas.

The Connétable of St. Helier:

I am just concerned as you said earlier, Minister, that air quality is not a primary driver in traffic management. It seems to me that that would indicate a degree of priority that in terms of addressing -- the overall strategy of this review is to secure cleaner air for Jersey, and that is clearly an important part of the Strategic Plan. If the primary driver, you said, was traffic flow rather than enhanced air quality, I think that sends out a message that perhaps you are more interested in keeping the traffic moving than in securing a better air quality for the Islanders.

Deputy G.W.J. de Faye:

I think it sends out a message that, for example, I think it is a greater priority to sort out the emissions coming from the Bellozanne incinerator.

The Connétable of St. Helier:

We are coming on to that but ...

Deputy G.W.J. de Faye:

Of course it is a question of priority and we would all, I am sure, be delighted to breathe entirely pure, fresh sea air and most of the time we can. Therefore, I think one has to put this entire argument about air quality into its context and see where the priority lies. The fact of the matter is, and I know as a regular pedestrian, if I walk down Queens Road during the middle of a peak time queue, the air quality is not

particularly good. I could not comment on precisely what the content of the air quality is, and I have no idea where I stand in terms of health risk assessment. I think before we all get agitated about notions of air quality, we need to understand what the ramifications are in terms of health risk assessment. That is important because we may be barking entirely up the wrong tree. We cannot relate one thing to another.

Deputy R.C. Duhamel:

So specifically then, what action is capable of being taken by yourself or your department, for example to ensure that air quality in areas within the Ring Road, which have been characterised as exceeding the emissions standards of the places that we are trying to aspire to, what action can be taken in order to ensure that those air quality standards are met or bettered?

Deputy G.W.J. de Faye:

Well, Chairman, I think you know better than I. I only heard you on the radio this morning indicating that we could ban all petrol engine vehicles from the town. I think that is entirely feasible. Whether you or I wish to hang our political hats on that measure is another matter. I, for one, would not. There are a wide variety of measures that can be taken. The real question is what are deemed to be acceptable measures; what are deemed to be effective measures?

Deputy R.C. Duhamel:

Do you have any such measures in your toolkit at the moment?

Deputy G.W.J. de Faye:

I think once it became clear that the Vehicles Emissions Tax was going to be doomed to oblivion by public disquiet and possibly nervousness on behalf of the Planning and Environment Minister, one clear, obvious and effective tool was blown out of the water. I am now considering and have considered what we might put into place as an alternative and have indicated that I am coming close to some sort of a solution but I am just not prepared to say what it is at this juncture until I can be sure that it is in place.

Deputy P.V.F. Le Claire of St. Helier:

In relation to the holding back of the environmental taxes, which you have said may have had something to do with the public's disquiet and perhaps the Environment Minister's nervousness, was there any discussion or suggestion at the Council of Ministers that perhaps the introduction of too many taxes at once was something to be considered? Apart from these issues, the Minister has said in the States that he would be bringing these environmental taxes back in the first quarter of next year. Did discussions take place in the Council of Ministers?

Deputy G.W.J. de Faye:

I am not at liberty to discuss matters that might be on the agenda for the Council of Ministers but, from memory, I cannot remember whether that was on A or B so I will take a precautionary approach. However, it goes without saying that yes, of course these matters are discussed and, apart from anything else, I am pleased that at least environmental taxes have made their way as far as the thinking of the Treasury and I am also pleased that environmental taxes, despite the current burden upon the population in terms of additional taxes being imposed, I am pleased to see that environmental taxes have not dropped off the agenda and are still there, and there have been clear indications that they will be brought forward in due course. Without environmental taxes, it would be irrelevant at what time I bring forward the Integrated Travel and Transport Plan, whether I bring it forward next week, next month, next year or the next 5 years, if there is no environmental tax money to support it and no money from other sources, we might as well just put it on hold until there is.

The Connétable of St. Mary:

When mentioning environmental taxes, do you think it should be ring-fenced for specific items and, if so, who would be responsible for that ring fencing? Would it be from yourself? You say you would agree with it and bring it forward but do you think it should be administered possibly by Planning and Environment and the Environment Committee to ring fence or would it be a question of all getting together and putting priorities for the ring fencing?

Deputy G.W.J. de Faye:

I think that environmental taxes fall into a special case bracket because it is generally recognised that they do not constitute reliable revenue. They are social engineering

taxes that adjust people's behaviour. To give a simple example, if you start taxing plastic bags in supermarkets, as I believe is the experience in Ireland, what happens is that initially you rake in large amounts of money but people adjust their behaviour, start using fewer and fewer plastic bags, until you get to a point where everybody is using wicker baskets and so on and so forth and your revenue stream dwindles to virtually nothing at all. Therefore, I think there is a strong case to say that environmental taxes can be hypothecated. How that happens in practice I assume will be a matter for the Treasury Minister and not myself, but I think that the hypothecation should occur in relatively obvious ways so that the public can understand what is happening very easily. In other words, if we are hypothecating an environmental tax closely related to a vehicle emissions tax for example, I think the public would expect that money to go back into generally related transport and vehicle matters.

The Connétable of St. Mary:

Can I ask Minister, it is interesting that you said that without environmental taxes it would not matter when the Integrated Transport Strategy was introduced. If I am correct in that is what you said?

Deputy G.W.J. de Faye:

I should add one thing and that is that clearly if other budgeting arrangements were put into place it would put a different view on things, but at the moment that is not likely for a year or so.

Deputy P.V.F. Le Claire:

I am just wondering how you marry that statement up with the fact that at your election you were walking around during the senatorial elections waving a transport strategy at the public and saying to them and the media and the other candidates that the transport strategy was not your strategy, it was their strategy. How you can reconcile their nervousness about environmental taxes with their strategy if you have not got the money to do it until you have the environmental taxes. They do not seem to connect. If the public have a strategy that is their document, why should their nervousness have anything to do with the lack of your funds to implement it?

Deputy G.W.J. de Faye:

I think you should relate anything I said during the senatorial hustings to the result of the senatorial election and when you put that into its appropriate context you can see that it may not be worth relying on what I said necessarily at the senatorial hustings because whatever I did say was entirely rejected by the voters.

Deputy P.V.F. Le Claire:

So you are saying that the strategy that you held up during the senatorial elections was in effect something that they ...

Deputy G.W.J. de Faye:

Was rejected by the voters.

Deputy P.V.F. Le Claire:

Was it based upon a delivery of environmental taxes at the time?

Deputy G.W.J. de Faye:

Whatever it was based upon, the voters put me in 14th position.

The Connétable of St. Helier:

I know we are going to be going on to talk about the M.O.T. (Ministry of Transport) and things like but before that I just want to focus a little bit more on existing ... We know the tunnel is a problem, it always has been a problem for air quality. There are signs outside it giving evidence it is a risk for health when the traffic is stationary.

Deputy G.W.J. de Faye:

Can I just question that? Of course there is an air quality issue. I have yet to be presented with the precise health risk issue and I would caution anyone in a public hearing to simply allege health risk when I do not believe there is any evidence that has ever been collated on whether there is or not and what the risk may be.

Deputy C.J. Scott Warren:

With due respect, without the modern air quality testing equipment, mobile laboratory, without that how can we adequately know what air quality problems there are?

Deputy G.W.J. de Faye:

That is a very good question. Is it more dangerous, as it were, I have to contextualise this historically, to go into a pub where there are smokers or to walk through the Port Regent tunnel? I simply cannot tell you and I do not know where the evidence lies to give you an indication one way or another. Indeed, are particulates from cigarette smoke any more or less dangerous than the particulates emanating from the exhaust of a diesel vehicle? I do not know and I have seen no evidence to give me an indication one way or the other. I think until we have a pretty firm grip on health risk and the varieties of assessment that may take place on health risk -- for example it came as a real shock to me when mobile phone use became illegal in cars because I always took drink driving to be quite a serious offence and I never really appreciated that talking to someone on a mobile phone was as bad. So I think we need to get ...

The Connétable of St. Helier:

I think I want to pursue the tunnel because you say that you do not believe we should allege at a public hearing that there is a health risk in the tunnel when the traffic is stationary. I think that really does fly in the face of the fact we know that and I defer to our advisors on this. We know that P.M.10s (particulate matter) from diesel engines are a known cause of respiratory and heart attacks, that is absolutely proven. We know that the various other hydrocarbons that are produced by petrochemicals, we know that they are carcinogenic. There is no doubt that if the traffic is stationary in the tunnel and there is no wind blowing ... and that is why there is a notice outside that advises people that the air quality is poor at times. So I think to say that there is no health risk involved in that scenario is ... You are certainly a liberty to make that statement.

Deputy G.W.J. de Faye:

I did not make that statement and I would ask you to take that back. I did not say there was no health risk. I said we did not have an understanding of what the health risk was.

Deputy C.J. Scott Warren:

With all due respect, you compared it with smoking in a pub and people now have the opportunity not to go near to cigarette smoke and be passive smokers. My question is, should your department not be pushing for up-to-date, modern air quality monitoring equipment?

The Connétable of St. Helier:

An extraction, which has certainly been talked about for as long as I have been in the States, there has been an acceptance that extraction equipment is required in the tunnel and that brings me on to the main point of my question, which I am now allowed to get to. Your department has recently done a traffic management study for the Hopkins Scheme, which involves the sinking of the road and an underground roundabout and 1,400 car parking spaces underground. I am very curious to know that we are clear that no particular attention at this stage is being paid to air quality issues by your traffic study and I would just be curious to know ...

Deputy G.W.J. de Faye:

That would be a completely wrong judgment to make. An enormous amount of attention has been paid to air quality, primarily by the architects in fact and I fully expect that when the detailed plans come forward for the waterfront, these aspects of waterfront development where there is a very substantial underground car park and the tunnel, I know that you will discover that a very significant level of attention has been paid to ensuring that air quality at lower levels is of concern and will be dealt with.

The Connétable of St. Helier:

So it will not need to be retro-fitted as would be the case in the existing tunnel?

Deputy G.W.J. de Faye:

No.

Deputy R.C. Duhamel:

Bearing in mind that with air quality issues and P.M.10s and all the rest of it a lot of the ailments take quite a while to manifest themselves, so there is no immediate kind of link that by walking through the tunnel by the time you get to the end of it you are going to keel over or you are going to come to a shortened life due to that practice. Is the Minister really commenting to say that he would not go as far as supporting the precautionary principle and take whatever precautions are required?

Deputy G.W.J. de Faye:

What I am saying, and I want to be clear about this, is that I understand fully that there are health risk in doing virtually anything, including eating packets of crisps. The importance is to understand where they lie across a balance of risk. I think it is not helpful to make public statements indicating that there may be ... of course there may be a health risk, there is a potential health risk to crossing a road. We have to put this in its appropriate context and these things can go off the rails very quickly, as the Chairman will recall, on the day that he made comments on the radio in the morning, I have to say that were ill-informed, about the rear of the new Liberation Bus Station car park, indicating there were concerns over the air quality behind there. By the time we reached the afternoon broadcast, the broadcasters were asking the question: "Will bus passengers be suffocated if they go into the rear of the Liberation Station?" Now I have to say in the context of knowing that was a media response over the last so many months, I do think we have to put these issues seriously into context because there is no question that the slightest indication that there is some sort of risk gets very quickly blown out of all proportion.

Deputy R.C. Duhamel:

Equally, the Minister would agree that the questions have to be asked and if indeed the experience of the department is capable of showing that adequate attentions to the safety precautions have been undertaken in order to minimise or to eradicate the health risks that might accrue if those practices had not been taken, then in fact what could turn out to be a bad story might turn out to be a very good story for the department.

Deputy G.W.J. de Faye:

The parking area to the rear of Liberation Station, what we might call the bus tunnel, is in fact a particularly good example of how a number of departments worked together with developers and architects to ensure that things are okay. The natural ventilation has been augmented by 6 impulse mechanical fans, which are triggered by Co2 sensors when certain levels are exceeded. I think that is an entirely responsible approach to the design of that particular bus stationary area and there is no question of bus travelling passengers being subjected to danger by getting on a bus.

Deputy R.C. Duhamel:

On a technical issue on that front, could the Minister advise the panel as to whether or not the fans operate by extraction or by forcing air through the tunnel?

Deputy G.W.J. de Faye:

It is forcing it through.

Deputy R.C. Duhamel:

It is forcing it through, okay. Would the Minister be in a position to say whether or not any work has been undertaken to ascertain the whereabouts of the gases that would be causing a problem in those small spaces and where they are going to be dissipated in terms of any of the office accommodation that is within the vicinity on the higher levels?

Deputy G.W.J. de Faye:

They will be forced out through either end of the building, which is effectively out on to roadways and there are monitoring stations, I understand, at the Pomme d'Or Hotel only a matter of about 50 yards away.

Deputy P.V.F. Le Claire:

What fuel do the vehicles use, the buses that go in there?

Deputy G.W.J. de Faye:

The buses are E3 emission standard vehicles, which is the highest compliance of emission standards in Europe currently prevailing at the moment, and they are diesel and may well be moving to bio-diesel.

Ms. C. Anderson:

Can I just add as well, that I am quite certain the drivers would be the first people to complain if there were any issues in there and they are in the tunnel a lot longer than the passengers are, and the drivers themselves, the unions and Connex are very happy with how it is going.

Deputy R.C. Duhamel:

What level of vehicle emission testing is undertaken by the Driver and Vehicle Standards Department at present?

Deputy G.W.J. de Faye:

Essentially, we concentrate our resources here such that all public service vehicles and all, particularly P30, emissions are checked annually on a pass or fail basis. We do not keep statistics on this but the reality is that very few vehicles fail those annual checks. There are also, additionally, occasional roadside vehicle checks and voluntary checks in supermarket car parks, although we have to say that none have been carried out so far in 2007 as time was prioritised on conducting roadside checks, concentrating on general condition of vehicles.

Deputy R.C. Duhamel:

Should your department be involved in introducing M.O.T. style testing for ordinary vehicles owned by members of the public on air quality grounds or should these issues be left in terms of engine efficiencies and whatever and the members of the public's abilities to drive these vehicles through choice and those issues be left purely and simply to the market?

Deputy G.W.J. de Faye:

I think there is an argument in both directions. We do consider, on an ongoing basis, whether we should pursue M.O.T. style schemes and indeed we are looking to probably take a more stringent approach to those people who run P.S.V.s (Public Service Vehicles) as fleets. I do not believe there is currently an appetite to do something as closely aligned to the United Kingdom as a full-on annual M.O.T. inspection, but I think that we can, as it were, cherry pick the best bits of how that

operates. Having said that, it is quite clear that market forces and, in particular, fuel tax is having its own effect quite separately.

Deputy R.C. Duhamel:

Have any estimates been made by the department in order to quantify the amount of emissions that have been put into the atmosphere in terms of extra loading capacity by public vehicles or vehicles driven by the public as opposed to those undertaken by P.S.V. drivers or taxi drivers or whatever?

Deputy G.W.J. de Faye:

No, I do not believe that a specific test has been undertaken.

Deputy R.C. Duhamel:

What would be Minister's gut feeling as to where the larger problem would arise?

Deputy G.W.J. de Faye:

I think the larger problem probably emanates from older vehicles.

Deputy R.C. Duhamel:

Driven by members of the public or driven by taxi drivers and bus drivers?

Deputy G.W.J. de Faye:

I think if we were to take any additional measures, they would apply to older vehicles. There seems to be little doubt that new technology being applied to the engines being produced in new vehicles is producing much more efficient vehicles and therefore they are all coming in now with low emission problems and exhausts that also deal with exhaust emissions on top of the more efficient engines. So, if we were to concentrate our resources, it would be towards the more deteriorating section of the vehicle market.

The Connétable of St. Helier:

Can I pursue the M.O.T. idea? It has certainly been considered for a long time that there is a minority of vehicles producing most of the pollution and those are the older ones, as you rightly say. The forthcoming Transport Plan, which you say will stall for

lack of funding, surely it could include - and I would like to know if it does include - a proposal to test older vehicles because that is something which could be self-funding clearly. It does not require external funding. It is a policy decision that would have to be made. Is it in the forthcoming Transport Plan to introduce this kind of testing?

Deputy G.W.J. de Faye:

I can tell you that the recommendation is to develop proposals for compulsory annual vehicle emission testing for all vehicles.

Deputy P.V.F. Le Claire:

Would you consider setting a report line in the interim for the public to report badly emitting vehicles that they see around the Island?

Deputy G.W.J. de Faye:

The public are able to contact Driver Vehicle Standards at any time they wish to report vehicles on any subject they care to approach. There is a telephone number in all the places you would expect a telephone number to be. There is a website. The website has email addresses but I will be happy to progress additional measures so that we may have a special email button in a more prominent location on the website. I would hesitate to call it the snitch line or the reporter or whatever. I would not want to limit it to say vehicle emissions necessarily because there are all sorts of vehicle issues in the Island at the moment. People are driving on the wrong sort of number plates, people are towing trailers without number plates, et cetera. But I am satisfied that it is eminently easy to get hold of D.V.S. (Driver Vehicle Standards), indeed I have reported vehicles myself.

The Connétable of St. Helier:

Can you say how many roadside checks are carried out in a year? Do you have those figures?

Ms. C. Anderson:

I have not got them to hand. Probably from press reports you would know that we have done far more this year, but D.V.S. will be collating an annual report that they are going to base on this year, so it will be in early next year. They normally do a

report but I have asked specifically that they do one on the road checks and on the findings from the road checks.

The Connétable of St. Helier:

That includes emissions testing, does it? Does the roadside checking include emissions testing?

Ms. C. Anderson:

No.

Deputy G.W.J. de Faye:

No, it does not.

The Connétable of St. Helier:

Do you think perhaps it ought to, given that you mentioned earlier on that very few failed the annual inspections? It is certainly anecdotal, it is not evidence but one hears that the car or the vehicle are tuned up for that inspection, which may be why very few of them fail. Certainly the public often see, particularly commercial vehicles, which certainly appear to be emitting clouds of smoke. Would not roadside spot checks on emissions be a good idea?

Ms. C. Anderson:

I think there are some issues with that, including some health and safety issues as to undertaking those tests at the roadside and, as the Minister said, we have done specifically roadside emissions testing in the past. Having said that, I am not an engineer and not very technical, but I would have thought that if there are any issues with a vehicle, I would have thought the roadside tests, the D.V.S. tests, would probably have picked it up on the mechanical side and that is probably causing issues and emissions anyway. So I guess it is yes and no. I think there is a problem with doing emissions testing on the roadside, but that is not to say that we should not be doing specific roadside emissions testing as opposed to just roadside checks.

The Connétable of St. Mary:

I think that in the Parishes we usually get about 2 a year in conjunction with D.V.S. but emissions is not one of those that comes into it because it is primarily aimed at, and I think this last year it was aimed at the P.S.(?) -- rather the larger vehicles rather than individual car or old car emissions. It is aimed specifically I think more so at tonnage capacity and braking and such like.

Ms. C. Anderson:

It is really a mixture. As you say, it is registration, which at the moment seems to be an issue.

The Connétable of St. Mary:

Yes, that is right and it is correctly done but I do not think it is done on the emissions at all.

Ms. C. Anderson:

There is also the use of agricultural diesel, which is another thing that we test and we do it in conjunction with Customs.

The Connétable of St. Mary:

I think certainly there could be an emission-only one done, which would not take a lot of time. It would draw it to the attention of people and I think that could be a separate issue.

The Connétable of St. Helier:

Is that feasible to have spot checks on emissions?

Professor D. Laxen:

Yes, spot checks are carried out by local authorities in the United Kingdom on vehicles and they have focused on the older vehicles. In fact, they have often picked up other problems with the vehicles at the time of carrying out the emissions test so that it is a win-win situation.

The Connétable of St. Helier:

So it is something which is feasible for us to undertake? It is feasible for us to do it?

Ms. C. Anderson:

Yes. D.V.S. has said that we have done it in the past but we have not done it during 2007, so it is not that we cannot do it.

Deputy R.C. Duhamel:

To what extend has the department itself carried out tests or asked that they be undertaken on their behalf at road junctions, and in particular traffic lights, to determine the P.M.10 concentrations for the shedding of bits and pieces from brake linings and other nasties that could pose a health problem?

Mr. D. St. George:

Our department has not done monitoring of that nature. It is done through the Health Protection Unit.

Deputy R.C. Duhamel:

Has there been no recommendation from your department that that be looked at, because presumably braking is a significant operation in terms of running of a car and if you do get a number of vehicles building at a particular set of junctions then it goes without saying that they will all be using their brakes to stop and we do know that there is a shedding of brake lining materials which, at particular particle sizes, can cause problems. But it would worry me particularly knowing that no recommendations had been made to the various health authorities to check in terms of giving you the confidence in your assessment as to whether or not any policy changes will need to be made in terms of junction planning.

Deputy G.W.J. de Faye:

It strikes me that those types of issue really should emanate from health protection authorities. I really do not think that what we are talking about, which would be bronchial infection due to particulates, is something that my officers would be expected to have an expertise in.

Deputy P.V.F. Le Claire:

There are a couple of areas that we would like to get on to. One being what we are doing with enclosing the sewerage and the other one being what you have done in terms of analysing the new proposed Energy from Waste plant, if it was to be an incinerator, in terms of its emissions. A lot of work has gone on and, as you say and rightly so, that your number one concern is the emissions at Bellozanne. What projections or figures or statistics or work has been done in relation to preferred identified plants and also what is happening in terms of the States' endorsed view that the sewerage facilities, which do emit odour et cetera, should be enclosed? Deputy Fox, I believe, brought a proposition.

Deputy R.C. Duhamel:

Yes.

Deputy P.V.F. Le Claire:

It was supported by the States that £1 million, I think it was something like that, was assigned to the issue of ...

Deputy R.C. Duhamel:

It was £3 million, I think.

Deputy P.V.F. Le Claire:

Was it? Well, millions of pounds assigned to tackling the issue and it seems it has been quite a long time and we have had very strong support.

Deputy G.W.J. de Faye:

I can inform the panel that I have fast tracked the work on Bellozanne sewerage works so that that it will commence next year in terms of the attenuation of the aroma problem. In respect of a future Energy from Waste plant at La Collette, one producing significant exhaust emissions, it is a feature of virtually every design that is likely to be considered that roughly between a third and half of the building will be devoted to the exhaust cleaning component. Therefore, the predictions for what is likely to emanate from the La Collette chimney, which of course will be the chimney used, is emissions with an extremely low content order. We are delving into nanograms per cubic metre here, which is an infinitesimally small amount.

Deputy P.V.F. Le Claire:

It is mostly outside of our terms of reference in terms of Co2 emissions et cetera, but there have got to be considerations factored in in relation to the J.E.C. (Jersey Electricity Company) facilities and what would be used and no one is doubting the fact that the vast majority of the plant would be taken up with cleaning what is produced, but I am just wondering if there is any available data on volume of material that you have got any figures on that you could maybe share with us. I do not expect you to have them today. I am just wondering what types of ... I see at the moment, for example, the J.E.C. chimney has been running pretty frequently and it does not look, to me, that it is emitting ... It is not a question of view, but it does not look to me that it is emitting the standard of emission that would satisfy in the long term and I am just wondering what thoughts there are in relation to venting, other than dealing with the stuff in the building, what is being considered in terms of chimney and what is being considered in terms of what is going to come out of that chimney? It might be a lot cleaner than Bellozanne but you might be putting a lot cleaner material in.

Deputy G.W.J. de Faye:

I obviously cannot speak for the J.E.C. and I am not party to any knowledge about what exhaust cleaning equipment they may have within the building or related to the La Collette chimney. What is clear is that you can see when the J.E.C. is in operation because a certain level of black particulate is exuded from the chimney.

Deputy P.V.F. Le Claire:

So you are not going to use their chimney then?

Deputy G.W.J. de Faye:

We will be using the chimney but we will be using separate flues built into the main structure. I think that it is important to understand again the context of emissions and exhaust emissions. For instance, within the nuclear industry it is fairly well known that normally there is less radioactivity inside a nuclear plant when there is, generally speaking, without, because of the very stringent precautions that are taking place. Similarly, I am reasonably confident that it would be quite likely that the exhaust emissions ultimately emanating from the La Collette plant may well be of a cleaner

quality than, for example, the air you find down one of town streets that is used by eye level of vehicle. That is just one of those things. I am not saying we should not strive for higher quality air but I think that one of the results of the investment that is due to be made will indeed be extremely clean exhaust emissions that are absolutely up to the very latest E.U. (European Union) standards.

Deputy R.C. Duhamel:

Just moving on from that and bringing us back to vehicle emissions, which is really the biggest problem as we probably see it in terms of air quality at the moment within the Island, there are products on the market such as Soltron, there are vegetable additives which claim to reduce vehicle particulate emissions and to give fuel efficiencies and allow the engines to operate in a more attuned way; what is your view of such products and whether or not the Island should be encouraging their use in order to achieve not only fuel efficiencies but a greater cleanliness to the emissions that these products claim to procure?

Deputy G.W.J. de Faye:

I have to say that I diverge slightly from States' policy. I think it is well known that the States back fair trade. I have always been of the view that it is not appropriate for a governmental body to select any particular organisation to back, particularly if they are commercial in any way, therefore I think it would be entirely inappropriate for my department, or any other department, to promote or enhance the commercial sales necessary of a particular product. Nevertheless, with that broad overview, Transport and Technical Services has run trials on this particular product mentioned and simply we have not been able to substantiate to our own satisfaction that there is any particular benefit or not. There appears to be from general evidence a benefit in regard to older vehicles and certainly in respect of Huelin-Renouf who I understand have been using the Soltron product for about 10 years, they indicate they find that their emissions were lower, filters were cleaner and they did not have to worry about their injectors, which is, I think, again a reference to the cleaning element. However, it needs to be pointed out that Huelin-Renouf run a much older fleet than Transport and Technical Services and I think the query about this particular product is to what extent it is used with newer, more efficient engines. Transport and Technical Services not only runs its own fleet but is also responsible for the acquiring of fleet vehicles for

use by the States as a whole and the policy has been to buy as new as we can, and also to buy vehicles that have the most efficient engines which clearly also reflects on the emissions they give out as well. Basically the jury is still out. We have offered the particular promoters of this product a second opportunity to come round and carry out perhaps a more comprehensive test than the first one because we are quite happy to co-operate in that way, but I revert to my first point, whether this turns out to be a wonder product or not, I do not think it is appropriate for Transport and Technical Services to promote a commercial product.

Deputy P.V.F. Le Claire:

Do you take corporate responsibility for leasing of vehicles within the States of Jersey or just the purchase of particular plant?

Deputy G.W.J. de Faye:

Yes. We effectively take corporate responsibility.

Deputy P.V.F. Le Claire:

What testing is done across the broad spectrum of States' vehicles in relation to vehicle emissions? Is there any environmental audit done on the States' fleets? What term do you return those -- because if you want to have the newer vehicles at what term do you hand those vehicles on from a leasing perspective?

Ms. C. Anderson:

I think it depends very much on the vehicles with different lives for each particular vehicle. But, I mean, generally the States keep their vehicles, as you know, particularly well and some people would say get rid of them at a very early stage. But that is done for a number of different reasons, a lot to do with maintenance as well as to do with emissions. Just to clarify on the corporate responsibility for vehicles. Yes, we do in the main but there are obviously specific type vehicles purchased although we do now repair the blue light vehicles, we do not have responsibility for purchasing those or leasing those. So just to clarify: it is not quite over the whole of the States but the Vehicle and Garage Plant Account certainly does the majority of the States.

Deputy P.V.F. Le Claire:

But the vast majority of States' used vehicles are managed through the T.T.S (Transport and Technical Services) Department?

Ms. C. Anderson:

Yes.

The Connétable of St. Mary:

Does the equality, the environment and everything, does that come into the reckoning as well, when you select a particular kind of car or vehicle because you have changed the vehicle fleet, as such?

Ms. C. Anderson:

We have changed the lease provider of the States' vehicles and ...

The Connétable of St. Mary:

Was there any reason because of the ...

Deputy G.W.J. de Faye:

I think we should be quite clear. It is not the number one priority in terms of how we do selections.

The Connétable of St. Mary:

I would assume that it is not but I asked, does that come into the ...?

Deputy G.W.J. de Faye:

It comes into the equation but clearly ... we effectively have a series of tick boxes, again, of what are appropriate considerations in order to finally get a value for money over the various fleet tenders that are put to us, but at the end of the day, if there is a massive disparity in terms of someone is going to come in with a tender that is £250,000 cheaper than somebody else it is pretty much, on balance, with regard to quality of the engines and emissions, and so forth, obviously you would go for the cheaper one. By the same token, if people dead heat on the price it may well be the emissions will swing it.

Deputy P.V.F. Le Claire:

Are you satisfied, in terms of - I do not know if this would come under your purview or not - but are you satisfied that seeing as you have taken a holistic approach to the overall corporate management of the States' vehicles and you do manage, from a legal perspective, the D.V.S. requirements under law, are you satisfied that the amounts of vehicles for hire that are brought into Jersey are being brought in predominantly for the needs of that business or whether or not they are being, perhaps, a little ambitious in their numbers and their uses, and the purposes for those numbers being imported to the Island; and whether or not they have a detrimental effect or not?

Deputy G.W.J. de Faye:

I was aware of some years ago a practice to bring in vast numbers of hire cars and that was in order to take advantage of the U.K. registration and switching that went on in the latter part of the year where you could get brand new reg. numbers put on. To my knowledge that practice seems to have faded away. I am not aware of any significant importations now of hire cars other than for what is required for tourism.

Ms. C. Anderson:

I am certainly not aware, and I know it was used as a loophole. I think the V.R.D. (Vehicle Registration Duty) here, probably put a part end to that.

Deputy R.C. Duhamel:

Do you have any intention, within the remainder of your term of office, to bring forward any legislative changes in order to encourage, as far as possible, obviously within safety considerations, the registration of any alternative vehicles, whether they be 2-wheeled or 3-wheeled, running on different kind of motor systems which are not necessary petrol or hydro-carbon based? It is an area, I know, that we have clashed on - not necessarily clashed openly - but there does appear to be a general reluctance on behalf of perhaps your department and/or yourself in order to bring forward what would appear to be minor legislative changes to encourage the greater take-up of alternative modes of transport which, perhaps, would make step changes in terms of air quality in the Island?

Deputy G.W.J. de Faye:

I am sorry if the public relations on behalf of my department seems to have failed in this area. We are, generally speaking, extremely supportive of new technology, and I am sure it is well known that where necessary D.V.S., for example, take a pro-active stance on vehicles and the accoutrement. I simply remind the panel of our response to bull bars and the banning of bull bars on the Island. But we also have to have a view to the global production of equipment for vehicles, and it is a matter of fact that quite often imports are made into the Island of vehicle components, exhaust pipes, and so on and so forth, do not necessarily comply with our construction and used regulations which is there for a straightforward purpose and make sure that things are of a certain standard and quality. I am obviously interested to see a certain level of flexibility but one can only take flexibility so far, and it has to be all done within the reasonable bounds of safety. In that context though, yes, I am certainly prepared to look at extending legislation because we know now from recent experience there are a number of quite interesting anomalies that exist within it, particularly if one is looking at more rarefied vehicles, such as electro powered quadricycles, and so on. So I would certainly be expecting to progress matters either by legislation or by order or regulation in due course, but I would not want to signal there is going to be some massive turnaround because that may produce a surge of rather bizarre hybrids arriving in the Island, some of whom, I regret to say, would have to be turned down. A good example was the quad bikes. The panel may recall a Guernseyman wished to join a Harley Davidson biker who was now elderly and confined to quad biking, only we regrettably had to refuse entry to his vehicle, it is legal in Guernsey but not in Jersey, primarily because it did not have split differential which in the opinion of our road safety experts makes them dangerous to drive on the roads. We have no issue with these vehicles being used on private property but we do not regard them as road worthy. I understand that that is now a matter that has been taken on board by the manufacturers of quad bikes and I believe that a split differential version is either being produced or due to come on to the market. Clearly if it does we would consider that issue again.

The Connétable of St. Helier:

There is a current operator of a rickshaw service - cycle rickshaw - which is not motorised who has been able to run down the seafront but cannot take his vehicle on to the roads and provide a service for hire. As we see in some parts of the U.K.,

particularly for tourists, to get on a cycle rickshaw is considered a good thing to do. I understand it requires legislative change to allow that to operate on public roads, is that something you would be willing to progress in the next year?

Deputy G.W.J. de Faye:

I think it is important to understand, there are 2 issues here. One is the operation of a cycle rickshaw, and the other is the operation of a cycle rickshaw for hire, and these are 2 very radically different positions. We have, I think, a reasonably relaxed view, as it were, to the use of these types of vehicles by private individuals. Things though, take a rather dramatic turn when the use of these vehicles is for gaining money by hiring them out or taking fares. It is vitally important, I think, in those areas for extremely obvious reasons, that we have to be satisfied not only with the vehicle when it has been applied for hire but also with the operator, and therefore an entirely set of somewhat restrictive rules comes into play.

The Connétable of St. Helier:

Is that a yes or no answer? I mean, specifically I was asking ...

Deputy G.W.J. de Faye:

I think that was a yes and no answer.

The Connétable of St. Helier:

Specifically I was asking whether you would be willing to look at the possibility of allowing a for hire service of cycle rickshaws in the next year?

Deputy G.W.J. de Faye:

Yes, I will certainly look at it. Whether it would happen in the next year is another matter, but for the sake of clarity, I believe that the use of some form of engine assisted rickshaw, I would suggest an electric engine, may well be an extremely useful traffic solution within the confines of the St. Helier ring road.

Deputy R.C. Duhamel:

There are a number of schemes that are operating in the U.K. at the moment on gas powered motor-assisted rickshaws and they are running as a taxi service, driven by

students in places such as Brighton and they are producing them in London and other places on the Continent. It strikes me as odd that these services should be freely available in bigger countries and yet come to little old Jersey where we are hoping to kind of show the world that we are ahead of the game, and we are not as ahead as perhaps we could be.

Deputy G.W.J. de Faye:

I can assure you, chairman, that it struck me as odd too.

Deputy R.C. Duhamel:

I will look forward to the legislative changes that you will be bringing then. It has just gone 12.30 p.m., we will take one or 2 more questions.

Deputy P.V.F. Le Claire:

The sticking point with Jersey has always been the fact that we, like so many other nations, decided to build our centre of activity on the waterfront giving us only 3 roads in and 3 roads out, unlike some other cities which have 4 roads in and 4 roads out. What this has obviously done over time is develop some serious and significant issues in relation to east/west traffic, north/south traffic. What discussions, what stages are we at, if any at all, in relation to thinking along the transport hubs, east/west routes, north/south routes, alternatives?

Deputy G.W.J. de Faye:

I am glad to discover on a pragmatic basis that my own initial thinking on transport hub seems to be filtering out to a wider audience at the moment, which is encouraging. There is not a tremendous amount we can do about the feeder roads that run in and out of St. Helier. However, I can assure the panel that they will have something to get their teeth into when the I.T.T.P. is finally brought out because they will be able to read about my intentions to call for a feasibility study into what is, just very broadly, being described now as a north central cross-route, which I suspect if General Don had been in the Island a little longer as military governor he would have probably built a long time ago, and saved us all a lot of trouble now. I feel strongly we do need to look at another major arterial road in the Island, and something that may prove a useful traffic calming bypass to our northern rural villages may prove a

useful link across the Island, should, I think, at least be considered while it is still possible to construct.

Deputy P.V.F. Le Claire:

It does not necessarily limit it to parallel lines though.

Deputy G.W.J. de Faye:

I think we would be looking at something that would run, broadly speaking, across the plateau of the Island as the valleys flatten out towards the north. But I speak in very general terms because it is conceptual and it will require, at first instance, a feasibility study, and I can see the Constable of St. Mary already looking a little nervous.

The Connétable of St. Mary:

What instantly comes to mind is whether you are talking about that and then on the other hand we are talking about the increase in offices and vehicles, and such like, into St. Helier and that is the problem. It is not so much of the trans(?) north of that there, that is only very minor, because if there was that demand, as you say, you would be invariably putting on a lot more buses if there was a great demand for that to be coming about, in that respect. So, I think you have got a very large counterbalance there. I would perceive that would be one of those things that out into the country we would class as possibly a red herring.

Deputy G.W.J. de Faye:

Connétable, I can see that this will clearly provoke an interesting level of discussion.

Professor D. Laxen:

I notice in the list of questions one that has not really been looked at, which is that of the compost site. I was just wondering whose responsibility it was to look after and control that site, and potentially minimise emissions from that site. Does that fall within your remit?

Deputy G.W.J. de Faye:

Yes, it does.

Professor D. Laxen:

What is being done about minimising emissions?

Deputy G.W.J. de Faye:

Realistically, nothing. There is not much you can do about a composting process that is called open wind row. The compost is lined up on a big concrete pad in rows and is open to the wind. From time to time it has to be turned over in order that the process that continues essentially on the inside of these very -- when I saw a row, I am talking about an amount of green waste material that would be virtually as high as this room and probably about halfway across. It is quite a substantial row and would run for, say, 20 metres. To that extent the process itself is essentially uncontrollable although it rests within its own physical biochemical parameters. The issue regarding smells is related to when the rows are turned, which releases the gases that have built up, the bioaerosols that have built up on the inside of the row. To that extent where we do have an element of control, we try and ensure that the prevailing wind is running offshore or, at worst, along shore but there are, regrettably, occasions when the job has to be done and the wind is going in a direction that will blow the smell over the town. I should emphasise though that all the studies that I have read indicate that the bioaerosol risk diminishes within a 500 metre radius. There are no residential buildings within that radius. The first is about 750 metres. The smell does exist but, of course, bioaerosol risk is very different old factory sensitivity. So, there is a smell but to the best of my understanding there is no health risk. In addition to trying to get the timing of turning right we also do have machines that can blow perfume substances which will disguise a sort of industrial air wick, but I am told that some people do not appreciate the smell, or even would prefer the compost to the freshener.

Professor D. Laxen:

Is it not the case that one option which is increasingly being used is in-vessel composting with biofilters to ...?

Deputy G.W.J. de Faye:

It is the case but due to unfortunate set of political circumstances the department is being prevented from pursuing that particular course of action, due to our concerns

that Scrutiny has its own input and, indeed, a composting review took place which regrettably merely delayed proceedings by 2 years.

Deputy R.C. Duhamel:

That is a political point really.

The Connétable of St. Helier:

I do not think that is an evidence-based comment at all. I think political decisions have been made, political arguments have been had, but the fact that a review was carried out did not prevent the department from doing anything.

Deputy G.W.J. de Faye:

I do not agree. I think that is a politically naïve statement.

Deputy C.J. Scott Warren:

I would just like to say that I am sure you will accept a lot of areas within the remit of your department contribute to problems with the air quality in Jersey, so are you signed up to do all you can to progress better monitoring to push for better monitoring equipment, anything that can be done to improve air quality?

Mr. D. St. George:

Can I just mention that the I.T.T.P. had 3 key focuses on it which was congestion, road safety, but also pollution; they are the 3 key aims within this claim. As the Minister said, until we get environmental taxes in we are operating with one arm, probably 2 arms tied behind our back, but those are the 3 key aims, so pollution is one of the 3 key points.

The Connétable of St. Helier:

That brings us back to the fact that the sooner the much delayed plan is published the better and we can see what those proposals are.

Deputy G.W.J. de Faye:

I do not want to avoid that question, particularly as my answer is going to be that all I can do is only so much and within all I can do I have to do things within the level of

priorities. So, yes, clearly I support issues that improve air quality but I have to make it clear that it is highly likely that other things will receive a higher priority.

Deputy P.V.F. Le Claire:

Can I ask, Minister, the preferred location for the compost facilities out of the 11 suitable sites identified by yourself and the States this week was La Collette, and the reason and rationale you gave for that was primarily because of distance. Can I ask you a couple of questions? The first is; in terms of the operation of the composting facility, have you identified satellite treading and reception sites, if so, where would they be? How would they operate? Also, if you have identified La Collette out of the 11 suitable sites, has the one that you wished to operate because of distance, does that mean that you are not going to use an in-vessel system when you complete that facility? Also, if you are not going to complete it and you are going to continue to run it as it is, as an open wind row composting facility, what cognisance have you taken on board in relation to the people that are working in the satellite industrial areas that are in the vicinity of that?

Deputy G.W.J. de Faye:

It is in the intention of the Transport and Technical Services Department to discontinue the open wind row composting facility and replace it with an enclosed composting facility as soon as possible.

Deputy P.V.F. Le Claire:

So why was your decision based upon distance?

Deputy G.W.J. de Faye:

Because distance is irrelevant in terms of an enclosed composting facility. I was not party to the original decision to move composting from its earlier site of Crabbé to La Collette but a number of advantages that prevailed at the time, clearly it was an industrial zone, secondly, it was States' owned land so there were no purchase or leasing issues, and thirdly, it was very -- I mean, the distance thing is clearly of importance in respect of that particular approach to composting activity.

Deputy P.V.F. Le Claire:

I am struggling to understand what distance has to do with anything if the material is being brought in from the countryside, being treated in a self-contained box at the harbour and then being transported back out to the countryside. What has distance got to do with it being sited at La Collette?

Deputy G.W.J. de Faye:

You will recall, Deputy Le Claire, that you were one of the first people to bring up queries relating to the Buncefield fire disaster. As a result of the hazards review that has taken place, it has become clear that a new approach has to be made to what activities are appropriate to a, broadly speaking, hazard zone. Clear indications based on risk assessment are that it is preferable to minimise the number of people who frequent the La Collette reclamation area which has a number of impacts. First of all, it prevented me from re-locating refreshment and canteen facilities for our bus drivers to that location. Secondly, we will have to review our existing green waste operations because on weekends very large numbers of the public come down with their domestic garden clippings, and so forth, and we would be obliged to discontinue that over a course of the time, and thirdly, perhaps most importantly, an enclosed or what we call in-vessel composting facility that can be made to operate on a virtually automatic basis so it has a minimal requirement for personnel therefore an operation like that is entirely suited to this particular area where many other operations would not.

Deputy P.V.F. Le Claire:

So the distance is not in relation to this part, the distance is in relation to the fuel issues?

Deputy G.W.J. de Faye:

Distance is merely relative to the open wind row system where there have been numerous studies on the carry by air of bioaerosols, and distances of relevance to your proximity to the fuel and gas tanks at the fuel depot.

Deputy P.V.F. Le Claire:

Out of the 11 sites that were identified as suitable, this one was identified as the one you want to put your in-vessel solution to because of distance yet why were not the

other 10 sites, which probably a couple are in the countryside, nowhere near the fuel farm, where you can put an enclosed box and because it is enclosed, it is not open wind row, distance does not have a bearing, I just cannot understand the logic in it.

Deputy G.W.J. de Faye:

I gave a response in the States only this week to indicate that the preferred site, as a result of all reviews, was La Collette for the enclosed box, but I have not, as yet, because that information was so hot off the press, had an opportunity to read the report itself in detail. I am very happy for the Deputy to read that report as well, at his convenience, and I am sure that all the explanations that he is looking for ...

Deputy P.V.F. Le Claire:

I would prefer if we could have it for the panel, I am not particularly ...

Deputy G.W.J. de Faye:

I am sure it will be distributed to all States Members.

Deputy R.C. Duhamel:

At a previous meeting you had promised the distribution of that report to the Scrutiny Panel before it was published anyway. You are on record as offering that.

Deputy G.W.J. de Faye:

It is not yet published.

Deputy R.C. Duhamel:

That is right.

The Connétable of St. Mary:

Can I just say, just on having been involved with the composting and in-vessel situation for quite a number of years, that one of the reasons why, as you are well aware, when it was taken out of our hands in that sense, was that it would never have been able to be built up at Crabbé because Planning would not have allowed a large building up on the thing there. At that time then, and when I say at that time, I am talking about 10, 12 years ago when the instant solution was going to be for an in-

vessel one then, and there would be a place found very quickly which never materialised. So, in a sense, it could virtually be put other than, with planning permission, anywhere within the Island really because it is an in-vessel situation.

Deputy G.W.J. de Faye:

Regrettably I cannot speak for the actions of my predecessors although, regrettably, I usually have to answer for them.

Deputy P.V.F. Le Claire:

I was going to say - I passed a note to the chairman because I did not want to take up all of the questions - I just wondered if I could ask you now whether or not you have identified the satellite locations for the reception of material; where they were; and what airborne considerations, if any, in their operation are to be considered?

Deputy R.C. Duhamel:

We really need to read the report before we enter into a detailed discussion. On that happy note, I would like to thank the Minister and his officers for attending. We would invite him to lunch but budget cuts means we would have to share our sandwiches. We will be in touch, thank you.