Environment Scrutiny Panel

18th May 2006
Le Capelain Room, States Building

Present	Deputy R.C. Duhamel (Chairman) Deputy G.C.L. Baudains (Vice Chairman) Connétable K. A. Le Brun of St Mary Deputy Le Hérissier Deputy S. Power
Apologies	
Absent	
In attendance	I. Clarkson, Scrutiny Officer M. Robbins, Scrutiny Officer

Item (Ref Back)	Agenda matter	Action
1	**Minutes** The Minutes of the meetings held on 4th May 2006, having been circulated previously, were taken as read and were confirmed. Deputy S. Power was not present for this item.	None
2	**Matters arising** There were no matters arising from the Minutes of 4th May 2006. Deputy S. Power was not present for this item.	None
3	**Items to note** The Panel noted the following matters for information – a) Ministerial decisions made between the period 12th April and 11th May 2006, b) P.48 /2006 (Com) entitled 'Island Plan 2002, Policy H2 - Fields 848, 851, 853, and 854 – comments', c) P.38/2006 (Com) entitled 'Charing Cross - vacant site – petition – comments', d) information regarding the forthcoming Homes and Leisure Exhibition on 9th – 12th November 2006, e) a briefing note concerning matters considered by the Chairmen's Committee on 20th April 2006. With regard to item d), the Panel instructed its officers to secure a 3m x 1½m stand for use by the Panel and, if appropriate, other Scrutiny Panels, at a cost of £988. In addition, the Panel instructed officers to investigate the possibility of purchasing an Environment Panel sign for use at this and other public events. With regard to item e) the Panel was advised that Deputy J. Gallichan of St. Mary had been invited to work with the Scrutiny Web site Action Group and that she had also expressed an interest in taking a lead rôle in public engagement matters. Panel members expressed the view that it was important to ensure key Scrutiny roles were filled by persons with appropriate levels of political experience. Accordingly Deputy R.C. Duhamel advised that he would be recommending to the Chairmen's Committee that Deputy G.C.L. Baudains should also work with the Scrutiny Web site Action Group. On a related matter, the Panel discussed whether it might	MH

	be in the interests of the States Assembly to introduce limitations on the appointment of newly elected States members to particular positions of responsibility, including that of Assistant Minister. Deputy R.C. Duhamel advised that he was considering inviting the Privileges and Procedures Committee to consider the issue.	RD
4 (21/03/06 Item 1)	**Draft Strategic Plan 2006 – 2011** The Panel recalled that the Chairmen's Committee had scheduled a combined public meeting of all Scrutiny Panels and the Public Accounts Committee for the evening of 18th May 2006 at Hautlieu School, St. Saviour, and that the primary topic for discussion was to be the draft Strategic Plan 2006 – 2011 (Projet No. P.40/2006 refers). A discussion followed on the matter of amending the draft Strategic Plan. The Panel reflected upon its previous discussions concerning the draft Plan and repeated the view that it had been poorly drafted and also that it contained several key omissions. Although the Panel acknowledged that on 16th May 2006 Senator F.H. Walker, Chief Minister, had advised the States Assembly that he wished to defer debate on the draft Strategic Plan to 20th June 2006, in order to allow individual Panels to discuss the document with Ministers, it was concluded that a meeting with Ministers would add little value to the work that the Panel had already carried out. The Panel agreed that no further work on the draft Strategic Plan was necessary. It was further advised by Deputy R.C. Duhamel that the Chairmen's Committee would coordinate amendments to the draft on behalf of individual Panels. On a related matter, the Panel requested that it be provided with copies of a submission made by a Mr. A. Walton concerning the draft Strategic Plan,	RD MR
5 (04/05/06 Item 5)	**Work programme – Design of Homes** The Panel considered a briefing note, prepared by the Scrutiny Office, concerning progress made on the Design of Homes review. Deputy S. Power advised that he wished first to establish the views of the Minister for Planning and Environment and the Planning Applications Panel concerning the draft Planning Advice Note No.1, before inviting the Association of Jersey Architects (AJA) to give their views on the draft. This approach was endorsed and officers were instructed to apprise the AJA of the Panel's intentions. Officers were further authorized to send a letter to the Association of Jersey Estate Agents seeking data concerning the number of one and two bedroom homes that agents had been marketing for a period of six months or more, together with possible reasons for the current status of that sector of the market. Deputy R.C. Duhamel advised that the Minister and his Applications Panel were hoping to meet with the Panel on either 22nd or 24th May 2006 to discuss the current draft Planning Advice Note No.1. Officers were instructed to formalize the necessary arrangements.	IC IC IC
6 (04/05/06 Item 6)	**Work Programme – Planning Process** The Panel considered a progress report, dated 12th May 2006 and prepared by the Scrutiny Office, concerning the Planning Process review. It was reported that almost 30 submissions had now been received. Analysis of those submissions had revealed ten key issues for consideration, ranging from the publication of planning applications	

	through to the issue of whether there were adequate rights of appeal against decisions. The Planning Process Working Group was due to meet on Monday 22nd May 2006 to review the submissions in detail and to decide upon a way forward. A report would then be prepared and submitted to the Panel for consideration at its next full meeting on 1st June 2006. Further to the foregoing, Deputy G.C.L. Baudains assured the Panel that he was aware of the potential for conflicts of interest to arise concerning certain ongoing planning matters in St. Clement on which he had expressed views. He advised that he was taking particular care to avoid such issues as far as was reasonably possible. The Panel noted the position. On a related matter, it was confirmed that the Association of Jersey Architects had been contacted. It was understood that the Association did intend to make a submission, although correspondence had not yet been received. The Panel instructed officers to confirm when the Association would be in a position to make its submission.	IC / GB / RLH IC IC
7 (04/05/06 Item 7)	**Work Programme – Waste** The Panel received an oral report from Deputy R.C. Duhamel concerning progress made on the Waste review. Deputy R.C. Duhamel reported that Deputy G.W.J. de Faye remained firmly of the view that the proposition entitled 'Solid Waste Strategy: locations for proposed facilities' (Projet No. P.45/2006 refers) should be debated by the States on 20th June 2006. He further submitted that the Panel's primary objective should be to ensure that the States moved to in vessel composting in a way which reduced traffic movements by using 3 separate sites. It was disclosed that there were a number of States members working behind the scenes to secure a satisfactory composting solution. A related meeting of politicians and agricultural groups had been scheduled for Saturday 20th May 2006, the outcome of which might have implications both for the debate on P.45/2006 and on the proposition lodged 'au Greffe' by the then Senator P.V.F. Le Claire entitled 'Composting Facilities' (Projet No. P.258/2005 refers). Deputy R.C. Duhamel confirmed that he would advise the Panel of the outcome of the meeting in due course. The Panel was reminded that the debate on P.45/2006 was scheduled to take place in less than five weeks. Accordingly clarification was sought as to whether the Panel intended to produce a report to inform that debate. Deputy R.C. Duhamel advised that the over-arching purpose of the current review was to inform debate on the type of plants to be purchased for processing solid waste. On that basis he maintained that there was no need for the Panel to produce a report to inform the debate on P.45/2006 or, for that matter, P.258/2005. It was suggested that recent significant levels of political involvement in a number of separate composting and solid waste issues generally had served to cloud the debate at a strategic level. Accordingly consideration was given as to whether Deputy R.C. Duhamel should make a statement in the States confirming the exact nature of the work being undertaken by the Panel and also the deadlines to which it was working. Deputy R.C. Duhamel concluded that a statement was not necessary at the current time. On the matter of an amendment to P.45/2006, Deputy R.C. Duhamel explained that he had submitted a draft amendment to the	RD

	Bailiff for advice and, after some delay, had finally received approval on the understanding that a satisfactory definition of 'Strategic Environmental Assessment' was to be included within the accompanying report. The Panel was invited to note that although the draft amendment, together with previous assurances given by Deputy G.W.J. de Faye during questions without notice in the States on 25th April 2006, would result in a form of environmental impact assessment being given to States members in advance of the debate on 20th June 2006, the amended proposition was not capable in isolation of providing the Assembly with a Strategic Environmental Assessment, to be defined in detail by Deputy R.C. Duhamel, in advance of 20th June. Several members agreed that any amendment should require that the States be given the opportunity to endorse a Strategic Environmental Assessment, to be defined in detail by Deputy Duhamel, prior to any consideration by the Minister for Planning and Environment of the siting of composting and other solutions for the final processing of solid waste. Accordingly officers were instructed to liaise with the Greffier of the States regarding a revised amendment.	IC / MR
	Turning to the Panel's own ongoing Waste review, members confirmed that they had all received copies of the proposed terms of engagement for the employment of Professor C. Coggins as an expert advisor to the Panel. The Panel was satisfied that Professor Coggins' previous recent work for the then Shadow Scrutiny Panel was of a high standard and represented excellent value for money. Furthermore, it determined that the Professor was particularly well acquainted with the relevant solid waste policy issues facing the Island. On that basis it approved the employment of Professor C. Coggins for a period not exceeding 20 working days at a cost of £400.00 per day.	MR
	The Panel discussed developments with the proposed St. Helier Zero Waste Project, for which it had previously agreed to provide financial support in the sum of up to £5,000. Deputy R.C. Duhamel advised that the Parish of St. Helier was to be invited to approve the project on Wednesday 24th May at an Assembly. The Panel was advised that it had previously been informed that the Constable A.S. Crowcroft of St. Helier was preparing a revised draft of the scoping paper seen previously by Panel members. No such paper had yet been received. Moreover, the Panel had not yet received a project document proposing administrative, logistical and budgetary arrangements for the proposed trial. Deputy R.C. Duhamel informed members that he would be inviting Professor C. Coggins to assist with finalizing detailed arrangements for the project in general and the arrangements for data collection in particular. The Panel noted the position.	
	Officers sought confirmation of the Panel's current timescale for the production of a Panel report on Waste, particularly in light of delays in commencement of the St. Helier Zero Waste Project. Deputy R.G. Le Hérissier invited members of the Waste Working Group to consider presenting an interim report prior to the forthcoming debate on P.45/2006. Deputy R.C. Duhamel stated that the Working Group was aiming to present a report at the end of July 2006.	
8 (10/01/06 Item 3)	**Making the Most of Jersey's Coast** The Panel recalled that, during his presentation on 10th January 2006, Senator F.E. Cohen, Minister for Planning and Environment had advised members that consultation on a coastal management	

	strategy was ongoing. On 28th February 2006 Panel members had subsequently received copies of the consultation draft, entitled 'Making the Most of Jersey's Coast'. Deputy G.C.L. Baudains apprised the Panel of his concerns regarding potential resource implications of measures contained within the consultation draft. He suggested that the Panel might wish to make further enquiries as to the current status of the strategy. The Panel instructed officers to establish the current status of the draft coastal management strategy and to arrange a meeting with the Minister and relevant officers, prior to the debate on the draft Strategic Plan 2006 – 2011, in order to discuss the proposals contained within that consultation document.	IC / MR
9	**Topic Proposal** The Panel considered e-mail correspondence, dated 8th May 2006 and written by Deputy P.V.F. Le Claire of St. Helier, concerning water pollution issues in St Peter. It was reported that Deputy P.V.F. Le Claire remained concerned that chemical pollutants linked with previous fire fighting activity at Jersey Airport were continuing to cause problems for residents, for businesses and for States departments. Officers were instructed in the first instance to write to various parties, including: Mr. M. Pollard, former Constable of St. Peter; Mr. P. Rondel, former Deputy of St. John, and the Environment Department.	IC / MR
10.	**Date of next meeting** The Panel agreed to meet at 9.30 am on Thursday 1st June 2006 in Le Capelain Room, States Building.	IC/ MR

Signed Date

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Chairman, Environment Panel