

Environment Scrutiny Panel

Tuesday 7th February 2006
Le Capelain Room, States Building

Present Deputy R.C. Duhamel (Chairman)
Deputy G.C.L. Baudains (Vice Chairman)
Connétable K. A. Le Brun of St Mary
Deputy Le Hérissier

Apologies Deputy S. Power

Absent

In attendance I. Clarkson, Scrutiny Officer
M. Robbins, Scrutiny Officer

Item (Ref Back)	Agenda matter	Action
1.	<p>Minutes</p> <p>The minutes of the meetings held on 19th January, 24th January and 31st January 2006, having been circulated previously, were taken as read and were confirmed.</p>	None
2.	<p>Matters arising</p> <p>There were no matters arising from the minutes of the meetings held on 19th January, 24th January and 31st January 2006.</p>	None
3. (24.01.06 item 10)	<p>Web site</p> <p>The Panel continued discussions regarding options for improving and / or replacing the existing Scrutiny Web site. Members were advised that officers were producing a draft specification document for consideration by the Chairmen's Committee and individual Panels in due course. The Panel noted the position.</p>	IC
4.	<p>Advertising policy</p> <p>The Panel considered a memorandum, dated 3rd February 2006, together with associated correspondence, dated 9th June 2005, concerning the Advertising Bureau Contract for the period June 2005 – January 2008. Although the Panel expressed concern that the contract appeared to permit the contracted media company known as The Idea Works to charge for the insertion of standardized banners within individual advertisements, it nevertheless noted that the contract tended to result in significant overall savings when compared with the cost of securing advertising space independently.</p>	None
5. (19.01.06 item 5)	<p>Training</p> <p>The Panel recalled that on 20th January 2006 it had attended a training day hosted by Ms Francis Taylor of Cumbria County Council. Members agreed that the training session, which had focussed on work programming and project management techniques, had been broadly beneficial, particularly with regard to the techniques recommended for managing the latter stages of a review. Nevertheless, the Panel concluded that the initial topic selection methods recommended during the session were in fact somewhat restrictive and that it was not minded to adopt the</p>	

	procedures as proposed.	
6. (24.01.06 item 1)	<p>Water Resources (Jersey) Law 200-</p> <p>The Panel recalled that it had invited Senator F.E. Cohen, Planning and Environment Minister, to brief the Panel on the progress made by his department in implementing the recommendations made by the then Shadow Scrutiny Panel in its review of the draft Water Resources (Jersey) Law 200-.</p> <p>The Panel welcomed a delegation consisting of: Senator F.E. Cohen, Planning and Environment Minister; Mr. C. Newton, Director of Environment; Mr. G. Jackson, Assistant Director – Environmental Protection, and Mr. T. du Feu, Senior Water Resources Officer. Senator F.E. Cohen reminded the Panel that the Deep Groundwater Advisory Group (DWAG) had been constituted as an independent body and that it had been charged with resolving questions regarding the origins of deep groundwater in an objective and analytical manner. He further advised that the next meeting of the DWAG was scheduled to take place in mid February 2006.</p> <p>The Panel drew the attention of the Minister to the recommendation, made at paragraph 3.1.10 of the relevant Shadow Scrutiny report, concerning the drilling of a test well at the Ecréhous. In response, the Planning and Environment Minister confirmed that he would convey the views of the Panel to the DWAG at the next available opportunity, on the understanding that the final decision on whether it was appropriate to perform test drilling on the Ecréhous was a matter for the DWAG.</p> <p>Mr. C. Newton, Director of Environment; Mr. G. Jackson, Assistant Director – Environmental Protection, and Mr. T. du Feu, Senior Water Resources Officer withdrew from the meeting.</p> <p>The Panel agreed that the Chairman should write to the Planning and Environment Minister confirming that the Panel supported his decision to remind the DWAG of the recommendation made by the then Shadow Scrutiny Panel at paragraph 3.1.10 of its report. Moreover, it agreed that the Minister should be advised that in the intervening period the Panel intended to conduct its own enquiries as to the cost and viability of performing the drilling operation.</p>	<p>IC / MR (monitoring)</p> <p>RD</p>
7. (31.01.06 item 4)	<p>St. Helier Waterfront</p> <p>The Panel, having received a briefing from Senator F.E. Cohen regarding the progress of the Deep Groundwater Advisory Group, invited the Minister to comment on the ongoing consultation process concerning development of the St. Helier Waterfront.</p> <p>Senator F.E. Cohen reminded the Panel that two documents, namely the report produced by Sandover Associates entitled, 'Draft Supplementary Planning Guidance on Tall Buildings for the St. Helier Waterfront' and the Department's own draft supplementary planning guidance for the Waterfront, had been published and put out to consultation. He explained that no decisions had yet been made on live applications for development of sections of St. Helier Waterfront and, further, that no decisions had yet been made regarding the criteria for assessment of such applications. In addition, the Minister clarified that the services of Mr. C Shepley, former President of the Royal Institute of Planners, had been secured in order to review consultation responses arising from the consultation. An invitation to the Panel to attend and participate in a public forum, to be held on 3rd March 2006, was extended. In addition, the Panel was invited to assist with the consultation process by way of producing, or assisting in the production of, a</p>	

	<p>pictorial publication highlighting examples of quality local architecture and architectural features.</p> <p>Senator F.E. Cohen, having been thanked by the Panel for his attendance, withdrew from the meeting.</p> <p>The Panel, having noted that the consultation on St. Helier Waterfront was due to close on Monday 27th March 2006, deferred further consideration of the matter to its next meeting.</p>	Panel
8. (24.01.06 item 4)	<p>Energy policy</p> <p>The Panel considered correspondence, dated 30th January 2006, from Deputy P.V.F. Le Claire concerning energy policy and the United Kingdom government funded energy company known as The Carbon Trust.</p> <p>The Panel, having recalled that the Executive was already taking steps to formulate a draft energy policy, agreed that no further action was required in the short to medium term.</p>	None
9. (24.01.06 item 2)	<p>Work programme - waste</p> <p>The Panel continued consideration of a proposal, submitted orally by Deputy R.C. Duhamel, to conduct a review of aspects of the Solid Waste Strategy. Members agreed that there was a case for revisiting the issue of whether recycling targets could be increased and the resulting implications for the selection of an appropriate energy from waste plant and composting facility. Deputy R.C. Duhamel advised the Panel that he had provisionally organized independent visits to composting plants in Belfast, Manchester and Preston.</p> <p>The Panel was invited to note a report, dated 3rd February 2006 and produced by I.Clarkson, Scrutiny Officer, concerning decisions taken by the States in connexion with the Solid Waste Strategy. Although the Panel noted the appendices contained within the report, it considered that the conclusion reached regarding the 32% recycling target was incorrect. In fact, the Panel remained of the view that there was evidence to suggest the policies of the then Committee and the current Minister were being constrained by the need to make sufficient quantities of refuse available to fuel a conventional energy from waste plant.</p> <p>The Panel agreed that Deputy R.C. Duhamel should draw up appropriate terms of reference for a further review of the Solid Waste Strategy, with particular emphasis on recycling targets.</p>	RD
10. (24.01.06 item 3)	<p>Work programme – planning process</p> <p>The Panel continued consideration of a proposal, submitted by Deputy G.C.L. Baudains, to conduct a review of the planning process.</p> <p>Deputy G.C.L. Baudains advised the Panel that he had met with Scrutiny Officers to discuss draft terms of reference. The Panel, having considered several drafts, agreed that any review of the planning process should address the following issues –</p> <ul style="list-style-type: none"> a) the pre-application process with particular regard to– <ul style="list-style-type: none"> i) departmental efficiency and the subsequent involvement of officers charged with in the planning process, ii) the value of the process to potential 	

	<p>applicants, and</p> <p>iii) the degree of neighbour / public involvement;</p> <p>b) the efficiency and effectiveness of the existing planning application process and the implications arising from the forthcoming introduction of the new Planning and Building (Jersey) Law 2002;</p> <p>c) the degree to which decisions taken by the Planning and Environment Minister and / or the Applications Panel might be constrained by -</p> <p>i) the content, or the interpretation of, the Island Plan,</p> <p>ii) precedent or the issuing of pre-application advice, and / or</p> <p>iii) the threat of litigation.</p> <p>d) the extent to which officers within the Planning and Building Services Department exercised delegated powers; and,</p> <p>e) whether the situation whereby the Planning Minister is unable to be directed by the States was justifiable and appropriate.</p> <p>Officers were instructed to produce a draft scoping document for consideration by the Panel pending submission to the Chairmen's Committee for formal endorsement.</p>	IC
<p>11. (24.01.06 item 6)</p>	<p>Work programme – room sizes and parking standards</p> <p>The Panel recalled that it had, during the course of the training session held on 20th January 2006, identified a need to conduct a review of domestic room sizes and domestic parking standards as defined in supplementary guidance issued by the Department of Planning and Building Services. Moreover, it also recalled that Deputy R.G. Le Hérissier had submitted a proposal to review policies governing building in the countryside, with particular emphasis on the matter of whether existing policies concerning the construction of new, and change of use of existing, agricultural sheds was being manipulated.</p> <p>The Panel agreed that draft terms of reference and a scoping document for a further review, covering the aforementioned topic areas, should be produced by Deputy G.C.L. Baudains, with officer assistance, for consideration at the next meeting.</p> <p>On a related matter, the Panel agreed that it should aim to commence all three proposed reviews immediately.</p>	GB / IC/ MR
<p>12. (31.01.06 item 3)</p>	<p>Work programme – public input</p> <p>The Panel recalled that it had held a public meeting on the evening of Thursday 2nd February 2006 at St. Clements Parish Hall to discuss topics for inclusion within the draft work programme.</p> <p>The Panel considered a report, prepared by M. Robbins, Scrutiny Officer, concerning topics raised at the public meeting. It noted that the planning process had been raised as part of general</p>	None

	<p>discussions on population levels, inappropriate residential developments and the possible erection by telephone companies of additional transmission masts around the Island, following liberalization of the mobile telephone market. Other topics raised had included parking, public transport and energy policy.</p> <p>The Panel having noted the topic areas raised, considered that its existing review proposals were of particular relevance to the public. Furthermore, it noted that forthcoming proposals arising from the presentation to the Council of Ministers of the Strategic Travel and Transport Plan might well be the subject of a future review.</p>	
13.	<p>Meeting policy</p> <p>The Panel was advised that concerns had been expressed by the Scrutiny Manager regarding the private informal meetings held by the Panel in recent weeks. The Panel confirmed that it reserved the right to hold private informal meetings without officers of the States Greffe being present whenever it considered that there was a legitimate need to do so.</p>	None
14.	<p>Items to note</p> <p>The Panel noted recent ministerial decisions, as published on the States of Jersey Web site, concerning –</p> <ul style="list-style-type: none"> a) increased parking charges in public places, b) publication of a draft fish farm concession application, and c) an increase in fees for planning applications. 	None
15.	<p>Next agenda</p> <p>No items were proposed for inclusion on the next agenda.</p>	None
16.	<p>Date of next meeting</p> <p>1.30 pm on Thursday 16th February 2006 in Le Capelain Room.</p>	None

Signed

Date

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Chairman, Environment Panel

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