

# Environment Scrutiny Panel

Friday 21st April 2006  
Blampied Room, States Building

13th meeting

Present Deputy R.C. Duhamel (Chairman)  
Deputy G.C.L. Baudains (Vice Chairman)  
Connétable K. A. Le Brun of St Mary

Apologies Deputy Le Hérissier  
Deputy S. Power

Absent

In attendance I. Clarkson, Scrutiny Officer  
M. Robbins, Scrutiny Officer

Item (Ref Back)	Agenda matter	Action
1	<p><b>Minutes</b></p> <p>The Minutes of the meetings held on 21st March, 30th March and 6th April 2006, having been circulated previously, were taken as read and were confirmed.</p>	None
2 (06/04/06 Item 1)	<p><b>Matters Arising</b></p> <p>Deputy R.C. Duhamel reported that Deputy P.V.F. Le Claire had reviewed his position regarding Projet No. P.258/2005, entitled 'Composting Facilities', following his attendance on 6th April at the Panel's meeting. It was understood that Deputy Le Claire was no longer in favour of withdrawing his proposition. Accordingly Deputy Duhamel advised that he no longer intended to make a statement in the States outlining how the Panel intended to progress its consideration of comments presented concerning the proposition, although the Waste Working Group would continue to consider the detailed assertions made in the comments submitted by the Minister for Health and Social Services and the Minister for Transport and Technical Services.</p> <p>The Panel noted the position.</p>	None
3 (30/03/06 Item 3)	<p><b>Chairmen's Committee - update</b></p> <p>Deputy R.C. Duhamel reported that the Committee had considered the Panel's views concerning a possible public meeting involving all 4 Panels. The Committee had subsequently concluded that there was merit in the proposal and that enquiries should be made regarding the possibility of holding the first combined meeting on 18th May 2006 between 7.30pm and 9.00pm at the Jersey Arts Centre, St. Helier. The primary subject matter for the meeting was to be a consideration of the draft Strategic Plan 2006 – 2011. Further to the foregoing, an additional Chairmen's Committee meeting had been arranged at 1.00 pm on Friday 4th May 2006 in order that the Committee could coordinate the responses of the 4 Panels and the Public Accounts Committee to the aforementioned draft Strategic Plan. Any member of Scrutiny with strong views on aspects of the draft Plan would be welcome to attend the meeting. In addition, the Committee intended to collate and coordinate the</p>	RD / RLH

	<p>presentation of responses from non-executive States members who were not part of Scrutiny.</p> <p>The Panel noted the position.</p>	
4	<p><b>Items to Note</b></p> <p>The Panel noted ministerial decisions taken during the period 30th March to 21st April 2006. In particular, the Panel was pleased to note that observations made informally by Deputy G.C.L. Baudains to Senator F.E. Cohen concerning alterations to Conway Street, St. Helier had resulted in changes to the final scheme. Further observations were made concerning possible ongoing costs associated with keeping the new table-top crossings in the Charing Cross area of St. Helier clean. Members considered that the coloured tarmac was being damaged by oily residues from passing vehicles. Finally, and in connexion with a decision by the Minister for Treasury and Resources concerning stage 2 of the Coastal Forts and Fortifications Initiative, officers were instructed to establish whether the drainage systems for the converted properties complied with the policies of the Island Plan 2002.</p> <p>The Panel also noted Projet No. P.45/2006, entitled 'Solid Waste Strategy: Locations for Proposed Facilities', as lodged 'au Greffe' by the Minister for Transport and Technical Services on 11th April 2006. It observed that the proposition invited the States to express a view on its preferred site for both an energy from waste plant and a composting facility in the absence of an environmental impact assessment. Having considered the proposition in detail, the Panel concluded that a full Environmental Impact Assessment should be produced and presented to all States members in advance of any debate on location of and / or technologies to be used in such plants. It firmly believed that the States would be ill advised to take any decisions in the absence of such information. It further noted that the proposition appeared to be missing a reference to the relevant States decision, taken on 13th July 2005, concerning the Solid Waste Strategy (P.95/2005 refers). Officers were instructed to liaise with the Greffier of the States to establish the scope of P.45/2006 and its effect, if any, on the previous decision of the States concerning P.95/2005. The Panel deferred further consideration of the matter to a future meeting.</p>	<p>IC</p> <p>IC</p>
5	<p><b>Financial Report</b></p> <p>The Panel received the quarterly financial report for the period ending 31st March 2006. It noted that expenditure in the 1st quarter of 2006 had equalled £752, a majority of which had been spent on advertising for public meetings.</p> <p>Deputy R.C. Duhamel advised the Panel that he was continuing to investigate options for reducing expenditure on advertising through the production of a dedicated States Assembly publication for circulation to all households in Jersey.</p> <p>The Panel noted the position.</p>	<p>RC</p>
6 (30/03/06 Item 5)	<p><b>Work programme – Design of Homes</b></p> <p>The Panel noted that the Design of Homes Working Group had not met since the Panel's meeting on 30th March 2006. On 13th April 2006 Deputy R.C. Duhamel, Connétable K.A. Le Brun and Deputy R.G. Le Hérisssier had nevertheless attended a series of site visits, organized by the Planning and Building Services Department, to recent first time buyer and social rented housing sites. Those</p>	

	<p>present had been reasonably impressed by the overall standard of the homes visited; however, Panel members had expressed concern that the policies being pursued appeared to be causing the standard of social rented homes to exceed that of new first time buyer properties. Deputy G.C.L. Baudains advised the Panel that his review was also uncovering evidence that developers were having to raise the cost of first time buyer homes in order to subsidize the provision of social rented properties at the prices being demanded by the States.</p> <p>Deputy R.C. Duhamel recalled that officers from that Department had invited the Panel to document its views both on the sites visited and on suggestions for modification of existing policies relating to the design of homes. The Panel, having noted that the Minister for Planning and Environment had not released a consultation draft of Planning Advice Note No.1 entitled 'The Design of Homes' during the 1st quarter of 2006, discussed the implications arising from the officers' request. It was reported that the volume of work being done on both the Waste and Planning Process reviews was likely to increase significantly in May. This situation, coupled with the lack of a formal consultation draft Planning Advice Note, caused the Panel to consider whether significant progress on the Design of Homes review in the short term would be possible.</p> <p>The Panel agreed that the Design of Homes Working Group should discuss both the site visits and its working methods generally at a meeting to be held at 9.00 am on the morning of Friday 28th April 2006 in Le Capelain Room, States Building. In the intervening period, the Chairman would write to the Minister for Planning and Environment requesting formal confirmation of the Department's request for feedback and clarification as to the timetable for the release of the Planning Advice Note.</p>	RD / KLB / SP / MR / IC
<p>7 (30/03/06 Item 4)</p>	<p><b>Work Programme – Planning Process</b></p> <p>The Panel noted a progress report produced by the Scrutiny Office concerning the Planning Process review.</p> <p>Deputy G.C.L. Baudains advised the Panel that he and Deputy R.G. Le Hérisser had met with Senator F.E. Cohen, Minister for Planning and Environment, and the Director of Planning on 10th April 2006 to discuss the Shepley Review of Planning and Building Functions, as published in November 2005. The meeting had proved to be particularly productive in terms of clarifying issues raised and in confirming which recommendations were being, or had already been, implemented.</p> <p>The Panel recalled that supplementary planning guidance on the Jersey Waterfront had now been published, that an Appointed Day Act for the Planning and Building (Jersey) Law 2002 had now been lodged 'au Greffe' (P.46/2006) and also that a proposition entitled 'Island Plan 2002, Policy H2 Fields 848, 851, 853, and 854' (P.48/2006 refers) had been lodged 'au Greffe' on 20th April 2006. All three documents raised important issues for consideration as part of the ongoing review.</p> <p>The Panel, having recalled that the closing date for written submissions to the review was Friday 28th April 2006, noted that the Planning Process Working Group would meet in early May to analyze the submissions received. A report on the key issues identified would then be prepared for submission to the Panel.</p>	GB / RLH / IC
<p>8 (30/03/06 Item 6)</p>	<p><b>Work Programme – Waste</b></p> <p>Deputy R.C. Duhamel advised that he had been working with Constable A.S. Crowcroft of St. Helier on a trial waste recycling</p>	

project, the aim of which was to demonstrate that the 32% recycling target set by the States in the Solid Waste Strategy could and should be improved upon. The project would also provide relevant data for Term of Reference No.1 of the review and would assist with progressing several of the remaining terms of reference. A draft scoping document, produced by Connétable A.S. Crowcroft of St. Helier and entitled, 'States Scrutiny Panel and St. Helier: Zero Waste Project' had been circulated to the members of the Waste Working Group, although a more detailed draft was being prepared following a further meeting between Constable A.S. Crowcroft and Deputy R.C. Duhamel. The Panel was invited to approve the trial project and to provide initial financial support in the sum of £5,000 towards the scheme, on the understanding that any expenditure incurred by the project would require prior authorization by both the Panel and the Parish of St. Helier.

Officers recalled that the underlying purpose of Term of Reference No.1 was to secure higher quality data than that on which the Solid Waste Strategy had been based. For that reason it was suggested that careful consideration be given to the data collection stage of any such trial. It was further suggested that in providing financial assistance for such a project, the Panel might be making itself vulnerable to accusations either that the Panel had used its budget to promote the development of alternative waste policies prior to the completion of its own review or that it had compromised the objectivity of the data collection process for the review. The existence of an alternative parish based scheme, which was progressing without additional funding from Scrutiny, was noted and the Panel was invited to consider whether the St. John scheme might also provide useful data.

The Panel, having given careful consideration to the issues raised in its discussion, concluded that the St. Helier project was likely to provide data of particular relevance to the ongoing Panel review but that the scheme was unlikely to go ahead without additional external funding. It further concluded that the proposed terms of engagement of Professor C. Coggins as consultant to the Panel would allow for the Professor to be tasked with ensuring that the data collected from the trial was both robust and relevant. Accordingly the Panel decided to authorize expenditure up to a maximum of £5,000 in support of the trial St. Helier recycling scheme as outlined by Deputy R.C. Duhamel. In turn Deputy R.C. Duhamel undertook to present to the Panel in early course a project document proposing administrative, logistical and budgetary arrangements for the proposed trial. It was understood that the scheme was to be put to a Parish Assembly within the coming fortnight for approval.

On an unrelated matter, the Panel noted with concern that the Chief Minister was reportedly leading a party of over 20 persons to Granville, France on 21st April 2006. In particular it was understood that Deputy G.W.J. de Faye, Minister for Transport and Technical Services, was to be a member of the travelling party and that waste policy was to be discussed during the course of the visit. The Panel was disappointed to note that the Chief Minister had apparently elected not to advise those charged with coordinating the visit that Scrutiny was an integral part of the government and that it should therefore have been represented at discussions on waste policy. Accordingly the Panel agreed that Deputy R.C. Duhamel should write to the Chief Minister requesting his assistance in ensuring that Scrutiny was represented appropriately during future visits.

RD

RD

9	<p><b>Date of next meeting</b></p> <p>The Panel agreed that its next meeting should be held at 9.30 am on Thursday 4th May in Le Capelain Room, States Building and that Item 6 of its current agenda, concerning new and deferred review proposals, should be deferred to that meeting.</p>	IC/MR
---	--	-------

Signed

Date

.....  
Chairman, Environment Panel

.....