

# STATES OF JERSEY

## SCRUTINY COMMITTEE

BLAMPIED ROOM, STATES BUILDING

### WASTE MANAGEMENT STRATEGY

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**Present:**            **Deputy Phil Rondel (Review Chairman)**  
                             **Senator Ted Vibert**  
                             **Deputy Gerard Baudains**  
                             **Senator Jean Le Maistre**  
                             **Deputy Rob Duhamel**  
                             **Deputy Bob Hill**

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#### EVIDENCE FROM:

**CONNÉTABLE SIMON CROWCROFT**

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on

**Monday, 20th December 2004**

**(09:31:33 - 10:31:03)**

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DEPUTY RONDEL:            The Scrutiny Panel hearing for the day is now in session. I would like to

call the Constable of St. Helier, Simon Crowcroft, please?

CONNÉTABLE CROWCROFT: Good morning

DEPUTY RONDEL: Good morning, Constable. You are familiar with all the Panel Members?

CONNÉTABLE CROWCROFT: Yes.

DEPUTY RONDEL: And you're Scrutiny Officer is Mr Charles Ahier. Before we start, I have to read you the following. It is important that you fully understand the conditions under which you are appearing at this hearing. You will find a printed copy of the statement that I am about to read to you on the table in front of you.

Shadow Scrutiny Panels have been established by the States to create opportunities for training States Members and Officers in developing new skills in advance of the proposed changes of government. During the shadow period, the Panel has no statutory powers and the proceedings at public hearings are not covered by Parliamentary privilege. This means that anybody participating, whether a Panel Member or a person giving evidence, is not protected from being sued or prosecuted for anything said during the hearings. The Panel would like you to bear this in mind when answering questions and to ensure that you understand that you are fully responsible for any comments you make.

Firstly, Connétable, could you please explain to us your understanding of the Bellozanne Covenant?

CONNÉTABLE CROWCROFT: Okay. The Bellozanne Covenant was put in place when the then Public Works (I suppose they were called) Committee took over the site which is currently used by Public Services for the incinerator. When that was passed to the public from the Parish, the Covenant basically was put in to ensure that the Parish of St. Helier would never have to pay to have its refuse disposed of by, I think they were called, the destructors in those days.

What that means in practice, I am told, is that whatever happens to the incinerator in the future, the Parish of St. Helier would be entitled to take its rubbish up to Bellozanne for disposal and if the incinerator was not there, then the rubbish could be left at the gates of Bellozanne and the Covenant would require the public to deal with it. Whether the Parish would ever do that or not, I don't know, but certainly that is the ... that, to me ... you see, I know that the best legal

brains have been employed to try and find a way round the Covenant, but people in the fifties -- I think it was 1950-something, 1956, was it ----

DEPUTY RONDEL: The mid-fifties.

CONNÉTABLE CROWCROFT: ---- knew what they were doing. Certainly I have heard officer discussions which have tried to say that because the type of refuse that was sent to the destructors has changed, the Covenant no longer applies, but I gather that probably isn't the case and that certainly the intention of the Covenant was very clear when it was put in place, and any court would probably find in favour of the Parish, if the Parish were to want to apply it. I think we have applied it once certainly while I've been Constable, and that was when Public Services were minded to charge us for some of our glass disposal at La Collette and I reminded my officers of the existence of the Covenant. I believe the bill was not presented to the Parish for that glass disposal.

DEPUTY RONDEL: Out of that you mentioned La Collette. Given that Public Services are possibly or are looking, along with Guernsey, at possibly a plant being built at La Collette, amongst one of their options, do you believe that the Covenant in fact would cover La Colette also?

CONNÉTABLE CROWCROFT: It doesn't cover La Collette, but what it means, it seems to me in practice, is that the States cannot ever charge the Parishioners of St. Helier for refuse disposal wherever it happens, whether it is La Collette or Rozel or whatever, because the Parishioners of St. Helier could claim that they are still entitled to take their refuse to Bellozanne to have it cleared up by the Parish. So it doesn't really matter where it goes; the key issue, it seems to me, is how any plant is paid for. If the Parishioners of St. Helier perceive that they are being asked to pay for refuse disposal, then they would, I suspect, have legitimate grounds for calling in the power of the Covenant.

DEPUTY RONDEL: Deputy Duhamel?

DEPUTY DUHAMEL: So by extension does this actually imply that no charges can be levied by the States of Jersey on behalf of a waste management policy operated by that body on to the Parishioners?

CONNÉTABLE CROWCROFT: Well, that's ... I am only a lay person, but that's certainly how I read the Covenant. What it doesn't cover is waste collection and clearly Parishioners do pay through their rates for waste collection and we can, and we do, impose requirements on the Parishioners in terms of how their refuse is presented and a new policy which is going out now to all Parishioners is requiring them to avail themselves of more suitable receptacles in which to present their refuse. So, in terms of paying for waste collection, that is not covered by the Covenant. What the Covenant is about, it seems to me, is paying for waste disposal. In answer to your question, I think the answer is "Yes". I think the Parishioners of St. Helier could object to paying in any shape or form for waste disposal.

DEPUTY DUHAMEL: So one further if I may. As a previous President of the Public Services Committee at that time, to what extent did these revelations impact on the intended strategies that the Committee were looking at?

CONNÉTABLE CROWCROFT: Well, I've clearly had a conflict. For the period of time when I was Constable and on the Committee, I tended not to take part in ... Certainly the Covenant wasn't discussed when I was in the room because people accepted that, as Constable, I had to look after the interests of my Parishioners and certainly the Covenant is the main reason why I have not ... I know there is a vacancy on the Committee and there would be a lot of good reasons for me to sit on Public Services. Indeed, previous Constables of St. Helier tended to sit on that Committee because it would certainly speed up some of the issues that we are looking at around the Parish, but the Covenant was the key problem because clearly the Parishioners need to be reassured that, you know, the Covenant is safe with me and I'm not going to sell them down the river.

DEPUTY RONDEL: Senator Vibert?

SENATOR VIBERT: Do you think the Covenant in fact would also cover Parishioners in general taxation? In other words, could Parishioners complain that they shouldn't be paying for their waste disposal even through their taxes?

CONNÉTABLE CROWCROFT: Again, I am only a lay person, but that would be my reading of it.

SENATOR VIBERT: The second thing I would like to ask is what negotiations have you had recently with the Environment and Public Services about the Covenant?

CONNÉTABLE CROWCROFT: I have not. I am just trying to think. I have not personally been involved in any discussions about it. I know my officers may have been at officer level. I have known it is a problem and I have always said to Senator Ozouf that, as a States Member and with the best interests of the Island at heart, and certainly with my background in terms of my environmental policies, I think there are very good reasons why people should pay for waste disposal. But, you know, clearly the Covenant is there and it's not going to go away.

One of the things I have suggested -- I have certainly spoken to Deputy de Faye a couple of times about this issue -- is the possibility that the Parish could be offered some very attractive real estate and then I could at least go to the Assembly and say "Look", to the Parishioners, "isn't it reasonable to think that we should all be in this together, we should all be tackling the problem of waste? The public are prepared to offer us X, Y and Z. Is that worth the Covenant?" But my feeling is ----

SENATOR VIBERT: A land swap?

CONNÉTABLE CROWCROFT: A land swap, yes, but my feeling is that that would be very strongly resisted and I certainly wouldn't be willing to go to an Assembly with a proposition like that unless there was a fairly good chance that the Covenant was going to be ... you know, that the public were going to find a way round the Covenant.

SENATOR VIBERT: In fact your hands are in fact tied by the Parish Assembly.

CONNÉTABLE CROWCROFT: Yes.

SENATOR VIBERT: It will be a decision they have to make.

CONNÉTABLE CROWCROFT: That is right, that's right and in fact the Parish Assembly can be called by a number of persons in the Parish, so, in the sense that if I didn't take it to the Parish there is no question that the Parishioners could ask for this whole matter of the Covenant to be put before them, and indeed a Parishioner did ask for this to be debated. I don't have the date of the Assembly with me now, but it is certainly something that Parishioners are concerned about.

SENATOR VIBERT: Do you think it is possible to actually sort out the funding of Jersey's

waste, bearing in mind that the Parish is a major contributor to it, without this Covenant matter being sorted?

CONNÉTABLE CROWCROFT: I think that would depend on what formula is chosen for waste disposal. If the public were to find it possible to go down a far less expensive, in terms of capital requirement, far less expensive route than it is currently looking at, then it might be possible to tackle waste disposal. For example, if one was going for the more idealistic option of trying to recycle or reuse practically everything and if one was going to say “We are not actually going to have an incinerator”, then I think one would be saying to the public “Look, we are not going to be charging you a lot of money for waste disposal because we are not going to build another huge piece of kit, but what you have to accept as members of the public is that there will be more work required of you in terms of what you buy and what products you choose to buy in terms of packaging and what you do with your waste once it comes into your house.” So there would be there an argument to say “Well, we are not going to impose charges on the public for waste disposal because we can’t get round the Covenant, but we are going to expect the public to be far more responsible in what they buy and how they deal with the waste.”

SENATOR VIBERT: But if the continuation is that we have to have “*this expensive piece of kit*”, as you called it, which is a nice phrase, I take it the view that you would have is that, unless the Covenant is sorted, it is going to be almost impossible to work out funding?

CONNÉTABLE CROWCROFT: Yes, it would effectively have to be ... because, as you rightly say, I think, any funding which came from the taxpayer, then those taxpayers in St. Helier could say “Well, why should we be contributing through our taxes to waste disposal when the Covenant is in place?”

DEPUTY RONDEL: Deputy Hill?

DEPUTY HILL: Yes. Could I just enlarge on the Covenant issue because I get the overtones that are ringing really in my ears of seeing you are all right, feudal systems and the power all coming back to a head? Can I ask what steps the Parish has taken to get what I would call an up to date interpretation, bearing in mind no doubt things have moved on since the Covenant was first put in place? What steps has the Parish taken to get a legal interpretation?

CONNÉTABLE CROWCROFT: We haven't. We haven't done anything about that, I think, because we know we don't need to because we are aware that the Environment and Public Services Committee is, as I say, bringing in the best legal brains, I imagine. I know the Solicitor General has looked at the Covenant and I expect other legal brains have been brought in by the Committee to try to find a way round the Covenant. I am only surmising that because I don't know, but clearly it is not in a way up to the Parish to do anything about the Covenant. The Covenant is there. It is protecting at least the narrow interests of the Parish, in the sense that the Parish gave up something for the Covenant back in the fifties. So it seems to me that the onus is on the Committee to find a way, either to find a way round the Covenant, if they can, or, if they can't, to make some offer to the Parish which would be good enough for the Parishioners possibly to agree to set aside the Covenant.

DEPUTY HILL: And is it your understanding that Public Services are in fact looking into the arrangements, the Covenant arrangements?

CONNÉTABLE CROWCROFT: Well, I know I would be.

DEPUTY HILL: But you are not aware if they are doing so?

CONNÉTABLE CROWCROFT: No. I have not been personally contacted about it.

DEPUTY HILL: They have not asked you?

CONNÉTABLE CROWCROFT: No. As I say, my involvement in it, because it is extremely sensitive to Parishioners and I have been really at pains to indicate to Parishioners that I am not, you know ... because there were some a year so ago who said "The Constable is on Public Services and he is going to get rid of our Covenant" and I said "Look, I'm not. (a) I'm no longer on Public Services, but (b) I quite understand the reasons why the Covenant was put in place and it is not up to the Parish to really crack that particular problem."

DEPUTY HILL: Thank you.

DEPUTY RONDEL: Senator Le Maistre?

SENATOR LE MAISTRE: Clearly the Covenant is an important element in the total picture and one has to assume that it has a value. What, however, would be your view, looking at the totality of the resolution of waste disposal? Would you think that if that value could be realised in some

way or other, that the Parish would be prepared to work in the best interests of the Island to find the best solution for the Island, albeit with recycling as one of the top priorities and disposal as linked in with that?

CONNÉTABLE CROWCROFT: Yes. I think the Parish is always willing to work with the States, and in fact the new leaflet does say -- and this part was added after I showed the draft to Senator Vibert -- that the Parish will be co-operating with the States in trying to increase recycling in the coming months and will be fully involved in any changes in refuse collection which are required in the future. That doesn't mention waste disposal deliberately because I wasn't, you know, going to put in the leaflet that we were going to be fully co-operating with any waste disposal solutions until the issue of the Covenant has been resolved.

I think, if you are saying that the Parish should be being more corporate in its thinking, I mean, that is a view, but the Parishioners of St. Helier would argue that they are pretty corporate already in what they suffer as residents in the capital in terms of traffic and other nuisances that are involved in being the capital of the Island. I think to say to the Parishioners "Not only must you have that, but you must also pay a bit of extra money towards waste disposal", I can see that the Parish Assembly would be pretty robust, I think, in its rejection of any argument along that line.

SENATOR LE MAISTRE: Are there any figures as to the total proportion of waste generated by the Parish of St. Helier in comparison to the rest of the Island, and do you take the same view, or do the Parishioners, or would you expect them to take the same view, on recycling as opposed to disposal, because the destructor was there for disposal rather than recycling?

CONNÉTABLE CROWCROFT: That is right. As I said earlier, in answer to a previous question, I think if the States adopt policies around recycling, then I think, particularly because there are ways of paying for that at the front end -- in other words, if you have to pay for the part of disposal when you buy the product -- then clearly the Covenant cannot affect that. That is a way of deriving income to pay for recycling initiatives without coming into conflict with the Covenant. The Parishioners probably could object to increased costs around recycling if that was seen as part of the disposal process, but, as I said earlier, I think if you ask the Parishioners



of St. Helier, as we have recently with glass collections, to do things differently for a good reason -- in that case it was saving money and health and safety concerns -- then I think they will do that.

SENATOR LE MAISTRE: Yes.

SENATOR VIBERT: Can I change the subject for a moment?

DEPUTY RONDEL: One second, I am not quite finished. Connétable, we have got a copy of the Covenant all in French and, as you can see from mine, the writing is pretty small.

CONNÉTABLE CROWCROFT: Yes.

DEPUTY RONDEL: You wouldn't have an English translation for the Members who actually aren't fluent in reading French?

CONNÉTABLE CROWCROFT: I would have thought the Committee has one by now. If it has been looking at the Covenant, I would assume that the Committee has had it translated.

DEPUTY RONDEL: Okay.

CONNÉTABLE CROWCROFT: Well, again, we may have one. I tend to be given the French one when I ask for it to go to people, so, again, I would assume the Committee has had it translated, but I guess the lawyers that they are using are just as conversant with the French as they are with the English.

DEPUTY RONDEL: I am sure, but if you have an English copy, it would be useful for the Panel to have a copy.

CONNÉTABLE CROWCROFT: Yes, of course.

DEPUTY RONDEL: Continuation?

DEPUTY DUHAMEL: Continuation, yes. Notwithstanding your comments that perhaps if the States did go down the path to seek to determine a buyout price, if you like, to compulsory purchase the Bellozanne Covenant, you actually indicated that a deal whereby X, Y and Z property is related might be something that perhaps you may be interested in but not necessarily your Parishioners. In those terms, do you have some idea of the total cost of a portfolio of properties, X, Y, Z, that you would have to put together in order to buy out the Covenant's interest which was held in perpetuity? If you have got an interest that lasts forever, how big is the ----

CONNÉTABLE CROWCROFT: That is right. It is clear that our refuse disposal costs if we had been billed for it would be, I think, in the order of a million pounds a year. It wouldn't take long to get to whatever value you had agreed for these properties. But, as I said, it was very much along the lines that there were a couple of properties that I would regard as very useful strategic assets for the Parish and places where, for example, we don't have any youth facilities, where we could create them if the States were to give us a redundant school building, for example.

SENATOR VIBERT: Mont a L'abbe?

CONNÉTABLE CROWCROFT: Well, for example. But I have not made any ... as I say, this is only a discussion I have had with a particular deputy. It is not something that I have initiated any investigation on simply because I am pretty sure ... you know, I know enough about what the ratepayers think, particularly in No. 3 District, that they would say "It does not matter what worn out school buildings you give the Parish, we are not giving up our Covenant." I think that would be their message in pretty simple terms really. That is why I have not pursued that as an option.

SENATOR LE MAISTRE: Continuation on that, if I may?

DEPUTY RONDEL: Yes, Senator.

SENATOR LE MAISTRE: I am just surprised to hear that, because I expected the residents of No. 3 District to be really delighted if the incinerator process could be moved away from that area rather than them wanting to cling on to it.

CONNÉTABLE CROWCROFT: Well, that is right, and not just the incinerator but also the traffic, which is one of the banes of their life in that area. But I think what you have then of course got to deal with is all residents of No. 1 District, who would then hear that the incinerator is coming down to their neck of the woods. We are already getting a lot of complaints from residents of Havre des Pas about the noxious smells from the composting operation which has been taken from lucky St. Mary and delivered to St. Helier and that is a cause of a great deal of concern. So I think if the incinerator were to come down to No. 1 District, effectively, then those residents would be filling the Town Hall and saying "The Covenant must stay in place."

SENATOR LE MAISTRE: Again, you surprise me that there is that comment from No. 1 District

about composting because that was made abundantly clear when St. Mary was closed, that it would probably occur in town, but that those responsible ----

CONNÉTABLE CROWCROFT: Well, I don't know how abundantly clear it was because until things happen in Jersey you obviously don't ... I mean, people obviously don't take on board what's going to happen. Clearly once composting is ... if it is put into in-vessel, then that won't be a problem any more.

SENATOR LE MAISTRE: That's right.

CONNÉTABLE CROWCROFT: Apart from the additional traffic generation. But I think it is important. It is a side issue really, but La Collette and its development and the mineral strategy were never taken to the States, and clearly there is concern, I think, in that part of St. Helier that this issue, particularly of traffic generation in that part of St. Helier has never really been dealt with. So, quite naturally, I think, there is concern by residents of that part of St. Helier if the waste operation of the Island is to come down to the south of St. Helier.

SENATOR LE MAISTRE: You made an assumption, if I can just complete my question, that the incineration would move down to La Collette. Would that be the same view with No. 3 and No. 1 if it was to be exported?

CONNÉTABLE CROWCROFT: No, I suppose it wouldn't, because then you wouldn't have the nuisance of the incinerator itself and the potential sort of air quality issues around it. I mean, you still have the traffic issues, but certainly if you didn't have the incinerator down there, then there wouldn't be that to object to.

DEPUTY RONDEL: Thank you. New subject, Deputy Duhamel.

DEPUTY DUHAMEL: Yes, thank you. In reference to the *Working Together for a Cleaner St. Helier* document, we have been given evidence by our advisors that in the UK in fact, the introduction of 240 litre wheelie bins is the wrong way to go if you are trying to encourage people to recycle. Basically, the argument put forward by the UK authorities is, in giving people a larger bin, they find more inventive ways to fill it. Could you perhaps outline your thinking behind the introduction of that ----

CONNÉTABLE CROWCROFT: Yes.

DEPUTY DUHAMEL: In particular, in the context of the EU Directive which is on its way and presumably Jersey will be complying with and presumably the St. Helier local collection authority as well, in that, by 2006, I think it is, most authorities will have to implement or be actively seeking to implement a collection for dry recyclables, which effectively means that the putrescible component has to be collected separately?

CONNÉTABLE CROWCROFT: There are quite a few questions there. I will try and answer them all. Clearly one of the challenges facing the St. Helier refuse collection is that there are a large number of people who live in lodging houses and, for them, the idea of having separate containers for separate types of waste is always going to be practically impossible for them. They simply will not have the room. So there is always going to be the need, I think, in St. Helier for some kind of ability for people to take their refuse and put it in different communal bins. So I think that is the first thing I would say. I think we are going to need to use some kind of facility like that for those people who cannot ... and these people cannot store a 240 bin either. They simply cannot store a bin in their property.

As far as the 240s are concerned, they were brought in really for at least two good reasons. One is that the current metal hand bins that people have generally -- I mean, my family had three of them -- pose a health and safety problem, and the reason we have changed to the plastic liftable bin here is the same reason we changed away from glass collections, which again were being made to metal bins full of glass. There is a simple health and safety problem in asking your staff to lift these metal bins or, in some cases, plastic bins with very poor handles just set into the sides of them. The advantage of this bin means that it can be wheeled over to the back of the refuse lorry and lifted mechanically with no danger, health and safety risk or whatever. Some people think that that is being led by the nose by health and safety, but it does seem to me that, given what some people put in their bins, it is actually quite sensible. So that is why we moved over to the wheelie bin.

The size of the wheelie bin has been very much determined by what people are producing at the moment. Certainly if we are successful over the coming years in persuading people to buy, or if we persuade producers to produce their goods in ways that are not so heavily packaged

and people start producing less waste and we start separating more waste, then clearly there may be a case ... I know in some German towns, where you walk down the street and you see these tiny little bins which are all the household produces that needs to be collected by the council. But at the moment we are where we are and certainly when we got our wheelie bin, we got rid of three metal bins, we got rid of the bin store, we have increased the space in our yard and also we only put the bin out now quite often every two weeks instead of every week. So for us as a family it is actually quite a useful device. It takes up less space, it is easier for us to move around, it frees up space in the household and presumably in five or ten years time, as I say, if householders are separating waste and we have different collections of different types of waste, then maybe the 240 bin because it is sitting there for a month rather than for two weeks, in our case, will become too big and we will then get a smaller one.

DEPUTY DUHAMEL: So would it in fact be the intention of St. Helier Parish to introduce a separate collection of putrescibles, bearing in mind the evidence which suggests at the moment that the key to advanced recycling is in fact to take out those elements of the bin that do cause the soiling and to leave everything else in there?

CONNÉTABLE CROWCROFT: Yeah. I mean, again, from my own point of view, if I was having my, you know, a certain type of waste, perhaps the putrescibles, collected, if I couldn't have a home composting system (which I can actually, but if I couldn't), then I would presumably just be filling up my big bin with paper or whatever else it was being used for and I would be presenting my putrescibles in a smaller bin that was provided for that purpose. But the problem, as I say, is there will still be -- I forget the exact percentage -- but it might be as high as 20% of our residents who simply would not have the facilities to have those two bins on their property and they would have to be going out to the nearest communal recycling centre of whatever we decide to call it to post their different bits of refuse in the different bins.

DEPUTY RONDEL: Right. Deputy Baudains?

DEPUTY BAUDAINS: How difficult would it be for your Parish to alter its collection to accommodate a separated collection, because we have been told that a special vehicle would be required and it may have difficulty in manoeuvring in the streets of St. Helier and what

consultation have you had with Public Services on this matter, because we were led to believe that the stumbling block to greater recycling and separation is actually the Parishes?

CONNÉTABLE CROWCROFT: I think the vehicle is the problem. We have a lot of trouble getting these things because of the narrow wheel base and everything on top that goes with that. There is a lot of difficulty. We cannot simply use the ones that are used in the UK. But, having said that, I don't see the problem myself. I mean, my collection is on a Tuesday. If I was having my putrescible collection on a Tuesday and my paper collection every other Wednesday, we would use the same vehicles. It is just that they would be doing different jobs on different days. That seems to be a simpler way than going for a vehicle which is compartmentalised or whatever, because, as you know, we wouldn't get that on the wheel base permitted on Jersey roads.

DEPUTY BAUDAINS: So you don't see it as a problem?

CONNÉTABLE CROWCROFT: No, not at all.

DEPUTY BAUDAINS: And the timescale for introducing it, if it was in the mind of the Island to go down that route, have you any idea?

CONNÉTABLE CROWCROFT: Well, we constantly in the Parish are reviewing the rounds. In the last year we have got rid of one of the rounds, which has allowed us to have a vehicle off the road being maintained, which was never the case before. We are reviewing every aspect of how we collect waste. The driving force of that is efficiency. We want to demonstrate at successive Rates Assemblies that we are changing the way we pick up waste. So I think we can implement changes fairly quickly.

DEPUTY BAUDAINS: What I am driving at is that we have been led to believe that the move towards a separated waste collection would take any number of years to get people educated into the system, to get the vehicles sorted out and there might even have to be an Island-wide collection as opposed to a parochial one. In your view, how long a lead-in time could it be done in if the will was there to do it?

CONNÉTABLE CROWCROFT: I would suggest we would do it in an area by area basis. So we would take one of the rounds. We would warn all the residents with a flier that in one month's

time we were going to change. This is the same if we change their collection day. We do the same thing. You would simply tell them that, you know, every fortnight we would collect their paper waste.

DEPUTY BAUDAINS: So you would be looking at several months, not several years possibly?

CONNÉTABLE CROWCROFT: Yes.

DEPUTY BAUDAINS: Thank you.

DEPUTY RONDEL: Senator Vibert?

SENATOR VIBERT: Yes. We were told at one of our hearings by the Public Services people that the Parishes were a key component to the waste collection cycle. I wondered to what degree you have had consultation, bearing in mind you are the largest waste producer in the Island of all the Parishes -- for obvious reasons because of population -- to what degree you were actually consulted about all of this in the preparation of this particular document?

CONNÉTABLE CROWCROFT: Well, the Constables as a Committee have been visited by Senator Ozouf.

SENATOR VIBERT: No, I mean the Parish of St. Helier.

CONNÉTABLE CROWCROFT: Me personally, the Parish of St. Helier. I know there is quite a lot of contact at officer level. I'm not aware of much at political level, but certainly at officer level they do talk to each other because clearly in their new initiatives such as the newspaper recycling thing which is going on at the moment they will want to know from Parish Officers where the best place is to put a newspaper bank and so on. I got some very valuable input from the recycling officer on this particular leaflet, because obviously I sent it to Public Services for their comments before it went to the printers and several very valuable suggestions were made which have been incorporated into it, as indeed were your valuable suggestions, Senator.

SENATOR VIBERT: Could I just show you a couple of photographs? I am actually showing the Constable photographs of a bank system which is operated in villages in France, which attracted this Panel because of its aesthetic qualities and whether you would consider that a pilot scheme of bank systems similar to that could in fact reduce the amount of waste that has to be collected and help to overcome the problem of people living in flats?

CONNÉTABLE CROWCROFT: Yes, absolutely. I think any kerbside collection would have to be supplemented with something like this, because otherwise you would not be catering for that fifth or so of people who simply cannot have a number of different bins on their property. I think that is a good idea.

SENATOR VIBERT: So would the Parish be interested in looking at a pilot scheme to start with of a banking system using something similar to that?

CONNÉTABLE CROWCROFT: Yes. I think the only caveat I would have is the question of who paid for it, because we'd be coming back to the business about disposal. I think the Parish would be quite happy to, as we do with our glass banks, encourage this bring system to work because I think a bring system is important. But in terms of who actually paid for the thing, that is perhaps up for discussion.

SENATOR VIBERT: I think the funding issue is a matter that we will be putting to the ... I am sure the Panel will be putting to the Committee, that if you reduce the amount of waste that has to go to an incinerator and you can reduce the size of the incinerator, we are not talking about 85 million, we will be talking about 35 million and any move that goes towards that should be funded by the State to actually enable that to happen.

CONNÉTABLE CROWCROFT: Yeah.

SENATOR VIBERT: And it will be extremely financially viable to do it that way. Okay, in terms of the same thing would apply, I take it, to this document other than the Recycling Officer, I take it that, at a political level, it appears that there has been very little negotiation or discussion with the Parish at a political level about recycling and all those other matters?

CONNÉTABLE CROWCROFT: Yes. I think there are ----

SENATOR VIBERT: For instance, there is a Waste Strategy Steering Group. Now, have they ever come to meet the Parish to discuss things?

CONNÉTABLE CROWCROFT: No. I think the reason this document was ... the reason why we decided to reform our waste collection is illustrated in one of the photographs, that the Euro-bins, as we call them, dotted around town which have effectively turned town into sort of sometimes dotted with mini Bellozannes. We were determined to find some way of tackling the



Euro-bins -- that was one of the key issues for us -- as well as the health and safety problems with the existing range of hand bins that our chaps have to collect. I think the problems that our staff encounter on a daily basis really have to be seen to be believed.

I have been out with the refuse crews at that ungodly hour of 6.15 and I have seen what they have to tackle. They will literally open a refuse locker and bags and other bags and refuse will fall on top of them. They have to go down narrow alleyways, negotiate all kind of trip hazards and then they have exploding bags, cardboard boxes that are wet. They have so many problems that it became very clear that if we were to provide a service to the ratepayers that was actually demonstrating value for money, we would really have to reform the way people present their waste. In fact, one of the more controversial things we have said in here is that you must put your waste at the curtilage of your property and not expect our refuse collection staff to stumble across your broken patio and up the flight of greasy steps to get it.

So there are a number of things here, but all of that was very much driven from the point of view of us wanting to improve our efficiency as a refuse collecting authority and, to that extent, I think we let Public Services know we were doing it -- they have had copies of this in draft -- but it seems to me that that is a very much a matter for us to improve the way we do things. I am aware that there are suggestions that refuse collection should be centralised, for example, and there should be areas of the Island collected by different groups. But you then run into fairly sensitive industrial relations issues and, for the time being at least, I felt that my brief was to improve the way the Parish collected rubbish on behalf of its ratepayers.

DEPUTY RONDEL:            Senator Le Maistre?

SENATOR LE MAISTRE:        Yes. Clearly there has been a lot of activity and interest by the Parish, and quite rightly so, on the whole aspect of waste disposal, waste collection and so on. Could you tell us whether you yourself or your officials have actually discussed modern (if we can call it that) methods of separation and disposal with either UK authorities or from France? Maybe you had better answer that first and then I will carry on.

CONNÉTABLE CROWCROFT:     I think we are partly going over a former question there. I think it has been made very clear that while the Environment and Public Services Committee is

developing a waste strategy and addressing issues like recycling and disposal, the Parish's door is open in terms of the people wanting to come through and discuss how we do things and why we do the things that we do. As I say, I think at officer level there is frequent passage through that door. There are officer led enquiries going on all the time. But politically, as I say, the main driving force has been to do things safely, efficiently and with value for money on behalf of the ratepayers. If someone comes along from the Committee, the Environment and Public Services Committee, and says "Can you please do things differently to fit in with the Waste Strategy", then, as I have indicated in the leaflet, I am very happy to do so. But we haven't had those invitations yet as far as I am aware.

SENATOR LE MAISTRE: The question I actually asked was have you or your officials actually visited any modern recycling process?

CONNÉTABLE CROWCROFT: Well, no, because there would be no need for us to do because we are not the body charged with the recycling policy for the Island. That is the Environment and Public Services Committee.

SENATOR LE MAISTRE: Okay. So are you aware that there is the potential to mount a recycling collection within the Island for the whole Island using only two vehicles?

CONNÉTABLE CROWCROFT: No, that is obviously news to me.

DEPUTY RONDEL: Thank you. Deputy Duhamel?

DEPUTY DUHAMEL: Yes, as a slight continuation of this issue, would the Parish be interested in perhaps offloading the collection service to a third party operator, or does the Parish fully intend to keep a grasp of its own collection services as part of the services that are inherent to the parochial system?

CONNÉTABLE CROWCROFT: I think if someone wanted to take it off our hands for free, it would be very difficult to defend that to the Assembly than not doing it. I think my staff who do this would be concerned to be losing part of their work, but, I mean, I am sure we are not overstaffed in the manual workers' section. We have got a lot of work to do, so if someone said to me "Can we please collect your glass for nothing, empty your glass bins for nothing and deal with the glass", I think I would obviously accept. But if they wanted to be paid for it, then

clearly we are coming across the vexed issued of outsourcing and I'd be effectively outsourcing part of the operation to another party, and I would need clearly ratepayers' approval to do that because their question, I would have thought, to me is "Well what's wrong with the way you're doing it at the moment? Is this going to cost us more?"

SENATOR LE MAISTRE: Or less efficiently, yeah.

DEPUTY DUHAMEL: Presumably, if it were acceptable for the service to be operated by a third party operator for nothing, then presumably it would be more acceptable if the Parish were to be paid for the intrinsic value of the waste?

CONNÉTABLE CROWCROFT: Even better. If you will pay us to take away our cardboard from St. Helier, for example ----

DEPUTY DUHAMEL: No, we will pay you for the cardboard.

CONNÉTABLE CROWCROFT: For the cardboard.

DEPUTY DUHAMEL: Yes, that's right, or for the glass. Can I ask you another question? The collection costs, do you have a rough idea of the capital costs and the revenue costs that the Parish expend in waste collection services?

CONNÉTABLE CROWCROFT: We have all that information. We know. Because we have gone through the benchmarking process recently, we know exactly how much it costs and how we compare with other local authorities, and I can get all that information for you.

DEPUTY DUHAMEL: Thank you.

DEPUTY RONDEL: You would supply it to us?

CONNÉTABLE CROWCROFT: Yes.

DEPUTY RONDEL: Thank you very much. Would you ----

SENATOR VIBERT: I think that we may have actually collected that information.

DEPUTY RONDEL: We will check with our staff. Would you tell us when the President of Public Services made representation to the Comité of Connétables, because, until several weeks ago, the Chairman of the Comité of Connétables stated that your Comité had not had full representation in relation to waste management? Can you tell us when this happened, please?

CONNÉTABLE CROWCROFT: I think we have had a couple of visits in my time on the

Committee of Constables, one towards the beginning of it, which would be several years ago now, a couple of years ago now, and the other one a couple of weeks ago. So, you know, I am happy to go back through the minutes and find out, but ...

DEPUTY RONDEL: Could you tell us when you first saw this particular document?

CONNÉTABLE CROWCROFT: Well, I got that when all the States Members received it in their pigeon holes, but we certainly had them at the Town Hall as soon as they were available for members of the public. So, again, it will be the date when other Members received it.

DEPUTY RONDEL: And when was this discussed with the Comité of Connétables?

CONNÉTABLE CROWCROFT: I think at our last meeting, which is ----

SENATOR VIBERT: In fact there was no input, as we understand it, from the Comité of Connétables into the document.

CONNÉTABLE CROWCROFT: Well, I have to be careful what I say here because I do occasionally miss parts of Constables' Committee meetings, so I ----

SENATOR VIBERT: That was the evidence that we have been given.

CONNÉTABLE CROWCROFT: Certainly I wouldn't dispute that. I think the views certainly round the table of Constables has been that this is something that Environment and Public Services is getting on with.

DEPUTY RONDEL: But you have not been party with the Comité of Connétables ----

CONNÉTABLE CROWCROFT: Not at a political level, no.

DEPUTY RONDEL: ---- to drawing this up?

CONNÉTABLE CROWCROFT: No, no.

DEPUTY RONDEL: Would you think that is rather strange, given that you are responsible between the 12 Connétables to collect waste?

CONNÉTABLE CROWCROFT: It depends whether the ... I think a lot of the concentration has been on what we do with the waste, the disposal rather than the collection. The Constables have their collection challenges and they are dealing with them in various ways, and clearly we do talk in Constables Meetings about, you know, how the service is getting on with the collection that was recently tendered for. There was quite a lot of interest from the Constables in the success of,

as I see it, the changes in our glass collection, and I know that the Constables were sort of waiting to see how we get on with our glass banks and how clean the glass is that comes out of them. So I think the Constables do tend to concentrate on their job, which is the collection.

DEPUTY RONDEL: Senator Le Maistre?

SENATOR LE MAISTRE: Yes. Picking up from that, I do find it strange because a holistic approach brings collection and disposal together, particularly if one is looking at the modern technology and separation methods which go hand in hand with disposal. Now, it has been brought to our attention that if we are looking at leaders in this, the Continent is actually at the forefront of this rather than the UK. There are some good authorities in the UK, but I think universally that is not the case. Therefore, in developing a strategy, does it not come as a bit of a surprise to you that, in beginning that process of planning for the future, the collection element is actually key and one of the drivers potentially in any new strategy? The two have to be married together. Would you agree with that?

CONNÉTABLE CROWCROFT: I think, in fairness to the Committee, that work was done quite a long time ago. They did a lot of work with their consultants, as I was saying, when I was on the Committee, on collection services and several big, fat reports have been produced which I am sure you will have seen.

SENATOR LE MAISTRE: But UK driven.

CONNÉTABLE CROWCROFT: Yes, or either they were Dutch or Netherlands' consultants who did it, but I know that at the time those reports were produced it was recommended that the Island should be looking at a single or maybe a refuse collection divided into the two halves of the Island. That work was done and my understanding is that the Committee would be concentrating on the disposal issue, having done that preliminary work on collection. Now, they can't take the collection work further forward, perhaps, without knowing what they are going to do about the incinerator. In terms of St. Helier, I haven't encouraged that dialogue in terms of, for example, an Island-wide collection because I would have an immediate issue over the workforce that we currently have and what would happen to them. While I have the challenges involved in improving the way we're doing things, it seems to me that, you know, I'm quite

happy to talk to people about changing. The other thing, of course, that has occurred to us is if we implement these proposals and we become much more efficient, then the Parish itself may be in a position to start to tender for other contracts. That would be, I suppose, one way of moving to a more efficient system. I know at the moment three of the Parishes, I think, are being collected by the same contractor.

DEPUTY RONDEL: Deputy Baudains?

DEPUTY BAUDAINS: Thank you. In the same vein, Connétable, clearly, as Senator Le Maistre was saying, the collection is a major component of the waste strategy and we were surprised when we heard evidence earlier that apparently the Comité de Connétables had not been widely consulted on this issue because it could be that, or it certainly seems to me, that the collection going hand in hand with the disposal, which one is leading the other. We are lead to believe, as I said earlier, that this Committee feels that it could be years before you could get people to change their habits and that, therefore, drives how you dispose of the waste. If we can't find ... it seems to me that one needs to solve the collection possibilities first before you can then go on to decide what waste disposal facilities one can have. What is your view on that?

CONNÉTABLE CROWCROFT: Yes. I think there are perhaps two arguments here. One is that I don't myself think there is any resistance on the part of the Constables in terms of changing the way that refuse is collected, although there may be some resistance on the part of ratepayers. I know that one of the Parishes was presented with a cheaper alternative by the Connétables and they said "We don't want that, we want to do it the way we have always done it because we like the people who do it."

SENATOR VIBERT: And pay the extra rate.

CONNÉTABLE CROWCROFT: And pay the extra for it. So that may be one of the obstacles to change, in that the ratepayers may say "No, we want to have Bloggs & Co doing ours because we know them. They are like our local street cleaner. They are part of the environment." In terms of ... the other issue, of course, is industrial relations. I think I am pretty committed, certainly on a personal level, not to privatise Parish activities because I have felt for a long time that the public sector, because it is not profit-driven, as long as it is flexible and is willing to

modernise its practices, it can deliver a better service, a better quality service, than the private sector. So

I ----

DEPUTY BAUDAINS:           What I was driving at is I fully believe what you are saying, but I couldn't understand what the delay was. It seems to me from the Comité de Connétables and yourself that the actual possibility of altering the collection to fit in with a different waste strategy would not be a problem, but we were given the impression that it would take years to resolve that and, therefore, that leads to a type of waste disposal cutting out several options. It would appear that is the only difficulty.

CONNÉTABLE CROWCROFT:       That is not my perception of how the land lies. Again, I am only speculating, but it is the problem of the Covenant which has stalled the whole strategy, because I know things were ready to move several years ago. Lots of work was done, I think it was by Fichtner, on different collection methods, but nothing happened and I suspect it is because people ran up against this problem of "Well, we can't dispose of it in a given way because we can't get round the Covenant." Again, I speculate, but I suspect that was the problem.

DEPUTY RONDEL:           Deputy Duhamel?

DEPUTY DUHAMEL:        Just picking up that comment made by the Constable, you indicated that you thought that perhaps the systems collection and running were perhaps better run by the public than by private firms. As a previous Member and past President of the Public Services Committee, are you aware of the PricewaterhouseCoopers December 2002 Procurement Options for Bellozanne Energy from Waste Plant document?

CONNÉTABLE CROWCROFT:       Well, it's quite a long time ago actually when I was on the Committee and certainly when I was President. There are several box files in my office of stuff from waste disposal, so if it was a document that was produced while I was there, then I am aware of the document, but I couldn't tell you now what it says.

DEPUTY DUHAMEL:        Right. The reason why I mention it is because in a lot of the questions we have hinted at the problems of industrial relations and in fact, as part of that document, it does actually indicate from the accountants that they had been seriously curtailed in looking at

private sector procurement options mainly on the basis of the difficulties involved of transferring energy from waste operatives from the public sector into the private sector.

CONNÉTABLE CROWCROFT:            Hmm.

DEPUTY DUHAMEL:            And I wondered if you could perhaps elaborate on that issue and perhaps give us an opinion as to whether or not you think that any Public Services or Environment and Public Services' strategy for the Island which has been brought forward should be curtailed in its thinking on that particular basis or on any particular basis, or whether in fact it would be better to look at these problems and suggest ways forward or around them in order to bring to the States a document which looks at all the potential ways of dealing with the Island's waste?

CONNÉTABLE CROWCROFT:            I don't think any thinking should be curtailed by any factors. One should be able to look at all options. But that doesn't always get you any closer towards finding a solution if it is not engaging with the very real problems that there are, for example, in outsourcing and certainly, again, it is perhaps only hearsay in a few television documentaries, but I have the perception -- it sounds a bit like I'm a deputy -- but I believe that some of the outsourced waste disposal things in the UK are not working so well. That wouldn't surprise me because clearly, in terms of accountability, if people don't get their bin collected, then they know who to call in St. Helier and they frequently do. If it is being done by Onyx or any one of these other people, then you ring a Freephone number and you hope you may get there eventually. I am quite happy to talk about it and certainly before this becomes an issue, a much earlier issue is going to be the discussions we are having with the Committee at the moment about our other municipal works, like street cleaning, parks and gardens and so on. We are having discussions which are going to conclude, I am told, by April. So we are going to have to deal with the very thorny issue of who does what work in St. Helier.

DEPUTY RONDEL:            Before we move on much further -- I will come to you in a minute -- I am aware that the Constable has another meeting to go to in about eight minutes time, so if we don't finish today, we will have to invite you back, Connétable.

CONNÉTABLE CROWCROFT:            Okay.

DEPUTY RONDEL:            But we will go on until 10.30 and then we will allow you to go to your



next meeting. Senator Vibert?

SENATOR VIBERT: Can I just stay on the Constables' situation because it is something that certainly concerns me, particularly the lack of consultation. I just want to read from the transcript of 26th November, the evidence given by the President of the Committee, who said: "*I agree that it is going to be a long process to get the Constables working as a co-ordinated team to get the kind of recycling and kerbside collection that we would like. But in fact I can put that as part of a high level objective in the strategy and work with the Constables in the forthcoming months ... to achieve that.*" I just wanted to ask you whether that has so far actually appeared in your meeting, the decision regarded as a "*high level ... strategy*" and whether the Constables have the view that this is now a matter that is being taken much more seriously than it was?

CONNÉTABLE CROWCROFT: I can only speak for myself as a Constable and not for the Comité, but as I have said probably a couple of times now, I think the Committee has had the problem of what to do about the Covenant and I think a lot of their work has probably -- or I imagine -- been expended in that area. Also I think there are a number of other practical things that they are doing at the moment to almost drip-feed the idea of recycling through now, the newspaper and other initiatives that are going on. So I think that ----

SENATOR VIBERT: But does it appear to you to be a "*high level objective in the strategy*"?

CONNÉTABLE CROWCROFT: Working with the Constables?

SENATOR VIBERT: Working with the Constables as a co-ordinated team? I mean, at this stage, is your feeling that this really is a high level matter or they are just having chats about it?

CONNÉTABLE CROWCROFT: It is a bit hard to say as we have not had that many meetings. Certainly when it came to the last Committee of Constables' meeting, as far as I am aware it is very much a green light. There is no problem. The problem, as I have mentioned already, is that ratepayers do have the right to tell the Connétables how to do certain things and if the ratepayers prefer to have their waste collected in a certain way, they will make it very clear, but that is perhaps the only resistance. I don't think the Constables ----

SENATOR VIBERT: Do you see this as being a long process to get the Constables working as a co-ordinated team, to get the recycling and kerbside we would like?

CONNÉTABLE CROWCROFT: I don't think so, but I think it will ... it is almost sort of being market-driven. Certainly for St. Helier we are being driven by health and safety and efficiency issues in particular. As I say, I don't see any problem in incorporating that for St. Helier and I suspect St. Saviour will probably say the same thing. The larger Parishes certainly, because their costs are so much higher, are going to be much more successful in driving these things forward. It may be that the smaller rural Parishes, where the public are actually quite happy with the way it is done at the moment, that there might be certain resistance to changing the practices.

DEPUTY RONDEL: Any other questions, gentlemen?

SENATOR VIBERT: No, thank you.

SENATOR LE MAISTRE: Well, we have been assured that there is no resistance from the point of the view of the Connétables. I think that has come out from the interview with the Chairman of the Connétables. What concerns me is there appears to be no overall vision which is linked up with the Parishes, for example, the potential -- potential -- percentage recovery on recyclables. What is the target in which the Constables can then buy in, as it were? Is it 30% or is it 50% or is it 25%? You know, these elements don't seem to have been fully discussed yet as targets, realistic targets.

CONNÉTABLE CROWCROFT: Hmm hmm.

SENATOR LE MAISTRE: And what the impact of that would be on Parish collections, because they are the ones who deliver. The concept, as I mentioned earlier, of two vehicles doing the recycling and the Parishes maintaining the other collections, for example, doesn't seem to have been explored.

CONNÉTABLE CROWCROFT: No. I think it is an interesting idea, and certainly if there was an all-Island kerbside collection, for example, of ----

SENATOR VIBERT: Banking, banking.

CONNÉTABLE CROWCROFT: ---- newspaper and a banking system as well ----

SENATOR LE MAISTRE: Yes.

CONNÉTABLE CROWCROFT: ---- I think that would certainly work and should be welcomed by everyone. Although I have said that the Parish doesn't want to get rid of its collection,

certainly not at the moment, there is no question of if we could, for example, take cardboard out of the waste stream that we currently collect, there is an enormous problem with our ... to go back to our Euro-bins, the cardboard is the problem.

SENATOR LE MAISTRE: Yes.

CONNÉTABLE CROWCROFT: If we could get rid of the cardboard, our communal facilities around town would be much neater.

SENATOR LE MAISTRE: Yes.

CONNÉTABLE CROWCROFT: And we will have achieved our objective as a cleaner St. Helier.

SENATOR LE MAISTRE: Hmm.

CONNÉTABLE CROWCROFT: And we would certainly get a lot closer to that as well as doing our bit to promote recycling.

SENATOR VIBERT: Yes. A specialist waste company would look for cardboard as a special subject and design containers that actually contain cardboard, because that's the big problem, because it comes in all shapes and sizes.

CONNÉTABLE CROWCROFT: Yes.

SENATOR VIBERT: And it is also a valuable commodity. The French company told us they were getting €60 a tonne for cardboard for recycling. So there is a very clear opportunity there, even if you got a break-even figure, for getting rid of your cardboard.

CONNÉTABLE CROWCROFT: Yes. The other thing is that we're open to new ideas. I think clearly the home composting kits that PSD have been encouraging people to have, there are of course a lot of places in St. Helier where people could have those kits and perhaps the Parish could do more to encourage people to have them. For example, one could say "If you have a home composting kit, we might be able to do something to your rates because actually the cost of collecting your rubbish is going to be less if we don't have all your putrescible waste to collect." So I think the Parish would be willing to ... that is why it says in the leaflet that the Parish is co-operating and is willing to co-operate on the recycling schemes.

SENATOR VIBERT: So a pilot scheme ----

DEPUTY RONDEL: Final question, please?

SENATOR VIBERT: A pilot scheme covering the whole of this that we are talking about, say, in one part of St. Helier would be a very valuable thing.

CONNÉTABLE CROWCROFT: I think it would be valuable, because you have got to see, as with a pilot scheme, whether it works or not.

DEPUTY RONDEL: Connétable, on behalf of the Panel, I would to thank you very much for attending and answering the questions and we may require to meet you on at least another occasion for half an hour to an hour.

CONNÉTABLE CROWCROFT: Thank you.

DEPUTY RONDEL: Thank you very much on behalf of the Panel.

DEPUTY HILL: Have a good Christmas.

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