

Environment Scrutiny Panel

PUBLIC MEETING

Record of Meeting

The record of the Panel meeting includes Public and Private Minutes in accordance with the Code of Practice on Public Access to Official Information.

Date: **22nd July 2008**

Meeting Number: **81**

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)
Absent	
In attendance	Mrs. C. M. Le Quesne, Scrutiny Officer (CLQ) Mr. M. Robbins, Scrutiny Officer (MR)

Ref Back	Agenda matter	Action
	<p>1. Minutes</p> <p>The Panel received and approved its Minutes of the meetings of 10th April 2008 as amended, 8th and 22nd May 2008, 12th June (Part A and B) and 26th June 2008.</p> <p>RD, KLB, PLC.</p>	
<p>Item 9 3.12.07 Water Quality St. Aubin's Bay</p>	<p>2. Matters Arising</p> <p>The Panel noted the following matters arising from the minutes of its previous meetings and not dealt with as an agenda item -</p> <p>Water Quality -</p> <p>The Panel recalled that it had previously considered the issue of water quality in St. Aubin's Bay and that it had undertaken initial research into the concerns which had been raised.</p> <p>The Panel noted receipt of a report relating to bathing water and the testing undertaken in Jersey waters to ensure quality compliance with European Community Bathing Water Directive standards.</p>	

	<p>The Panel discussed the practices adopted locally with regard to testing which paralleled what was happening in the United Kingdom. Some concerns were raised with regard to the process and methodologies used for the collection and testing of samples together with questions over responsibility for monitoring of water quality.</p> <p>The Panel was advised that at the recent Commonwealth Parliamentary Association meeting in Gibraltar proposals adopted in Manitoba to stop sewerage being spread on land had been discussed. The information had addressed some interesting issues relating to water quality and best practice.</p> <p>The Panel considered whether or not the testing undertaken was sufficient to ensure public health and whether or not some revision to legislation might be necessary in the future. It also discussed reviewing the EU directive which was being adopted by the UK. It was anticipated that achieving compliance with the aforesaid would take approximately 10 years.</p> <p>The Panel agreed that some further clarity was required on the areas of responsibility and methodology applied for the monitoring of water quality in St. Aubin's Bay.</p> <p>Whilst it was accepted that a review may be beneficial on the subject, the Panel agreed in the first instance to write to the States Official Analyst to ascertain who was responsible for the collection of water samples and which codes of practice were applied.</p> <p>The officers were requested to prepare draft terms of reference, scoping and budgetary documents should a review be necessary. Initial investigations into an appropriately qualified professional to assist the Panel should also be undertaken. Relevant transcripts from previous meetings would be forwarded to the Panel. Possible suitable advisors would be identified as requested.</p> <p>RD, KLB, SC, PLC.</p>	<p>CLQ/MR</p> <p>CLQ/MR</p>
	<p>3. Matters for information</p> <p>The Panel received the following matters for information and noted them accordingly.</p> <p>(I) Jersey – The Way Forward ;</p> <p>The Panel noted that the document was that of 2002.</p> <p>(II) Land use Planning Risk Assessment for La Collette Fuel depot and Jersey Gas Facility October 2007;</p>	

	<p>The Panel noted that the document received was merely an updated version of an earlier document – It did not consider that it sufficiently addressed issues relating to -</p> <ul style="list-style-type: none"> a) Jersey Gas relocation; b) The relocation of the road and the extension of the curb c) The level of incursion into the RAMSAR area of the coastline and the impact that the modifications would have; d) The exact anticipated height of the mound. <p>The Panel was disappointed once again at the lack of comprehensive information and the avoidance of including key information of environmental concern. It noted the report.</p> <p>The Panel also expressed concern over suggestions that the proposed relocation of the animal incinerator would not include consideration of the Bellozanne site which would suggest that La Collette would be the appropriate site. That omission of information for whatever reason further added to the Panels concerns that essential information and strategic aims and objectives was being withheld.</p> <p>The Panel asserted that whilst information sharing was not enjoyed with Transport and Technical Services the same could not be said of its relationship with the Planning and Environment Department from whom complete and timely information was forthcoming as and when requested.</p> <p>(III) 2007 Annual Performance Report; - Noted</p> <p>(IV) Parking Survey for Town Park Project. - Noted</p> <p>(V) The Chairman would arrange for a presentation to the Panel in respect of proposals for a bridge to France in the 3rd quarter of the year. The Chairman would provide officers with the relevant documentation that he had received.</p> <p>RD, KLB, SC, PLC.</p>	RD
<p>Item 6 12.06.08</p>	<p>4. Annual Business Plan</p> <p>The Panel received and considered the States of Jersey 'draft Annual Business Plan 2009' from the Council of Ministers. The Panel recalled that a presentation had been provided to members to explain the aims and objectives outlined in the Plan.</p> <p>The Panel expressed ongoing concerns with regard to the Transport and Technical Services Business Plan and the allocation of an additional £400,000 to its budget.</p> <p>The Panel had previously requested detailed information relating to the justification of the request (27th May 2007 and</p>	

	<p>14th July 2008) and was dissatisfied with the brevity of the response. It considered the required reduction in services proposed to balance its budget were the additional funding not to be forthcoming to be emotive. It remained unconvinced of the shortfall indicated by the Minister for Transport and Technical Services and suggested that any ring fencing of allocated monies should be for the particular area of allocation without the option of redirecting the funds for other purposes.</p> <p>The Panel also questioned the lack of parity applied to tipping charges and the relaxation of charges for some commercial operators.</p> <p>The Panel agreed that it would advise the Chairmen's Committee that it did not consider it possible to carry out effective scrutiny of the Transport and Technical Services Department as its requests for information were not met in full. The Panel was mindful of its duty to call to account the Minister but felt obstructed in its efforts to satisfy its obligations.</p> <p>On a related matter the Panel questioned the appropriateness of the premature renewal of the bus Connex contract.</p> <p>The Panel was advised by the Chairman that the Chairmen's Committee had suggested that the Minister for Transport and Technical Services should be invited to a hearing to answer the questions relating to the withholding of information. The Panel also discussed and expressed concerns relating to negative and unfounded comments made by the President of the Chairman's Committee and was of the opinion that those comments had impugned its advisors integrity on the Waste Plant Review and reflected poorly on the Panel. The Panel expected full redress of the situation in due course.</p> <p>The Chairman agreed to take the necessary action.</p> <p>RD, KLB, SC, PLC.</p>	RD
Item 7 12.06.08	<p>5. Integrated Traffic and Transport Plan</p> <p>The Panel received a power point presentation entitled 'Busway' from TRANSDEV which explained its introduction of a public transport system in Nantes, France.</p> <p>The Panel recalled that the company had visited the Island and had been provided with a tour so that they could ascertain possible routes. Meetings with a number of stakeholders had taken place, geographical and logistical challenges had not been considered insurmountable. The benefit of the system in France was discussed and it was agreed that various forms of public transport should form part of a review together with routes and road infrastructure. The Panel agreed that it should</p>	

	<p>view the 'Busway' system in operation. It was advised that the visit could be funded as part of a review. The Panel further indicated that it may decide to undertake a fact finding visit to view some other forms of public transport such as the funicular system in Freiberg, Germany.</p> <p>The Panel requested that a letter of thanks be sent to TRANSDEV on its behalf.</p> <p>The Panel noted that the proposal was one of several it had been advised of and which should be considered for possible adaptability to the Island as part of a traffic solution. The continued delay in the release of a completed Integrated Traffic and Transport Policy (ITTP) was of growing concern to the Panel. As was the apparent lack of consideration of diverse solutions for an increasing population. The Panel agreed that it was essential that issues such as priority lanes for public transport, cycles and walking routes were included in the review. It requested that officers liaise with the Planning and Environment Department to ascertain what progress was being made on the development of its cycle project.</p> <p>The Panel recalled that a narrow track rail system had been previously proposed. It was agreed that the suggestion should be included as part of the review and that a letter should be issued from the Panel inviting the proposer to deliver a presentation after the summer recess. Deputy Le Claire was requested to provide officers with the contact details.</p> <p>It was accepted that resources would not permit the Panel to scrutinise the whole of the traffic and transport infrastructure for the island. It would therefore focus its efforts on areas where it appeared that there may have been omissions on the variety of options available. The Panel recalled that in order to fund any research into the subject it would require terms of reference, a proposed review scope and budget. It directed the officers to prepare the necessary documents for its consideration.</p> <p>RD, KLB, SC, PLC.</p>	<p>CLQ/MR</p> <p>CLQ/MR</p> <p>CLQ/MR</p> <p>CLQ/MR</p>
<p>Item 3c 08.05.08</p>	<p>6. Supplementary Planning Guidance</p> <p>The Panel recalled that it had previously considered a supplementary Planning Guidance consultation document entitled 'New development guidelines for the town'.</p> <p>The Panel was reminded that it had agreed to forward individual comments to its officers for collation into a formal response to the consultation document. It was noted that only one member had submitted a response and it was agreed that those outstanding would be made available by the close of business 25th July 2008.</p>	<p>RD/KLB/ SC/PLC</p>

	<p>The Officers were requested to collate the information and circulate to the Panel for approval.</p> <p>On a related matter the Panel discussed 'Urban Design' in the context of the existing Spatial Strategy and agreed that the issue merited some detailed consideration. It agreed that scrutiny of the spatial concepts of density and regeneration should be undertaken.</p> <p>The Panel agreed that part of the work necessary was a clear definition of what constituted a 'village' in terms of planning in Jersey.</p> <p>The Chairman advised the Panel that he had received correspondence dated 21st July 2008 from a former Panel advisor Mr D. Mason, Architect in respect of an offer of services for a fee of £5,000 plus disbursements to undertake an EDAW based 'master plan' of a run down area of town following an initial series of fact finding initiatives. The Panel briefly discussed the protocols for the appointment of advisors and was advised of normal advertising procedures. The Panel was aware that for an amount not exceeding £25,000 it was not necessary to advertise if a suitable candidate had been identified, no decision with regard to the appointment was made.</p> <p>The Panel recalled that in order to fund any research into the subject it would require terms of reference, a proposed review scope and budget. It directed the officers to prepare the necessary documents for its consideration.</p> <p>Issues arising from a press article on global warming impact of climate change highlighted the importance and relevance of modelling prior to developments proceeding due to the possible implications of sea levels risings. The Panel discussed the construction of infrastructure below the one metre point and noted that the matter would undoubtedly be addressed in the Energy Strategy. It was recalled that a barrage to protect the town had previously been discussed and that such concepts should be revisited.</p> <p>RD, KLB, PLC.</p>	<p>CLQ/MR</p> <p>CLQ/MR</p>
--	---	---

	<p>7. Jersey Housing Needs Survey 2007 - Results</p> <p>The Panel considered a report entitled ‘Jersey Housing Assessment 2008-2012 - Report on the 2007 Housing needs survey’.</p> <p>The Panel agreed that presentation of the 2007 assessment in a variety of ways was based on a degree of projection which limited its accuracy.</p> <p>The Panel concluded that the projected need if correct could potentially see the island covered in new build. The Panel considered that it was essential that a differentiation was made between need and ‘like to have’.</p> <p>It was suggested that the confusion between the use of demand and need statistics were perpetuating an unrealistic public expectation that everyone could have a garden and garage. Whilst desirable the Panel did not consider this to be sustainable and believed that the terms of the consultation were not realistic and that the approach was a tool to support the allocation of green fields to building. The Panel requested that a letter to be forwarded to the Minister for Treasury and Resources, the Minister for Planning and Environment and the Minister for Housing to advise them that the proposals and findings were fuelling unrealistic expectations.</p> <p>The Panel agreed that spatial strategy concepts should be applied to the proposals to build 10,700 homes in the next five years to provide a clear picture of the impact that the coverage rate would have.</p> <p>The Panel delegated approval of the correspondence to the Chairman. The Chairman agreed to provide the necessary modelling representations.</p> <p>RD, KLB, SC, PLC.</p>	<p>CLQ/MR</p> <p>RD</p>
	<p>8. Public Registry</p> <p>The Panel received an oral report from Deputy P. Le Claire following his visit to the Public Registry.</p> <p>The Panel recalled that the purpose of the visit had been to understand what land was occupied. In addition it was hoped that viewing the format of the data held it would provide for an opportunity to introduce and method of recording energy ratings for homes similar to that done in the U.K.</p> <p>The Panel noted that the Minister for Planning and Environment did not have any significant information relating to home energy ratings. Whilst it was accepted that the lack of data could easily be rectified in respect of new build it was</p>	

	<p>more challenging to achieve the level of information on existing properties.</p> <p>It was explained that currently any member of the public could go to the public registry and view any and all property inclusive of transaction records and the individuals concerned. It was noted that Parochial records no longer included land holdings. The Panel was advised that it was likely that access to the registry may become reduced as suggestions had been made the properties could in future be allocated a unique property identifier.</p> <p>The Panel considered the issue of energy rating properties to be of significant importance and decided that it would request a meeting with the Minister of Planning and Environment to discuss the feasibility of introducing a scheme to encompass all properties inclusive of the rental market.</p> <p>It was suggested that given the need for the island to invest in energy infrastructure and the continuing energy price increases it was essential to recognise the need for investment in energy saving in the home.</p> <p>The officers were requested to make the necessary arrangements.</p> <p>PLC, KLB, RD</p>	CLQ/MR
	<p>9. 2nd Quarter Financial Report</p> <p>The Panel noted its Financial Report and expenditure for the 2nd Quarter of 2008. It requested information as to the amount of expenditure shown under a miscellaneous heading and was advised that JD Edwards recording criteria was applied to the recording of financial information. The Panel noted the position accordingly.</p> <p>Juniper invoice</p> <p>On a related matter the Panel noted that a final invoice had been received from Juniper with regard to the Waste Plant Review. The Panel approved the payment to Juniper as full and final payment for its services in respect of the review in the amount of £8,817.26.</p> <p>RD, KLB, PLC.</p>	CLQ/MR
	<p>10. Sustainable Procurement Conference</p> <p>The Panel considered attending the 'sustainable procurement conference in London on the 1st October 2008.</p> <p>It was reminded that expenditure should be linked to reviews but decided that as it had previously attended conferences to increase its understanding of some of the complex areas of its</p>	

	<p>responsibility it would select a delegate to attend on its behalf.</p> <p>The Panel agreed that the Finance Officer should be invited to confirm the expenditure and that Connétable S. Crowcroft would attend on its behalf and report back accordingly. The Panel noted that the costs would include the conference fee, one return flight to London, return train fares to and from the airport to the city and one night's accommodation, together with normal minor subsistence costs.</p> <p>The Officers were directed to take the necessary action.</p> <p>RD, KLB, SC, PLC.</p>	<p>CLQ/MR</p>
	<p>11. Island Plan Review: Strategic Options Summary and Questions</p> <p>The Panel received a report entitled 'Island Plan Review: Strategic Options Summary and Questions' from the Planning and Environment Department seeking its views as part of a consultation process.</p> <p>The Panel noted that the document was in the form of a number of questions to be submitted by early October 2008. The Panel agreed to submit its individual comments to officers at its first meeting in September for collation and submission. The wording used in the questions was of some concern. The Panel requested that the Statistics Department be invited to confirm that they had approved the questions as impartial prior to the consultation responses being submitted.</p> <p>RD, KLB, PLC, SC</p>	<p>Panel</p>