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3.2 Connétable A.S. Crowcroft of St. Helier of the Minister for Infrastructure regarding the timetable for the introduction of a charge for waste disposal:

Would the Minister set out his timetable for the introduction of a charge for waste disposal, assuming he is successful in his bid to have the “Bellozanne covenant” declared spent and extinguished by the Royal Court?

Deputy E.J. Noel (The Minister for Infrastructure):

For many years now the covenant has hampered us and has meant that the taxpayer has been subsidising commercial waste, which makes up some three-quarters of our E.f.W. (Energy from Waste) plant waste. This is just simply not fair and it needs to be addressed. The Constable agreed at our joint meeting on 5th November that the best way to resolve the issue of the covenant is to take it to the Royal Court and to let the Royal Court decide on the status of the covenant. Currently Jersey is one of the very few places in the world where charging for waste disposal, not to be confused with collection, is not in place as a means of encouraging waste avoidance, recycling and other better environmental waste management techniques in the waste hierarchy. As a result we have in place a disincentive for the generators of commercial waste and, worse still, it is heavily subsidised by the general taxpayer. This cannot be right, both in times of climate change and in times of pressures on the public purse and the taxpayers of Jersey. Therefore it is right and proper, indeed it is appropriate and necessary, to investigate the continuing relevance of the public benefit from the Bellozanne covenant, which relates to a time, I believe, in the early 1950s when waste disposal arrangements, environmental concerns and finances were very different to those of today.

The Bailiff:

Minister, the question is about a timetable.

Deputy E.J. Noel:

I am about to answer that. We are therefore working in accordance with the timetable set out in the M.T.F.P. for user pays to be introduced in 2018.

3.2.1 The Connétable of St. Helier:

Would the Minister confirm that it was his idea, not mine, to test the covenant in the Royal Court? Clearly the Parish does not have a lot of choice if the Minister proceeds that way. But could he further clarify that the effect of removing the covenant would be not only to target producers of commercial waste, which is what he spoke to in his answer, but also producers of domestic waste, in other words ordinary householders?

Deputy E.J. Noel:

Yes, it will open up the ability to charge for domestic waste produced by the Parish of St. Helier. We have always had that ability to charge for domestic waste from the other Parishes. It needs to be a level playing field here. But what is certain, from the work that we have been carrying out, is that three-quarters of that waste going to the Energy from Waste plant comes from the commercial sector. A third of that comes from the same bin lorries coming from St. Helier that bring the domestic waste. What we need to do is to remove that subsidy from the taxpayer to those commercial businesses.

The Bailiff:

Can I remind Members the question is about the timetable?

3.2.2 Deputy S.Y. Mézec:

Hansard is a wonderful thing. During his election for Minister for Transport and Technical Services, when he was trying to extort votes out of us so that he could do this job, he was asked a question by Deputy Le Fondré about waste disposal tax in which he said: "I believe currently that it is not possible to bring waste charges in on domestic waste due to the covenant with St. Helier so it is not in my remit to implement it even if I wanted to, which I do not, but I do believe there is a strong argument for charging commercial waste." So could I ask him when this U-turn happened?

Deputy E.J. Noel:

I still strongly believe that the commercial waste needs to be charged. What I have discovered since then is that I thought it was a mere ... the exact figures I am not sure, I think it was 30,000 tonnes a year commercial waste. What we have discovered is it is three-quarters of the waste at E.f.W. is commercial. That needs to be addressed.

3.2.3 Deputy S.Y. Mézec:

Two questions and 2 U-turns identified and zero apologies, just platitudes, platitudes, platitudes. Would the Minister like to take the opportunity to stand up and explain why he said one thing to get elected and now is saying something completely different?

Deputy E.J. Noel:

I can probably take lessons from Deputy Mézec about giving platitudes. There has been no ...

Deputy S.Y. Mézec:

I have never broken an election promise.

Deputy E.J. Noel:

... U-turn. I said in my election speech in November 2014 that I favoured bringing in a charge for commercial waste. I said in that that I did not believe that it was in my remit to raise the covenant on Bellozanne, that the Parish of St. Helier has. It is not in my remit to do so. We tried to negotiate a settlement with the Parish, it was obviously from our advice and their advice that it was not going to be possible to do that and we agreed that the way forward was to let the Royal Court opine on the covenant and to give clarification of what its current status is.

3.2.4 Deputy J.A.N. Le Fondré of St. Lawrence:

Does the covenant potentially impact upon the ability to raise a sewage charge and in which case does that have an impact on the timetabling?

Deputy E.J. Noel:

No, the covenant does not, as far as I am are, impact on the sewage ... the works that we are carrying out on the sewage treatment works.

Deputy J.A.N. Le Fondré:

That was not about the sewage treatment works. It was the ability to raise a sewage charge.

Deputy E.J. Noel:

Again, as far as I believe, it has no impact on the ability to raise a sewage charge.

3.2.5 Connétable C.H. Taylor of St. John:

The Minister said that the taxpayer subsidises getting rid of domestic waste. Could the Minister not agree with me that we pay our taxes for this to be got rid of and if he introduces a charge we effectively will be paying twice?

Deputy E.J. Noel:

No, what I said was commercial waste. The taxpayer is subsidising commercial waste.

3.2.6 Deputy S.M. Wickenden of St. Helier:

In the timescale set out for trying to charge for commercial and domestic waste has the Minister done the work to understand how charging for domestic waste will affect the lowest income households in Jersey?

Deputy E.J. Noel:

That work is underway. We have commissioned a substantial piece of work looking at both liquid and solid waste charging mechanisms and how they can be implemented in Jersey. How they can be implemented in a fair way and also addressing to make sure that we address the concerns about the ability to pay. That document has recently been produced in its first draft and I believe was sent to the Scrutiny Panel yesterday or it is certainly on its way to the Scrutiny Panel today.

3.2.7 Deputy M. Tadier:

It seems the Minister ... there were pokes to his job in the sense that he is the only one in the Island who can do U-turns with impunity. But can the Minister give some light on whether we are seeing the emergence of a new policy direction with the Council of Ministers? We see talk of a new health charge although we see no material about what that might entail. We talk about a waste charge in here. We already have a long-term health charge. Is this perhaps the new way of ministerial government in Jersey, is that we basically no longer rely on general taxation to pay for public services but maybe in future we can see an education charge, a road charge and, in fact, the abolition of all sorts of other general taxation in favour of regressive charges?

Deputy E.J. Noel:

No, I do not believe that is the case. It certainly is not a policy decision that I am aware of.

[10:00]

But what we have had is we had an M.T.F.P. debate last September and in that it was clearly stated that we would be bringing forward a health charge or health tax to cover some £35 million of the £145 million shortfall. We also said that we would be bringing in user pays charges or user pays taxes to cover 10 per cent of that.

3.2.8 The Connétable of St. Helier:

For the record, I am not happy to leave on Hansard the Minister's statement: "We tried to negotiate a settlement with the Parish of St. Helier." I think perhaps it was when I was taking a comfort break that he did that. But could the Minister just tell us, to revert to the timetable, what steps he will take should it be impossible to raise the Bellozanne covenant, certainly in his ambitious timetable he set himself to introduce the charges by 2018?

Deputy E.J. Noel:

It will be extremely difficult to raise the level of charges as set out in the M.T.F.P. by 2018 and 2019, should we be prohibited from charging commercial waste. The problem with commercial waste, it does not ... at least a third of it arrives in the back of Parish dust carts. That is a fundamental issue.

If we could separate it, we could charge in a different way and remove the subsidy from the taxpayer to the commercial enterprises.