

2025.03.18

5.2 Deputy A.F. Curtis:

I will ask my oral question. Will the Minister advise what consideration, if any, is being given to reducing any of the standards in the Building Bye-Laws (Jersey) technical guidance document Part 8: access to and use of buildings, with a focus on making new residential dwellings less accessible to occupants?

Deputy S.G. Luce:

The building bye-laws review is at an early stage. The team have made the decision to continue to use the approved documents for England as the basis for guidance, and officers have carried out a high-level comparison between that and our local guidance to highlight the differences. However, further detail of any potential changes cannot be given at this specific time but what I can say is that the drivers for our current standards remain the same as they did when we first introduced accessibility standards to dwellings in 2008. Those were, at the time, the ageing population and the high cost and short supply of residential care homes.

5.2.1 Deputy A.F. Curtis:

It has come to my attention that the approved planning plans for the South Hill flats contain a number of flats whose bathrooms are significantly below the minimum standards required for bye-laws which has yet to be granted. Those are the requirements for accessible use of facilities for bathrooms, showers and toilets. Will the Minister assure the Assembly that his officers will not reduce standards for our States-owned entities and that any change needed to meet building bye-laws should be done through a revised planning application?

Deputy S.G. Luce:

The Deputy raises issues that I am absolutely not aware of at all but I cannot at this point in time think that we would want to reduce standards for accessibility. I personally have a good personal reason to know the challenges of accessibility into properties for a various number of reasons. I cannot see why, or understand why at this initial stage - and I say I do not know anything about the detail here - but I have to say that I would be surprised to find that somebody has submitted a planning application which has been approved where in fact the bathrooms are not accessible to people in wheelchairs.

5.3 Deputy J. Renouf:

Can the Minister provide an update on progress with regard to the various aspects of wind farm legislation that it is intended to bring? When will he be bringing that?

Deputy S.G. Luce:

As I have said to the Assembly before, it had been my intention in the first half of this year to come to the Assembly with the legislative process which would be needed for the granting of a lease for a wind farm, identifying what standards or environmental impact assessments, for example, would be required, and those will be quite strong. The pressure on law drafting officers has meant that that will fall away a little bit further to later on in the year. I can assure Members that it is still my firm intention to come back to this Assembly, not only with the legislative process but also with a recommendation and decision from the experts who are currently advising us as to the type of wind farm we would wish or not to move forward with. I hope both those debates will happen before the end of this year.

5.3.1 Deputy J. Renouf:

If the Minister recognises that there will be considerable public debate expected on the issues around, for example, how much electricity comes ashore, where the transformers will be built, therefore, the earlier that he is able to give indications about these major issues would enable that public debate to happen, and happen in advance of those debates, and not slow up the progress when the legislation is produced. Can I ask whether he will work very assiduously to put into the public domain as early as possible the kind of information that will enable a public debate to happen on those kind of key issues?

[12:15]

Deputy S.G. Luce:

I can only agree with the Deputy. When he was stood in my position and I was in his, I encouraged him greatly, and I do the same. I take his encouragement on board; I will want to put as much information into the public domain as early as I possibly can. I have been absolutely firm with officers that I do not want these debates rolling over into 2026. That would be far too close to the election and I want the main debate on how we move forward ... or if we move forward, I should say, because the decision has not been taken: does the electricity, if we build this wind farm, land in Jersey and France, Jersey and the U.K., U.K. and France or any combination of those? I am really keen to get as much of that debate going as possible. It will be a large debate, a lot of people will have a lot of different opinions as to how we move forward. I know the public are generally encouraged by moving this project forward, but I think it is really incumbent upon us to listen to everybody and to consider every alternative.

5.4 Deputy S.M. Ahier:

What action has the Minister taken to address the impending problem of disposing of E.V. (electric vehicle) car batteries and does he intend to have them recycled?

Deputy S.G. Luce:

Like all new type of technology, I accept that electric cars have been around for a while now but the number - and thanks to our incentive scheme - of electric vehicles on the road has increased greatly in the last 18 months and what happens to the batteries in those vehicles is a subject which we have discussed recently. We are talking to car recycling companies down at La Collette. We are working very hard to try to make sure we can get these batteries off-Island. We have asked dealers in Jersey how many vehicles are sitting on their premises that need to be disposed of, where they have got electric batteries, and we are also speaking to manufacturers in the U.K. where I believe there is a scheme that recycles them. When you buy the vehicle there is a part of that agreement which sends the vehicle back to the manufacturers when they get to the end of their useful life, so all these things are being taken into account. Obviously, electric vehicles travel on ferries when you go on holiday or you go away and take your vehicle away, but the transportation of a lot of electric vehicle batteries in one place at one time, even if they are at the end of their useful life, does pose some challenges for transporting. I have recently started a number of discussions in regard to what the Deputy has asked me about.

5.5 Deputy H.M. Miles:

Can the Minister advise us on the timetable for the work to start on the West of Island Masterplan?

Deputy S.G. Luce:

I have to advise the Deputy that I cannot give her a timetable for the West of Island Masterplan at this time. I will speak to my policy officers and see if I cannot get some rough indication and I will email her or speak to her with the answer.

5.6 Deputy M. Tadier:

Can the Minister give the Assembly an idea of when the appeal for the new Dunes development in St. Brelade is likely to be concluded?

Deputy S.G. Luce:

All I can say on the appeal decision for new Dunes at St. Brelade is that the moment I have the final documentation in front of me from the inspector I will make the decision as soon as I can. More than that, I cannot give any information at this point in time.

5.6.1 Deputy M. Tadier:

Can the Minister say more generally how long these types of appeal on average take, in his experience?

Deputy S.G. Luce:

I cannot and the reason for that is that when an application is put to appeal it goes independently of the Planning Department, Regulation Department. It goes to the Judicial Greffier and it is the Judicial Greffe that oversee the appeal. As Minister, I would deliberately stand away from any application during initial stages purely because it is always the possibility that any application could arrive on my desk as an appeal recommendation after it has been considered by an independent planning inspector. I have no concept of when decisions that come to me for an appeal decision have been first put into the appeal system and the previous time it has taken. But I am aware obviously at some point when I get to take some of these decisions that it has taken, in many cases, many months, and in some cases years to get to a final determination. The last thing I would say to the Deputy is everybody in the Planning Department, be they officers, be they the Planning Committee or be that myself and my Assistant Minister, anybody who is responsible for taking Planning decisions has been charged with making those decisions properly and accurately but as quickly as they possibly can to try to speed up the process of planning applications.

5.7 Deputy L.K.F. Stephenson:

In June last year following high readings of E. coli in the seawater at Grève de Lecq, the Minister said he would consider introducing year-round seawater testing, given the increase in year-round swimming. Could the Minister update the Assembly on that work, please?

Deputy S.G. Luce:

I did say that I would consider year-round testing and I have done that and I have taken advice from officers. I can say to the Deputy that we will not be starting 12 months of the year testing. There are a number of reasons for that. But the main reason is that the advice is still consistent and the advice is that after periods of heavy rainfall the advice would be not to be swimming in the sea. Because what happens during periods of very heavy rainfall, obviously contamination like happened at Grève de Lecq back at that time, seawater can become contaminated to a certain level. I felt that it was not right that we spent money testing seawater all year round when it was every possibility. It may well fall that the test happened immediately after heavy rain, and we get quite a lot of heavy rain during the winter. The advice is, yes, please carry on swimming in the sea but please be very conscious, especially in winter when ground is waterlogged and run-off ends up in the sea very, very easily, that you might just want to be a bit more careful where you swim after a large storm where we have had an inch or 2 inches of rain.

The Deputy Bailiff:

Thank you. That concludes that bit of questions for the Minister.