

Environment Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: **29th October 2008**

Meeting Number: **85**

Present	Deputy R.C. Duhamel (Chairman) (RD) Connétable K. A. Le Brun of St Mary (KB) Deputy P. V. F. Le Claire (PLC) Connétable A. S. Crowcroft (SC)
Apologies	Deputy C. J. Scott Warren (CSW)
In attendance	Mr. M. Robbins, Scrutiny Officer (MR) Mrs. C. M. Le Quesne, Scrutiny Officer (CLQ)

Ref Back	Agenda matter	Action
	<p>1. Minutes</p> <p>The Panel received and approved its Minutes of the meetings of 17th September 2008 and 2nd October 2008 as amended,</p> <p>RD, KLB, SC, PLC.</p>	
Item 3 02.10.08	<p>2. Tidal Conference</p> <p>The Panel was reminded that the Chairman and Deputy Le Claire were attending the Second Tidal Conference in London from the 10th to 12th November 2008.</p> <p>It was noted that the airline had changed the flight times slightly but that the changes would not impact on the conference times.</p> <p>The Chairman advised that an additional ticket to the conference had been offered by the organisers in the form of an upgrade. The Panel suggested that the additional ticket should be taken advantage of and that it may be appropriate for an officer to attend.</p> <p>The Chairman would confirm if any other member wished to attend the conference and if not he would advise the officers that a space was available. The Panel reiterated that the space should be filled.</p> <p>RD, KLB, SC, PLC.</p>	MR

<p>Item 10 22.07.08</p>	<p>3. Sustainable Procurement Conference</p> <p>Connétable Crowcroft advised the Panel that he had attended the Sustainable Procurement Conference and that he would prepare a written report for the next agenda.</p> <p>RD, KLB, SC, PLC.</p>	
<p>Item 5 4.09.08</p> <p>Item 2d 2.10.08</p>	<p>4. Matters arising</p> <p>Waste Recycling - The Panel recalled that it had previously welcomed a delegation from Séché éco industries, the attendees being Mr. S. Deshayes, Mr. L. Chassin and Mr. F. D’Hulst, of Manche Anglo Normandes Export. The Panel was advised by the Connétable of St. Helier that following that visit proposals had been received in respect of some waste streams. It noted the position.</p> <p>Business Plan - Tipping fees - The Panel recalled the ongoing issue relating to its concern over a request from the Minister for Transport and Technical Services for the replacement of a £400,000 shortfall in its income due to a reduction in tipping fees that it received. The Panel was mindful that the States had in the interim approved the funding as requested.</p> <p>The Panel decided to maintain its position on obtaining a full and detailed outline of the basis for the funding request together with a full explanation relating to the shortfalls occurrence. The Panel requested that the Minister and/or the Chief Officer be invited to attend its next meeting to provide a full explanation of the issue in addition to the Schedules that it had been promised in March 2008.</p> <p>Home and lifestyle exhibition – The Panel was reminded of a request for political attendance at the forthcoming event. The Panel noted the dates but advised that due to other commitments at that time members would not be able to attend. Connétable Le Brun and Deputies Le Claire and Scott Warren reminded officers that they had indicated at the point of booking that they would not be able to participate.</p> <p>RD, KLB, SC, PLC.</p>	<p>MR</p>
	<p>5. Matters for information -</p> <p>a) That a Councillor from Eastleigh would be visiting the Island when the Panel had its next meeting and would like to attend the meeting as an observer;</p> <p>b) The Panel was provided with copies of its draft annual report for inclusion into the Scrutiny 2008 Annual report. The Panel would feed back any comments by Monday the 3rd November 2008.</p> <p>RD, KLB, SC, PLC.</p>	
	<p>6. Nuisance Law and Abatement Notices</p> <p>The Panel discussed a matter of public concern which had arisen and which it considered had implications for an ongoing issue within its remit.</p>	

	<p>The Panel was advised by Deputy Le Claire that an abatement notice had been served by the Minister for Health and Social Services in connexion with noise pollution following complaints from residents that were being subjected to event related sound.</p> <p>The Panel was provided with an outline of the problems and the impact on both the service provider and the residents. The interpretation of the law applied by the Minister was questioned by the Panel and it questioned why complaints relating to nuisance in respect of Bellozanne, the composting facility at La Collette and the JEC chimney had not been served with abatement notices as a result of the volume of complaints that had been made.</p> <p>The Panel agreed that the issue would require further consideration and that it may request the input of H.M. Attorney General in order to clarify the process and to obtain a definitive interpretation of the law.</p> <p>The Panel discussed various actions which were being or could be taken with regard to this matter. The Chairman would discuss any possible way forward for the Panel with the Greffier of the States.</p> <p>RD, KLB, SC, PLC.</p>	RD
<p>Item 4 2.20.08</p>	<p>Urban Regeneration Review</p> <p>The Panel received an update on its review and noted the following:-</p> <ul style="list-style-type: none"> a) that maps of the town and surrounding urban areas had been obtained and used for the Panel's first workshop and were available as a focus for its consideration of the various character areas proposed in the EDAW and Willie Miller reports and the Island Plan 1989; b) notes of the previous Panel workshop dated 17th October 2008; c) the transcript from its Public Hearing on the 20th October 2008 for checking with regard to any factual inaccuracies. The Panel was reminded that transcripts were verbatim and subject only to factual corrections. <p>The Panel discussed the developer led approach to new construction in the urban area and considered how a broader more community focused approach might be applied to regeneration.</p> <p>The partial application of proposals contained within the EDAW report prior to any strategic plan for the development of the urban area overall was considered in detail. The Panel was aware of the initial character areas applied to the town in the form of Environmental Protection and Improvement Areas (EPIA's) and whilst it was unclear as to the selection process for these areas it considered them to have been effective in providing community focus. It was concerned that both the Willie Miller and the EDAW proposals did not provide sufficient detail to ensure amenity space for residents of the various areas, neither would they provide any real indication of the type or style of development required.</p>	MR/CLQ/RD

The Panel decided that it should indicate how the original concept of EPIA's could be extended out into the wider urban area so that appropriate levels of guidance and protection could be applied to any green lungs providing relief in the built up areas.

The Panel agreed that it would wish to invite the consultants involved in the production of the Willie Miller and the EDAW reports to present its proposals to it in detail at a Public Hearing. The Panel noted that approval from the Minister for Planning and Environment would be necessary prior to an invitation being extended to his consultants.

It also requested that representatives from the Société Jersiaise and The Jersey Heritage Trust be invited to attend a Public Hearing to present its views on the impact of the proposed character areas.

The Panel discussed the issue of area designation and the importance of allowing residents the opportunity to become involved in community improvements. Whilst it was agreed that to an extent the drawing of lines on maps was a subjective exercise and that market forces were major drivers in development it was considered essential that planning frameworks were in place for specific areas and that these were enforced.

The Panel considered the improvement of residential areas as a result of access and egress changes and the powers available to achieve such changes. It was suggested that long term strategic planning with area specific master-plans could deliver improved quality of lifestyle and still increase density.

Review Advisor

The Panel discussed the account received from its advisor on the review. It agreed that it had no concern that the completed work would meet its requirements together with the terms of the contract. However, it was unable to authorise payment until it had received a larger proportion of the work to be provided.

Officers were requested to inform the advisor that payment would be authorised subsequent to receipt of the agreed drawings and a more substantial written report.

Public Engagement

The Panel considered how it might further engage with the public with regard to character areas. The Connétable of St. Helier offered the Panel access to the Reading Room at the Town Hall for the purpose of a static exhibition to show the previously approved EPIA's together with their proposed extensions into the wider built up area. He also advised that he was hoping that a model of St. Helier would be available for the reading room.

The Panel decided that it would accept the offer of the venue at no charge and agreed that the Chairman should make the necessary arrangements for the event with the officers.

The Panel agreed that the media should be advised of its intention. The Chairman was tasked with drafting the extension of the EPIA's

	<p>in preparation for the static exhibition and to ensure that the full size maps were able to be displayed effectively.</p> <p>RD. PLC. SC. KLB.</p>	
	<p>7. Date of next meeting</p> <p>The Panel noted that the date of its next meeting was 13th November 2008 at 9.30 a.m. in the Le Capelain Room, States Building.</p> <p>RD. PLC. SC. KLB.</p>	

Signed

Date:

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Chairman
Deputy R. C. Duhamel