

Environment Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: **8th May 2008**
Meeting Number: **77**

Present	Deputy R.C. Duhamel (Chairman) (RD) Deputy P. V. F. Le Claire (PLC) Deputy C.J. Scott Warren (CSW) Connétable A. S. Crowcroft (SC) (from 10.25am) Connétable K. A. Le Brun of St Mary (KB) (from 11.05am)
Apologies	
Absent	
In attendance	Mr. M. Orbell, Scrutiny Officer

Ref Back	Agenda matter	Action
	1. Minutes of Previous Meetings Minutes of the meeting of 10 th April were approved and signed.	MR
	2. Matters Arising Action Updates The following comments were noted concerning items on the list of action updates; other matters had either been completed or were addressed under relevant agenda items.	
10.04.08	Bovine Semen Imports It was noted that the Chairman had spoken with both the Privileges and Procedures Committee and the Chairmen's Committee since the last meeting. Corporate Services would be carrying out the review as P.43/2008 had been lodged by the Chief Minister. No statement would be made at this point; it could be possible for the Panel to contribute to the review or to produce a paper for States Members.	RD
10.04.08	Letter to member of the public re Bellozanne Waste Plant This item was noted as still outstanding.	RD/MR
10.04.08	Questions to be tabled to Minister for TTS re composting sites There were no questions.	PLC
10.04.08	Gathering of information on topics considered during presentation It was intended to approach the Judicial Greffe to ask for information concerning house sales.	PLC

<p>10.04.08</p>	<p>Meetings to be held with Senator Shenton before debate on his proposition (end of May) A further meeting would be held with the Minister for Transport and Technical Services.</p>	<p>MR</p>
	<p>3. a) News release on Jersey's bathing water standards Members expressed concern at the 'spin' imparted by the headline stating that Jersey's bathing water was cleaner than the UK average, when in fact standards had fallen. It was suggested that the Chief Minister should be asked if he felt it was sufficient for Jersey to pass the EU Imperative standard, but not achieve the Guide standard; or whether the Island should in fact work towards achieving a higher standard of its own. It was agreed that the Panel should write to the monitoring agency (the Centre for Research into Environment and Health, University of Wales) to ascertain whether our system for monitoring was robust, and if there were any further measures that could be applied to improve standards, for example in respect of viruses, which were not currently eliminated by treatment at the Bellozanne plant.</p> <p>b) Revision of the Waterfront Master Plan It was noted that the Minister for Planning and Environment was of the opinion that the Panel was happy with the revised plans. However, a recent presentation to the Roads Committee had indicated that there were still some problems with the area around the slipway. There were also concerns about changes to pedestrian crossings which would give priority to increasing traffic flow. The Connétable of St Helier was planning a proposition to address these concerns.</p> <p>It was further noted that the 'Winter Garden' was not to be a predominantly glass structure, but would instead take the form of a five storey block with glass elements, surrounding an enclosed space which would therefore be in shadow for some considerable time during the day. The Connétable of St Helier was however planning an amendment so that the whole of this space would be reserved for civic/amenity use.</p> <p>Concerns that traffic levels would inevitably increase considerably, especially at peak hours on the Esplanade were not felt to be a reason to oppose the plans, as it was clear that wider traffic problems would need to be addressed in any case. It was agreed that the Panel would not review the Waterfront Plans but would reserve judgement until proposals for La Collette were forthcoming.</p> <p>c) New White Paper with Supplementary Planning Guidance on development guidelines in St. Helier The Panel agreed that there was a need to educate people further regarding the benefits of modern 'apartment living' with good amenities. There was still a tendency to think of this as 'town cramming', although it was also noted that good architecture needed to be in the right location. The consultation was due to close on 30th May 2008, so a comment would need to</p>	<p>SC</p> <p>MR</p>

	<p>be prepared before the next Panel meeting on 22nd May. It was felt that it should be possible to respond fairly simply to the consultation questions, and Members agreed to circulate comments for collation by the Scrutiny Officer.</p> <p>d) Results of 2007 Survey into Jersey’s housing needs The Panel raised several questions regarding the Housing Needs Survey results. There was concern that the use of post-stratification techniques to ‘scale up’ survey results by giving a particular weighting to replies received was not robust. There were also some doubts about the survey process - one member was aware of a registered lodging house property containing sixteen individual households that had received only one copy of the survey form. Members agreed that a more detailed understanding of current demand and potential future requirements was needed, especially in respect of future migration and new business developments. It was acknowledged by the Statistics Office that the survey results only represented an estimate of potential demand.</p> <p>Certain statistics presented in the Survey report were discussed. For example, 49% of people leaving the Island were seen to be residentially qualified, which could indicate that increasing numbers of people were being driven out of Jersey by the high costs of housing and living. Only 25% of people coming in were returning with residential qualifications, whereas a substantial proportion of the increase in population was due to ‘J’ category employees, who were now able to purchase housing immediately on arrival. Share transfer transactions were also having an effect. The number of new residents coming in at the top of the market was considered to be driving up house prices and restricting availability. It was felt that generally things were getting better for the rich, whilst there were no improvements for those on lower incomes. The gap between those who were adequately housed and those who were not appeared to be widening; the ‘two-tier’ system was unfair and lodging houses were not an acceptable solution for those without housing qualifications. The Medical Officer of Health had identified poor standards of housing, especially in St Helier, as a serious health issue. One possibility for consideration was the idea of a unified waiting list for all would-be residents, regardless of employment or financial status. It was felt that the social consequences of the current system were being ignored. There was a need to examine the numbers and possible effects of reducing the qualification period to ten years.</p> <p>It was agreed that comments should be prepared and sent to the HSSH Panel. This matter was to be included on the agenda for the next Panel meeting.</p>	<p>MR</p> <p>RD/PLC/ CSW/SC/KB</p> <p>MR</p>
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	<p>4. Meeting with Council of Ministers</p> <p>The Panel had met with the Council of Ministers immediately prior to this Panel meeting. In response to a request from Ministers a paper would need to be prepared setting out the Panel's thinking before the debate on P1/2008 (Millennium Town Park – Funding from Strategic Reserve). The paper could then be circulated to other interested parties.</p>	MR
	<p>5. Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200-, P36/2008</p> <p>It was noted that this provided an opportunity for the Panel to undertake legislative scrutiny. Further information was awaited from the Minister so it was agreed to put this matter on hold for one week. There was a need to investigate the possible environmental consequences of nets being left untended for extended periods; members questioned how the period of 96 hours had been arrived at, as this was felt to be much too long. It was considered that nets should be moved after one or two tides at most. Regulation 3 needed to be defined more clearly in respect of the movement of nets, as there appeared to be no barrier to nets being shifted fractionally and then reset, which would do nothing to prevent over-fishing of particular areas. There was discussion concerning whether tending nets regularly was more important than moving them. The question of who would police the regulations was also raised, as it was felt that despite the formal statement to the contrary additional manpower and financial implications would arise from the proposition if regular checks were to be carried out. It was also queried whether licenses should be required for laying nets.</p> <p>It was agreed that a short hearing would be needed with the Minister for Economic Development as soon as possible. Other witnesses could be the Head of Fisheries and Marine Resources and Mr Andrew Syvret, marine biologist. The Scrutiny Officer was asked to prepare a list of further possible witnesses with an interest in the fisheries area. The Panel questioned whether a fisheries matter should fall under the remit of the Minister for Planning and Environment rather than Economic Development.</p> <p>It was felt that there was an opportunity for the Panel to bring its own amendment on this matter.</p>	MR MO
	<p>6. Drainage (Jersey) Law 2005 Policy Change</p> <p>There was brief discussion of the background to this item, which had given the impression that the Drainage Law was being used to bring about changes to the application of Planning Laws. It was considered that more environmentally acceptable solutions for water recycling were now available to resolve drainage problems where mains drains were not in place. The matter was essentially a Planning issue, but was complicated by the consideration of property owners' rights and how far these should be protected. One concern raised was how responsibility could be attributed if problems were caused to neighbouring properties by drain pipes belonging to a third party, but which were passing</p>	

	<p>under someone else's land. Members also questioned how realistic it was either for Transport and Technical Services to aim to extend mains drainage to all, or for the Planning Minister to base permissions on availability of drainage.</p> <p>The Panel agreed that it needed to hear the Minister for Transport and Technical Services' justification at its forthcoming meeting.</p>	
	<p>7. Annual Business Plan</p> <p>It was noted that there was time pressure to contribute a comment to the Chairmen's Committee. In the absence of the Panel's regular Scrutiny Officer on leave it was not known what progress had been made on this matter so far. Members were asked to read the transcripts of meetings with Ministers and produce 'bullet points' for comment. The attending Scrutiny Officer was asked to confirm the date by which contributions were needed after the meeting and circulate to members by e-mail.</p> <p>Concerns were raised about how money was transferred between headings in the Business Plan, for example from tipping charges to buses and recycling support, where in the past this had not been permitted; an example quoted was that money from the car park trading fund had not been allowed to be used to support pedestrian improvements. There appeared to be some inconsistency in practice which also raised doubts about the application of 'user pays' principles.</p>	<p>RD/PLC/ /CSW/ KB/SC</p> <p>MO</p>
	<p>8. Sustainable Communities 08 Conference</p> <p>Members noted that attendance at this conference could possibly coincide with the States debate on the Waterfront Masterplan. In view of this it was decided that plans to attend the conference would be dropped provided that no bookings had yet been confirmed.</p>	<p>MR</p>
	<p>9. Buses / Integrated Traffic and Transport Plan</p> <p>The Panel considered a question from the Deputy of St Saviour No.3 about its intentions regarding a study of the provision of public transport services. It was agreed that until Transport and Technical Services released details of the integrated travel and transport policy there would be no benefit in the Panel attempting an independent study of overall transport provision. Regarding the tendering process for bus services, the Minister had recently passed information to the Chairman on a confidential basis. Members were concerned that this could put pressure on the Panel to support the Minister's position, whereas on a matter of principle it would prefer to see open competitive tendering.</p> <p>It was agreed that the Panel should respond to the first part of the Deputy's question to the effect that it would consider a study of public transport provision in the wider context, although the time-frame would depend on progress with the integrated travel and transport policy. The Chairman would draft and circulate a</p>	<p>RD/MR</p> <p>RD</p>

	response concerning the tendering process to members for comments.	
	<p>10. Future Meetings</p> <p>a) The Panel agreed that its next meeting on 22nd May 2008 would start at 10.30am rather than 9.30am as previously noted.</p> <p>b) The Panel noted arrangements for:</p> <ul style="list-style-type: none"> • a meeting with the Planning Minister at 2.30pm on 20th May (venue TBC) • a Public Hearing with the Minister for Transport and Technical Services (details TBC) <p>c) A presentation to the Comité des Connétables at 9.15am on 9th June at Grouville Parish Hall</p>	<p>MR</p> <p>MR</p> <p>MR</p>
	<p>Current Reviews</p> <p>11. Waste Plant Review</p> <p>a) The Chairman provided an oral update on the Waste Plant Review. The recent evening presentation had gone well, but it was noted that attendance had been limited. Other than Panel members it was believed that only the following States Members had attended:</p> <p>The Minister for Transport and Technical Services; the Assistant Minister for Housing; the Minister for Social Security; the Deputy for St. Ouen; the Connétables of St Clement and St Saviour; the Deputies of St Saviour No.3, St Brelade No.1, St Helier No.2 and (briefly) St Brelade No.2. The exhibition the following day had been visited (in addition to Panel members) by the Connétable of St John and the Deputy of St Peter.</p> <p>It was considered vital that the message should reach States Members. The Juniper report had been circulated; the Panel still needed to draft its own short final report. However, it was suggested that the Panel could invite Juniper back to the Island to make a further presentation specifically to States Members in which the consultants could also answer any criticisms which might arise in the TTS Minister's formal response to their report. The Panel agreed to check with Juniper regarding dates when they might be able to attend. It was agreed that any invitation to States Members should avoid negative references about previous poor attendance and concentrate on offering another opportunity; the Panel agreed that a video recording should be made of the presentation.</p> <p>Members noted that there had been favourable comment on the exhibition in a letter received from a member of the public which also suggested that the proposed scale of the waste plant was a real concern.</p> <p>b) It was noted that companies involved in the tendering process had reduced the hourly and annual quoted capacities of their designs. However, it was felt that these were still excessively high, whether pitched at 105,000 or 126,000 tonnes per annum.</p>	<p>MR</p> <p>MR</p> <p>MR/PLC</p>

	<p>Public Services had not complied with the previous agreement to provide a two-tier proposal with differing plant sizes. Figures for waste arisings could only be accurately predicted once agreement had been reached on future migration numbers; it was therefore wrong for TTS to criticise Juniper for inaccuracies in this respect in their report, as they had relied on figures previously supplied by the Department.</p> <p>c) The Panel noted that the Minister's initial response to the Juniper report had been released to the media following his attendance at the Panel's evening presentation. It was agreed that a strong rebuttal of various points in the response was needed, notably comments that the consultants had been recommended by the Department's officers, and that 'in-vessel' composting was being held up by the Connétable of St Helier. The Minister's references in an e-mail to States Members suggesting that the Panel had 'contrived' to delay the Waste Plant decision and alluding to a 'political hatchet job' were also considered to be unacceptable.</p>	RD/MR
	<p>12. Air Quality Review</p> <p>The Chairman informed the meeting that a small element remained to be drafted to add to the report concerning evidence received at a Public Hearing about the fuel additive 'Soltron'. Other than that and updating and completing records of meetings and appendices the report was complete. The remaining work would require a very small commitment of officer time, perhaps no more than two hours. It was noted that in the absence of the regular Panel officer the Scrutiny Manager would need to be approached for any alternative officer support needed in the meantime.</p>	MR RD
	<p>13. Other Business</p> <p>Deputy p Le Claire put forward two non-agenda items for Panel consideration:</p> <ol style="list-style-type: none"> 1. Members were asked if they would like to consider putting together a publication at Panel expense to summarise and explain the Waste Report. Discussion of this item was deferred. 2. The Panel was informed that the Deputy had been in contact with a French company which had provided consultants to assist with the design of a new tram/rail transport solution for Edinburgh, and had subsequently discussed the possibilities for a mono-rail train link operating between the Airport, Corbière, St Aubin and St Helier with the Minister for Planning and Environment. The consultants were prepared to visit Jersey for two days at their own expense to investigate the feasibility of such a project and dates had been offered. The Planning Minister was supportive of the idea, which offered potential benefits in terms of traffic levels, air quality, and access to other areas. Panel members were also in favour of taking the idea further. It was suggested that the Minister for Transport and Technical Services could be informed of the initiative, although it was noted that the 	MR MR

	<p>integrated travel and transport plan excluded consideration of any form of mass transport other than buses. It was agreed that any media release should be timed to coincide with the consultants' visit.</p> <p>On the subject of transport the Chairman requested that proposals for a bridge linking the Island to France should be included as an item for discussion on the next Panel agenda.</p>	<p>MR</p> <p>MR</p>
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Signed

Date:

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Chairman
Environment Panel