



# Environment, Housing and Infrastructure Scrutiny Panel

## Quarterly Hearing

### Witness: The Minister for the Environment

Wednesday, 4th December 2024

**Panel:**

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair)

Deputy T.A. Coles of St. Helier South (Vice Chair)

Deputy A.F. Curtis of St. Clement

Connétable D. Johnson of St. Mary

Deputy D.J. Warr of St. Helier South

**Witnesses:**

Deputy S.G. Luce of Grouville and St. Martin, The Minister for the Environment

Connétable M.K. Jackson of St. Brelade, Assistant Minister for the Environment

Ms. K. Whitehead, Group Director, Regulation, Infrastructure and Environment

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

Ms. L. Jones, Head of Environment and Climate

[10:30]

**Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair):**

Welcome to the public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Today is 4th December 2024 and this is our public hearing with the Minister for the Environment. I would like to draw everyone's attention to the following. This is being filmed and streamed live and the recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silence. Otherwise, we have instigated the £10 fine here in this room for the Bailiff's Fund. For the purpose of the recording and

this transcript, I would be grateful if everyone who speaks could ensure they state their name and role. Let us begin with introductions. My name is Deputy Hilary Jeune, and I am the chair of the Scrutiny Panel.

**Deputy T.A. Coles of St. Helier South (Vice-Chair):**

Deputy Tom Coles, vice-chair.

**Connétable D. Johnson of St. Mary:**

David Johnson, Constable of St. Mary, member of the panel.

**Deputy A.F. Curtis of St. Clement:**

Deputy Alex Curtis, member of the panel.

**Deputy D.J. Warr of St. Helier South:**

Deputy David Warr, member of the panel.

**The Minister for the Environment:**

Deputy Steve Luce, Minister for the Environment.

**Assistant Minister for the Environment:**

Constable Mike Jackson, Assistant Minister.

**Group Director, Regulation, Infrastructure and Environment:**

Kelly Whitehead, Group Director for Regulation.

**Head of Place and Spatial Planning:**

Kevin Pilley, Head of Place and Spatial Planning.

**Head of Environment and Climate:**

Lisette Jones, Head of Environment and Climate.

**Deputy H.L. Jeune:**

Thank you very much. We have 2 hours for this session and we have a few questions. But of course we will follow up if there are any that we do not get to today. First of all, Minister, and it is something that I know is important to you, and you mentioned it at the last hearing that we had, about trees. We thought we would start this hearing with trees and tree protection as we ended it last time on that and we were not able to discuss more. In our last quarterly we heard that the only legal tool that is available to protect trees is the listing of protected trees. The panel also heard that

there is work being undertaken to review the system. Please can you tell us what progress has been made on this front since early October?

**The Minister for the Environment:**

Thank you, Chair. Trees are important. It is that time of year now we get into the autumn when replanting starts. Initially we had thought during the summer a good time to think but not the best time to plant trees. But when it comes to protection, we are moving forward. I know only recently that, of course, people have highlighted that the oak in La Motte Street is a classic example of where trees need to be protected. We are moving forward. We are reviewing the criteria by which trees are assessed and we are considering the resources that are going to be required to adequately operate a protection process. Kevin is the expert on protection issues so maybe he might just tell us a bit more about where we are headed.

**Head of Place and Spatial Planning:**

As the Minister said, we are reviewing the tree-listing process. It was a response that the Government said it would undertake as part of the response to the tree strategy but was held pending the outcome of the change to the Planning and Building Law under amendment number 8. Obviously that did not get particularly far and was repealed, so the listing regime is effectively the only statutory form of protection for trees that is now available to the Minister and to the Island. Some of you may be familiar with that.

The current system is based on an assessment of the visual amenity value of trees. In looking at that, the current system that we have, there was some view that visual immunity is quite a narrow consideration. Clearly, trees have got a much greater function than just what they look like. I think within the context of the climate emergency and also the biodiversity emergency, we started to give consideration to other functions and values that trees might have, which might be appropriate to consider when you are looking at protecting trees. In addition to just what they look like, which is obviously quite important from a planning point of view, also what contribution they make to some of those other factors.

What we are looking to do is to develop a set of criteria that reflect that wider range of assessments. There is a very long established tool that is used in in the U.K., for example, to create tree preservation orders, and that is something called the Helliwell assessment. As I say, that is very much strongly based on a tree's visual merit. It does not have regard to anything about its biodiversity value or its contribution to climate change. What we are having to do is look at what criteria we might be able to introduce to effectively develop a bespoke set of criteria that we might use in Jersey to do that. I have been meeting with colleagues that have expertise in that area, and we are working to develop a set of criteria. We would look to take those criteria to the Minister and then to other stakeholders to test the validity of those criteria. That is the first piece of work that we are doing.

In addition to that, given that the listing tool will be the only statutory means of protection, there is a need also to develop the policy that the Minister might operate about how that tool might be used. Given the number of trees that we have in the Island, it is clearly not a tool that can apply to all trees in Jersey, simply by virtue of the fact that it is not really appropriate for that sort of use. There is quite an onerous legal process that is required to go through when you list an asset such as a tree, and using it to apply it to all trees in the Island would not be appropriate simply because of the resource implications. It is going to have to be used in a selective way and the Minister will need to develop some policy about how it might be used. Again that would need to be the subject of consultation with stakeholders and also the public.

That is an overview of some of the work that we are undertaking. As I say, it is early days and we focused on the criteria as the first step.

**Deputy H.L. Jeune:**

What kind of timeline are we talking about here?

**Head of Place and Spatial Planning:**

We have been working on the criteria over part of the summer. We would look to have some draft criteria for the Minister to consider early in the new year, and hopefully look to share that with stakeholders.

**The Minister for the Environment:**

One of the parts of protection that I have been discussing with the officers recently is how we might use zoning to potentially protect trees. I know that obviously there was a proposal to protect the whole Island, and I personally felt that that was a little bit over the top inasmuch as we have tens and tens of thousands of trees in the green zone. It may be that they do not necessarily need a blanket protection in the green zone. But I am very up to the discussions around maybe domestic curtilage or maybe in the built-up area because trees in town, trees in built-up areas, are considerably more important because there are so few of them, if you like, and there are more people. Their amenity value is increased a lot. We could look at the Coastal National Park but again, like the green zone, there is an enormous amount of trees in the Coastal National Park and do we need to protect every one or do we come up with a policy which protects individual trees? I would stress that there is a large number of priority areas for us to look at and the - I am just reading it up here - Tree and Hedgerow Advisory Board, which is the group that we have set up, we have now included hedgerows. Some of our members were very keen to make sure that we were not just focusing on trees but we were looking at hedgerows as well. But we are looking at it obviously ... as Kevin said, we are looking at protection, we are looking at the right trees in the right places, we are looking at best practice, tree management, and of course we want to use technology and G.I.S. (geographic information system) to help us where we can, public engagement technology.

We want to look at all aspects, but one of the first things we are coming out with, and will be out very soon, is where we have developed and agreed a tree species list to make sure people are looking at the right trees for Jersey. That reflects not only the traditional tree species that we might have planted, but trees that we will be better off to have on the Island, given the changes to the climate that are coming. Some will obviously cope much better with the changes in temperature. It may be that some of our very traditional trees may be less recommended, if that is the best way to say it. We may come up with some new species, which will be of interest. When it comes to sequestration of carbon, which again there may be some species, very fast-growing species, which we might be encouraging to plant for that reason alone. There are a number of different reasons why different species will be brought forward.

**Deputy H.L. Jeune:**

The Tree and Hedgerow Advisory Board, have they met yet, is there a remit, like a terms of reference, being developed for them; how are they helping with that?

**The Minister for the Environment:**

From what I can understand, and I have not attended a meeting of them yet, yes, they have met. But I think they are working slightly different from a normal type of operation where individual members of the group get asked to go away and do pieces of work and come back. I do not think it is quite as formal, but they have had their initial meeting. We have agreed that their aims are protection, right trees in the right places, best practice in management from a statutory and operational perspective, public and private partnerships, and utilising the potential and power of technology and drones and mapping, things like that.

**Deputy H.L. Jeune:**

How urgent do you think this work is? Is this a priority? Are we going to see some advancement on these 4 areas - I have counted a listing of what is happening - is that priority for 2025?

**The Minister for the Environment:**

Because they are a group which has a certain amount of input from Government and from the Environment Department, but they are very much ... when you think of the people who are on the group; National Trust, Trees for Life, Farmers' Union, representatives from agriculture, and the Lieutenant Governor's Office is heavily involved as well. A lot of the membership are outside of Government so I am sure they are going to be keen to get on. It is urgent work, but like everything else, and I apologise in advance but you are going to hear this a lot this morning, currently there are not a lot of funds available and the tree work is ... you could almost class it as unfunded at the moment. Having said that, I know there is going to be a lot of enthusiasm and initiatives coming from the private sector for this. As we move forward with identifying sites for small woodlands or

individual trees or working on hedgerows and stuff, I am sure we will have an enormous help from the environmental community.

**Deputy H.L. Jeune:**

You were talking about resources just then, but I believe that there was an officer or a team of officers who were working within this tree protection area, especially with, as Kevin said, the developments of the tree protection law that then got appealed before. Is that true? Are there people, particularly in the team, who have a remit around trees?

**The Minister for the Environment:**

We certainly have people in the Environment Department who are keen to carry on working on trees. We have our own States Tree Advisory Group, but again it is reduced resources. The Policy Department are working heavily on the protection and we will be doing some more work with the team at Howard Davis Farm around how we ... we have got land protection officers and all that sort of thing.

**Deputy H.L. Jeune:**

So there is not a particular team of people or officers who have that responsibility around tree protection?

**The Minister for the Environment:**

Certainly Kevin is leading but Kelly, do you want to?

**Group Director, Regulation, Infrastructure and Environment:**

To answer the question, there is a group of dedicated officers around this. It is not their only role, so it is spread across their other responsibilities, but it is a significantly reduced group compared to when we were working on the legislation.

**Deputy H.L. Jeune:**

What is their remit now under trees? What do they do specifically?

**The Minister for the Environment:**

One thing I would say is that you ask is there a dedicated resource for this. I think the general answer is probably no, inasmuch as most of the people involved in this are, to quote the cliché, both doing this off the side of their desks inasmuch as we do not have a ... we have people who attend the meetings. Kevin does the work on protection and we have officers in the Environment Department who will attend the meetings; Willie Peggie particularly will drive that. We do not have

a tree team who that is their number one priority of work. Most of these officers are already well engaged.

**Assistant Minister for the Environment:**

I think it is fair to say, Deputy, the team on the ground, the rangers are actively managing the trees under their remit. As you can imagine, they have got a tremendous workload specifically after Storm Ciarán and they are just busily trying to tidy up after that but in parallel with that, there are other areas which are needing review.

[10:45]

One particularly is Noirmont Woods which got completely devastated during that storm. It is a World War 2 memorial, and the team are reviewing how they can plan that and replant that because it is completely flat at the moment, so we look forward to seeing that. In addition, if I may, Deputy Chair, I have a real ambition to get tree protection in place and you may recall that in a previous Government Plan I did put in an amendment which was accepted to put that in place. So, we suffered from the rejection of the previous Minister's proposals and I think we need to learn from that. We need to read the room and work with the tree management industry to ensure that whatever is put forward is palatable to all, so that is the direction in which we are going at the moment.

**The Minister for the Environment:**

Can I just, say I am really grateful to my Assistant Minister for the work he is doing specifically at Noirmont where he is ... well, I will not steal his thunder, but we are developing what is potentially a public-private partnership with a serious landowner who owns land adjacent to the Noirmont site. He is very keen to move forward on all things to do with trees, and the Constable has been up there on a number of occasions meeting with them and trying to work out how we move forward. I think we will have a number of these sites around the Island where we have had devastation through the storm and storms over the years where landowners will see adjacent to their property areas of, maybe, States-owned land or public land, Parish land where we can do some joint work and bring these areas back to what they were with some proper tree planting. I do not know if you want to ...

**Deputy A.F. Curtis:**

Could I pick up, Minister? You mentioned the examples of new woodlands and obviously looking forward and the relevant stakeholders, to what extent is the land controls team, who obviously manage the fact that we currently have a set of conditions apply to a large amount of agricultural land that excludes the growing of trees, are they reviewing the suitability of those policies? Are they thinking about a consistent approach that all landowners can consider and a framework or is it ad hoc?

**The Minister for the Environment:**

It certainly will be part of the work we will need to do before we get to the next Island Plan debate, but I have charged officers to go away and have a think about all this. Obviously, our priorities in agriculture are changing. We are seeing things like solar being developed and I think it has always been a view of mine, if you like, that every farm has within its boundaries small areas of land which are not necessarily productive from an agricultural point of view, which could well be used for tree planting or other environmental projects. I think moving forward the other thing, as you have hinted at, we do have currently the ability to grow trees on agricultural land if you sign a 9-year lease with a cider maker and plant apple trees, but I think moving into the future where we are going to look to reduce our carbon, suppress carbon in the soil and this type of thing, we will have to change the rules to allow farmers to adapt for all sorts of reasons but mainly for climate reasons to grow trees as a crop, if you like, which helps to reduce our carbon balance. I think the answer to your question fundamentally is yes, we will be, and we need to look at the way parts of the Island are used differently in the future. Agriculture is not what it was for 20, 30, 40 years ago and we can work with both sides.

**Deputy H.L. Jeune:**

Thank you. On this area, you talked about that there is a team who obviously have many strings to their bow, but they do work around on trees. How do the officers work with developers using the current regime to maximise the protection of trees during developments both on private and public property?

**The Minister for the Environment:**

That is a very good question and I think we will all know of cases over the last few years where planning applications have been submitted with tree studies that have been beforehand, and certain trees on site have been selected for protection so that the building goes on around the trees and, in some cases, the trees have fallen away during the development for various reasons that the developer might come up with which is, to my mind, quite unsatisfactory. It may be that when we come to look at the new Island Plan and the new way of doing things, in the same way as we are talking about trees and fields, it may be that we develop a planning system whereby an applicant has to ... rather than fit the trees around the development, it has to fit the development around the trees. I am sure there will be sites that will come forward in the future where hopefully we will be able to say: "These trees are sacrosanct on this site. You are not to touch them. You are not to go within so many metres of them to protect the roots" because there is no point trying to dig foundations right up alongside a tree when you are going to destroy most of the roots or a lot of the roots. I think moving forward we will have to be tougher about protecting trees on potential development sites. Again, recently we have seen trees being felled before housing sites have started to be developed



and to me that is disappointing, but it is going to be part of the planning application process potentially in the future. I do not know if you would like to add something to that.

**Group Director, Regulation, Infrastructure and Environment:**

Just to add, the Minister was saying that within the planning team we do have a dedicated landscape planner who works specifically on improvements to planning application design in the areas of landscape.

**The Minister for the Environment:**

That is a recent addition to the team. It is not something we have had in the Planning Department for a very, very long ... in fact if ever before, I can remember.

**The Connétable of St. Mary:**

Yes, thank you. Addressing that point the Minister made about trees being taken out of the equation during the course of development or even immediately beforehand, is consideration being given to the prospect of some provisional register whereby if people are aware if something is likely to happen, someone from outside could register it temporarily so that the developer will be on notice and for quick decision by your department so they do not remove the evidence before they have to go before you?

**The Minister for the Environment:**

I think that will have to be part of the review as we are looking at this listing process, Constable. There is no doubt in the past ... I can remember where I have been asked at short notice to protect trees and I think I managed to do that, but after quite a bit of toing and froing, if you like. But it may be that we do need to review how we protect trees at short notice. It may be that we need to develop some powers that say: "I am going to protect that tree from now on until such time as I have had a chance to consider how it might fit into this development." It is going to be a tricky one because how do you determine when a particular site might be right for development? I mean it could potentially be anything in the built-up area or the green zone for that matter.

**The Connétable of St. Mary:**

I was thinking of something fairly short and sharp really so that it is an immediate situation to prevent a particular tree being felled, so at least they do not have to come to the department floor, some form of initial decision even ...

**The Minister for the Environment:**

We do have provisional powers. I think I have used them. I cannot remember exactly what they were other than I have ... I can remember the trees I have protected on Ouaisné Hill but, yes.

**Head of Place and Spatial Planning:**

Yes, that is right. In the Planning and Building Law, there are provisional listing powers and they apply to trees and heritage assets but they can only be used where there is knowledge of some apprehended threat to the asset. So, those powers do exist in the Planning and Building Law and I think as part of the review of the policy that the Minister adopts for how we use tree listing powers, those sorts of issues will need to be addressed. I think setting the policy for the use of that tool will be important and it touches on the point that you raised, Chair, about the level of resource that is available. There will clearly have to be a balance between how extensive that policy might be and the level of resource to operate it. I think all of those issues will need to be addressed when the Minister's policy about the use of the listing power is developed, and clearly there will be opportunity to have discussion about the level of resource that is available at that time.

It is probably worth bearing in mind that if you think about other parts of the Island's environment that are able to be protected by listing - heritage assets is probably one that we are more familiar with but also ecological assets - in those cases, there tends to be a proactive approach to their use. So, the Island is surveyed, and we identify those assets that are deemed to warrant protection and in the case of ecological assets, that is a relatively limited number. In the case of the heritage assets, that was about 5,000 assets that were assessed. Clearly, when you come to trees, there are hundreds of thousands of trees in the Island, so we are going to have to consider what policy we use. How do we use the listing tool that we have got and what is the best way to employ it relative to the resource that we might have? I think all of those things are therefore consideration as we begin to look at how it might be deployed.

**The Connétable of St. Mary:**

Just to finish off, you refer to an apprehensive threat. A member of the public can advise you of this apprehensive threat and you do have powers to delay it or stop it at the moment?

**Head of Place and Spatial Planning:**

Well, I think there would need to be some evidence of some threat.

**The Connétable of St. Mary:**

I appreciate that, yes. Okay, but it exists. Thank you.

**The Minister for the Environment:**

I think I might just add, we are talking about other powers that we have, and what have you, and when we come to planning, we are pretty much always dealing with a structure or something which does not change over time. That is why trees give us so much more of a challenge because a tree

which might not be listed or worthy today in 20 years' time might have a different value. Maybe there is a visual aspect, but trees grow, and it is the growing that can give us challenges as we move forward. It gives us challenges with branchage. It gives us challenges with site lines. A whole list of things that happen because these trees evolve and every year they have a different size to them. That is an added complication to the policy. You might set policy that says they have to be more than 50 years old. Well, in 10 years' time you are going to have a whole load more trees that are going to fall into that category, or certain height or certain ... I do not know what, but it is not as straightforward as planning where you have a building, and that is the structure and that is what it will be, and it will not change over time.

**Deputy H.L. Jeune:**

I think the last question on this is being able to use other legislation around this, for example, like the Wildlife Law. Is this able to use that when there are circumstances when trees are felled and, yes, it is deemed to be against the Wildlife Law, do you see that Wildlife Law has got teeth enough to be able to support ...

**The Minister for the Environment:**

Yes, absolutely, and I can think back not that many months ago to a weekend where somebody contacted me, I think late on a Friday, early on a Saturday, and said: "I hear that there may be some trees being taken down in the built-up area." We immediately activated some officers to go and look at that and they were on site in preparation. As it turned out they were not needed, but they were certainly going to use the Wildlife Law as a reason to stop the trees in question being taken down had the person turned up in order to take them down. There is a lot of stuff now around nesting and things like that which allow us to use that law to protect trees as well.

**Deputy H.L. Jeune:**

Really, the main thing, I think, coming out of what the Connétable is saying and yourselves is that it is also for members of the public to alert yourselves and your officers to this and you have powers to be able to investigate and to stop these if need be, but we need to know if it is happening, so we need that alert first of all.

**The Minister for the Environment:**

Yes, I mean that in itself will give us some challenges. The type of challenges that planning officers sometimes face now when you have certain aspects which they have to use their subjectivity to decide whether they feel it is overbearing, or what have you, and that will be no different for trees. If people want to contact us with a view to protecting or stopping something happening, there will always be some subjectivity about why and officers will face another difficult decision as to whether

they feel the effects of the tree are in conjunction with the person who is complaining or objecting. So, not straightforward.

**Deputy H.L. Jeune:**

No. Thank you, Minister, and we look forward to continuing to see the developments in that area but moving on to Deputy Warr.

**Deputy D.J. Warr:**

We are going to move on to the Carbon Neutral Roadmap. This is based around - for background - Written Question 374 and also the C. and A.G. (Comptroller and Auditor General) report 3rd June 2024. The first question is: please could you advise the panel when the last energy suppliers group meeting took place and whether these still take place on a quarterly basis?

**The Minister for the Environment:**

I will have to look to Lisette for the date but certainly they do take place. I have certainly sat in on 2 that I can remember, if not 3 since I have been Minister.

[11:00]

They are very interesting and worthwhile meetings but sometimes challenging, as you might appreciate. I am sitting there talking to the suppliers of energy, anything from electricity to gas to diesel to petrol and everything in between and of course we also have on the group representatives of sustainable energy as well, so the people who fit solar panels on roofs and stuff like that. We have a real good mix and, as you might imagine, if we are discussing one particular type of policy, some may be very much in favour and some may be very much against but what we are trying to do around the group is to have discussions around the way forward and how we are moving forward and how every member of the group can contribute to reducing carbon and the changes in energy that we are seeing coming down the line.

**Deputy D.J. Warr:**

Okay.

**The Minister for the Environment:**

So, we do meet ...

**Head of Environment and Climate:**

11th October.

**The Minister for the Environment:**

11th October.

**Deputy D.J. Warr:**

Okay. Sorry, I was just going to carry on. Is it your understanding that minutes for the group should be published on the government website and whether more current minutes are available than those ... I think March 2023 is the last time there have been any minutes to any meetings.

**The Minister for the Environment:**

I have not been aware of that. The minutes should be published.

**Head of Environment and Climate:**

Yes, they need to be updated.

**Deputy D.J. Warr:**

Okay. Thank you. Minister, in your response to a written question on 4th November when asked for a progress update on the energy strategy, you responded that due to resource constraints, you could not commit to delivering an energy strategy in this term of Government but would be commencing work this year. Can you please elaborate on the legislative updates you are focusing on and how you will be delivering on the recommendations made by the C. and A.G. in her review? I do not know if you need reminding of what the C. and A.G. said but ...

**The Minister for the Environment:**

I can say that, obviously, we are going to be looking to develop the energy strategy. I intend to commence work next year and, again, I may end up repeating that a few times this morning as well. There is a lot to get on with next year and I have taken a view of the C. and A.G.'s paper on infrastructure, resilience and energy, but I cannot commit to delivering an energy strategy in this term of Government. Certainly, we are going to do more work, but I will explore and I am going to debate potential for many things including, of course, offshore wind.

**Deputy D.J. Warr:**

Which brings the next question I was going to raise.

**The Minister for the Environment:**

I would just remind everybody that we have this trilemma of energy security, affordability and sustainability and we have got to bear all of those in mind as we move forward, and it is a little bit of a chicken and egg one. Do we do the energy strategy before we get to the big debate on wind or do we do it the other way around and wait for the wind decision? If the decision is: "Yes, move

forward”, do we then develop a strategy from that point? Because obviously it will be crucial to that and it would be convenient, I guess, for me to say maybe it would be nice to wait for the wind decision before we develop the strategy. That would be a bit of a cop-out and easy answer but I think in realistic terms that probably is the best way to move forward because if we are going to develop a wind farm the size that we are talking about, we have therefore potential to create a huge amount of energy for the Island and certainly more than enough that we would need, so that would drive the main thrust of an energy strategy moving forward, given, of course, that we would still need connectivity to the French grid as we have at the moment, because there will be times when the wind does not blow.

**Deputy D.J. Warr:**

In that case I will leave out my next question and move on. We will move on shortly to more questions based on the Bridging Island Plan but at this point can you please provide the panel with an update on strategic proposal 2 in that document, which is understanding the long-term requirements of Jersey’s energy market and how this aligns with your previous answer?

**The Minister for the Environment:**

Understanding the requirements of the energy market. That is a massive question, and we need, again, to look at how we are going to produce our energy. We know that home ownership will come with the ability to create your own energy at home, and that is certainly a subject which we need to explore more. Some people who have solar panels on roofs or in their back gardens are certainly benefiting greatly from that. That is something that the Jersey Electricity Company are going to have to focus on very much in the future, I am sure, because they will need to know what their requirements will be when it comes to either being upfront with the French about how much power they are going to need but we need to get real about reducing our carbon. We need to get real about getting away from fossil fuels and the energy strategy into the future has got to be about low carbon or zero carbon, if we can get there. I mean we will not quite get there but we need to be looking at the impacts of the fossil fuels we use. I am certainly trying my best to see how we can look at heating. I mean heating and transport are the 2 big deals on the table. We worked hard in the last 12 months or so to see how we can transition people away from internal combustion cars to electric cars. That initiative has come to an end, but we are going to look to review that to see how that effective it was. In the meantime, we are going to also be concentrating on low carbon heating because we have a large amount of historic stock of buildings on the Island and generally the older and more granite involved, the more difficult they are to heat. We are encouraging people all the time to transition away from oil-fired heating to electric heating of various sorts but of course we also have the ability now ... and this is one I think could well be helping in the transition from diesel to electric, which would be to go to vegetable oil and H.V.O. (hydrotreated vegetable oil) where you can use the existing boiler and the existing system. For a relatively small amount of money, you

can convert that over to vegetable oil to heat your house and I think moving forward that is something I would be looking at. The challenge there is the differential between the heating oil price currently and the H.V.O. price currently which is considerable, but that is the sort of thing that Government are going to have to focus on.

**Deputy D.J. Warr:**

Okay.

**The Minister for the Environment:**

I know the chairman is, obviously, hugely keen on this subject as well but one of the challenges I have had, and you will know that I pushed back the date for the replacement of 4 or 5 boilers and that was specifically because we need to try to focus on green skills on this Island and how we encourage the plumbers, heating engineers, boiler engineers to skill up to take on the transition to electric or transition to vegetable oil. That is one of the difficulties we face at the moment. If we stimulated a large public demand to move away from oil-fired boilers in houses, I am not sure that the industry could cope because they just do not have the engineers qualified to do that work at the moment.

**Deputy D.J. Warr:**

The next question then is, Minister, you have been clear in the past that a review of building bylaws has been prioritised to ensure that the right requirements are in place to inform energy performance certificates ahead of policy work to ban the replacement of fossil fuel boilers. Can you confirm that steps have now been completed as part of this review and what feedback has been received from industry stakeholders?

**The Minister for the Environment:**

We held consulting with industry, and the way we did that most recently was at the sustainable construction meeting we had at the Radisson where we asked people who were involved directly about when they thought the right date for moving to the boiler ban would be. We had a mix of answers and one or 2 wanted to bring it in, maybe, a little sooner than I would have preferred. But I think realistically we are probably going to look at 2030 as the date but in between now and then, we have a very large piece of work to do to try to get the plumbing industry, commercial industry over to being able to install these things. But as it comes to bylaws, yes, we are concentrating on the bylaws review. We have taken a step back from the boiler ban. We have taken a step back from the certification for individual units because we want those to be informed by the review. I do not know if you want to mention a bit more, Kelly, that is your ...

**Group Director, Regulation, Infrastructure and Environment:**

Yes, certainly. Currently, in terms of the building and technical guidance review we are in an internal review so we are researching at this stage, looking at best practice across multiple international jurisdictions and considering potential changes just in terms of what changes could be coming forward. We are looking then at targeted stakeholder engagement in spring to summer next year.

**Deputy A.F. Curtis:**

Within that review you said you were looking at other jurisdictions. Are there any that are standing out as having some really interesting approaches, maybe not the content but how you consider those? Is there anything that is really sticking out as a place to explore more from an extra jurisdictional ...

**The Minister for the Environment:**

Before Kelly answers that, one of the challenges we have with any building bylaws review, in many initiatives it would be nice to jump forward with the rest of the pack and put ourselves as not necessarily world leaders but maybe European leaders in developing down one path or another but I think we always have to be conscious that the amount of building we do in Jersey compared to the rest of the U.K., for example, is minute. If bylaws in the U.K. get developed down a particular road, it would be very difficult for us to go to manufacturers and say: "We know the U.K. have developed a thickness of insulation of X millimetres but we were going to go to X plus 5", because they will turn around and say: "Sorry but we are not making that just for Jersey." We are not forced down this road, but we are developing down this road because that is where the English bylaws are going to go and I think in those sorts of instances it is going to be very difficult for us to move ahead of the pack, but we do take notes of what others are doing obviously.

**Deputy A.F. Curtis:**

Okay. Yes. No, that is fine.

**Group Director, Regulation, Infrastructure and Environment:**

We want to make sure that it is relevant and proportionate for Jersey so considering English bylaws to Scottish and Welsh and other small island jurisdictions as well, E.U. (European Union) in particular, so not just sticking to the U.K. review.

**Deputy D.J. Warr:**

I am going to skip through a few of these questions because you have pretty much answered a number of them here. How will you ensure that the productivity package to businesses does not undermine the Carbon Neutral Roadmap by providing funding that would go against target aims of the roadmap?



**The Minister for the Environment:**

That is a very interesting question and I know the chairman and I have had some very, very initial discussions, and I would like to think we would have some more discussions because the chairman has put forward the idea that we might be using some of this productivity money to help in reducing carbon, and I have to admit that it was not something that had jumped into my thought pattern particularly. I had been looking at the £2 million out of the £10 million, which is going much more towards agriculture, fisheries and productivity in those industries but I take the view on board. It is certainly one that is worthy of consideration and if we can find a way of targeting some of that money - money which is there for productivity - we can find a way to help the green skills or help maybe apprenticeship schemes. The one thing I would point out: that money is there to help transition to the living wage. I am not sure that there are very many people in the plumbing, building industry or technicians that are going to develop packages to move away from oil-fired boilers to electric on the living wage but certainly we need more people in this industry and apprenticeship schemes are very, very important. If we can encourage more of our youngsters to go into that then it may well be that we could use some of that money to start apprenticeship schemes specifically aimed at reducing carbon in our historic building stock.

**Deputy D.J. Warr:**

My final question here is: which other elements of the Carbon Neutral Roadmap Delivery Plan 2022-2025 are you confident that you will deliver by the end of the year? End of next year, I should say, not the end of this year. That is pretty soon, is it not? Which policy areas have been actively pursued?

**The Minister for the Environment:**

That is a challenging question because, as I am sure you will know, there are many parts to the roadmap which we have not managed to move forward very greatly on, carbon offset purchasing is certainly something that is going to be a long way down the road. We have got a lot more work to do before we discuss that; again, we do. The finance strategy, the economic strategy, they have both been pushed down the road a bit more. The boiler ban, as we have just discussed. Heating incentives moved forward, so that is certainly something which we will continue but even our scheme for granting money for purchase of electric vehicles is coming to an end as we speak. We might almost be ... I do not know what the very latest numbers are, but we are down into literally the last handful of grants available for purchasing electric vehicles.

**Deputy H.L. Jeune:**

Minister, on that and the focus next year I am sure is trying to crack the nut of the heating incentive and with green skills around that whole heating package, I was just wondering if you had seen, for example, that Lloyds TSB have launched a mortgage, a really interesting package called Eco Homes

where they are offering preferential rates for those homeowners who are trying to reduce the emissions from their home from insulation.

[11:15]

They initially give them a preferential loan and then the mortgage; there is a preferential mortgage for that too. I was wondering if that is something you would work with not only themselves but other providers of mortgages and loans to have that more public-private work together to help the financing that is not just public financing but have these initiatives because I think it is a really interesting initiative.

**The Minister for the Environment:**

I cannot say I am aware of the detail. I am aware that we have been working with the Bankers Association about how we might develop that, and that is really good news because it is taking a scheme ... again, I do not know the detail but when I think back 5, 6, 7 years, we have been having schemes to grant people money to help insulate their homes. Certainly, those on lower incomes, like community buildings and stuff like that, and it sounds very much like the Banking Association are coming up behind us now with a similar scheme. This may be another area of public-private partnership where we can start moving forward and using what small amount of moneys we have currently which are committed to reducing carbon to work with the bankers, for example.

**Deputy H.L. Jeune:**

Exactly, it is trying to leverage into that.

**The Minister for the Environment:**

Absolutely. Yes.

**Deputy H.L. Jeune:**

Where I think the need is, I suppose, is whichever bank - Lloyds at the moment but others - will need evidence to show that the house has become more energy efficient and also reduction in emissions and so they are asking for an E.P.C. (energy performance certificate), for example, at the moment. If this is being encouraged and pushed by industry both not just from construction but also from the financing side, which is equally important to get finances, and having those people being able to get preferential rates because of greening their homes. Do you see a gap there to go: "Okay, we do need to spend some time in developing a good product like the Jersey performance certificate or something"?

**The Minister for the Environment:**

It may well be. E.P.C.s, as I said, we are waiting for the bylaw review to be completed before we go down that road, but it may be that we need to talk to people like the Banking Association to say: "Yes, we are headed there. There is a time gap between now and that point but we want to work with you to help develop these schemes." Because public-private partnership or pound for pound funding or match funding, or whatever you want to call it, is a much better way of getting more bang for your buck, as you say. Am I right, Kelly, thinking that we still have, for example, if you want to put a conservatory or put a small addition to your home, a percentage has to be ... am I thinking of another scheme where a percentage of the cost of that project has to be spent on insulating the existing property?

**Group Director, Regulation, Infrastructure and Environment:**

Yes.

**The Minister for the Environment:**

That might not be ... that is not bylaws. That is something else.

**Group Director, Regulation, Infrastructure and Environment:**

It is the consequential improvement. I do not know the exact details of the amounts involved but, yes, the overall requirement to improve energy efficiency when you are doing significant work that impacts on the thermal elements of the property.

**The Minister for the Environment:**

We have not got to how we are funding carbon neutral moving forwards and we may not but one of the ways we have got to look at it is getting more result for the amount of money we can put in and, like we have just said, match funding, pound for pound by the public has got to be a part of that transition, really important part. This could be 2050 but there is going to be a big chunk here. We have got to try to do as much as we can, and it is right that large institutions are starting to take this seriously. It is great news.

**Deputy H.L. Jeune:**

Thank you, Minister, and we will talk more about the productivity package going forward because I think that is a potential there to at least ensure that it does not undermine any projects and does not undermine our aims in the Carbon Neutral Roadmap but could potentially enhance and it. Again, having those partnerships is needed because the Government - any Government themselves - is not going to be able to finance the transition to the net zero economy. It has to be everybody. Thank you. We are going to move on now to the Bridging Island Plan proposal, so Deputy Curtis.

**Deputy A.F. Curtis:**

Thank you. I will take this section, Minister, and we have obviously a range of areas to discuss within the Bridging Island Plan proposal, so if it is possible to stay to each specific question because we may well come to that later. It is easy with the Bridging Island Plan to expand into the more conceptual wider topics, but we will start with looking for an update, perhaps, on the requirements that are for a new Island Plan. We heard previously that the situation in June was that 11 of the 40 Bridging Island Plan proposals were R.A.G. (red amber green) rated red. Has the situation improved or deteriorated?

**The Minister for the Environment:**

I am hoping it is not deteriorating inasmuch as you know certain pieces of work have been done, certain pieces of work are in train, and certain pieces of work are yet to be started. But while it has not been a fast process, I would like to think we are not going backwards. Kevin can give us the detail, but I would hope that we are moving forward, but it is slower than it might have been.

**Head of Place and Spatial Planning:**

Yes, I think that is right. As the Minister has said, various pieces of work have been completed and obviously one of the most recent ones was around the Assembly's adoption of the Marine Spatial Plan, which was one of the proposals in the Island Plan, and I suppose that demonstrates that the proposals that are in there are not all specific to planning and not necessarily all specific to the Minister for the Environment either, so part of the implementation of the plan, it is a corporate policy document. It has lots of implications for other parts of Government so the implementation of parts of the proposals rest with other Ministers. Another example, I suppose, is the ... you all also recently had the Budget debate where amendments focused on things like the play strategy and the West of Island Planning Framework, both of which were proposals that sit in the Island Plan.

**Deputy A.F. Curtis:**

We will touch on ...

**Head of Place and Spatial Planning:**

Okay.

**The Minister for the Environment:**

I would add of course that West of Island is, as you know, one on the list. It was not on the list that we were planning to do next year but it has been through the Budget debate, it has been accepted and we will find a way of elevating that up the list. But that does not mean to say there is not a whole load of other stuff to do. As Kevin said, some of that we addressed in the debate last week but there are aggregates; there are all sorts of things outside of planning.

**Deputy A.F. Curtis:**

Specifically to those 11 that had not been started in June, recognising obviously the Marine Spatial Plan would not have been flagged red on a R.A.G. rating, do we have the numbers as to whether that has changed now? Have any of those 11 started work?

**Head of Place and Spatial Planning:**

I do not have that specific detail in front of me, but I can provide that to the panel subsequently, if that is helpful?

**Deputy A.F. Curtis:**

Okay. That would be great for the panel, and you touched on the West of Island Planning Framework and how you move things up and down. Could you advise the panel on the projects and policies that may now be deprioritised to ensure that work on the West of Island Framework can go ahead as agreed?

**The Minister for the Environment:**

We are just out of the debate. I know it is a few days ...

**Deputy A.F. Curtis:**

Fresh in our minds.

**The Minister for the Environment:**

... but Kevin and I have not had a chance to talk in detail about that, but I did say to him: "Does this mean that something drops off the bottom of the list?" The initial answer is: "No. Nothing is going to drop off the list." But we will have to see how we tackle this additional piece of work.

**Deputy A.F. Curtis:**

Yes.

**The Minister for the Environment:**

We do have some funding which will help. It could help quite a lot, but it still means that other bits and pieces will just be a little bit slow in coming forward.

**Deputy A.F. Curtis:**

The Assembly had a wide range and debate on the West of Island Framework and of course strategic proposal 4 is titled "A West of Island Planning Framework and Area Masterplans" and it notes in the preamble the need for housing and need obviously for Les Quennevais and the West of Island to be developed, recognising even with a net zero migration outcome, the form objective

assessment of housing need would need 2,200 new homes within the Island. Planning assumptions have changed, and the plan is cognisant that the form of the framework could be in a range of forms depending on the progress and resource availability, so could be working papers or published studies. What does West of Island Planning Framework mean to you, Minister?

**The Minister for the Environment:**

It certainly does not just mean Quennevais.

**Deputy A.F. Curtis:**

No.

**The Minister for the Environment:**

I think that is the first thing to stress and the West of Island is what it says on the tin. I do not know quite where you start but it is not just around the St. Brelade's and Quennevais area. Certainly, we have a very large area of housing around St. Ouen's Parish Hall area to the north and we have got 2 new sites there which are just about to start being developed in the not-too-distant future. We also have housing, which is going to be added to, as we know, in the St. Peter's area. I imagine that the West of Island Planning Framework will look at those 3 sites. It will do a bit like we did for the Island Plan consultation. It may well go out and look to see if there are other ... do I just dare describe them as satellite areas that might see some development in the future? I think the other thing we need to look at which is hugely important, and I suspect the reason that this whole question came up, is areas like the Precinct at Les Quennevais where everybody realises there is so much more potential there and we could do better but we know there are a lot of initiatives coming out of Ports, how they might use land around the airport. We have some initiatives at Strive about developing sporting facilities for the whole Island. Kevin is far better to answer the question but for me it is the west on the Island. It is north to south. It starts in St. Brelade's Bay and ends at Grève de Lecq and everything in between and maybe strays into St. Mary and parts of St. Lawrence as well. I think it is going to be right that we look at all parts of that and we look at housing in particular, as you stressed, but also commercial activity. The more people we have in Les Quennevais or St. Peter's or St. Ouen's, it is only right that we are developing community facilities for those large numbers of people that live in those areas. I do not know if you want to ...

**Deputy A.F. Curtis:**

Okay.

**Head of Place and Spatial Planning:**

No, I think the Minister has provided a comprehensive response.

I suppose the only other thing I would say is that from an Island Plan perspective, clearly Les Quennevais is identified as the Island's secondary centre and successive Island Plans have sought to meet most of the Island's development needs from within the built-up area but with a particular focus on St. Helier. I think part of the notion of doing this work is really to look at the extent to which the secondary centre and maybe other parts of the Island in the west can help meet some of the Island's future development needs in addition to the continued role of St. Helier but, as the Minister has described, there are a number of potential elements to this, and I am sure the Minister will be keen to work with local representatives in pulling together the scoping of the work.

**Deputy A.F. Curtis:**

Okay, so we will ...

**Assistant Minister for the Environment:**

I think it is only fair to say, if I may, because I am familiar with Les Quennevais area, but the focus really has to be more on St. Peter's and St. Ouen's where you are going to see massive character changes in those particular areas and will there be a need for more commercial input apart from the housing proposals we have on the table at the moment? I think it is going to be difficult to change the Quennevais area from what it is in the short term. Long term is something else but what we are looking at now is the upcoming St. Peter development coming online.

**Deputy A.F. Curtis:**

Thank you, and we will turn to another strategic proposal which is strategic proposal 1, the development of a long-term planning assumption to inform the requirements for a future Island Plan and your June update suggests that work on this is in progress and part of the preparation work for the next Island Plan is to, obviously, conclude those. How far has the work progressed on long-term planning assumptions?

**The Minister for the Environment:**

I have to say there has not been a massive amount of work. Our concentration in the Planning Department most recently has been on the reform of the planning system and improvements there and we are making great strides, and I thank officers for all the hard work they are doing in turning around complicated and difficult applications alongside the business as usual. It is always challenging in regulation to make progress in great strides, but we are working really hard, and I am grateful to officers for doing that. When it comes to developing that next stage, we are concentrating on reform. We have got some ideas about how we might look at Island Plans of the future. Certainly, we have just mentioned the list of requirements in the Bridging Island Plan, which will inform the next one, but I know Kevin has got some ideas about how we might have a different type of planning

system in the future or a different type of Island Plan in the future, and that is something that we also want to consider before we get to that next Island Plan debate.

**Head of Place and Spatial Planning:**

That is right. As the Minister said, the first piece of work that we are doing is looking at the potential changes to the Island Plan review process and also the form of the Island Plan. It has been in the form that it is in since 1987, so we are going to look at those issues first. Once the Minister has resolved any particular proposals for change in that area then we can move forward with confidence in terms of the ...

**The Minister for the Environment:**

One thing that I want to concentrate on is transparency. We know we had some different rules for the Bridging Island Plan forced on us by COVID and other things. We had a process which went relatively smoothly. The inspector looked at all the amendments and came up with recommendations but something which did, and I am sure other States Members will have had this challenge, happen is the ability for people to put forward sites for housing without the knowledge of politicians, Constables.

[11:30]

That certainly caused me a lot of consternation in St. Martin. I am sure, looking round the table, there were others the same. Certainly that is a very important part of what we look at before the next Island Plan debate because we cannot allow or we cannot have that sort of thing happening again; that is a mistake. That is something that happened in the past, it is a lesson to be learned. I think moving forward we need a much more open and transparent process so that everybody knows which sites are being considered well upfront so there are no surprises like we had last time where people would come in to me and say: "There is a site here that is being proposed." I said: "No, it is not, I have not heard anything about it." But it was, people were proposing sites just completely out of the blue.

**Deputy A.F. Curtis:**

Strategic proposal 1, it is not a policy of course, focuses on 4 key elements of planning assumptions that need to be worked on to inform a new Island Plan. It is interesting to note the preamble here did talk about: "The Bridging Island Plan period presented the opportunity to properly conclude work in each of the following areas." Recognising work had largely been done but the COVID pandemic had changed how we need to do that. The 4 were Migration Control Policy, forthcoming Population Policy, the findings of the Future Economy Programme and the future development of wider relevant policies, including skills. As Minister, the Bridging Island Plan says you need this information, how



much are you pushing Ministers to deliver this information so that your team can provide an informed ... beyond the form of an Island Plan but the fundamental data that gives you long-term planning assumption? How are you encouraging that and ...

**The Minister for the Environment:**

You have mentioned 4 there and most of those are completely out of the Environment portfolio and I am reliant on the Population Office, Minister for Sustainable Economic Development, et cetera, et cetera, to come forward with these pieces of work. But I think what I have to say - this is a bit of a generalisation - and I do not want to use the word "convenient" but I am going to use the word "helpful"; it is helpful in some ways that population has not moved ahead in the numbers that we had expected when we put the Bridging Island Plan together. Back in those days we had some very different assumptions of where we were going to be population wise. For me it is really disappointing because I am a great advocate for increasing the size of the population because I think that is the only way we can keep the economy working. We know where the age demographic is going, it is going to be people like me who are going to be reliant on a much smaller number of people in work if we are not careful, so that is a challenge. But to get back to the point, the fact that the population has not done what we expected, it is standing still from what I can see - maybe I am not quite right on that - this has meant that the housing sites that we put forward through the Bridging Island Plan are going to be sufficient for some time to come. Whether it is convenient or helpful or unfortunate, that has meant that we have taken our foot off the pedal a bit when it comes to needing the next housing sites. Where are we going after the ones that we have already got approved? We have concentrated on some other stuff, which is all important work. But the imperative to have all this work done before the next Island Plan, knowing that the next Island Plan is probably going to be some time in 2027, 2028, has meant that I have not been telling other Ministers: "Come on, I need that population work. I need that skills work. I need that productivity work" because it has all got to inform. We have got aggregates, we have got all sorts of other things that we have got to think about and some of it is quite big and meaty subjects.

**Deputy A.F. Curtis:**

You do not really see as much of a need for you, as Minister, needing to prepare new information to keep your pressure on your fellow Ministers to give you this because in some ways you feel, inherently, the population is the main one, has eased the pressures of those planning assumptions. Did I understand that correctly?

**The Minister for the Environment:**

Yes, I think you have got the gist of it there. I would take 2 steps back and just say there is lots of parts to the Island Plan, as we know, but generally the large debates in an Island Plan debate centre around housing sites. This will come back and feed into Kevin's work which we will do about what

type of Island Plan are we going to have next? How are we going to develop it? Certainly something I want to do as part of the review - and I have told Kevin I want to do - is to examine how we might change the law or maintain the law to allow a certain specific part of the Island Plan to be debated separately from everything else. Because I think that is important moving forward, that we might just need to debate housing sites. But, similarly, we might find we have got housing sites but there are other aspects to the plan, which are desperately in need of change and we do not want to wait until the end of 2028 to do it.

**Deputy A.F. Curtis:**

I was going to ask, what are the consequences you see of extending the use of this plan beyond its 3-year life span, specifically beyond housing? Because we have discussed obviously the provision, having a little more space there.

**The Minister for the Environment:**

Water strategy is something which will need to inform in the next Island Plan and water is the subject which I have made my number one priority. I want to make sure that by the time we get to the next election the Government and Jersey Water are fairly aligned in where we are going to go in finding our next water resource because we know we will be challenged again. The population issue is maybe not moving that debate forward quite as quickly as it might have done, had the population continued to increase by 4 figures every year. But still it is incumbent upon us and I certainly feel it to develop a water strategy for storage or where we are going as soon as I can.

**Deputy A.F. Curtis:**

One other element that I think Assembly Members hear about a lot is of course light industrial land. The employment study that formed the evidence base considers that: "Given the uncertainty over future demand for light industrial space, while there is protection, the conclusion was no new specific light industrial floor space designation should arise", obviously barring the amendment by Deputy Morel on one site. What conversations are you having with the industry about the tensions within, for example, light industrial space, given that was a short-term plan? What consequences are you seeing or are your team seeing in regulation and policy over the lack of provision of new industrial sites following the bedding in of this plan?

**The Minister for the Environment:**

It is certainly something which I have felt over the years we have been lacking. Obviously Rue des Prés, we have a small technical park in St. Peter, we have fiscal growth in other small areas where we do some light industry. But certainly for me I think our inability or the fact that we have not developed more light industrial land over the years is to our detriment. Obviously there will have been plans to use more of La Collette reclamation for light industry. Certainly that work was curtailed

after Buncefield where the restrictions around the fuel farm became more intense and has made that more challenging. I suppose I must say that I feel that we probably will need to continue, every once in a while, to allow agricultural structures to go out of agriculture to be used for some areas of light industry; certainly that has happened in the past. We know agriculture is changing and many farms have large sheds on which ... while they were put up by farmers and should really be taken down where they are not needed for agriculture anymore, I think one has to be realistic. Say if the change-of-use application comes in and there is a realistic and a proper analysis on the demand for that building, that it is only right that we use it. Because, as I have said before, whether it is housing, whether it is whatever, whether it is farm sheds, really we should make best use of every structure on this Island before we start building more structures on greenfields. There is some work to do around that as well. But I agree, light industry is something we should be trying to encourage. Obviously we cannot have large-scale manufacturing in Jersey just that it has never fitted. Light industry is something that we must ...

**Deputy A.F. Curtis:**

I have got 3 quickfire questions and then I want obviously to make sure other members cover their topic areas. But following your mention of legislative changes, how quickly are you hoping you could bring legislative changes to the Planning and Building Law to allow individual areas to be debated? You mentioned ahead of 2028 because you would like a new plan then. Are we talking 6 months, 12 months or otherwise? What is really the rationale of doing it?

**The Minister for the Environment:**

We are certainly not talking anything less than 12 months and I only say that because, as you may well be aware, we have got constraints in just about every area. One of those is law-drafting time and I have, along with officers, developed which pieces of legislation we want to work on. We have pretty much got all our law-drafting time taken up. If I were to turn around now and say: "I want to develop a whole lot of new stuff around whatever", I am going to be told very clearly: "That is fine, Minister, you have got to take something off your list" and that might be food allergy work or it might be a whole range of really important things which we have committed to.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Just to add to that, we do have designated law-drafting time for planning reform. Whether that is coming out of the consultation for planning reform next year, whether that is changes to orders or changes to planning legislation; that will depend on the consultation. But we do have targeted time as well.

**The Minister for the Environment:**

Yes, I am really grateful to law drafting and Law Officers because if they can do something off the side of their desk and it is a small change, they really work hard to fit us in. But I am conscious that if we have any larger pieces of work we have got lots to do and not much time to do it.

**Deputy A.F. Curtis:**

Lastly on planning, a very important one which is understanding what work is being done on net biodiversity gain in planning?

**The Minister for the Environment:**

I fear you are going to be disappointed by the answer because while we realise it is there and I was in Guernsey, the only trip I have taken away off-Island since becoming Minister, but I did go to Guernsey recently and met with my Guernsey equivalent and also Isle of Man officers there. We did discuss biodiversity and biodiversity net gain. It is another one of those which is in the category with carbon sequestration. I think, for me anyway, there is still a lot of work to go around how you calculate what you are going to need to do on site when it comes to biodiversity net gain. All I can say is we are not doing as much as I would like. It is on the agenda and we will be working on it. I am looking around to see if anybody knows any better than I do.

**Head of Place and Spatial Planning:**

I can take that if that is ...

**The Minister for the Environment:**

Yes, you go for it.

**Head of Place and Spatial Planning:**

Yes, as the Minister said, there is a challenge around biodiversity crisis and what is the most appropriate response for the Island? When the Bridging Island Plan was being put together the current Minister and Assistant Minister at that time were very keen on the notion of biodiversity net gain as a concept and that is something that is being developed in England. England has introduced a biodiversity net gain metric into the planning system.

**The Minister for the Environment:**

But it has not been straightforward.

**Head of Place and Spatial Planning:**

No. If you talk to my equivalent in the U.K., English planning authorities, certainly the planning authorities are struggling with how this new concept is being implemented in England, and that has caused some challenges in terms of its use and effectiveness. Interestingly, through the British-

Irish Council there is a planning and places workstream and one of the objectives of that workstream is to look at responses to the biodiversity challenge across all of the member administrations of the British-Irish Council. England has gone forward with this metric, other administrations have yet to develop similar metrics. We will be doing a piece of work to look at that across different member administrations and to see what might be suitable for Jersey to adopt. It may not be the biodiversity net gain metric that has been adopted in England.

**The Minister for the Environment:**

It is not a simple calculation and, unfortunately, it is the type of thing that we cannot just grab the U.K. or the British or Welsh or Scottish and scale it down to fit Jersey. I am not sure that that will work. We are going to need to develop something ourselves somehow.

**Deputy H.L. Jeune:**

Okay, thank you. We are moving on to food legislation and Deputy Coles.

**Deputy T.A. Coles:**

Yes, thank you. This also comes quite timely as there was an article this morning on the TV about food laws as well, so I am going to try and tie some of those bits in. This all started with Deputy Catherine Curtis's Oral Question 171 about law drafting. Can you provide an update on the progress of the Food (Jersey) Law 2023 regulations centred around Deputy Curtis's question in the Assembly on 1st October?

**The Minister for the Environment:**

I can and when it comes to drafting I can say that I have signed the M.D. (Ministerial Decision) to send that off to law drafting. I know some will think that we are taking our time but I would like to stress this is not just about sticking labels on packets in supermarkets or having the right information. This is about the management in the kitchen in restaurants and hotels, making sure that chefs know all the information they need when it comes to purchasing and not only that they are working in the right way in the kitchens.

[11:45]

Finally, it is about having the legislation in place so that if we find some kitchens are not doing what they should be, we have a bit of a stick in the back pocket that we can use eventually. It is a bigger piece of work than just coming up with making sure the information is displayed properly on products that you buy. But I have to say the recent - I am just going to carry on - Food Allergy Conference was a great success. I and officers made a big effort to be there all day; I could not make it all day unfortunately. But I was pleased to meet with Nadim and Tanya who came over from the U.K. to

front that and to open the conference. I am not going to call them the star attraction because that would be wrong to do that but people went to hear what they had to say and others. That certainly has shown us that a large number of people attended. They had to change venue because of the popularity of the event. We know moving forward that we are going to do our bit. I have corresponded with people about that event before it happened and I was pleased to be involved. I am absolutely committed to progressing this legislation. Kelly is the top person on this, I do not know if you want to say a bit more, Kelly.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

No, I think that is fine.

**Deputy T.A. Coles:**

I will move on to what was going to be my last question in an area and now to be my second question in this area. Will the new legislation be more in line with the U.K.?

**The Minister for the Environment:**

That is a question for you.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

With all the legislation ones we look at best practice from the U.K., we consider a proportionate response for Jersey as well. In certain areas, yes, but the overall package for the new Food Safety Law, that was approved by the Assembly and the regulations will concentrate around, like you said, labelling and allergens but also kitchen safety and hygiene requirements and licensing, so that would be more bespoke to Jersey.

**The Minister for the Environment:**

Certainly they are moving ahead in the U.K. and they are a little bit ahead of us at the moment, which is good for us in a way because we can look at how they are developed and where they may have had some instances where we could improve. But we are committed to having this done next year. I know some people might say: "You have only just gone to law drafting" but we are advanced and I can say it will be happening. It is not one that is going to drop off the list, I can guarantee people; a lot of public interest in this. I am happy to say that that is one of the priorities that will not be changing.

**Deputy T.A. Coles:**

You have had the mention with food labelling, as well as food hygiene and also allergen reporting, how do you currently have, either within Environmental Health Officers or Trading Standards, when it comes to carrying out inspections and obviously there is food imported as well? As I said this

morning, there was an article on ITV about American food products not meeting the U.K. standards being imported.

**The Minister for the Environment:**

That is a whole different set of questions around legislation and Brexit and changing the rules and regulations about the quality of food. But certainly when it comes to inspections of kitchens and things like that we have a full regime. We find some really good kitchens. We find some horror stories. We find people who have fantastic processes in place for cleaning and disinfecting. We find a whole gamut of variations.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Absolutely. Part of our routine and proactive food safety inspections by Environmental Health Officers recommends obviously food business operators have a food safety management system. Although there is no legal requirement at this point for businesses to implement such a system, it is part of our Eat Safe programme of works. The new food safety legislation will be able to give us enabling powers to be able to bring that into more of an enforcement. But, as I have spoken about before, in regulation we carry out a regulator's code which is for ease of enforcement, that is to engage, explain and encourage. Although we may not have potential enforcement powers in the current legislation, our aim is to encourage where possible people to label and provide all that information to the public.

**The Minister for the Environment:**

I would say that we are starting to realise ... certainly we are starting to see the fruits of that coming through. I am sure everybody else, you will go into certain hotels and restaurants now and one of the first questions you are faced with is: "Do you have an allergy? Is there anything that you cannot eat?" and what have you. That is the way we are going and it is interesting to note that some of the bigger chains are the ones that all have that in place already. I do not think it is unfair to say that some of these large chains of food outlets are the ones that we find are the ones with the best regimes in place. Because they have to be set, they have so many hundreds of these outlets, not just in the U.K. but in Europe. Everything is very much process-driven and they are very easy to deal with because everything is done to the hour, to the date or week, whatever.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

The Environmental Health team work extremely hard with businesses, also to encourage them to make sure that they are displaying everything that is within their products and doing the best practice as they can. The laws that will be introduced provide powers for non-compliance but we like to see non-compliance as a very small part of the whole end-to-end food industry.

**The Minister for the Environment:**

Yes, I think it is fair to stress there are regulations, none of my officers want to be going there with a heavy-handed approach. Everybody we want to work with, whoever we are dealing with throughout regulation, we can encourage people to do the right thing without needing to go back to the regulations.

**Deputy T.A. Coles:**

But obviously when it comes to imported packaged food, will you have the ability to seize and remove?

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Pre-packaged food which is imported, particularly from the U.K. and the E.U., will have the allergens already specified because of the legislation from within the country that it is being brought into essentially. Some of the gaps for us is around loose food within supermarkets or pre-packaged refrigerated sale within the premises and making sure that everything is very specific; for example, you have sandwiches made on premises and things like that. Also, the whole food chain, going around to takeaways, to the delivery businesses and then eating out at restaurants. There is, as I have said, quite a broad range. In terms of the food and plant security team, they manage the import and exports of food and their by-products at the border and there are specific legislative powers under the Official Controls Regulations around detaining, destroying or quarantining food for particular reasons. But we can provide more detail to the Scrutiny Panel.

**The Minister for the Environment:**

Yes, I would just say very briefly that I know Brexit is a long way away now but we are not that far away from instigating some new border control regulations. We have been moving towards that for quite some time, in conjunction with the U.K. and various Governments have pushed or pulled and moved faster and slower on this. But we are not far away now from having a new border control post in Jersey. We are the southernmost outpost from the British Isles. There will be additional checks and balances to be had at the harbour for people importing food and drink and animals and animal origins and ...

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Plants.

**The Minister for the Environment:**

Yes, moving forward, plants and stuff like that. We are going to be looking more carefully and more closely.



**Deputy T.A. Coles:**

It is going to be my final question now, and is probably the most important one, Minister: do you feel that the regulations team is sufficiently resourced to carry out all of these new processes?

**The Minister for the Environment:**

Absolutely. As I say, we visit regularly already, we will have some new challenges, which I know the team will be looking forward to getting on top of as ever. We have challenges with numbers and resources in the team and we have natural turnover of staff. It is unfortunate when we lose experienced staff but that is the nature of our work throughout regulation, throughout the Government for that matter. Yes, we are up for it, we are looking forward to it. As we know, there is a lot of public interest in food allergen work and it is only right that we want to get out and do it. But we are just really cognisant to the fact that we need the work to come out of Law Officers so that it is not just about persuasion. Hopefully, we will never have to use the laws but it is important that they are there in case we need to do that.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Just to add to the Minister, I think the number of posts that we hold in regulations to carry out this work is sufficient. We are currently carrying a number of vacancies and we have been given approval to recruit those vacancies, given that this is a statutory compliance area of work.

**Deputy T.A. Coles:**

Okay, thank you.

**Deputy H.L. Jeune:**

Thank you. Now moving on to the Connétable and Marine Spatial Plan.

**The Connétable of St. Mary:**

On that topic we have a series of questions based on your recent Ministerial response to the panel's recommendations of findings following this review of the Marine Spatial Plan. First, we are grateful for your confirmation of delivery times given in the response, and we will continue to monitor these actions over the coming year. In the meantime, can you outline, please, the next steps that will take place in the research being conducted in the areas which are being considered for the Marine Protected Areas?

**The Minister for the Environment:**

As you will know, Constable and panel, we have recently had the Marine Spatial Plan gone through the States Assembly. The changes I made from the proposals that the previous Minister had in place was to ask officers to go away and do more research on certain areas, rather than designate

them as Marine Protected Areas immediately. I said there are some areas here I want you to go and do the research. That work is underway; it will be done next year. It will be easier to do that as the weather improves, hopefully in the spring or the summer. But officers will be taking every opportunity for calm weather to get out there. They were initially going to do some dropped cameras, I think, every 500 metres, so they will get an initial feel for what is there. Then, if necessary, we are going to employ drones to analyse a bit more deeply exactly what we have got in these areas. I have done that so that I know there will be different versions of whether you should protect everything and then maybe roll back. My view is that what I want to do is to protect what needs protecting and not protect areas that do not. The team are out there doing work, they are doing the research. They will be coming back to me next year and saying: "Right, Minister, here is an area you asked us to look at more closely, this is what we found" and then we will move forward from there.

**The Connétable of St. Mary:**

Thank you. I appreciate weather conditions might dictate, will you be coming back to us with a series of interim recommendations following each area or ...

**The Minister for the Environment:**

I have not really discussed with the team how we might do that and how we might move forward. Obviously there are a few areas where we are doing further research. The team cannot do it all at once but certainly I would hope after they have done some initial work that we can stop and talk about how those initial results are looking and what they are finding. Depending on the outcome, it may well inform how we move forward differently. If they are finding a lot of stuff that they think needs protecting I may have to take a different view. If they find a lot of areas where there is nothing, again, we might change to a different area. But certainly I have to say that I think the plan was that by October next year we would have the results in and decisions would be made about how we move forward.

**The Connétable of St. Mary:**

Certainly it might be a recurring item on our future questions, I was thinking.

**The Minister for the Environment:**

Yes.

**The Connétable of St. Mary:**

Going back to the recommendations contained in our review, you have rejected a number and I would like to explore the reasons why. The first one, recommendation 14, which I will read out: "The Minister should establish an M.S.P. (Marine Spatial Plan) working group with external bodies with

actions contained in the M.S.P. to seek and publish the assurances of their ability and resourcing to carry out the actions assigned to them in the M.S.P. and to ensure accountability is maintained.” You have rejected that with the comment that: “Officer-led delivery with appropriate internal and external bodies will be ongoing from 2025.” Obviously this is about maintaining accountability for actions taken, how would you explain that rather than ...

**The Minister for the Environment:**

Part of the answer is in the conclusion we had to the last question, which is you will continue to come back and I will continue to come back with the research. I would like to think that it could almost be a standing item on our quarterly and, if not, we can come in and talk to you about it separately. But there are a number of ways that we can move forward with this and it does not necessarily, for me, need another group of people overlooking the Marine Spatial Plan. I have the views of the panel and I would like to think we can maintain discussion. I have got the Marine Working Group, which I am helping with - I am sitting in this afternoon - who meet quarterly.

[12:00]

That is representatives of all the marine activities, whether it is agriculture, commercial fishing and inshore fishing. We have a number of working parties at the moment, all which inform a lot of the work that we are doing here. I did not feel it necessary to find another group when I know I already have a lot of teams, if you like, and people who are all going to be having input into how we move forward. Not least, of course, my team in Marine Resources, who are a fantastic team of, not only officers, but scientists as well.

**Deputy H.L. Jeune:**

On that Minister, what I am hearing is that you have a number of working parties. Do all those working parties cover all ... in the M.S.P., we had the list at the back that had all the different actions with the stakeholders identified as the main ones to take over. Would you say that they are all represented in these different working parties, no gap?

**The Minister for the Environment:**

I cannot guarantee for a minute that there is going to be no gaps, but we have only just had the plan go through the Assembly. The research work on the M.P.A.s (Marine Protected Areas) is one area. Over here there is a whole raft of different workstreams that need to be done. Some, again, are outside of the Environment Department. The economy section that had effects on tourist activity, all this type of thing needs to be factored in. During the course of next year, not only are we going to have the research work coming, but other officers in Marine Resources will be developing how the whole plan ... we will come up with some timelines as how we are going to develop some of this

work. The Marine Spatial Plan is a living document. It is going to continue to evolve. It does not have any statutory powers as such, but those will develop as we find areas which need more work doing. We are at the start of a journey here with the Marine Spatial Plan and it will continue to develop. At the moment we are taking the first few steps. We need, next year, to plan it out and to get a timetable. We have work on the Marine Protected Areas. That is going to have a timetable to it as well once we develop priorities. It may well be in 2026 or the next Government may say: "Right, we are going to take a slightly different view and we need some working groups on this specific area here or this specific area here."

**Deputy D.J. Warr:**

One thing here about the stakeholder engagement, one of the things that is interesting, because I had one of the fishers stop me in a café a couple of weeks back, talking about the Marine Spatial Plan. I said: "Did you get involved? Did you get an interview?" He said: "No, I am running my own boat. I am a husband with a wife, and kids at school. The time I have available to engage is extraordinarily limited and it has to be either at 7.00 in the morning or 7.00 in the evening." Do you feel comfortable that there is real effort being made to engage with these smaller operators? We have heard a lot about the larger trawlers and all the rest of it, but we have seen through the investigation that the fishing community is a broad community. Clearly some people are able to shout louder than other, do you feel comfortable that you are getting to the stakeholders and you will be getting to the stakeholders going forward?

**The Minister for the Environment:**

I am comfortable that the team offered a wide range of times that the fishing community could engage with. I am comfortable that the venues were suitable. I know the yacht club was used on a number of occasions. There may have been other sites. I am comfortable that we had representatives from the Fishermen's Association, who should hopefully be representing all fishermen. I am also comfortable in the fact that the fishermen who were most affected by the Marine Spatial Plan proposals and the Marine Protected Area proposals are the larger dredging mobile gear boats. They had a lot of input. They may say they did not get as much as they wanted, but certainly we had a lot of discussions with them and with the French about that. I would like to feel that the smaller inshore fishermen would feel that this Marine Spatial Plan has got quite a lot in it for them. I would be interested to hear more. The Constable may have a view, he, like I, talks to a lot of fishermen. We have had quite a lot of input here. I would be a little disappointed that some people feel they did not get a chance for engagement. But, having said that, my door is always open and I would like to think I have a good rapport with fishermen generally, as does the Constable.

**Assistant Minister for the Environment:**

We get a lot of feedback, both of us, from different directions. The fishing fleet are quite disparate. You have different activities throughout the Island. Whether it is town, whether it is the north of the Island, whether it is the east, we try to listen to them all and we get quite good feedback.

**The Minister for the Environment:**

When it comes to the M.P.A.s, as I said, the big issue was for the mobile gear boats and they have been moved out into other areas. Yes, we are doing some more research. Every area that they are moved out of is an area where it is easier to use static gear. If these fishermen have a smaller boat ...

**Deputy D.J. Warr:**

He was hand-diving.

**The Minister for the Environment:**

... or a small amount of netting or something, that will be made easier by the fact that it is not possible for dredgers to go through and pull loads of pots with it.

**Deputy D.J. Warr:**

It was the engagement that was my concern and I wanted to give feedback.

**The Connétable of St. Mary:**

To wrap up this area, if I may, we made similar recommendations: (16) was asking for clarity on reporting of beaches and how they are dealt with, and (17) was information should be published on the number of pollution incidents, et cetera. We met with a similar response, operational functions of government are not political; reporting will be through established departmental processes. Our real concern is as to the general accountability and knowing that your measures are robust enough to ensure that we and the public are informed. Are you happy you have those?

**The Minister for the Environment:**

I am happy. I know that in spring tides in a normal season that we will have not only Marine Resources officers, but other members of the Honorary Police and what have you are empowered to be marine officers if necessary. I am sure the reporting of infractions, if you like, will continue as it is done at the moment. It is probably one of those that we will see how the plan develops, but we know we have annual reports for all those things you have itemised, Constable. That continues as it is for now, until such a time as we feel that more protection is required. I can think back to a couple of instances where low-water fishing was highlighted where it was being commercialised, rather than the traditional Jerseyman going down with his rake and a basket. We had gangs of people literally going on the beach. We stopped it pretty quickly, so we do have the ability to be robust when

necessary. At the moment, it is one of those areas where we like to tread carefully and we like to persuade people to do things properly. We still get a lot of complaints about big rocks being turned over and not turned back. We are doing okay at the moment. It is not a priority for change.

**The Connétable of St. Mary:**

Thank you for that. Again, perhaps it should be left that we will ask repeat questions at future hearings and we welcome your views on that.

**The Minister for the Environment:**

I would be happy to do that, yes.

**The Connétable of St. Mary:**

If there is nothing more on that from my colleagues, I will move on to the water strategy. I appreciate this is one of your main concerns, Minister, and you said that you would need to deliver our water strategy before next election. It is unlikely you will be able to complete everything to get that strategy delivered, but you would get the decision made on resource for water into the future and get a plan for a plan in place for the next election.

**The Minister for the Environment:**

Yes, not the greatest quote. I would not be quoting myself on that one. If I had a chance to go back ... I regret saying that. Yes, it does give you the impression exactly what it is, which is pushing things further out than I would like. As I said previously, it is my firm intention to come up with an answer to where we go for water. Before the next election, I would like to think that we will have decided that we are either going to recycle water or add another desalination plant somewhere else or build an addition to a reservoir or build a new reservoir or come up with some other strategy, so that in 20, 30 years' time this Island has enough water. Water could potentially be a scarce commodity. It is going to be desperately important we have clean water as well. It is not just quantity, it is quality. That is another piece of work which officers are engaged in at the moment. I will have that decision, but the wider work in water infrastructure, which would also inform flood prevention and that type of thing, I may struggle to get done before the next election. That is an ongoing piece of work, because it is important that we take the whole Island and look at, not just water storage, but how we deal with all aspects of water into the future.

**The Connétable of St. Mary:**

Before I ask my prepared questions, you will be aware that I, along with your head of Place and Spatial Planning attended a presentation yesterday by Jersey Water. To what extent is the impetus or the onus or the prime responsibility with them under your leadership or are they doing it independently?

**The Minister for the Environment:**

Jersey Water are doing their own piece of work. The results of which will be coming out in the not-too-distant future. It is for Government to not replicate, and I do not want to waste time, money and resources doing the same work that Jersey Water have done. There may well be a political angle which they may not have considered and we need to be assured that technically the work they have done is correct. I have no reason to doubt it, but it is incumbent upon me to make sure that any technical work they do is double-checked in certain areas. I do have good rapport with Jersey Water and their C.E.O. (chief executive officer). I meet with him regularly. We certainly have some challenging conversations. He knows where I want to be on water quality and he knows where I want to be on my Water Strategy. He, like me, shares the view that we need to have this work done, because it is for the benefit of the public going into the future. I do not know which work he showed you, but certainly I have seen some information which shows, even with the expansion of the desalination plant that they are currently planning to do, it is still going to leave us with a deficit of times of great drought. That is my concern and the reason why I want to prioritise this work.

**The Connétable of St. Mary:**

We were asked not to be too public with the comments made at the presentation.

**The Minister for the Environment:**

That is right. It is generally accepted that if we do have a very, very dry summer following a dry autumn/winter that we will be struggling. We do not have the storage that we might have for a population of the size we are.

**The Connétable of St. Mary:**

Thus presumably it is one of your principle concerns.

**The Minister for the Environment:**

Yes, I am working with Jersey Water on how we address that. We cannot shy away from the fact. We have to look at the issue and we have to come up with the best response for the Island. That is going to be incumbent on, not only me, but Jersey Water and we need to work together to come to a conclusion.

**The Connétable of St. Mary:**

I mention this, irrespective of yesterday's presentation, I recall going to a farmers conference 2 or 3 years ago where they were talking about grey-water circulation, et cetera. Is that still within your line of thinking or is that something again you would leave to Jersey Water?

**The Minister for the Environment:**

Again, that is a decision that we would need to discuss as a Government with Jersey Water to decide how we move forward. It certainly could be an answer to where we need to be with our water strategy. The water goes out to sea from the Bellozanne plant every day, as a continual flow of it. In certain parts of the world, water is recycled a number of times before it ends up in the sea. It is one of the options that we need to look at. If it is a real challenge to build a new reservoir, if it is a real challenge to put more desalination in, if we feel that we need more water that may be something we need to look at. Reverse osmosis or whatever the technical answer would be will have to be considered. That will be part of the mix of options moving forward.

**The Connétable of St. Mary:**

In line with that - you mentioned drought as being one of the main concerns - you touched on it before, flood situations. The Minister for Infrastructure at the public hearing last time referred to better looking after of our flood areas and ditches, et cetera, that that comes within the general concept.

**The Minister for the Environment:**

Yes, that would be part of the wider remit of the water strategy work. I mentioned flooding earlier, and we know that we are going to have more intense periods of rain and more intense periods of dry; wet and dry could well be things that we have coming down. We know we have had instances in recent years of flooding and it is incumbent on Government to try and do all we can around that.

[12:15]

We have a lot of people living in areas which might get flooded and we need to make sure that the infrastructure is up to coping with that. Jersey Water are part of that picture. The environment is part of that picture, as is infrastructure, which is important.

**The Connétable of St. Mary:**

Just to finish off this, my understanding from yesterday is that some form of consultation will go out at the beginning of next year. Will you be involved with that or will you ...

**The Minister for the Environment:**

Sorry, who was doing the consultation?

**The Connétable of St. Mary:**

Jersey Water.



**The Minister for the Environment:**

Yes, that is fine. I am not sure it is for us to comment on, as such. We would certainly comment on the outcome.

**The Connétable of St. Mary:**

I meant on the outcome, yes.

**The Minister for the Environment:**

Yes, absolutely. Yes, Jersey Water will do their consultation and we will be very interested to see what the outcomes of that are.

**The Connétable of St. Mary:**

Okay, you perhaps cannot do much more than that, yes. The final question in this area is: can you please advise the panel on how you are seeking to address public concerns in relation to P.F.A.S. (per- and polyfluoroalkyl substances) in Jersey's water system?

**The Minister for the Environment:**

Yes, there are some public concerns, and certainly since I have become Minister I have now met, alongside the Minister for Health and Social Services, a group from Val de la Mare who are most affected by the P.F.A.S. that exited the airport site from the fire training ground. As I said, we have had 2 meetings with those residents. They were very good meetings. They feel frustrated, and I understand their concerns and their fears. The Minister for Health and Social Services and I are committed to moving forward to doing all we can to help, not only them, but to help others. Kelly is fronting up a quality and safety water team. I may have the wording wrong there. Regulation will be involved. The Health Department and the Environment Department are involved. We are setting up a team of people to specifically oversee P.F.A.S. issues, if you like. While it is outside of my remit, we now have doctors and consultants at the hospital where people with P.F.A.S. issues can be referred. We are looking at all aspects of P.F.A.S. Again, that is a discussion I am having with Jersey Water about where we need to be and where we will need to be when it comes to the levels of acceptable P.F.A.S. We would like to think we are going to be at the cutting edge of moving forward with this issue. We look around the world and, while certain small jurisdiction or small areas in much larger countries have had to address P.F.A.S., we are taking a realistic approach and an approach which I hope will give us some good results. Some of it will not be quick work, because if we are to reduce P.F.A.S. in the main supply, that may need infrastructure which is not delivered in 6 months or 12 months, but there are a whole range of policies and work to be done. Regulation as well, we need to look at the areas of the Island where P.F.A.S. is still escaping into the environment or into the watercourses. We need to come up with a strategy of how we deal with that. When it comes to drinking water, one extreme may be a single plant which treats the whole Island's water

to the other extreme, which would be a small unit inside everybody's homes which takes it out before it comes out the tap, and everything in between. It is going to be a very big piece of work. The P.F.A.S. panel have issued their second report now on health. They have another health report to come out early next year. From an environmental perspective, the P.F.A.S. panel are due to report to us in the summer with a report which will help to inform us as where we are going with the regulation and the levels of P.F.A.S. which will be acceptable in mains drinking water. I will finish by saying, you look around the world and these levels are reducing all the time and we are going to need to look everywhere to find out where we want to set our target. Then I will work with Jersey Water as to how we deliver that.

**The Connétable of St. Mary:**

Thank you for that. From what you say, the team involved is primarily going to be Health who are going to be issuing the reports, is it?

**Group Director, Regulation, Infrastructure, Housing and Environment:**

The team involved in the Water Quality and Safety Programme are primarily in Regulation, so dedicated officers stood out to prioritise this as a piece of work for the Minister. We do have lead subject matter experts in Health and Natural Environment in the Cabinet Office who will be working with us. It is important to stress that all the reports and all the work is transparent and made public on gov.je. In terms of P.F.A.S., there is a dedicated webpage. We will be sending that to the frequently asked questions, making sure minutes and agendas are all published and any other reports that are coming out.

**The Connétable of St. Mary:**

Thank you for that.

**The Minister for the Environment:**

P.F.A.S. is an issue which has been spread over a number of different Ministries over the years and what we have done very recently is we have said: we have a new team and there is a single email address. Everything now comes into that team. It is not one Minister passing it off to another Minister. We are trying to co-ordinate this P.F.A.S. work and make it easier for the public and make it easier for those people who are affected to put in their questions and get answers back.

**Deputy H.L. Jeune:**

This is under your team and Regulation?

**The Minister for the Environment:**

Yes.

**Deputy H.L. Jeune:**

This will be good news for those who have been concerned about it. We know that, of course, public concerns going further from it just being in one particular area of the Island to worrying that it could be within Jersey's water system. This is good news to hear that it has been brought up the agenda and that there is a team dedicated to that. We will, of course, ask you more questions in the future and keep on that, especially knowing that this report will come out in the summer, that focuses a bit more on the environmental side.

**The Minister for the Environment:**

Certainly the next 12 months will be important. As I say, we have 2 more reports to come out of the P.F.A.S. panel, and there are going to be a lot of meetings, not only with the residents on the one hand, but Jersey Water on the other. The Minister for Health and Social Services and I are committed to moving forward with this, as fast and as sensibly as we can. We need to do things properly. We know it is going to take time, but we are not going to waste any time in getting to where we need to get to.

**Deputy H.L. Jeune:**

Thank you. Looking at the time, we have a few more minutes. It was mentioned before, so we cannot let it pass, the area where you were talking about the planning reform. Could you update the panel on progress following the publication of the planning service focus report in June?

**The Minister for the Environment:**

Kelly is best placed to do that, because she is right in the middle of it all and sees it every day. Before she does that, again I would like to thank officers for the strides we have made. We started with an big initial push, tried to reduce the number of applications live in the department, which we have done. We are now maintaining a good churn of applications coming in and going out. We will have the usual spike around this time of the year where people throw in applications before the prices for applications go up in January. The team will respond to that. We are moving forward positively. Kelly, have you got some statistics there?

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Just to report to the panel that for the last 4 months we have met or exceeded our target, in terms of determinations in timeframe. We are within a healthy range of pinning applications. There is no backlog. Validations, again, have been reducing. They are down 30 per cent, so within target timeframes.

**The Minister for the Environment:**

Still work to do and lots of little initiatives can work to make the big picture look better. I know there are a number of members on the Planning Committee, and there is work to do with the Planning Committee as well as to how we can make the whole process, from application going in to determination review, from when we request for a review. Appeals is another issue, we are going to be talking about appeals as well, to try to make the whole process as good as we can.

**Group Director, Regulation, Infrastructure, Housing and Environment:**

Again, the approval rates have a strong upward trend as well, now into 85 per cent. We are maintaining our Industry Partnership Board, which is quite important and that has received quite good feedback. We have our monthly forums as well, our webinars, that people can join in on, on different topics with a questions and answers. They have been very well attended with 60 or 70 people every month. Work is continuing. As we mentioned, for the planning reform work that Kevin will be leading into the new year around looking at development rights and the way the Island Plan is developed, the public will be able to have engagement with the type of planning system they want in the New Year.

**Deputy H.L. Jeune:**

Fantastic, thank you. Thank you for that. We have 5 minutes left. This is our last quarterly hearing of the year. For you, Minister, what do you consider to be your main achievements to date in 2024?

**The Minister for the Environment:**

I am not doing this in any order of priorities. I do not want people to think that they are further down the list. Certainly getting a Marine Spatial Plan has been an enormous piece of work. A really good and dedicated team at Marine Resources have spent a long time putting that plan together, so I was pleased to get that over the line. I am pleased that we are making great strides in the Planning Department. We are just about to move into a new building next week. Hopefully that will buoy everybody up as well, which is good. The planning reform is something which I am pleased to be involved in. I would like to feel we are going to continue to improve. I enjoy the environment portfolio, for my sins, and working alongside all these good people is a good reason to get up in the morning. I have never done a job which I did not enjoy and I have always had a reason to get up in the morning, so I do enjoy being Minister for the Environment a lot. Not all the time, I might add, but a lot. Planning has always been a big part and the people who work at Howard Davis Farm and in Policy and Development are all great people to work with. Yes, I am pleased to be part of it.

**Deputy H.L. Jeune:**

Thank you, Minister. Looking into 2025, and we have touched on quite a few of the areas, you have wide-ranging priorities to get through and your remit is a huge remit. What do you consider are the

immediate and most important priorities for 2025 and what challenges do you foresee in delivering those projects?

**The Minister for the Environment:**

The main challenge is going to be around resource and mainly financial resource. I am going to have to work harder to press Council of Ministers and the Treasury team to give me more money. I have lots of work to do inside Environment, whether that is regulation, whether that is planning, whether that is policy development. Most especially we need to think much harder about reducing carbon, how we are going to raise the money to get on our carbon roadmap. That is going to be challenging, but we have to do that work. We have the Island Plan coming down the road. There is work to do in every part of my portfolio. We have not had a chance to touch on conservation areas, but my Assistant Minister is going to be very keen to see how St. Aubin's goes. I am looking forward to that piece of work. That is important for the listed building and protecting our environment. Yes, they are exciting times. The real challenge is going to be having the money and the staff and the time to do everything, because there is lots and lots to do. I cannot begin to do it all. Banging the drum for the environment more generally around the Council of Ministers' table, when it comes to financial resources, is something I intend to do next year more than I have done in the past.

**Deputy H.L. Jeune:**

Thank you, Minister. I will look to my panel to see if there are any further questions? No. That is a good note to end on, Minister, unless there is anything else you feel in the last minute that we have ...

**The Minister for the Environment:**

No. I thank you, Chair, and your panel for the work you have done. I know it has only been a short period of time since I became Minister, but Scrutiny has always been important for me and I enjoy working with Scrutiny Panels and I encourage you to pull us in any time you need to. We are more than happy to come in for a chat. I always see Scrutiny as a working together with Government to make policies better, rather than challenging Government to make policies whatever. I am always open to joint working, to do things better for everybody, so please call us in whenever you need to.

**Deputy H.L. Jeune:**

Thank you, Minister. In reflection on our part, as a panel and a new panel, we feel that we have worked well with you and made an impact on the environmental side, with the different things that we have proposed, with this year's Budget. We are grateful that you have accepted those improvements. On that note, thank you very much, Minister, Assistant Minister, and officers for attending this meeting. Wishing you a good festive season as well.

[12:30]

**The Minister for the Environment:**

And to you.

[12:31]