

Environment Scrutiny Panel

PUBLIC MEETING
Record of Meeting

Part A

The record of this meeting is comprised of Part A and Part B minutes

Date: 10th January 2008.
Meeting Number: 69

Present	Deputy R.C. Duhamel (Chairman) Connétable K. A. Le Brun of St Mary Deputy P. V. F. Le Claire (for a time) Deputy C. Scott Warren (for a time)
Apologies	Connétable A. S. Crowcroft
Absent	
In attendance	Mrs C. Le Quesne Scrutiny Officer Mr N. Fox Scrutiny Officer

Ref Back	Agenda matter	Action
1.	<p>Minutes</p> <p>The Panel received and approved its Minutes of the meeting of 13th December 2007, Parts A and B, and its telephone meeting of 2nd January 2008.</p> <p>RD, KLB, CSW, PLC</p>	
2.	<p>Puffin Update</p> <p>The Panel recalled that it had previously considered concerns expressed relating to the diminishing number of puffins on the North Coast and had been briefed by officers of the Economic Development in this regard.</p> <p>The Panel further recalled that it had agreed to await the follow up report requested of the developers prior to making a comment to the Planning and Environment Minister on the issue.</p> <p>No further action was to be taken at this time.</p> <p>RD, KLB, CSW, PLC</p>	
3.	<p>SDUK Conference</p> <p>The Panel recalled that it had previously instructed officers to book places at this conference for the Panel and one officer.</p>	

	<p>It had since become apparent that the flight schedules to the UK would require delegates to stay overnight in order to attend. These arrangements were ongoing and it was agreed that flights would be booked at a later date.</p> <p>The Panel noted that the total cost of the conference was estimated at £2,499.80. Officers were directed to take the appropriate action.</p> <p>RD, KLB, CSW</p>	CLQ
4.	<p>Chairmen's Committee Briefing</p> <p>The Panel noted that the Chairmen's Committee had agreed to hire a stall at the forthcoming 'Lifestyle Exhibition 2008' to be held in November 2008. The Committee had further agreed that this should include information about all Scrutiny Panels.</p> <p>The Panel recalled that it had previously decided to hire its own stall for this event at a cost of £1,200. In light of the Chairmen's Committee decision, the Panel was of the opinion that maintaining its own stall in tandem with the joint presentation would not be appropriate.</p> <p>It was noted that although the Panel would be entitled to a full refund were its stall reservation to be cancelled, these funds were part of the 2007 budget and would therefore not be available to the Panel as they would revert to the Treasury.</p> <p>The Panel decided that while it intended to abide by the decision of the Chairmen's Committee and participate in the joint stall, it would require space on the display area equivalent to that which it had purchased originally for its own use, as these monies were now effectively spent. The Panel acknowledged that this would constitute more than one fifth of the presentation area.</p> <p>Officers were directed to take the appropriate action in this regard.</p> <p>RD, KLB, CSW</p>	CLQ
5.	<p>Chairmen's Committee Submission</p> <p>The Panel noted its draft submission to the Chairmen's Committee in respect of its activities during December 2007 and January 2008, and its current position.</p> <p>The Panel approved the draft for presentation to the Chairmen's Committee. Officers were directed to take the appropriate action.</p> <p>RD, KLB, CSW</p>	CLQ
6. (Item 7 03.12.07)	<p>Review of the Island Plan to rezone land for life-long retirement dwellings for the over-55s and first-time buyer homes.</p> <p>The Panel recalled that it had submitted a response to the Planning Department's consultation document in respect of life-long retirement dwellings, and that it had raised a number of concerns. The Panel had agreed to discuss these concerns with a delegation from the Department.</p>	

	<p>Accordingly, the Panel welcomed a delegation consisting of Deputy A. Pryke, Assistant Planning and Environment Minister, Mr. P. Thorne, Director of Planning and Building Services, and Mr. T. Gottard, Principal Planner.</p> <p>The Panel informed the delegation that it had certain reservations concerning the proposed scheme. These were in part based on the fact that the development model appeared to be opportunistic rather than coordinated, and would result in the creation of additional housing on green field sites without sufficient amenities. The Panel was of the opinion that the development of functioning communities would be preferable.</p> <p>The delegation responded by informing the Panel that planned communities were being considered, but that these would be included in the next update of the Island Plan, which was between 18 and 24 months from reaching the States. Planning such communities was resource-intensive and took considerable time, and there was a demand for additional housing in the short-term. The current scheme was therefore an interim solution designed to meet immediate demand, and had been based on sites identified by the relevant Connétables.</p> <p>The delegation added that the homes would be accessible to wheelchair users, and suitable for the installation of equipment to assist disabled residents.</p> <p>The Panel informed the delegation that there were considerable issues in respect of affordability and availability in relation to local accommodation in general, fuelled in the opinion of the Panel by the presence of ‘J-category’ residents. It suggested that the situation could be alleviated by refusing planning permission for ‘buy-to-let’ properties.</p> <p>The Panel thanked the delegation for its attendance. The delegation then withdrew.</p> <p>The Panel considered that the discussion had been valuable, but decided that it would take no immediate action on the subject.</p> <p>RD, KLB, CSW, PLC</p>	
<p>7.</p>	<p>Glasshouse Locations</p> <p>The Panel noted that it had received report from the Planning and Environment Department detailing the location of glasshouse sites in the Island.</p> <p>The Panel was of the opinion that while these were historically accurate it raised concerns as to possible changes of use which may have occurred since the list was compiled.</p> <p>RD, KLB, CSW</p>	
<p>8. (Item 2 13.12.07)</p>	<p>Waterfront Consultation document</p> <p>The Panel considered a document entitled ‘Masterplan for the Esplanade Quarter, St. Helier’, produced by Hopkins Architects on behalf of the States.</p>	

The Panel, having received and considered this document previously, discussed the merits of the scheme for the development of the Esplanade, Weighbridge and Waterfront areas.

The Panel considered that the traffic elements of the scheme had not been sufficiently considered and modelled, and that the difficulties of 'sinking' Route de la Liberation and the consequent removal of significant quantities of infill material had been understated.

Furthermore, the scheme as outlined would result in an area which was almost exclusively for the use of commercial services, with some tertiary service industries such as public houses and restaurants. The Panel was concerned that this would result in the virtual depopulation of the area at night, with detrimental consequence both for efficient land use and public order.

The Panel was of the opinion that the shortcomings in the design were a result of a flawed development model. The primacy of the Waterfront Enterprise Board in decision making on the subject, and the intention to give the area wholly to a single developer were identified as key problems in the development of effective long-term planning in this area.

The construction of Route de la Liberation overland, and the subsequent suggestion that it should be reconstructed as a subterranean tunnel was identified as a prime example of the problems this development had encountered. The resulting recommendation that the land be leased to a private body for 150 years in order to finance alterations to the traffic system was not therefore considered appropriate.

Concerns were also expressed as to the development of significant infrastructure in an area that could be prone to flooding should sea-levels rise.

The Panel, in light of the importance of this subject to the future development of the Island, agreed continue finish discussion of the subject at a subsequent dedicated meeting. This would allow sufficient time to consider the document and permit Connétable Crowcroft to contribute. Officers were directed to arrange this meeting.

The Panel directed officers to note in bullet point format all matters discussed at the meeting, as follows-

- Lack of developer tender process
- Lack of flexibility due to single developer
- System issues with WEB leadership
- No traffic flow modelling
- Expense and ramifications of lowering road are understated
- Single use leading to nocturnal depopulation of area

	<ul style="list-style-type: none"> • Small benefit to tax base due to 0/10 • Construction of infrastructure near current sea level • 150 year lease arrangement not appropriate • Crown ownership of foreshore may cause complications <p>RD, KLB, CSW, PLC</p>	
9.	<p>Water Quality in St. Aubins Bay</p> <p>The Panel received a letter from the Chief Executive Officer, Transport and Technical Services, in response to a request for information.</p> <p>The Panel noted responses to questions regarding water treatment and outflow into St. Aubins bay. Concerns were raised, however, as to the outflow volume of treated water into the bay.</p> <p>The Transport and Technical Services Department had indicated that there was a continual outflow volume of 600 litres per second. However, some members were of the opinion that this volume was lower during periods of low tide. Were this to be the case, it would follow that the volume would be greater than 600 litres per second at high tide, in order to maintain the daily output. Were this level to be too high then it would indicate that the outflow volume was exceeding the treatment volume, and that therefore untreated material would be being discharged into the bay. While the Panel was aware that some 'lightly soiled' water would be held back during peak periods of rainfall for discharge at a later time, there were concerns that the Department was allowing untreated material to leave the outflow at periods of high tide.</p> <p>The Panel discussed the possibility that increased activity of marine animals in the region of the outflow could be due to the release of untreated material, and it was suggested that independent testing of the material might be considered. The relationship between the Planning and Environment Department and the Transport and Technical Services was considered to be too close to allow genuine regulation, and it was suggested that the Health Protection section of the Health and Social Services Department should countersign all discharge permits and outflow evaluations in respect of this pipe.</p> <p>Following further discussion, the Panel agreed that its planned tour of the inclinometer facility at Bellozanne on 28th January 2008 could be combined with a tour of the sewage processing plant. This would provide an opportunity for the Panel to obtain further information.</p> <p>RD, KLB, PLC</p>	
10. (Item 1 03.01.08)	<p>Energy Consultation</p> <p>The Panel recalled that it had agreed at its meeting of 3rd January to complete work on its response to the Energy Policy consultation document issued by the Environment Department.</p> <p>Due to insufficient time to complete the work the Panel agreed to</p>	

	<p>defer this matter until its next meeting.</p> <p>RD, KLB, PLC</p>	
<p>11.</p> <p>Item 15 03.12.07</p>	<p>Jersey Heritage Trust Sites and consultation documents</p> <p>The Panel recalled that that concern had been expressed in connexion with the issue of consultation documents regarding Mont Orgueil Castle at a previous meeting, although research had indicated that documents currently in circulation did not amount to a public consultation relating to any planning or building plans, but an updating of the recorded history of the site as a result of finds in recent years.</p> <p>The Panel noted that the central theme of the objections was that construction of temporary structures which would in some cases require permanent foundations and this could damage the historical integrity of the site.</p> <p>In light of these concerns the Panel decide to write to the Planning and Environment Minister to inquire as to the application of supplementary planning guidance on historic sites.</p> <p>RD, KLB, PLC</p>	<p>CLQ</p>
<p>12.</p>	<p>Island Plan Review 2008 Event</p> <p>The Panel noted a letter from the Director of Environment, Planning and Environment Department, inviting officers of the Panel to the Island Plan Review 2008 Event, to be held on 25th January 2008 and hosted by the Planning and Environment Minister.</p> <p>RD, KLB, PLC</p>	
<p>13.</p>	<p>Environmental Data Services</p> <p>The Panel received a subscription renewal form from Environmental Data Services, in relation to the publication of the same name.</p> <p>The Panel agreed to renew its subscription and directed officers to take the appropriate action.</p> <p>RD, KLB, PLC</p>	<p>CLQ</p>
<p>14.</p>	<p>Environment Panel Annual report for 2007</p> <p>The Panel noted and approved its submission for inclusion in the Scrutiny Annual Report.</p> <p>While the Panel noted that its submission was current longer than had been requested by the Privileges and Procedures Committee (at four pages rather than one) it considered that this was justified.</p> <p>Officers were directed to take the appropriate action.</p> <p>RD, KLB, CSW, PLC</p>	<p>CLQ</p>
<p>15.</p>	<p>Machinery of Government Reform</p> <p>The Panel noted a letter from the Chairmen's Committee to the Privileges and Procedures Committee in respect of government reform. It also received a request to comment on two</p>	

	<p>recommendations from the Privileges and Procedures Committee, that-</p> <ul style="list-style-type: none"> a) Sub-Panels be permitted to bring matters to the States under their own name, and b) that the function of Scrutiny should be revised to promote the use of Sub-Panels. <p>The Panel did not agree with either recommendation.</p> <p>In addition, the Panel noted that it had previously supplied Privileges and Procedures Committee with a response to several of its other recommendations.</p> <p>RD, KLB, CSW, PLC</p>	
16.	<p>Transport and Technical Services Department Business Plan 2008</p> <p>Due to insufficient time to complete the work the Panel agreed to defer this matter until its next meeting.</p> <p>RD, KLB, CSW, PLC</p>	
17.	<p>Air Quality</p> <p>The Panel received an oral update from officers as to the progress of the air quality review.</p> <p>The Panel noted that there was currently no movement in this regard.</p> <p>RD, KLB, CSW, PLC</p>	
18.	<p>Waste Plant review</p> <p>The Panel recalled that it had stated that it would hold public meetings during the period of this review in order to heighten public awareness of the issues.</p> <p>The Panel approved the public meetings to be held as follows-</p> <p>31st January 2008 - 7.00pm to 9.00pm at Grouville Parish Hall 11th February 2008 - 7.00pm to 9.00pm at St. Mary's Parish Hall 21st February 2008 - 7.00pm to 9.00pm at St. Saviour's Parish Hall 28th February 2008 - 7.00pm to 9.00pm at St. Brelade's Parish Hall</p> <p>The Panel agreed to place a half-page advertisement in the Jersey Evening Post for three nights prior to each of these events to generate publicity, and approved the expenditure of up to £1,000 per advert.</p> <p>The Chairman was tasked to work with officers to produce these advertisements. Officers were also directed to notify other media organisations of the public meetings.</p> <p>RD, KLB, CSW, PLC</p>	

Signed

Date:

Chairman
Environment Panel