



# Environment, Housing and Infrastructure Scrutiny

## Panel

### Bridging Island Plan Review Public Hearing

[extracted from transcript of Quarterly Hearing]

### **Witness: The Minister for the Environment**

Tuesday, 29th September 2020

**Panel:**

Connétable M.K. Jackson of St. Brelade (Chair)

Deputy K.F. Morel of St. Lawrence

Connétable J.E. Le Maistre of Grouville

Connétable S.A. Le Sueur-Rennard of St. Saviour

Deputy I. Gardiner of St. Helier

**Witnesses:**

Deputy J.H. Young of St. Brelade, The Minister for the Environment

Deputy G. Guida, Assistant Minister for the Environment

Mr. K. Pilley, Head of Place and Spatial Planning

Mr. S. Skelton, Director, Strategy and Innovation

Mr. W. Peggie, Director, Natural Environment/Acting Director – Group Regulation

Dr. L. Magris, Head of Sustainability and Foresight

Mr. A. Scate, Acting Director General for Infrastructure, Housing and Environment

[11:33]

**Connétable M.K. Jackson of St. Brelade (Chair):**

Welcome, everyone, to the Scrutiny Panel meeting of the Environment, Housing and Infrastructure Scrutiny Panel. It is still called that at the moment; whether it is going to change who knows. We

know that the other department has changed a bit. What are you calling yourself now for the record? What is the name of your ...?

**The Minister for the Environment:**

I am not calling myself anything. I look after 2 teams of people within a Government part called I.H.E. (Infrastructure, Housing and Environment). The 2 teams of people that I take responsibility for and have great pleasure in working with comprise the regulation division and the environment division. Those are 2 component parts within this I.H.E. body.

**The Connétable of St. Brelade:**

Will that be a proper word for Scrabble purposes? Maybe this was something we should discuss offline. So, I am going to move on. This meeting really is to discuss the bridging Island Plan review, and I am going to ask you initially what the process undertaken was in proposing this bridging plan that we have before us now. What other options were considered and can you provide details on how this was scoped, researched and evaluated?

**The Minister for the Environment:**

Well, obviously the original plan, when I got elected, was that we would have commenced work a lot earlier than we have done and we were planning to do the full 10-year plan, but unfortunately what happened at the beginning part of the year, all of that work ... we assembled the contracts, we had appointed the partners to work with us, but of course we went through a period of complete lockdown, seems to be a very long time, and then, of course, the selective opening up, all of which disrupted, so we had to take a paper to the Council of Ministers. So, I answered that in a question that I answered from Deputy Jeremy Maçon back in May, where we had taken the situation to the Council of Ministers. Now, originally the proposal was ... what I was told as Minister, we have now lost the ability to complete the Island Plan in time for the next elections. That is what I was told. The original plan just could not work. So the choice was: do we postpone the Island Plan until the next term after the 2022 elections and run on the existing Island Plan? The Council of Ministers were not content to do that. They said: "No, we have to take the Island Plan through." So I said the only way we can do that is to change the scope of the plan and deal with those matters that we desperately need to deal with, which is housing, the hospital and infrastructure, and coastal management. Those are a number of issues and, of course, there are the effects of transport, too. We have to deal with those because the plan is really so out of date it needs to do that. Plus the fact we knew very well that the economy is going to be very different but we did not know what it was. So, therefore, the question came: can we still plan sensibly for the 10 years? We went back - having got, if you like, the decision of C.O.M. (Council of Ministers) that I have to do a plan - the team and I, with the assistance of our external advisers Arup, to work out a plan of how we would do this and came up with the notion of a transitional plan. We then had to scope how it would work,

what the processes would be, and we took that in detail back to the Council of Ministers and the Council of Ministers gave it that support. So we did not commence that work until we had got that green light. Of course, frankly, we have just had to carry on with it. I know you are reviewing this as if, if you like, there are choices. There is not. The position at the moment is that there is absolutely no contingency in the timescale. We had to start immediately early on. Work has been committed and in progress and we will be publishing the draft plan in March. That is the plan and we are going through a process between now and then to make sure that there is proper Member involvement, including the Scrutiny Panel. Obviously, I am very happy to release the documents to you in confidence as we go because of your key role, but there will be processes, some open, some closed, to make sure that we get a good degree and adequate degree of stakeholder and Member engagement before we get to the publishing of the draft plan. We have to do a sustainability review around about I think towards the end of February, beginning of March. Now, Kevin, who is online, is running that process with Steve Skelton and it is so time critical. So, frankly, I am in the position that I know we cannot stop. At the end of the day, it is a draft plan and what the Members do with it will be for them to say, but my job is to try and deliver that for people.

**The Connétable of St. Brelade:**

Thank you, Minister. John Le Maistre wants to have a word.

**Deputy K.F. Morel of St. Lawrence:**

Sorry, there is no hand button for me to use. I cannot put my hand up here. I apologise. I am just going to have to shout in.

**Connétable J.E. Le Maistre of Grouville:**

I put it in the chat, Kirsten. My question is originally the thought was that you would simply reissue the existing plan for possibly 2 years. It seems to me that would have been a much simpler thing to do because it would not have taken any work at all. It would have been a lot cheaper as well. Why did you decide against that option?

**The Minister for the Environment:**

Because there are so many things. The plan is 10 years old and certainly the advice I have had ... in fact, I heard Deputy Graham Truscott recently speak on the subject because he is deputy chair of the Planning Committee. There are issues the whole of the way throughout the plan that need review. Now, I think it is true to say that not all elements of the existing plan will be abandoned. There is bound to be a carry-forward of the elements of the existing plan which are still sustainable and do not require that change. I know that Kevin and Steve and the team are doing that very piece of work at the moment. So please do not get the impression that the whole thing is in the bin and we are not going to be able to have elements of continuity in any great benefit. For example, one

of the big issues which I am taking forward at the moment to the Council of Ministers, tomorrow in fact, is the issues about the spatial strategy and the planning assumptions for the plan. Because I wanted to get that in a situation where I felt I had got the robust buy-in of my ministerial colleagues. It is unfortunate we are having that discussion today before the Council of Ministers because I would be able to speak about the details, but I can talk generally about the process. So, it will not be a completely new one, but I think some of those elements I do not expect the degree of change in some of those areas to be that major. In others, there will be new things.

**Deputy K.F. Morel:**

Minister, if we could just go back to the original question, which was what were your other options, when you briefed the panel before making the call on the bridging Island Plan, you said that you were going to go with the option to finish the plan in 2022 after the election, because I remember us having a very long discussion about that. You were quite firm in your belief that that was the best way forward. So what changed in that respect?

**The Minister for the Environment:**

Well, because we were living in a world of politics and what is possible. I was very concerned, and I still am, that the timescale is incredibly compressed and we have this process where we have discussed it in the in-committee debate. We had that discussion and the process will require a period whereby the draft plan is open to elected Members for their views at the same time as the public, in parallel. It is going to be a 12-week period but still I would have preferred them step by step by step. It was my view that I did not want to do a rushed process, but what I have done since that discussion when I was confronted, if you like, with the Council of Ministers' view, I sought advice from our partners Arup. I did ask for you to be provided with a copy of that advice they gave us. It is quite a long, detailed advice, which basically said to me it is possible to do it with these arrangements. So that is what I accepted it was my duty to do.

**Deputy K.F. Morel:**

Can I ask 2 things? Why did the Council of Ministers ... what was their reasoning? Why did they come to their conclusion? Secondly, even if it is very speedy, what consultation did you get from key stakeholders such as Construction Council, Chamber of Commerce, business directors, National Trust, as to their views? Because one of the things that I am hearing is that businesses are very concerned that they are now being put into a period of uncertainty where they have a 3-year Island Plan which after 3 years is going to be changed again. So, from their perspective, there is a complete lack of certainty now going forward because what you publish next year will be irrelevant in 4 years' time and will be changed again by a different Minister, and so it could be hugely changed. So, 2 things: what consultation did you do and how did the Council of Ministers come to their decision? What was their rationale?

### **The Minister for the Environment:**

Well, the first thing is the Council of Ministers believe that although I said the advice is if we do not do the Island Plan before the next election the existing plan will continue, but I think the priorities that I heard across the table ... as you know, Council of Ministers' agendas are very compressed, there is never ... very rarely is there the opportunity for in-depth discussions. What one does is get basic reactions from Ministers. The reaction was housing issues are ... we are in a serious, serious problem about housing issues. I think that is probably one of the biggest areas that probably the majority of States Members are really focusing on the new plan.

[11:45]

So the idea of being able to review what our numbers are, what is the current situation in housing, supply and demand, what we have been able to produce, what targets we should be aiming for, and how that translates into revisions to our Strategic Plan in terms of zoning areas and, indeed, what opportunities there are in the parishes, because there is a very strong head of steam built up in stakeholders in our parish communities to be able to bring forward those schemes to a planning process. Kirsten, the other thing I would point out is that we did a thing, what we called a call for sites. This has gone out to the Island as a whole, and I think all of those 700 are stakeholders. Over 700 proposals were put forward to us for consideration as part of the Island Plan. I think if I had made a decision to just park them and ignore them, I think that would not have been the right thing. I needed to go through a process where we can evaluate those and factor in new plans. Now, in terms of business, I think if business think that we are only going to have policies that are so sort of transient and temporary I think that would be a mistake. I would be very disappointed in that case. I think that we are looking at ... I think we are not just shutting our mind to the longer term because it is quite clear many of those policies for the initial period have to have a longer horizon as to where they may go after. Now, therefore, when the plan comes forward, you will start to see things said in the plan about the post 5 years. For example, I can say now that the advice I have on housing and housing numbers, what I just covered, really, we need to look at a 5-year period. So although the plan will be 3 years, the horizon we are taking to do that work is the first 5 years of a 10-year period. So the information that will come will show you where we think that goes. But I think in terms of business we know that we have a period of recovery hopefully when we get through this and there will need to be adjustment in the policies, which I think will assist business. That is my expectation. Now, where I am struggling with this, and I will be frank, I am not hearing yet that we have enough information on the economic framework for the recovery and that is something I am personally strongly looking for. I think at that point, if I may, Deputy, because I have spoken a lot about that and I would like ... could I ask Kevin Pilley to give you a little bit ...

**Deputy K.F. Morel:**

Before you do, sorry, before you do, could I just come in? I asked a really simple question: what consultation did you do with external parties? You have taken a long time to not answer that question. Can I take it that you did not undertake consultation?

**The Minister for the Environment:**

Not me personally, no. Obviously, I do not sit ...

**Deputy K.F. Morel:**

But the department, what views did you take in to inform whether to do a bridging plan or to do one which went over to 2022 in 10-year terms?

**The Minister for the Environment:**

It is a while ago now, maybe I am getting too old, my memory is not that good now, but I clearly went to the Council of Ministers. The timescale was very compressed and I took advice on the subject and I took it through to an in-committee debate, which you took part in, on that subject. I do not recall at that time I did any formal consultation ...

**Deputy K.F. Morel:**

I am just asking what consultation you did, Minister. I am just asking. There is no right or wrong answer except to give the truth.

**The Minister for the Environment:**

Well, there is because to me ...

**Deputy K.F. Morel:**

No, tell me the truth.

**The Minister for the Environment:**

Look, I always tell you the truth. I cannot recall a specific public consultation request during the time of that paper to go into the Council of Ministers to seek their views, but I can ask, please, if Kevin could assist me and tell me if he can point to any document or process that did that.

**The Connétable of St. Brelade:**

Yes, please, Kevin, come in on this, please. Thank you.

**Head of Place and Spatial Planning:**

Thank you, Chairman. I will perhaps go back to the point that Deputy Morel raised at the outset about why the initial recommendation to C.O.M. was that the Island Plan review be progressed into the next term. I think one of the issues to bear in mind is that the Planning Law prescribes the Island Plan review process and, as a consequence of that, the amount of time available to do the sort of linear process of review of the plan that is set out in law would have been very challenging under that timeframe. So that was one of the considerations that was raised at the Council of Ministers. As the Minister said, C.O.M. were quite keen to ensure that the plan was reviewed in the current Government term and basically asked the Minister to look at how we might change the Island Plan review process to enable a review to happen within the current term of Government. As the Minister has already indicated, there are some legislative changes that need to be made to enable that to happen. So that was part of the consideration and part of the assessment. Picking up on the point raised by the Connétable of Grouville about the scope of the review, I think it is important to say that this review will be a comprehensive Island Plan review. So the current Island Plan will be replaced in its entirety by a new plan and if and when the States approve that document, that will become the new Island Plan. But as the Minister has said, there are elements of the current plan that are in clear need for review. A key issue in relation to that is around housing and, as you will recall, this plan, the current plan, was adopted in 2011. The housing element of it was reviewed in 2014 and Members will know that the Island Plan seeks to make provision for housing over the plan period. Obviously, as the plan gets longer in the tooth the extent of housing provision made in the plan becomes more limited, if you like. The opportunities to develop land become more limited under the current policy regime. Sites that are allocated for specific housing needs are developed out and, in terms of the plan responding to the current housing challenge that we have in the Island, the current plan is getting towards the end of its level of provision. So that is a key driver, I think, in terms of looking at why we need to review and refresh the plan. But there are elements in the current plan that might have legs in terms of this review and there might be elements of it that Members are familiar with and are taken forward into the subsequent review. In terms of the consultation that was undertaken in terms of the proposal to put forward a bridging plan, I can confirm that there was no stakeholder consultation undertaken at the time of going backwards and forwards to C.O.M. We were in quite a pressured environment to determine a way forward so that we had some clarity moving the plan forward, given that we have a limited amount of time. So nothing was undertaken pre those discussions with C.O.M. But what I would say is that once C.O.M. had made that decision and that the bridging plan as a proposal was accepted, which included some of the changes to the process by which the plan would be lodged and considered by Members, then we did run briefing sessions for stakeholders online and were able to elicit views from the industry and questions around the change to the process. We had good attendance on those calls. Representatives from the development industry, the architects in particular, planning agents who are clearly interested in the Island Plan as a product - it affects their business - they were very much engaged as part of that process and had an opportunity to comment on the process. My view of those calls was that

certainly from an industry perspective - and I am talking about the development industry in particular - the choice for them is quite stark in the sense that we either continue with the current plan or we review the Island Plan and we produce a new plan. I think that generally the view in the industry is that parts of the plan do require review. There is an opportunity to do that. Clearly, we find ourselves in unusual times and a short-term bridging plan is an appropriate response to the volatility that the Island finds itself in. Picking up on the point that was made about potential uncertainty created by a short-term plan, I think there are 2 issues to raise in relation to that. First of all, as the Minister said, this is a plan that will not just focus on the short term. It will be an opportunity to identify and acknowledge that there are longer-term challenges that lie ahead and start to explore some of the opportunities that the Island might pursue to address some of those longer-term challenges. So, definitely this plan will not be set in a limited, short-term context. I think as well there is an opportunity to explore with stakeholders who will be engaged through the process, through the consultation process on the plan, to look at the direction that new policy will be taking. So they will have an opportunity to have an input into that as well. Certainly, we have a number of work streams that are going ahead to inform the plan preparation and certainly a wide spectrum of stakeholders are engaged in those pieces of work. So ...

**The Connétable of St. Brelade:**

Thank you, Kevin. I am going to just interject with some particular questions that we have. Some concerns have been raised through submissions to the panel that the bridging Island Plan might be used to exploit land use and create detrimental development opportunities. What is your view on this, Minister, and how will the bridging Island Plan ensure sustainable development?

**The Minister for the Environment:**

I think fears of that are unjustified. There is no question the plan ... at the end of the day, under the current law, the Minister for the Environment is the Member required to stand in front of the States and present it and propose it and make the case. My personal position, because I got elected on having a sustainable plan, one part of that is my commitment to ensuring that our coasts and our countryside we maintain and protect them and conserve them, but at the same time we have to meet our community's needs. That particularly is about housing. That balance is about finding where that balance is and it is a difficult call but that is the job. So if I felt that balance was wrong in the draft plan, I would not personally politically be prepared to put that forward to the States. I think people know that. They know where I am coming from. It was a pre-election commitment. Possibly it may be part of the reason why I was elected. There are fears and I think there are fears there, but I think they are unwarranted. I think there are definite issues for business and industry that we need to ensure we cater for in the plan, but in terms of anybody fearing that is going to lead to a wholesale destruction, of inappropriate and wholesale development, absolutely not. Jersey has a fantastic special character and one of the things I really want to concentrate on ... and you will see this in the



document that we have put together with the officers that is going to go to the Council of Ministers tomorrow, which talks about issues such as place making. It is well known that I want to make sure that development reflects Jersey's character and its special place and that is vital to our community and to businesses here. Now, I would love to have been able to sit here today and talk you all through that document, but I cannot do it until I know where we are with C.O.M. at the meeting tomorrow. That will give all those key high-level indicators and we will be publishing it after that. Obviously, it will be part of the consultation process because what it is will be a high-level steer, if you like, on the big picture issues that we are seeking to deal with in the plan in more detail. I would be happy to release that to you now, Chairman, and if we were able to go into a confidential session today, I would be happy to talk about those in detail, but I cannot do that now in public in advance of C.O.M.'s discussion.

**The Connétable of St. Brelade:**

No, of course not. Have you carried out a risk-benefit analysis of the option to proceed with this plan in order to ascertain what short or long-term implications - including, of course, financial - that this option might entail? Can you provide this to the panel?

**The Minister for the Environment:**

I wish I understood what you mean. Can you explain a bit more about risk-benefit? What are the risks that your people are concerned about? At the end of the day, this is a draft plan. It is going to go through extensive public processes, consultation as Kevin has ... it is going to go through formal processes which are defined in law. There is going to be a public inquiry where every single specific recommendation will be thoroughly examined, and at the end of the day it is subject to a States Members debate where they can put in amendments. So, frankly ...

[12:00]

**The Connétable of St. Brelade:**

The financial implications of doing a short-term bridging plan is what I am trying to understand.

**The Minister for the Environment:**

Okay, so maybe what you are saying is that we are spending money for this particular plan period and then there will have to be another plan done at some time after the next elections. When, we do not know. New States Members, a new Government, may decide they are not going to do that plan straight away. It will be up to them. I do not know how long that is going to be, but there will be extra spend as a result, yes, on doing the job, yes, if that is what you mean. But in terms of ...

**The Connétable of St. Brelade:**

But we have no idea what that is?

**The Minister for the Environment:**

I think I would have to turn to Mr. Pilley. Our budget, I think it is a matter of public record, I think started off around £650,000 and there is another £300,000-odd in for the next year. I think in all the resource available is anything up to £1 million but, of course, there are a lot of external partners that we have engaged who are already working on numerous projects on this already, like one on the radio this morning, the St. Brelade's Bay character assessment. We have done urban assessments in town. We have done a coast and countryside assessment. We have done a biodiversity assessment. We have done coastal zone management. We have done study after study, infrastructure studies ...

**The Connétable of St. Brelade:**

I appreciate that. Can you outline the prioritisation process of how these particular projects or policies were selected to be either included or excluded from the bridging plan?

**The Minister for the Environment:**

It is based on need. I rely on my team's judgment, including our external advisers. In a former life I used to run this sort of project. Obviously, I do not run this project, I take recommendations from the team. I meet with them regularly and we check things out. In terms of formal processes, I think we rely on the judgment. So, again, there is a long list. I have mentioned a few of those pieces. If you want me to rank them in order of importance, they are all important. I am struggling to understand what you really ...

**The Connétable of St. Brelade:**

Well, we have seen emphasis being put on St. Brelade's Bay, which from my point of view is fine, but I am just wondering how these particular areas of the Island might be selected in the whole process which you are having to do. Clearly, there will have to be a limit on what can be done within the time available.

**The Minister for the Environment:**

Absolutely. Well, thank you for that clarification. I am grateful for that because it is a really important question. I think it is one of the examples where we had to change the scope of the plan because of the limited time. Originally, I wanted all urban areas of the Island to be subjected to a character assessment because I wanted to have a set of policies where we can be more confident that we are not applying a one-size-fits-all and that in areas where there are character differences we have place-making policies and so on that help us achieve that. But we had to be selective. There are a number of areas which one would loosely call conservation areas where we do not have that power,

but those areas have had to be selected. St. Brelade's Bay is a key tourism area, there is no question about it. It is one of our prime assets. So we tried to do those and also the urban areas. That has been a pragmatic decision and I have to be honest, my Assistant Minister, Deputy Tadier, did suggest that we include, for example, the Les Quennevais area, which I would have really loved to be able to do a comprehensive area study because I think that area would benefit from a structured forward plan.

**The Connétable of St. Brelade:**

I think you are right, Minister, but can I just ask Kevin Pilley to come in? He has a contribution he would like to make, I believe.

**Head of Place and Spatial Planning:**

Yes, just really to touch on some of the points that the Minister has raised about a number of work streams. Clearly, we embarked on a number of pieces of evidence base gathering in advance of the pandemic when we were looking to do a 10-year Island Plan. The decision about what is progressed in terms of what work needs to be undertaken is really a matter of looking at what the development pressures, what the Island's needs are and what pieces of work already exist. Clearly, where there is up-to-date evidence, then we can use that, particularly if that is already existing within government, and we are doing that, liaising with colleagues across government to draw on existing pieces of work to inform the Island Plan. But where studies and evidence is deficient, then we would seek to renew that. What I would say is that we would not necessarily do that each time we do an Island Plan review. A good example of that is the Minister has touched on the countryside character appraisal. That was last undertaken in 1999. It informed the 2002 Island Plan. It also informed the 2011 Island Plan. We feel it is now somewhat long in the tooth. Methodologies have changed, the Island has changed, and we have refreshed that. We have undertaken a broader piece of work now to look at both landscape and seascape character assessment. So that is one of the evidence bases that has been reviewed this time around. When we review the Island Plan again, I suspect we will not need to refresh that piece of work at that time. So, it is those sorts of decisions that are made. Another example is the mineral strategy. That was a 20-year mineral strategy that was produced last time around. That is coming to the end of its duration, if you like, so there is a need to refresh that piece of work. So, it is principally in response to the community's needs, the Island's needs, and development pressures in terms of what pieces of evidence we need to undertake to refresh the plan. One element that is required to be funded when an Island Plan review is undertaken is, as the Minister has indicated, the independent planning inspection of the plan. So that is something that will be a cost that will need to be borne whenever the plan is reviewed in terms of the engagement of a planning inspector resourced to undertake that critical element of the plan process.

**The Connétable of St. Brelade:**

In terms of, Minister, the future housing needs report published in March - and this is going back to what you alluded to earlier on - that suggested that there was an anticipated shortfall of 2,750 dwelling units between 2019 and 2021. What is your response to that? You alluded to the fact that we have a housing need. Do you feel this bridging plan will go some way to assuaging that need?

**The Minister for the Environment:**

Yes, Chairman, I absolutely do. I think the work that was done on the housing need assessment is one element of the ingredients, if you like, of the draft policy. The other one is the supply and demand situation, the updated position on the delivery of housing compared with the existing plan. The other is to take stock of what sites are known and what opportunities there are and the numbers potentially in the pipeline. There are a number of ingredients. Tomorrow in the document that goes to the Council of Ministers that I would have been very happy to release to you in private session would have shown you the makeup. I think the housing numbers are likely ... the housing numbers that are being suggested to the Council of Ministers are, I think, greater than that number you have quoted there, but the details of it I think I should be in a position to release that to you after tomorrow's meeting.

**The Connétable of St. Brelade:**

Are you in conversations with statistics to see if the future housing needs report of 2022-24 could be timed to feed into and inform the bridging plan?

**The Minister for the Environment:**

There is absolutely no question that our Statistics Unit and our economics team, all of those teams of civil servants, are engaged as part of this work. I think what needs to be recognised is that I think I am confident now that the planning processes that we are adopting are much more joined up so that all parts of government we are able to draw on their expertise and produce a much more integrated plan than has previously been the case. Of course, that can be because Kevin and Steve are accountable under a different part of the Government. They are not my direct responsibilities, but they work with me and I have seen huge evidence of that integration. So, yes, absolutely, I am advised that those numbers and those projections are all based on best evidence from all those people and others.

**The Connétable of St. Brelade:**

So projecting further ahead again, the objective assessment of the housing need report identified the need for over 7,000 dwelling units between 2021 and 2030, which is the span that the Island Plan would have originally delivered. Is that incorporated within your thoughts?

**The Minister for the Environment:**

Well, certainly we are not asking the Council of Ministers to pick on a figure for the 10 years but, as I said earlier, the paper that we have taken forward, after a lot of work with the officers and numerous meetings that I have had, will certainly deal with the 5 years and I think at the moment there is likely to be pretty broad equivalence. I do not think you are going to find any major, significant issue. We know that we have housing to meet for a backlog. We know we have to take account of natural growth in our population, and I think an assumption on the future level of migration into the Island also needs to be made. The paper sets out an assumption. My expectation is that number will not reflect the historic rate of that migration happening because I think it is an inevitability of our COVID situation and the recession, as it were, and the changes in Brexit, we will see that change.

**The Connétable of St. Brelade:**

One of the options set out in the Government Plan 2023 is to enhance the St. Helier urban environment. Will this be an important focus of the bridging plan and, if so, how do you envisage this to be balanced with other competing priorities in the shorter timeframe?

**The Minister for the Environment:**

Well, I think the first thing is it is a plan and, as I have always made known in planning processes, they remain plans unless they are also matched with having in place a structure to implement them and deliver them. There is no question in my mind that delivery means having planning policies to help us do that, but also resources, resources, and money priority. Of course, part of my role as Minister is to try and bring about a situation where the policy aspirations that are being reflected in the Island Plan are matched with the ability to deliver it. Of course, here I have to work with other Ministers because delivery of those things falls outside my responsibility. We have the Minister for Infrastructure who has that prime responsibility. But again I am pleased to say there is very good co-operation going on in working out these plans. The elements are, for example, there is an urban character study which I think is going to be a really important part about the policies within the town. We have town centre issues being raised and policies, but a big issue, of course, is housing and open space. I am very clear. The issue of open space and the issue of facilities for play areas and recreational areas and access to those sort of community facilities is essential if we are to accommodate further numbers of residents in town. The other issue is transport. I am very pleased to say there is work going on now to see how we can do things about the impacts of traffic and transport in the urban areas. So, it is a big call. I am certainly not pulling that ambition out, it is a really vital thing. I cannot recall the exact population but a huge percentage of our population lives in our built area, and I want to make sure the plan for that ... and it is not just St. Helier, it includes the parts of other parishes that are within the urban area and right out to First Tower and to Georgetown and so on. I know that some Members do not like me talking about it, but to me it is what I call greater St. Helier or the town of St. Helier. I think that does cause some reaction at times,

but nonetheless that is what we will be planning for, our conurbation, our central built area. It is a big challenge and I think the team are up to it.

[12:15]

**The Connétable of St. Brelade:**

What implications are there likely to be from decoupling the shorter bridging Island Plan from longer-term policies such as migration and population policy? There is quite a lot of concern been expressed about that.

**The Minister for the Environment:**

Well, I think the implications are that that is what I meant when I am saying the paper we are taking to the Council of Ministers today proposes a planning assumption, and the planning assumption will be based including the element of migration and natural population growth in there and, if you like, the demographic needs. In the previous process, I think we would have been able to tie it in with the migration policy specifically, but what I have been clearly advised by the officers handling the migration policy is that there will not be numbers coming out of it, there will be some set of recommendations. We have already seen what came forward from when we had the previous chairman. We now have a new chairman. We have not had a meeting yet. I am of that body but I understood he did promise that we are going to see that report by November. So there will be, if you like, the separation. I think we have had to ask C.O.M. to go with an assumption which will be the basis on which we do the draft plan. So if we get that too high, we will over-provide. If we get it too low, that will under-provide. So that is a clear consequence, but at least in terms of infrastructure and that sort of public facility, the assumption is that we will apply it for a greater number of population.

**The Connétable of St. Brelade:**

Thank you. Steve has a word to say.

**Director, Strategy, and Innovation:**

It is just a brief comment just to echo what the Minister said and clarify the language. I think when we talk in the in-committee debate report about a bridging Island Plan being decoupled from the migration policy, just to reinforce that that is decoupled from the sequential development of the migration policy. It is not at all to suggest that the Island Plan or the bridging Island Plan will not still give significant regard to migration and population numbers. That is clearly a fundamental part of the evidence base that informs the plan, but it just means that because the bridging Island Plan is a response in its shorter period, in more uncertainty we can make progress with the process without having to meet the previous commitment to have a migration policy in place and agreed before

bringing forward a draft plan. So it is just about a sequential kind of decision, but migration is still very important to the plan.

**The Connétable of St. Brelade:**

Thank you very much. I am going to just quickly ask you, Minister, how the future hospital will feature in the bridging plan.

**The Minister for the Environment:**

Right. Well, I will repeat what I said in the States the other day for the record. I have had absolutely zero part in any of the processes to do with site selection and I have said that I do not want to see any papers that come to the Council of Ministers and I do not attend them when it is discussed. I have to take that view because my ministry is responsible for the regulatory decisions once that decision is made and a site is selected. At the moment, there is huge uncertainty. I do not know when and where that process is going to deliver us a preferred site. What I have set down, of course, in ... I have to deal with 2 situations. First of all, one is that we will get that decision from the States before the Island Plan is published. If it is, then that site will be written into and part of the Island Plan and the Island Plan policies, but I cannot rely on that because obviously timescales are more urgent. So that is why I published the supplementary planning guidance which sets out very, very detailed, specific advice that if an application comes forward before the new Island Plan, then that will enable us to deal with it. I am conscious, but I would have to take advice on this, I know in other places that it is always possible to take into account emerging planning policy. Of course, once we publish a draft Island Plan, it will be out there and, of course, there will be uncertainty because it will not yet be approved by the States, but nonetheless people will know pretty soon - we are talking about March here, end of March - the direction of travel and what is in the plan and not. Members can bring amendments and so on. So what I am saying to you is I am absolutely confident that we will be able to provide in the planning process for a decision to be made on whatever site the States come up with for the hospital. But one last statement: I do not believe there is a perfect site and those judgments are going to have to be made on what comes forward.

**The Connétable of St. Brelade:**

There will be much more discussion on that yet, I am sure. Moving on, how and to what extent will the natural and historic environment feature in the 3-year plan?

**The Minister for the Environment:**

Strongly. Historic buildings, I am really disappointed that for years now we have not had any means of being able to look after our heritage in terms of grants to help owners of historic buildings and so on. I think that is pretty unsatisfactory and I have an aspiration to do something about that. But in the meantime, we need to help upgrade ourselves in that area because I know that in terms of the

urban character studies heritage is an important part, and we have lost a lot of it. But on the biodiversity side, biodiversity the same. That is why we have done the biodiversity study and, of course, you know there is a strong interaction between landscapes, biodiversity, trees and so on, and there are a number of threads to that: new planning policies, new Planning Law changes and work to upgrade our works. So I feel strongly that the plan will include elements of that. I particularly want to make sure that our special countryside areas, woodlands and so on are given really good attention. I have asked the team to look at the boundaries of some of those areas, which is part of the planning work in process.

**The Connétable of St. Brelade:**

Given the time constraints, Minister, a submission from Jersey's Chamber of Commerce Retail and Supply Committee highlighted that among other factors a full and thorough consultation is required to understand the public, business community and resident views. How do you propose to successfully achieve a thorough public consultation while running this alongside consultation with States Members and other interest groups such as is currently proposed? What implications could arise from running both consultations at the same time?

**The Minister for the Environment:**

Well, obviously I think myself it is not ideal. It puts a lot of pressure on everybody. My expectation is that those 2 processes will interact and I think there is no question that States Members will not walk around with their eyes closed for 13 weeks, or their ears closed. They will listen acutely to what comes out of various stakeholder discussions and so on. That is the challenge I have set the team because I absolutely would not be party to a process that does not include a decent level of stakeholder engagement because it will all fall apart anyway if it got to a planning ... so it is essential we do that. The details of that are going to be dealt with by Steve, Kevin, and the team, and if you want to have a little bit more detail perhaps you might invite them to speak now. But I have certainly set that challenge for them to do that. I would like to feel I can make sure that we deliver the Chamber of Commerce consultation but, of course, they are just one stakeholder. There are lots of other stakeholders. So the process at the end has to balance the competing interests.

**The Connétable of St. Brelade:**

So in terms of balance, we have had a submission in relation to the review highlighting land use as a significant area of importance. Considering that agricultural land is reasonably protected under the current plan, concerns may exist around rezoning of land for housing purposes. What is your view regarding the potential use of agricultural land for the purpose of housing developments in light of the shortage of first-time buyer homes?

**The Minister for the Environment:**



Well, as I said, for a Minister for Planning or a Minister for the Environment to propose the loss of open land for housing, the case has to be absolutely watertight as far as I am concerned, but that is based on housing needs and the Island's community needs. That has to be recognised. I think that should be no more than to the extent that is necessary, but I think we also have to look at keeping our rural communities sustainable. There is not any question the pattern of development and the demographics of communities in the villages, I think we do need to refresh that. So I think those are all elements that come into the pieces. Ideally, I would like to see that if we are required to rezone any agricultural land that the land quality would be one of the significant issues which would be identified in those evaluation decisions. They are all going to be difficult decisions and they are going to have to be made very much with the input of the community.

**The Connétable of St. Brelade:**

It seems that there is an overlap across Housing and Environment responsibilities to ensure housing developments meet the needs of the community as well as the environment. Looking ahead, what is your view regarding sustainable housing developments being incorporated into this bridging plan?

**The Minister for the Environment:**

If you mean homes that can adapt and change to demographics, yes. First of all, we have to look at the housing mix. My personal view, as I think I voiced in previous discussions, is that I want to see us ensure that we can provide the right type of housing for the different community groups. Within the figures that are going to the Council tomorrow, there is a mix there that has been suggested as the sort of information that helps us do that. But I have also made sure and I have asked ... well, I cannot make sure because I am only a member of the housing policy group, but I am looking for some steer, some direction, of new policies to help us get to that point that our mix of housing, types of housing, what groups it is for and so on is better matched to our needs going forward and more sustainable for the future. I am told that the housing policy group is working on bringing that forward very ... so I think this discussion I would have loved to have if we had had a more comfortable process where all these pieces of work could all happen step by step by step. But at the moment they are happening all in parallel and it is a complex task to bring them together. It is a bit like trying to build a jigsaw on the fly. That is the challenge of the new timetable but we are all committed to doing it.

**The Connétable of St. Brelade:**

What about the repurposing of old agricultural buildings that are no longer fit for purpose? What is your view on that?

**The Minister for the Environment:**

I think there are various types of agricultural buildings. Certainly, we have the modern tin shed types of things where personally those, I would expect, would be subject to the current policies which talk about if agricultural use ceases that they would be removed. But where we have historic structures, releasing them for homes within the current policy I think is a pretty successful arrangement. What I want to see are the new ... and I have not got down to that level of detail, but I shall be listening to the work that the team come up with of whether they see any modification of that. One of the things that again ... and this is me as an aspiration. I think it is possible that some of the larger homes could be used for multiple homes, as it were, multi generation homes and so on. That might make a small contribution to our housing numbers. So those are the issues that I have asked the team to look at and what I am trying not to do at the moment, at this early stage, is say as Minister: "This is what it will be." I am giving my thoughts and asking the team to follow them up so that then I can make those judgments later on when I have the evidence.

**The Connétable of St. Brelade:**

Do you feel that with regard to housing trusts that the Island Plan is important for the identification of potential sites to understand the demand in the long term and determine the future use of property in the public estate so that affordable housing can be planned and developed for people in need?

**The Minister for the Environment:**

Absolutely essential. On the housing board, we have met with the housing trusts, we have met with Andium, and they say clearly: "States, tell us what you want. Give us the sites or make arrangements to have those sites and we will deliver." That I think has not been achieved so far. The Island Plan is going to be crucial to our doing that. But I make the point: the plan on its own cannot deliver without the resources and the policies coming from other parts of government, which I do not have responsibility for, to do that.

[12:30]

So that is the challenge. They are absolutely right in what they are saying. I am expecting the Island Plan will identify those sites in the spatial plan and make it plain what our priorities are for their use.

**The Connétable of St. Brelade:**

Clearly, one of the roles of the plan is to help facilitate long-term planning for these affordable developments, so what is your view regarding any potential impacts that this shortened plan might have on this planning for and development of affordable housing going forward? Do you think it will have an effect on that?

**The Minister for the Environment:**

No, I do not think it will affect it. I think fears on there, if there are, are unwarranted. My job is to make sure they demonstrate they are unwarranted. Look, I think I have already said we are certainly looking in the plan that comes forward ... it is going to look at housing over the 5-year period and beyond. It is going to have to do that because it takes several years from a plan to produce, to get them on site. So I think it is inevitable that that part of the plan is going to have to have a long-term focus, albeit that the targets and the numbers are based on the shorter period. But I do not think it is going to have an adverse effect. No, I believe it will set the longer-term direction of travel.

**The Connétable of St. Brelade:**

It is the view from Andium Homes that demand for new houses often results in the consideration of rezoning green land and that any large-scale rezoning could take considerable time due to all the processes involved prior to approval and this, of course, could result in the delays of development for housing. A proposed solution highlighted was to prioritise certain land for redevelopment in order to speed up the delivery of homes; for example, sites in parishes which have already been through extensive planning consultation and public consultation, but because they fall outside the current Island Plan policies they have not been approved. I suppose that is probably looking towards the St. Peter proposals. What are your thoughts on that?

**The Minister for the Environment:**

Obviously, I have not seen the Andium statement in detail. If they are saying that we can forget the Island Plan process and just go ahead with what we know about historically has come forward, I do not think we can do that. I think we need to subject these things to proper process. That letter makes the case for what I am saying, that we have to do this plan. We have to. Now, at any time if people come forward with applications they have to be dealt with due process; it is all a question of timing. What tends to happen is once a draft plan is published and sites get identified as being proposed for development, then pretty well the development industry switches into action. You get a huge amount of effort and work taking place and I would expect that to be no different.

**The Connétable of St. Brelade:**

Evidence suggests that land rezoned by the States in previous Island Plans is not always developed in a timely manner and can therefore fail to meet the needs of those that the States had in mind when the decision to rezone the land was made. How can this be prevented? As a preventative measure, could rezoning of land potentially carry with it an expectation on when the site must be developed? Currently, rezoning places no obligation on the landowner to release the land for development within a timescale.

**The Minister for the Environment:**

Unfortunately, under the current Planning Law, I would love to do that; that question arises in pretty well every planning system around including the U.K. (United Kingdom) because we know developers have a tendency to do land banking, get consents, and then sit and wait until they can maximise their market, which is a very damaging situation. I am certainly taking advice about whether or not we can put something in the Planning Law to enable us to do that. But I think the key thing is the tools we have are the policies themselves and then we have the issue of the planning obligation agreements that we would put in place. But the key thing I believe, and I have expressed this view to my colleagues on the Housing Policy Board, in terms of affordable housing sites we need a greater element of intervention by the States, potentially acquiring and buying those sites and making them available to Andium. That is a way that completely removes that uncertainty and gives the States control over delivery. But it is important with affordable housing, whatever methods we do, it is maintained in perpetuity and that today's affordable home does not become tomorrow's unaffordable home.

**The Connétable of St. Brelade:**

Minister, I thank you for all those answers. I am going to conclude this element of the hearing and suggest that we have a short break before regrouping at 12.45 p.m., if that is all right with you, so we will reconvene then.

**The Minister for the Environment:**

Thank you, I appreciate that chance for a break. Thank you, Chairman, and thank you for your questions. They are really good questions; I really appreciate them.

[12:35]