

STATES OF JERSEY



STATES' APPROVAL FOR HOUSEHOLD LIQUID OR SOLID WASTE CHARGES PRIOR TO IMPLEMENTATION

Lodged au Greffe on 20th June 2017
by the Minister for Infrastructure

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

that any proposal to introduce household liquid or solid waste charges must be brought to the States for approval prior to implementation.

MINISTER FOR INFRASTRUCTURE

REPORT

The Minister for Infrastructure (“the Minister”) seeks to ensure that the Assembly is clear about the intentions for ‘user pays’ waste charges. This proposition sets out and clarifies the intent regarding non-household liquid and solid waste charges.

At the September 2016 MTFP debate, ‘in principle’ approval of user-pays waste charges for non-householders only was agreed by the States Assembly.

Following the September 2016 MTFP debate, proposals for liquid waste charges have been developed and lodged. The mechanism for authorising charging requires the bringing into force of Article 4 of the [Drainage \(Jersey\) Law 2005](#) by Appointed Day Act (see [P.38/2017](#)). This Article within the Law has not previously been brought into force, and when it is, it will provide authority for the Minister to charge for sewerage services.

Article 4 of the Drainage (Jersey) Law 2005, as enacted, does not make the distinction between householders and non-householders with reference to the charge. At the MTFP debate in September 2016, it was made clear by the Assembly that only non-householders should be charged, and householders will remain exempt from the charge except where there are pre-existing sewage tanker arrangements.

The proposals to be brought forward to the States regarding amendments to the [Waste Management \(Jersey\) Law 2005](#), to enable solid waste charging, make the distinction between household and non-household customers.

Following recent political engagement with States Members through workshops and meetings, and also through engagement with Scrutiny, the Minister wishes to clarify the position on liquid and solid waste charging by decision of the States.

On 24th June 2003, (then Senator) S. Syvret’s proposition was approved by an Act of the States, meaning that before any new charge can be introduced, it must be debated and approved by the States. This proposition has worked well in practice, and the Minister’s intention under this proposition is similar, such that the scope of an agreed waste charge cannot be extended without it being debated and approved by the States.

This proposition will ensure that it will be up to the States to decide on whether liquid or solid waste charges will be extended to householders, and the Minister will not be able to do so without Assembly approval.

Collective responsibility under Standing Order 21(3A)

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Ministers for Infrastructure, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers ([R.11/2015](#) refers).

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of this proposition.