

# Environment Scrutiny Panel

## PUBLIC MEETING

### Record of Meeting

Date: **4th October 2007**

Meeting Number: **59**

| Present            | Deputy R.C. Duhamel (Chairman) (RD)<br>Connétable K. A. Le Brun of St Mary (KB) after item 2<br>Connétable A. S. Crowcroft (SC)<br>Deputy P. V. F. Le Claire (PLC)  |        |
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| Apologies          |   |        |
| Absent             |   |        |
| In attendance      | Mick Robbins, Scrutiny Officer  |        |
| Ref Back           | Agenda matter   | Action |
|                    | <p><b>1. Minutes of Previous Meetings</b></p> <p>Minutes of the meeting of 28th September 2007 were approved and signed.</p> <p>RD. KLB. SC.</p>  |        |
|                    | <p><b>2. Matters Arising</b></p> <p>The action updates were noted.</p> <p>RD. KLB. SC. PLC.</p>   |        |
|                    | <p><b>3. Re-use of Housing</b></p> <p>The Panel considered the use of houses in Malmo and the duration of periods when properties were uninhabited. It was suggested that further research should be undertaken on the continuous use of homes, rented or owner occupied and the methods adopted for the use or re-use of materials from demolished houses. It was agreed that the quantities and types of construction waste going to final destruction or landfill should be investigated and that the information should be used as a basis for terms of reference on energy savings that might be achieved. Deputy Le Claire agreed to produce a paper in this regard.</p> <p>RD. KLB. SC. PLC.</p> | PLC    |
| 06/09/07<br>Item 4 | <p><b>4. Sustainable Building Conference.</b></p> <p>The officer report relating to the fact finding visit to Malmo was again considered and the Panel considered that as it was still awaiting the receipt of the members reports therefore this item would be added to the next agenda.</p> <p>RD. KLB. SC. PLC.</p>  | PLC    |
|                    | <p><b>5. Waste Review,</b></p>  |        |

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| 28/09/07<br>Item 5 | The Panel decided to discuss its Waste Recycling Hearing of 17 <sup>th</sup> September 2007, at a meeting to be arranged specifically for that purpose.  | MR |
| 28/09/07<br>Item 5 | <p>Further to a previous decision to facilitate a road show to provide the public with information on the benefits of recycling, it was agreed that various overseas companies would be invited to present different alternative technologies available for processing residual waste.</p> <p>The Panel was mindful that such an exhibition would be outside of its Waste Recycling terms of reference. The Panel considered that the provision of the information to the public was of such a level of importance that it would launch a new review on the appropriate technology for the future waste plant. Terms of reference and scoping documents including review costs were requested.</p>   | MR |
| 28/09/07<br>Item 5 | <p>The Panel was concerned at the approach to the planning process for the proposed new Energy from Waste Plant. It recalled that the States had not yet decided that the plant should be an Energy from Waste plant and that the size had not been established which it considered made the plant's footprint impossible to plan for.</p> <p>It was noted that a public enquiry into the planning application would not take place for legal reasons however it was not known what the legal advice had been which had brought the Minister for Planning and Environment to that decision. It was understood that the determination for the planning application would be made on 19<sup>th</sup> October 2007.</p> <p>The Panel agreed that the whole process appeared flawed and that the Minister for Transport and Technical Services was applying for consent in principle prior to having the plant footprint available. The Panel compared the approach with a private developer applying for 1000 houses in the hope of having 500 at the end of the process. The Panel considered planning permission for the specific use. It recalled that the use was not, that specific, but was 'class use' specific only.</p> <p>Having expressed concern that the effect of the above planning application was to advance the decision making process for the plant to the point that there were inexorable pressures to follow the suggested large Energy from Waste Plant recommendation, the Panel reconfirmed its wish to discuss the matter with the Council of Ministers.</p> | MR |
|                    | The Panel noted the letter from Jersey Royal Potatoes Ltd. and agreed that there was an element of confidentiality which needed to be respected in relation to commercial issues contained therein.  | MR |
|                    | The Panel requested a visit to the Bellozanne Recycling Facility on Monday 8 <sup>th</sup> October 2007 to understand the Transport and Technical Services Department's approach was to recycling.   | RD |
|                    | The Panel noted that a proposition suggested at the last meeting was still in the process of being drafted. The Panel agreed that the draft document should be circulated to Members by e-mail on the evening of Sunday 7 <sup>th</sup> October 2007 in order that it could be   |    |

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|                     | <p>discussed at the next meeting.</p> <p>The Panel discussed the status of recycling in Jersey due to budgetary restraints on the department, It noted that following the recent meeting between the Panel and the Comité des Connétables, that Committee had stated that it would like to see sorting and recycling in preference to an energy from waste plant as the main solution to waste treatment for the Island.</p> <p>RD. KLB. SC. PLC.</p>  |    |
| 28/09/07<br>Item 7  | <p><b>6. Air Quality</b></p> <p>The Panel noted the document 'Preliminary Observations on Air Quality in Jersey' prepared by Professor Duncan Laxen. It also noted the Construction and Use Order in which article 102 dealt with stopping vehicle engines when stationary. The Panel requested that the item be placed on its next agenda.</p> <p>RD. KLB. SC. PLC.</p>   |    |
| 28/09/07<br>Item 3  | <p><b>7. St. Aubins Bay Water Quality.</b></p> <p>The Panel noted an e-mail from the Transport and Technical Services Minister suggesting that the proposed meeting for the 2<sup>nd</sup> of November 2007, involving Ministers and officers should not proceed. The Chairman advised the Panel that he had responded to that suggestion, stating that the Ministers' views had been noted.</p> <p>The Minister stated that his department would produce a report on the topic by Monday 8<sup>th</sup> October 2007.</p> <p>The Panel decided that the Medical Officer of Health should be invited to the meeting. It further decided that the meeting would be an exchange of information at which no decisions would be made. The meeting would be held in private.</p> <p>RD. KLB. SC. PLC.</p> | MR |
| 28/09/07<br>Item 10 | <p><b>8. Draft Energy Policy</b></p> <p>The Panel considered the Draft Energy Policy, and it agreed that it would provide the Minister with formal comments at this time and consider whether or not a full review was required following the public consultation period.</p> <p>It was noted that the closing date for consultation was 7<sup>th</sup> December 2007.</p> <p>The Panel agreed to a series of meetings for the work to be undertaken in drafting a response.</p> <p>RD. KLB. SC. PLC.</p>  | MR |
| 27/07/07<br>Item 8  | <p><b>9. Integrated Travel and Transport Policy</b></p> <p>The Panel noted that this had not been published by the Transport</p>   |    |

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|                    | <p>and Technical Services Minister. It would now have to be dealt with when the Panel had the resources.</p> <p>The Panel further discussed the suitability, size and opening hours of the new Liberation Bus Station. It discussed the contract with Connex and the competition and monopolies implications.</p> <p>RD. KLB. SC. PLC.</p>   |                 |
|                    | <p><b>10. Feedback on Business Plan Process</b></p> <p>In considering a response to the Chairman's Committee in relation to the Business Plans, the Panel was in agreement that it was not content with the system. Concern was expressed that some monies were not being spent in the year dealt with by the document but were to be spent in future years. The system was not acceptable. It was considered that the Ministers appeared to have encouraged Scrutiny to look at the business plans perhaps in order to prevent time for examination of strategy. The business plans were considered to be in an indigestible form. Strategies within the documents appeared to be changeable at the whim of the Ministers without recourse to the States. This feedback was to be forwarded to the Chairman's Committee.</p> <p>RD. KLB. SC. PLC.</p> | MR              |
| 28/09/07<br>Item 2 | <p><b>11. Newsletter</b></p> <p>The draft of the panel's contribution was accepted by the Panel. It was accepted that due to the launch of a new Waste review, some rewriting would need to be done. This would be proof read by the Chairman on behalf of the Panel prior to submission.</p> <p>The profile from Constable Crowcroft had not been presented but would be completed later that day.</p> <p>RD. KLB. SC. PLC.</p>   | MR/RD<br><br>SC |
|                    | <p><b>12. Fifth Member of Panel</b></p> <p>The discussion relating to the newsletter had inspired the Panel to discuss the membership of the Panel. It noted that it was short of one member. The Panel maintained that the Panel should have five members and the Chairman agreed to actively seek a fifth Member.</p> <p>RD. KLB. SC. PLC.</p>   | RD              |
|                    | <p><b>13. Requirement to review the process of completed reviews.</b></p> <p>The Panel noted 11.19 of the Draft Code of Practice for Scrutiny Panels and the Public Accounts Committee which required an evaluation of the process applied to reviews upon completion for submission to the Chairman's Committee. The Panel agreed that its analysis of the process it followed for the Waste Recycling and Design of Homes reviews should be an item for its next agenda.</p> <p>RD. KLB. SC. PLC.</p>  |                 |

**14. Date of next Meeting**

The Panel noted that the next meeting would be at 12.30 at Bellozanne if conformation of this invitation was forthcoming from the Transport and Technical Services Department. The Members were to be advised.

MR

The next scheduled meeting was noted for 9:30 am, 18th October 2007 in La Capelain room.

MR

RD. KLB. SC. PLC.

Signed

Date:

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Chairman  
Environnement Scrutiny Panel