

# STATES OF JERSEY

## OFFICIAL REPORT

**WEDNESDAY, 28th JUNE 2006**

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**The Roll was called and the Dean led the Assembly in prayer.**

**PUBLIC BUSINESS (continued)**

**1.1 Solid Waste Strategy – location for proposed facilities (P.45/2006)**

**The Greffier of the States (in the Chair):**

The debate resumes on the proposition of the Minister for Transport and Technical Services as amended by the first of the 2 amendments that were discussed yesterday. Does any Member wish to speak on the proposition as amended in paragraph (a)?

**1.1.1 Senator P.F. Routier:**

Very briefly, Sir, as one of the Council of Ministers who was supporting the proposition I do so in the acknowledgement and recognition that there is going to be an impact study carried out on the proposal. I do that hoping that the study will ensure that the area of the Havre des Pas seafront will be protected, that the regeneration that has gone on in the area over the last few years will be recognised and that all the efforts that have been made will be protected. Also, I have been aware that there have been some thoughts about having widening of roads around Green Street to enable the traffic to access the site, to use Green Street. To my mind it is unacceptable to go along that way and I would want to get reassurance that traffic entering the Energy from Waste Plant would use Commercial Buildings. So, with that proviso, I am prepared to back the decision to have the Energy from Waste Plants at La Collette on that basis.

**1.1.2 Deputy R.G. Le Hérisier of St. Saviour:**

I would like to repeat the 2 questions plus a couple of others and make a couple of observations. I wonder if the Minister would address these questions in his summing up, Sir. Firstly, could he identify how he has reached the sum of £1 million for every 3 months in terms of the rising cost of the incinerator? Secondly, Sir, could he give us his views on Deputy Duhamel’s reinterpretation of the statistics in the Babtie Fichtner report in terms of emission dioxins at ground level? Could he tell us whether he agrees with Deputy Duhamel’s drawing out of those figures or whether he has a different set of conclusions based upon the figures that are in that report? Thirdly, could he comment on whether the plant will look a very different plant if, given the assertion made, for example, by the Constable of St. Mary, the input to the plant changes dramatically? Have he or his advisors investigated the issue that, if there is a different mix put in or there is a removal of certain items like tyres, computers, televisions, et cetera, that it will have an appreciable and significant impact on the emissions coming from that plant? Can he tell us what advice he has received in that regard? The last observation I would make is that the logic of the Deputy of St. John, who is to be praised for his initiative, is totally awry because, on the one hand, he is saying let us move to a plant which, I understand, will have a capacity, as proposed, of 126 million tonnes to the 72 million going in at the moment. But if the Deputy of St. John’s initiative is to take off and if little piles of recycled material are not to be stored, but if the economics start going in our favour and it is, indeed, possible to start putting recyclable material on boats for economic return - and that can only happen, of course, if it is an Island-wide initiative because

obviously the amounts that his parishioners are collecting will be not viable - does he not accept that the logic of that is that it will change substantially the input to the incineration plant? It will change the input to the plant substantially and so this break-neck speed which people are calling for should, in fact be substituted by a re-examination of what is happening. What is his thinking about this? If recycling takes off and the public are ahead of the politicians - and of that there is absolutely no doubt because the public do not like our head-in-the-sand approach to this - it substantially changes, as the Constable of St. Mary said, the input to the plant. What implications does that have for its size? Again, I draw the attention of that logic to the Deputy of St. John and I would appreciate the Minister's views.

### **1.1.3 Deputy P.J.D. Ryan of St. Helier:**

I would like to just make a couple of comments on a few of the things that have been said by others and some of the main issues that have been held up as the reason to site this plant at La Collette. First of all, the traffic. I think Senator Routier is absolutely right. If we are going to have any kind of major waste processing at La Collette we will have to spend fairly substantial sums of money on a new road, possibly in the La Collette area, to lead to it. There is no doubt about that. Any other way is simply not acceptable; using Green Street is not on. Overall, this notion that the traffic is going to be better put at La Collette than it is at Bellozanne, in my view is a little bit of a red herring. I think even the report itself says that the overall effect on traffic is not going to be particularly significant in either case. So it is not a big issue but what would be a big issue is increasing the traffic up Green Street of the heavy lorries. That just is not acceptable in any way. With a further reference to the traffic, if you are going to spend large sums of money on roads at La Collette, what it does do is have an offsetting effect on any of the financial implications and advantages of siting a plant at La Collette as opposed to Bellozanne because there will be a large sum of money involved, I have no doubt. Let us just look at the effect on local population for a moment. I believe, overall, that the effect on the local population of Bellozanne versus La Collette is actually quite balanced. Okay, you have fewer people in the immediate vicinity of La Collette, but you have only got to go slightly outside of that immediate vicinity and you hit very substantial numbers of people living and working in the La Collette area, in the town area. So, in the immediate vicinity, okay, but just step one pace outside of that and you suddenly come up against a load more people. That would be my view. I think the effect on the local population, although it may be significant, is not that significant and I think a little bit too much is being made of that. I have talked about the traffic and the local population. I think I would like to make a couple of comments on the air quality issues. It is comments rather than anything else. If we were really that worried about air quality I would just like to point out a couple of things to Members. The classrooms of St. Luke's School back on to La Route du Fort. There is a directive within that school that you cannot open the classroom windows at certain times of the day because of the traffic fumes. Now, we have done nothing about that and that is not to say we should not do something about St. Luke's School. Of course, I am sure the people would point that out. If we were really that worried about air pollution would we not have had MOT-style testing years ago? The fumes from cars are very significant but we have done nothing about that. So, I am just mentioning those 2 points. Let us try and keep a sense of balance over the air quality issue. We have talked about La Collette being an industrial area. Yes, it is an industrial area but it is an industrial area in the context of marine leisure, and when you combine that with the fact that it is right beside the old port area of St. Helier, this is a reasonably significant tourism asset. Marine leisure, albeit slightly industrial, is something which large numbers of visitors are interested in. It is quite interesting to walk around and see where the boats are being repaired and where this kind of activity is going on. I think it has to be said. Let us call a spade a spade. Waste processing is the worst of all bad

neighbours, without any question. It is the worst of all bad neighbours and I have to say that Bellozanne has been blighted. It has been blighted. There is no sense in saying anything else. It has been blighted and it was blighted 50, 60 or 70 years ago when we first started using it as a rubbish dump. I do not know the exact date - and I stand to be corrected but certainly it is for as long as I can remember and I am well over 50 years of age. Our grandfathers made the decision to use Bellozanne for this purpose and why did they use it? They used it because it is a high-sided valley so it hides our dirty washing. There is no sense in beating about the bush. That is why it is there, because it is hidden. If we put our dirty washing at La Collette there is no way that you are going to hide it. There is no way that you are going to hide that. It is the worst of all bad neighbours. It is going to be there on display. I know a little bit about landscaping and I know that unless you build a hill, or a series of hills, at least 40 metres high, and at vast cost, you are not going to hide it. It is not on to think that you are going to grow trees there. I know a little bit about landscaping and you will not grow trees down there of any significant height. You have only got to look at the Waterfront to realise the height of the trees that you can get in that kind of location. You will not grow high trees, so you will not mask it, and it will be visible for all to see no matter what you do. In the context of this decision, the kind that we are making here is not a 20 or 30-year decision. Once you build waste processing at La Collette it is going to be there for generations to come. So make no mistake, Members, this is a tremendously important decision that we are about to make in the long-term interests of the Island. This is going to affect the waterfront area for the foreseeable future for many, many, many generations to come. What I would like to ask Members, again through you, Sir, is are we thinking long term enough? Is a saving of £10 million particularly significant in the context of the next 100 or 150 years? Is it really something that we should be doing? Once we make this decision, La Collette is blighted. Perhaps "for ever" is too long a word but as far as we are concerned in the context of this decision it is for ever and we are going to blight this area for ever. We are going to affect our old port area and that whole part of St. Helier. If you stood back, maybe in a satellite, and looked down at Jersey from 20 miles high you would see Normans but you would also see that if we build a waste processing plant you are going to look at it and think, "Is this the place that we put a waste processing plant? Is this really what we want to do?" Would you make that decision? I do not think you would. I think if you had a clean slate you would not choose La Collette to put waste processing. We are putting it there - and this is where I am coming to with this speech - for one reason and one reason only: money. Let me just talk about the other red herring and that is the question of processing Guernsey's waste. If I spoke to my constituents personally, and not just in St. Helier No. 1 but in the rest of the Island, and asked them, "Do we want to be processing Guernsey's waste?" I think I know what they would say. If I was in the business of processing waste in the private sector and I was going to make money out of it, of course I would be putting it down at La Collette. I would be putting it wherever was the best place to give me the biggest possible market opportunity. While we are at it let us not just think about Guernsey's waste, if I was in the private sector. Why do we not see if we can get some of France's waste as well? Perhaps we could even think about nuclear reprocessing? I do not know but I think I have made the point. I think the Guernsey waste situation is a big red herring. I think it is not conceivable and I do not think the people of Jersey want it. Certainly, I do not want it and I am not aggressive with it, over Guernsey, and I would not be saying anything slightly aggressive to Guernsey but I think their waste is their responsibility and they need to deal with it. From our perspective we need a waste processing plant that will deal with our problems, it does not need to be too big, it needs to be the right size and undoubtedly we do need a new incinerator. It does need to be the right size and it does not take too much logic to realise that as an island community we should be at the forefront of recycling. That is so obvious it is a no-brainer. If we are, it also does not take too much of a leap to realise that the

exact size of the incinerator we need will very much depend on how successful we are at recycling. I think in that context we do not yet know the size of the incinerator we need. Until we really have gotten so far with recycling, and we really cannot do any more, then that is the point that we will know how big an incinerator we need. I come back to the central question: are we thinking long term enough? Whatever decisions we make today are going to affect the foreseeable future of La Collette and for the sake of £10 million, £15 million, I do not know how much it is but whatever it is, it is. If you take that over the next 100 years it is totally insignificant. We need to put this new incinerator in the right place in the interests of the long-term future of Jersey. In my view, Sir, I am sorry, but La Collette is not the right place.

#### **1.1.4 Deputy C.J. Scott Warren of St. Saviour:**

Many questions have just been asked by the previous speaker. States Members rejected getting any more information yesterday. We must therefore hope that we now know enough to make an informed decision, the right decision. It does seem the better alternative, from the available evidence, to site the plant at La Collette. I cannot understand why the situation of industrial equipment going into the incinerator has continued year-on-year. Surely tyres, as I noticed in the paperwork, being burnt should not be burnt and we should know better, let alone television sets. Let us hope that these bad practices will change and change fast. I agree with the previous speaker about the many outstanding questions. This is a very serious decision. The paperwork definitely suggests that La Collette is the right decision. I cannot tell you that I am 100 per cent convinced. Let us hope that we make the right choice today.

#### **1.1.5 Deputy C.H. Egré of St. Peter:**

I am minded to agree in principle that La Collette is the best place to site the waste disposal incinerator. However, I would seek the assurance of the Minister with regard to the risk associated with the fuel farm. Looking back, historically it would appear that risk assessments have been carried out in 1993 and 1999 - we are now in 2006. We have the experience of the Buncefield fire. We are now awaiting the final report on that. That final report may increase the actual safety zones that sit around such sites. I also recall talking to the Chamber some time ago and explaining that Buncefield was a greenfield site and that there was encroachment that moved from Hemel Hempstead across towards that site and resulted in severe damage to industrial facilities around that site when the explosion occurred. At present the proposed siting for the waste incinerator is in Zone 3 of the Regulations which would apply in the UK. They do not apply in Jersey but we tend to follow the Regulations and those Regulations go under the title of COMAH (Control of Major Accident Hazards). So what I am asking is for the reassurance from the Minister that we do a current assessment based on the outcome of the Buncefield report before we start spending huge amounts of money putting a facility in a potentially dangerous place.

#### **1.1.6 Senator J.L. Perchard:**

I do not wish to repeat the comments made by others today or yesterday, and over the last months or even years, on this subject. I believe a compelling case has been made to replace the Bellozanne incinerator and I believe the Transport and Technical Services Minister, with his proposal, is right to relocate it at La Collette. I believe that we really must, in this Assembly, listen to the advice given by the officers at Transport and Technical Services and Health and Social Services. We do employ these people and they are very competent, capable people and their advice is clear. It would be irresponsible of this Assembly to do otherwise. However, I would like to offer a word of caution about the development at La Collette, particularly La Collette II. We have an incredibly valuable land resource at La Collette II, a land resource which has the potential to provide a seriously significant ongoing source of

revenue for the States and the people of Jersey for generations; a land resource that, if properly managed is, extremely valuable. There are approximately 18 hectares of land on La Collette II, i.e. over 90 vergées, some of which we know, as Deputy Ryan has said, will be landscaped. I hope Members are aware of the huge potential of this site and I urge them to resist the temptation to further develop on La Collette II until an overall plan for the site has been established and agreed. Let us avoid piecemeal development down there, piecemeal development that will hugely devalue the site and creating a menagerie of uncoordinated, undesirable hodgepodge. We must consider the requirement for infrastructure, layouts, roads and we must consider carefully the specific demands from individual sectors of industry like the magnificent opportunity we have there to create modern facilities for our fast-developing marine industry. We need to consider a deep-water berth and the possibility of moving the rail ro/ro and freight operations there. There is a plan to conceive here. We need a master plan for La Collette II. In fact, we need to develop a plan, a vision, for the whole of East of Albert, Commercial Buildings, the Weighbridge, South Pier, the Old Harbour, Victoria Pier. We could and should, in my opinion, encourage the development of some sort of housing in the attractive areas of the old port. It may be possible to re-route the road from the Weighbridge to La Collette behind Commercial Buildings. These are areas that we need to consider very carefully but we need a plan, an overall plan that includes La Collette II. We should learn from the mistakes of the past. Members will be aware that, whilst reclaiming what is now known as the Waterfront area, we built an underpass creating a physical, unattractive barrier between the old and new parts with pedestrian access between the 2 areas now being terribly difficult. Where was the planning? Where was the vision? There was none, or little. As I have said, we must learn from our mistakes. I concede, however, that we have little choice with regards to the new and very necessary Energy from Waste Plant. Our backs are to the wall here and it is apparent to me that we have little or no choice on this one. Therefore, I will be supporting the proposition. I would, however, before I finish, mention the contribution to the whole waste management debate from Deputy Duhamel, seen by some as far-sighted and the champion of the future and by others as a pain in the neck. Well, I, for one, believe he is more visionary and futuristic than he is given credit for by the Minister for Transport and Technical Services. He is right in that we must develop systems that support the necessity to recycle and reuse and we must stop burning everything that burns, and that it is a total nonsense that we attempt to burn things that do not burn. So, my message is that I hope the Deputy keeps up his good work but I will be supporting the proposition from the Minister for Transport and Technical Services.

#### **1.1.7 Connétable M.K. Jackson of St. Brelade:**

I would like to respond to the comments of Deputy Ryan with regard to the marine leisure industry, but first of all I have to say that I have a conflict, in that I rent property on the Victoria Pier. With your permission I would just like to outline a few of the concerns of the marine industry, if that is acceptable. Principally, as I understood it, in the 10 and 20 year Port Master Plan, which has been available at the Harbours Department for several years now, the area to the south of Area 1 as described on the Minister of Transport and Technical Services' plan, was earmarked for marine leisure for a slipway and a racking system. I may be wrong in the exact designation of that area but I feel that the building of the new plant in that site will certainly prejudice that. I would not want the marine leisure to be dumbed down and if that area was to be lost I would like to see it being allocated somewhere else in that area. Secondly, Sir, there is considerable traffic, as we all know, coming out of Normans. Have you tried to get out of Normans on a busy day on to Commercial Buildings? It is extremely busy already. There is traffic running between the present La Collette boat park and the South Pier, a very busy trading area for the marine leisure industry. Very often boats are transported by

the Harbour's boat hoist along that stretch of road and I would not want that to be prejudiced in any way. There is also, in road terms, the implications of the main road running around the English Harbour, a very dangerous corner. As many will recall, many loads have been shed from lorries on that corner and it would be interesting to know how many have been shed over the years. I have certainly seen several. I would like to be assured that, in any revised road planning in that corner, we will not be losing part of the lovely granite slipways of the English Harbour. I would also like to emphasise that many staff employed in the marine leisure industry work outside in that area, just to the west of the proposed site, and there is not really any practical chances of them being inside. It is the nature of the business. To that extent, the present flue discharges from the JEC (Jersey Electricity Company) plant, when it is running, are pretty awful and anyone who has owned a vessel or had to look after a vessel in that area will be well aware of the smuts and the sulphurous spots which occur from time to time and which the JEC have been very quick to clean up. The fact remains that the stuff that comes out of that chimney at present is not good, so one would anticipate significant costs in flue cleaning, not only from the JEC point of view but from the incinerator point of view as well, and to be certain that those working outside are not subject to future outpourings. Finally, Sir, I am conscious that this has been rumbling on for ever and ever. I think the fact that this House has taken so long to make a decision over this matter is not a credit. A brief calculation I worked out is that this is costing the Island something like £10,000 per day. These 2 days of discussion have cost £20,000 in delays so I would say that, subject to the summing up of the Minister for Transport and Technical Services, and I have not yet made my mind up, we must make this decision and move on without further delay.

#### **1.1.8 Deputy R.C. Duhamel of St. Saviour:**

We have heard from Senator Perchard that we must learn from our mistakes. I thank him for his comments in relation to my work and I hope that he will not make too many more mistakes before he learns from them. It is interesting to note, that, for a number of Members who have spoken this morning, the penny has actually dropped and they have suggested what I was hoping the House would have accepted yesterday, that there is a requirement for a strategic assessment, i.e. a long-term plan, a master plan, for the area. Senator Perchard said "We need a master plan for La Collette, we need a plan". Absolutely right. We have just had the Constable of St. Brelade say exactly the same thing. Marine leisure areas that have been rezoned for particular parcels of La Collette should be protected. I wish people would desist from assuming that it is going to be an Energy from Waste Plant. What we have decided yesterday, and the Transport and Technical Services Minister agreed, is that the jury is still out until next year, until this House finally decides on the type of equipment, the cost of equipment and the specifications. It is coming back to be decided next year, end of story. This is a location of facilities debate, waste management facilities, which can be anything and everything. I will come to that later. Part and parcel of what is being proposed, if we do have location of whatever these facilities are going to be at La Collette, is to eat into the area that has been specifically reserved within the Island Plan for marine leisure services. If you read the comments to my amendment from the Transport and Technical Services Minister, he does indicate that perhaps it is not worth worrying about because there will be an increase in the industrial area in terms of rezoning. Now, it is up to this House to decide and I think it would have been easier had we had that information when we come to decide on the particular facilities next year, whether or not it was a reasonable assumption to suggest that those facilities for marine leisure should be eaten into or not used at all. We do not know and this is one of the problems that I have, Sir, with this particular location of facilities debate. We do appear to be putting the cart firmly before the horse. I would not like to try Members' patience but give them an indication of what we are trying to do. Suppose I were a States

Member and I wanted to work out my own personal transport strategy as, indeed, we all do. Now, I could say I would like a new car. I do not know what type of car yet but I am going to have to find some place to put it. So, it could be a Lamborghini or a Porsche, or it could be one of those E-type Jaguars. Irrespective of the equipment and how it runs and whether or not it is going to save the planet or use a disproportionate amount of resources, I would still have to find a place to put it. So, what would I do? Well, they are big cars and it might even be one of these 4-wheel drive things, and I would probably have to think about building a new garage. So there is an add-on cost. I might say, well, fair enough, if I do not have funds available for building a new garage, or if I do not have land attached to my house, what will I do? Well, I would have to think about getting a different type of vehicle. I could go for one of these smaller, Smart cars and I could perhaps park my car outside my house. And if, indeed, I did not own my house I could maybe park on the road and that would give me an indication of where I could put the vehicle. Location of facilities. It might well be that I am in a traffic area and I cannot actually park outside, and I do not have any land because I am living in a terrace in the middle of town, so I would have to think again. So, I might say, what about if I rely on taxis or rental cars and they will be parked in a communal garage so I would not have to worry about the location of facilities at all. Perhaps I could take the bus and the same thing applies. Now, we work ourselves through the cycle and we get down to lower transportation strategies which are all equally valid. It might well be that if I did not have the funds available to build my garage or park outside my house or taxis are too expensive or buses are disabled or inconvenient, I might decide that my best option is for a bicycle. So where would I locate my bicycle? I could park it in the garden or I may even keep it in my hall. Perhaps I do not actually require any facilities or locations for facilities. I could walk and where would I park my legs at night? Well, that is sorted. Now, the object of telling you this story, Sir, is to actually indicate to the House how ludicrous this debate is. We are talking about the location of unspecified facilities. We do not know the cost or the size, or anything really, except that it is something we may or may not wish to undertake next year, when we are going to be told what it is. Yet we are saying that we have sufficient knowledge to decide where we are going to put these facilities. It just does not add up, and this is not said in order to delay anything because we are not delaying anything. I did not bring the proposition in the first place, the Transport and Technical Services Minister did. The Transport and Technical Services Minister has entered into a tendering process and the only thing that they want to do is go out and firm up on the tenders. There are some 5 tenderers, I think, at the last count and what this decision today is all about is whether or not sensible tenders can come back to the House next year, for whatever form of equipment that the Minister will be putting forward at that time, in a sufficient way as to give confidence to the tenderers that they are not going to be wasting their time in terms of specifying for a particular type of kit in the wrong location. Now, there is a whole load of variables and a whole load of work that has to be done before we get into any remote certainty of being able to make a decision. I would like to refer to some of the statistics. I know it turns people off but you have to be told exactly what we are dealing with. If we read the Environmental Impact Assessment it says that we are hoping to go for a particular plant with a capacity of 126,000 tonnes, not a million tonnes as Deputy Le Hérisier said. The whole thing was predicated on a growth of 3 per cent compound every year, and this is the basis on which the discussions have taken place. If you look into the figures: and I know not many Members have and I have probably been the one who has been earmarked to do it on your behalf - it states that by 2005, which I remind Members was last year, the Island should have reached, at this particular growth rate, 95,000 tonnes of household waste coming to Bellozanne. That is it and that is the basis on which the 126,000 tonne plant is being assessed. I have to remind Members, from statistics that were produced by the Statistics Unit, in 2005 - what went to Bellozanne? 72,000 tonnes. Not 95,000 but 72,000 tonnes. Now, why



is there such a large discrepancy, some 23,000 tonnes, from where we thought we were going to be, to where we are? The whole difference has been made by the take-up of recycling. When we had the debate last year one of the things that the Shadow Scrutiny Panel was particularly concerned about, and it has been partially referred to by a number of Members this morning, was the fact that the Island tries to burn materials that do not burn. We spent money on equipment to take out metal upfront in terms of sorting. Do we do that? No, we burn the metal and the metal goes into the bottom ash and then it is not worth anything because it has been contaminated with other materials and it is placed in blind pits. It is a farce, an absolute economic farce. So, there are 2 counts there. The Island has spent capital monies on equipment to do some of the upfront sorting and we are not using it. It is absolutely ridiculous. In terms of emissions - and all the figures that I gave you can be substantiated and corroborated scientifically, peer reviewed or whatever you want - burning plastics causes the problem of dioxins in the emissions. We do not need to burn plastics any longer. There are material recycling outlets which will take a large volume, if not all, of the plastic that the Island produces. So the question has to be raised, does it make sense to continue to think that you are going to continue to burn all the Island's plastic irrespective of whether it burns well or not? I have some material on recycling prices and part of the review that the current Environmental Scrutiny Panel is looking at is to show the Island once and for all where we can send these materials, how much they are worth and how easy it is to get into recycling. The current prices for plastic are of the order of £200, yet we are burning it and we are causing problems and we are saying to ourselves that we must find a solution, to buy equipment to take out the things that are causing problems in the gas emissions because we cannot be fussed to take these materials out of the waste stream in the first place. It does not make sense, Sir.

**The Greffier of the States (in the Chair):**

You are getting to La Collette? You yourself pointed out at the beginning that it is the location for debate and not for ...

**Deputy R.C. Duhamel:**

I did. You are absolutely right, Sir, but as I said in my allegory about cars, talking about a location of facilities is particularly difficult if you do not understand the type of facility you are talking about. It is a material point, the argument, albeit that we are going to be discussing this next year. The point I was making is that the Department could clean up their act now. They could issue instructions to the Department tomorrow to begin to take out these materials, which would substantially reduce the requirement for a machine of the size we are talking about. This House was also promised during debate last year that 2 tenders will be forthcoming. The President then, in the discussions that took place so that the last part of the debate did not take place, promised to the House that 2 tenders would be forthcoming, one for a large machine with limited or low recycling, and one for a small machine with advanced or high recycling. In terms of the debate, I think what comes forward is highly material and if we look at the pictures that were produced as part of the Waste Management Strategy what difference would a big machine with low recycling or a small machine with high recycling make? If Members refer to their booklets they will see this is a conventional incinerator of the type that we are talking about and notice the size of the chimney and the bulk of the building. Of course, we will be having our architectural supremo to disguise it as a giant wood louse or whatever is acceptable. If you look at the size of the small plant with high recycling there is a huge difference. This is within the documents that we produced last year. This is one of the alternative technologies that we are talking about. The point that I am making is that irrespective of what technology is chosen there is a material difference in size terms, in visual

terms and cost terms, and dependent upon the amount the Island recycles. If the House decides today that location of facilities should be at La Collette then the Island Plan will need to be changed. There will have to be a rezoning because, as we heard earlier, the proposals nibble into the already zoned areas for 2 things: the marine leisure services and the spine hill which would have been at a substantially higher height in order to provide the backdrop that Deputy Ryan was referring to earlier to screen the fuel farm and to provide the landscaped backdrop. I would like to lay to rest some of the suppositions and assumptions that have been put forward in terms of our dealing with Guernsey. I was the only Member of this House who actually took it upon himself to attend the discussions that took place in the States of Guernsey Chamber in February where they discussed waste handling facilities and whether or not they would work with Jersey in the future. I have a CD-rom for any Members who wish to listen to it, or you can go on to the internet. The outcome of that debate was that under no circumstances was Guernsey intending to work with Jersey. And yet we have it put forward as one of the reasons for actually considering La Collette to be a better site than Bellozanne. It does not add up. I think it is about time we took a step in this House, for scrutiny purposes, whether or not we can rely on bald statements made to the House or whether or not we are prepared to be a mature Chamber and ask for the evidence and weight behind those statements before we accept them as being gospel truth. It is not good enough. It is not a long-term plan and it is not doing our job properly. It is not bringing the intellectual rigour into the argument that we should be priding ourselves in being able to bring. Anybody can make decisions, anybody can make bad decisions, but what scrutiny is about is adding value to those decisions and making sure that the decision that is taken represents the best that could have been taken under all circumstances and bears some resemblance to the evidence that is put forward to make that decision in the first place. I have probably said enough, but I have one last point that I would like to make and that is in terms of sizing of the facilities. It is a material argument for the location because if the Island did substantially reduce the amount of waste then the site at Bellozanne would be sufficient for purpose. That is not to say that I am suggesting that Bellozanne will go on for ever with the existing kit. I am saying that the site at Bellozanne could continue to be used with cleaner but smaller equipment and that might well be acceptable. If it is smaller equipment it will be burning less; if it is burning less that means there will be less vehicle movements into the valley, which is one of the things that people are considering. We have not taken into account what happens to the composting and that is another issue. One last point, Sir, in terms of how societies handle their waste. I took the previous Shadow Scrutiny Panel to Stavanger in Norway and they have a population of 250,000 people. That is roughly 3 times our Island population. They have an incinerator, they have some landfill and they have high recycling but the amount that they burn is 30,000 tonnes. So, if you do the calculations that is some 7 and a half times what we are burning. It is less than what we are burning. We are burning 7 and a half times more than they are. Why do we need to do it? That is the question. The size of the facilities and the type of facilities are material to this argument. I cannot understand how we can really be in a position to make this decision. I understand that certainty has to be given to the tenderers to allow them to go forward to the next stage, but I do feel, Sir, that could be done without recourse to this particular debate.

#### **1.1.9 Deputy P.V.F. Le Claire of St. Helier:**

I was so glad that Senator Perchard did applaud the work that has been done by Deputy Duhamel because I came in this morning and read quite an infuriating note to me, which I put into the rubbish, which somebody had written on a piece of paper. "If anybody but Deputy Duhamel had taken it, it probably would have gone through". I think it is demeaning in the way that people do not listen to the arguments or evidence of Members, especially Deputy

Duhamel and his Panel who have spent an enormous amount of time and effort, and just dismiss the argument because they have made their minds up already. We did this with the Waterfront and Senator Syvret and I stood up and we complained about the tacky buildings and the fast food restaurants which were not going to appear anyway, and did not, and we were chastised and ridiculed and we were told at the time that the benefits would be enormous and getting rid of the Fort Regent swimming pool would deliver a world-class Waterfront swimming pool, et cetera. We were rubbished, classed as wreckers, and no matter what we said, and no matter how much work we did, nobody was prepared to listen. This debate is exactly the same. We will be in exactly the same position in years to come as we are now with the Waterfront, with Ministers standing up and chastising the poor quality of the design. If they had been a part of the debate a few years before they would have heard how wonderful it was all going to be. I thought the speech of Deputy Ryan was particularly good this morning in assessing the issue today, which is the location of the plant and why are we deciding to put the plant there? Let us not beat around the bush. Everybody knows the emissions from Bellozanne are wrong, have been wrong, and need to be addressed. There is no arguing that whatsoever. But the reason we are being told we should put it at La Collette is because we will save in excess of £1 million. But what we will, in fact, do if we agree to put it at La Collette, we will give the green light for a whole succession of dominos to fall that will necessitate, from my understanding, the purchasing of private buildings, perhaps the Normans Buildings, to run a private road around the back, and one wonders how much money that will be. That has been confirmed to me by Ministers that that is what they would like to see happen - a gyratory system coming out of the tunnel in a roundabout form, taking away the landscaped effect that we were told we were going to have when we were going to get rid of the bus shelters down there, and this piecemeal approach which we are being told that we should not engage in we are actually engaging in right now. We are going to make a decision to put whatever we are going to do down at La Collette and Senator Routier has said that he is going to support it if he gets an assurance there will not be a road coming down Green Street because he finds that unacceptable, and I do too. So does Deputy Martin, who is not here, another person who represents that District. Yet, within their own Environmental Assessment it says that 14 per cent of the traffic coming through will come from the Havre de Pas area. If we have, as has been confirmed to me, 72,425 tonnes delivered by the Parishes - 42,724 tonnes of waste a year to this incinerator - one has to wonder how in the future we will manage this. I can confirm, having spoken to a Minister in Guernsey, they are not interested, at this stage, in getting into bed with Jersey for their waste disposal. They also pointed out their considerations of their own energy from waste plants in an incinerator form would incur perhaps a gate fee of £100 for every delivery. If there are 40 refuse vehicles taking 42,000 tonnes of Parish waste into the incinerator away from La Collette where there is a Bellozanne covenant, one must ask whether or not the Constables are appreciative of the costs that are going to be incurred if a gate fee is levied at that location. Because it was made quite clear by Senator Ozouf, in a presentation that first hour before this decision to relocate everything in different places was made, that this would afford the opportunity for commercial operations to be charged for their waste. If the commercial and business sector is going to be charged for its waste, it will not be long before the residents and the people of Jersey will be charged for their waste, too. Currently, the Bellozanne covenant affords us all a margin of comfort in relation to that facility. I wonder whether or not the Constables are aware, or have been informed, or have even considered, how their refuse from their Parishes will be transported and how much it will cost in the future for their electorate. The visual impact drawings we saw from our presentation I must say struck me as a little bit strange when you look at the pictures from the beach at Le Marais. The building looks about the same size as it does from the Havre des Pas pool and it is quite cleverly pointed out to me by Deputy Power, if you fold

the 2 pages over and you hold both perspectives from Le Marais and Havre de Pas swimming pool, you see they are pretty much the same. So, one wonders about the validity of the actual environmental visual impact of this site. I am not convinced, and I believe it will be something that a 7-metre superfill will barely hide. So, if we do decide to build an incinerator down there to handle our waste in the future and this is the location for it, one wonders how it is going to appear on the horizon. The overall strategic assessment of what we will do at La Collette and the fuel farms and everything else has been mentioned, and the deep water ports and everything else. It is just a little sad, to tell you the truth, that Members, in their efforts to level a certain degree of scrutiny to assist and work together with the Assembly, are denigrated in a fashion that we have seen today and that many of us have become accustomed to. I would like to point out before I finish my speech, because I know it is infuriating many people - and me just even talking in here today - that the Ministers responsible for the conveying of information under the RAMSAR Convention need to do that immediately and I am glad Senator Cohen is here today because I did point out yesterday that I was told by Senator Syvret that this was nothing to do with RAMSAR. Well, it was mentioned in the presentation by the officers, and it has been mentioned to me in private by the officers, that they are looking to reclaim, or it is a possibility, that reclaiming land into the RAMSAR site would afford them a better layout facility and it is something they would like to consider. Moreover, with roads coming around that end, it is something that they have talked about as being the only logical place to extend any landfill in the near future into that RAMSAR section. So, if we are going to build into the RAMSAR section, that is a valid point and it needs to be conveyed under our obligations under the Convention I mentioned yesterday. But also the emissions from the water, even if it is only 8 per cent of the design factor that the JEC factored in, if we are cooling the system by sea water and that sea water is going back into the marine environment, we have an obligation under the RAMSAR Convention to convey that information to the Bureau in charge of the organisation immediately. That is part of our contract, our international agreement, walking on the world stage with an excess of 132 countries that have signed up to that agreement. So, we need to do that. We also need to be aware of the fact - and I am sure that Senator Cohen will be aware of the fact - that under Policy M1, as was stated yesterday, existing legislation relating to fisheries and forthcoming legislation on pollution and waste management ensure that there are adequately robust processes in place to protect our coastal environment. If we are going to put an incinerator with cooling water from the sea at that facility we need to be very cognisant of Policy M1 and Policy G5 within the Island Plan. Just one last sentence: "Where permitted, development should not materially harm the amenities, character or ecological balance of the area because of its construction, disturbance, siting, scale, form, appearance, materials, noise or emissions." Emissions cover a whole host of things. So, I think it is another sad day for scrutiny, I am afraid to say, in that we have not decided to look at this overall. I am not going to support the location of this site at La Collette because I think, like many of the debates that occur in this Assembly, people have made their minds up already. They have made their minds up to purchase Commercial Buildings. They have made their minds up to construct the gyratory system. They have made their minds up to not look into whether or not the Parishes are going to be facing a gate levy for the disposal of their rubbish. They have made their minds up not to be bothered to check the Bellozanne covenant. They have made their minds up that they are going to have an incinerator and they have made their minds up they cannot be bothered, "Let us get on with it because it is costing money. It is costing money every moment we delay." I would argue, conversely, that it is costing money, lots and lots more money, every time we make a stupid decision like this one without looking before we leap.

#### **1.1.10 Senator W. Kinnard:**

I think many of the arguments actually have been made for and against, so I will not go and reiterate those, Members will probably be pleased to hear, but I will just pick up 2 points, Sir, if I may? The first concerns the example, given by Deputy Duhamel, of Stavanger, and I am quite familiar with Stavanger for an altogether different reason. What I would say is that I do not really think that when you are looking at Stavanger and when you are looking at Jersey that you are actually comparing like to like. You are not comparing the same sort of community because Stavanger is not the same vibrant, urban community, really, that Jersey is. It does not have the offices and the restaurants and the range and number of businesses that we have in Jersey, particularly in St. Helier. I think, that probably if one was to check the figures, the economic throughput per capita would be much lower in Stavanger than it is in Jersey. I think that is bound to have an impact upon both the level and the type of waste that is generated and has to be dealt with. Moving on swiftly, if I may, to the main area of where I want to speak, and that is to the issues that were raised by the Deputy of St. Peter. This is really in terms of wearing my hat as Home Affairs Minister. The first point I would like to make is that current planning rules and safety advice do allow for an Energy from Waste Plant to be sited at La Collette. Indeed, the development around La Collette and the surrounding areas was the subject of a number of hazard assessment processes throughout the period up until 1995. This resulted in different zones being allocated and different types of advice being appended, if you like, to those zones. The final decision as to whether that advice is actually followed rests with the Planning Minister and, as I have already said, the current planning rules and safety advice is that there is no reason why the plant cannot be located at La Collette. However, since that time we have all been aware of the explosion and fire that did happen at the Buncefield depot. That has raised concerns throughout the United Kingdom, and we in Jersey, too, I think, must share some of those concerns. The investigation and research into that is still ongoing and I believe the final report is fairly soon to be delivered. But clearly we will need to study what impacts or recommendations or advice that may arise from the conclusion of that investigation on our own planning guidelines. So, what I would say is if there are implications for us in Jersey from that report, then any changes to the current planning guidelines would not just impact upon the Energy from Waste Plant but it would also impact on other and future developments at La Collette. What I would want to do, and certainly the Departments within my Ministry would want to see, is a more holistic approach to planning for La Collette and the other sites. That holistic approach would have to take regard of emergency planning for La Collette and other sites around the Waterfront development. In particular, more account must be taken of the fact that we are an island and we also have relatively small emergency services and there are difficulties in calling for reinforcements from the United Kingdom emergency services. What we would like to see is an independent assessment of risk taking account of all these points of the entire area around La Collette site and any planned and future developments. That independent assessment we would like to see commissioned as soon as possible. I think that would then serve very much as the foundation for our local emergency planning, including any potential scenarios and resource needs that might be attendant upon that plan. Having said all of that, again I reiterate there is nothing within the current planning rules and safety guidelines to prevent the development of an Energy from Waste Plant at La Collette. Indeed, I support the proposition of Transport and Technical Services and really all I want to hear from the Minister this morning is that he will be prepared to see that such an independent and holistic risk assessment will take place as soon as possible.

#### **1.1.11 Senator T.J. Le Main:**

Could I ask that I give notice of the guillotine motion in 30 minutes' time, please, if the House is happy for that?

**The Greffier of the States (in the Chair):**

Very well. That is noted, Senator. Deputy Huet?

**1.1.12 Deputy J.J. Huet of St. Helier:**

I would like to start by saying that we are here for one thing only today and that is to debate the relocation of the Bellozanne incinerator. Nothing else. I would just like to put a few things straight that I have heard this morning. First of all, I know we all in this Chamber like to think we are all planners, engineers, traffic experts and so forth. As far as I know, I believe we have 3 engineers in this Chamber. The rest of our engineers are mostly up at Technical Services and I have to say I think they do an excellent job and I take my hat off to them and say thank you to them. I have heard the covenant mentioned at Bellozanne this morning. That covenant, as far as I am aware, is only applicable to St. Helier residents. It has never been applicable to our other Connétables in the rest of the Island. So, if there had ever been a gate fee thought of, I am sure it would have come forward a long time ago. We have never charged a gate fee and I think it would be a very stupid person who would even think of charging a gate fee for the simple reason we all know that gate fees will bring fly-tipping and that is the last thing anybody wants. So, that is to put that one to bed, Sir. Now, when the States approved the Waste Strategy in July 2005 - on Deputy Fox's amendment it was accepted by the Environment and Public Services Committee at that date - that required them to review both Bellozanne and La Collette as sites for a replacement facility. It is as the result of the detailed review that has been undertaken that we are here today, and only because of that reason. The debate is - do we build a replacement at Bellozanne or La Collette? Let us look at Bellozanne. When the original plant was built, which was in the 1970s, there was very little residential development in this area. I have to say my house was there because it was built in the 1930s. The incinerator was constrained and it was in a valley and the only thing that was showing was the chimney. Since then, what we have seen is an awful lot of development between First Tower and the incinerator, whether it is flats, houses and, above all, our First Tower School which has been redeveloped and extended to a great extent. Remember that the entrance to the school is in the road that leads directly to the plant. Yes, that is right, it leads directly to the plant. I know Deputy Southern said that lorries come past him but, in actual fact: I went up to double check last night - lorries do not go past him. He lives in Bellozanne Road. If they do, they are breaking the law. There is a 6 foot 6 restriction in Bellozanne Road, so lorries have to come along the inner road at St. Aubin and turn up Route ès Nouaux past the school both ways. They do not go along Bellozanne Road. We are saying because of all the stuff that does go past our school, is this really the place to build another large facility that will keep this traffic running backwards-forwards, backwards-forwards? The only advantage of Bellozanne in the new facility is that it would be hidden and would not be visible. That is the only advantage. La Collette, on the other hand, is already an industrial site. Just look at the industrial buildings that are already there. You have got the JEC Power Station and the warehouses. This is an area that the States have already agreed should be the future industrial zone for the Island. Already agreed. The States agreed this when they approved the plans for La Collette II reclamation site and reconfirmed it when they approved the Island Plan in 2002, which a lot of us were here for. Surely it makes sense to use La Collette as the industrial zone for the Island's new major facilities. One of the other main benefits is that we can reuse the La Collette chimney. This means, instead of having 2 large chimneys on the Island we will only need one. This must be a benefit for us. By putting the new plant at La Collette next to the existing JEC we will be able to sell them steam so they can generate electricity, which will save us having to install our own generator. We will also be able to use more of the facilities within the existing power station. Both of these operations will save on the overall cost of a

new plant. Now, a lot of people have said that, if we put the new facility at La Collette, there will be traffic problems and they are fair enough to bring that up. This has been reviewed and we do not think there will be a problem, and I will tell you why - because the majority of traffic currently going to Bellozanne, and I know, does so outside of the peak hours. You do not see people carrying all their spare waste up there during peak hours. So, the roads in the area will not have that much more additional traffic. Some people have rightly said there could be a problem with more vehicles using Havre des Pas as they would try to go over Mount Bingham. Well, that is fairly easy to solve. We do not see a great problem because I am sure that the Constables of the eastern Parishes will be more than happy to tell their refuse collectors they have to go through the tunnel and turn at the bottom there and go directly to La Collette. That will avoid any extra congestion over Havre des Pas. Now, we have said that building a new facility at La Collette will leave us the option of taking Guernsey's waste. I know that Guernsey originally said 'no', they do not want us to have their waste. No, I believe they were thinking of exporting it to France. But I think - I cannot prove this - that will change. Guernsey is not stupid. If it is going to be cheaper for them to bring it to us than to take it to France, what do you think they are going to do? Are they going to bite the nose off their face? So, it would work for us because it would help to pay. If we build at Bellozanne then it is obviously no good because we could not take it all the way up there. So, that is out. The next major question we have to consider is delay. Delay, we are very good at that. How much longer can we delay replacing the incinerator at Bellozanne? We know that the gases coming out of it are not good and they are well outside limits. We have had the Minister of Health tell us that in great detail. We know the plant is breaking down. We do know that. That is dead true. That is the truth. It is breaking down and anybody who does not believe that is living in cloud cuckoo land. We see the backlogs of waste building up. We are having to store those at La Collette at the moment because we have got no room at Bellozanne. How much longer, we have to say, can this carry on? How much longer can we allow this to happen? Is this acceptable? Can we keep risking the plant breaking down and then not being able to do anything at all? What would we do? I do not think this is acceptable. We cannot do this. So, apart from the risk of not being able to deal with our own waste, we have seen the cost of the Waste Strategy increase by £20 million. £20 million. Between 2002, when the first draft was produced, and 2005, when this Assembly approved the Waste Strategy, that is £4 million per year. That is £1 million for every 3 months. I sat there this morning and I thought, £333,000 per month.

**Senator J.L. Perchard:**

For the benefit of the new Members, I wonder if the Deputy would tell us the total cost of the Waste Strategy now?

**Deputy J.J. Huet:**

I thought the Member had already read that. If not, I will be more than happy to show him the figures afterwards with no problems whatsoever. So, can we continue to see these costs keep going up? I think it is time to make a decision and get on and replace the Bellozanne incinerator. It is finished. Some might say the plant is too big for La Collette and it will look out of place. Well, it is going to be a big plant. We have never said it is not, but if it is properly designed and if it is landscaped we will be able to reduce the impact on the surrounding area. We have seen the pictures of this. So, I say, Sir, it is now time for us to make a decision. Do we want a new facility at Bellozanne where all of the traffic for the next 25 years will be going through the residential area, or do we want a well-designed and landscaped plant at La Collette? I urge Members to support this proposition and let us get on and replace the old Bellozanne incinerator with a new facility down at La Collette.

**Deputy C.J. Scott Warren of St. Saviour:**

On a point of clarification, Sir, the previous speaker spoke as though she knew exactly what type of plant we are having. She said it was going to be large and I just wanted to know if she had already got the design?

**The Greffier of the States (in the Chair):**

The Assembly has heard, Deputy. That is a matter for the States to eventually take the decision.

**Deputy J.J. Huet:**

All right, Sir. So, as I said, there are different sizes shown, but nothing has been decided on that. We are only here to decide where.

**1.1.13 Deputy A.D. Lewis of St. John:**

Deputy Le Claire tells us all that many of us have already made our minds up. That is not what I thought a debating environment like this was about. I have heard some compelling arguments on both sides of the case today and it makes it a little difficult. Having said that, the argument I hear from the Minister is compelling and the argument I hear from the Assistant Minister is also compelling. But I have also heard a lot of fascinating information from Deputy Duhamel who has clearly done an enormous amount of work on this. I have discussed recycling with him in the past and he has a passion for it and clearly believes we can do more. Just a point of clarification because it would appear I have come under a little bit of criticism this morning about the scheme in St. John. My understanding is - and perhaps the Minister could confirm this in his summing up - that he has taken into account schemes such as the one in St. John into his sums so we have less waste going into that plant and that the design is appropriate, taking into account some recycling. I certainly hope so. If he has not, then I would have some concerns. My understanding is that the target is just over 30 per cent and that is achievable. Deputy Duhamel suggests it should be higher but I understand that should each Parish have a separated waste kerbside collection project, such as the one in St. John, then you would still be struggling to meet that 33 per cent target. The Minister perhaps can clarify that in his summing up. The argument for locating at La Collette is compelling. Having said that, the argument that has been raised about Guernsey, I too have had discussions - many, in fact, in Guernsey - about cooperation on all sorts of things and I have not heard anybody yet say they definitely want to use Jersey for their rubbish. Quite the opposite is being fed back to me by their Ministers and by other people in Guernsey who I have talked to on a regular basis. Perhaps the Minister is in possession of some new information which he can confirm in his summing up. A compelling argument, yes, and why not share facilities with Guernsey? But that was not my understanding from quite recent discussions with them. I would also like some clarification on the screening aspect. Deputy Duhamel talks to some extent about that and his suggestions sounded as if it was unachievable, yet the Minister suggests there are some suggestions that they are achievable. I am not quite sure what that means. What is the screening of that building on that location, which is pretty prominent and we will all see, not only us but our tourists as they enter the port of St. Helier? The other matter that I would like to ask the Minister about as well is the Bellozanne alternative. My concern is about the speed of getting this done. I think we all have agreed, and a lot of views have been said today about the fact it needs to be replaced soon. It is not working very well. It is emitting emissions that are not very healthy and it could break down at any time in the next few years. So, clearly there is a need to get on with this and again I was criticised for that. Yes, I think we should get on with it but it needs to be the right



decision, too. Would using the Bellozanne site pose a problem in terms of speed of getting on with it? I would like the Minister to answer that in his summing up. Would it actually make any difference in delivering a new facility of some kind whether it was at La Collette or at Bellozanne? Perhaps he could confirm that. I think, Sir, it is in the interests of the public to get on and do this. The public as a whole, not least the residents of St. Helier, would like some clarity and confirmation as to what we are going to do and I do urge the House to make a decision today and make the right decision based on the information we have heard today and the inordinate amount of information we have had before today - which I do thank all of those Members for providing - particularly Deputy Duhamel and his Panel. It has been a fascinating scientific journey but we need to make a decision and need to make the right decision. Thank you, Sir.

#### **1.1.14 Deputy P.N. Troy of St. Brelade:**

I am prepared to accept that La Collette is an acceptable location. However, I would feel that purchasing a whole row of buildings to create a road to the new plant should be avoided. I would personally consider widening the harbour wall to create additional road space, more practical, and even perhaps consider doing away with the corner at the end of Commercial Buildings and putting a road bridge across over the harbour area where the boats sit at the moment. That is something which could be considered but it would all have to be costed, of course, and considered along with the other options. I would also like to fire a shot across the bows of the Transport and Technical Services Minister's plans to produce the biggest, shiniest, fastest toy for the people; all the boys up at Transport and Technical Services. Because I, like Deputy Duhamel, feel that a concerted recycling option can very significantly reduce the size of the plant required and we will not need to burn 100,000 tonnes if we have a concerted recycling effort. This is where the Minister's plans come adrift. If the Minister comes back to this Assembly with plans for an Energy from Waste Plant with a high burning capacity and resultant high cost, I will be voting against it unless he has some exceptional evidence to support his case. And come back to the Assembly he must. We will get the opportunity to debate this and really the Transport and Technical Services Minister needs to understand right now that there are a lot of Members in this Chamber who are very concerned about the proposals to bring forward this wonderful high-capacity unit. It is not wonderful in the opinions of many of us. So, I hope the Minister takes that on board because there is a lot of opposition to his plans as he brings them forward to the next stage.

#### **1.1.15 Connétable A.S. Crowcroft of St. Helier:**

I want to say to start with that I think it unfortunate that Senator Le Main has proposed a guillotine on this debate and I hope that Members will consider it sufficiently serious to oppose that when the time comes, if there are Members wishing to speak, particularly representatives of the Parish we are talking about. I rise, Sir, with some trepidation. I have been told last week by senior Members to raise the level of my game. This stricture was in relation to my asking the States to implement a decision they had taken previously about giving a fair deal for St. Helier ratepayers. I wonder whether my objecting this morning to the siting of an incinerator in the Island's main town, whether it be in Bellozanne or La Collette II, will be called an example of raising my game or not. I rather fear it will not be. Should I, therefore, stay silent when the parishioners I represent are being once again sold down the river by the States? I say once again, Sir, because not very many months ago the Minister for Transport and Technical Services admitted in the House that the temporary composting site at La Collette had been foisted upon the Parish of St. Helier without so much as a word in the Constable's ear, or indeed at officer level. There was no consultation whatsoever. It is a fact, and I checked recently, that no formal approach has been made to the Parish authorities about

siting the incinerator at La Collette. Back in February, the Council of Ministers, I remember, took the decision to put all of the Island's waste facilities, including a reuse and recycling facility, at La Collette and they took it in the 9th floor of Cyril Le Marquand House, recently refurbished, and they did not even bother to tell the Parish or ask us about it first. When my predecessor, former Constable Bob Le Brocq, objected to the proposed Mineral Strategy on traffic generation grounds in particular, I do not believe he was told to raise the level of his game. I do not believe he was told by the Deputy Huet of the day he was a bad Constable for raising these concerns of his parishioners. The traffic implications of this proposal to move the incinerator to La Collette have not been thought through properly. We are promised there will be an EIA (Environmental Impact Assessment), but it looks very much like, from what we are hearing today, the decision has already been made and this will be a rubberstamping exercise. I want to know what impact this will have on the residents of Havre des Pas, on our premier, but somewhat neglected, tourism district in St. Helier. Traffic accessing the site - the Minister, I think, in his proposing speech, mentioned the underpass and I hope the Minister will give me a cast iron guarantee that Havre des Pas will not be asked to take additional traffic to the incinerator. The key question today is: is La Collette the best location? I must say I was less reassured than I might have been by the presentation we had by the officers when we saw the dispersal patterns of the new chimney, because clearly it is much better than it is at the moment in Bellozanne. But it still shows a fallout, if I can use that somewhat emotive phrase, on the eastern part of St. Helier and on St. Clement and on St. Saviour. Now, why place an incinerator in the predominantly urban south coast of the Island when the prevailing winds will tend to take the pollution over that urban area and indeed over the RAMSAR site? I will come back to the RAMSAR site in a minute. The Minister spoke of the minimal levels of dioxins and other nasties that will be produced from the new incinerator, but is there a tolerable level of dioxin? I ask that question. When does it start being carcinogenic? I refer to a report in a proposition brought to the States back in 1997 by the now Minister of Health and Social Services and in that report he says, and I quote: "Whilst there may be debate about the degree of risk to human health posed by these discharges, it is generally accepted that there is no such thing as a safe level of exposure." Now, the Minister goes on to radiation, because that projet was about the nuclear discharges of the Cap de la Hague nuclear reprocessing facility. I think we all accept the Senator's arguments that there is no such thing as a safe level of exposure to radio nuclides, or whatever the technical term is. But is there a safe level of exposure to dioxin? I doubt it very much, and as science develops - and there has been some talk about scientific accuracy and how Members have referred to it - so our ability to trace tiny amounts of pollution is also developing. It will always be very difficult to point to a direct line between dioxin and human health. I know that at the moment measurements are done around the Island but, as I say, the science is developing and I have to ask that question again. Why place the incinerator in an urban area? Now, I agree with the Health Minister about vehicle emissions and I would be very grateful when the Minister of Transport and Technical Services sums up. We are, after all, talking about a process that is, with the best will in the world, at least 4 years away. What is the Minister going to do about the effect of particular emissions on the residents of Bellozanne Valley for the next 4 years? Is he going to take any action? I would like to know. What action will be taken when it moves to La Collette, if it does, to make sure that all the people who are receiving that traffic - and we are not just talking about Havre des Pas or Commercial Buildings, all this traffic is coming through the Island down to La Collette and is chucking out emissions. What steps is the Minister going to take to clean up the emissions of the traffic going to the incinerator? When I was recently on the CPA (Commonwealth Parliamentary Association) trip to Malta, I took advantage of my being there to go and speak to the Director of Planning in Malta. Malta's waste disposal at the moment is pretty dire. They chuck it in a tip and it all festers and burns

and so on and they know they have to do something about it. I asked him what he is going to do about it. They seemed to be coming to it rather late in the day and he told me that they are not rushing to build an incinerator. In fact, it is at the bottom of their list of things to do about their waste. They want to see how much of the waste they can reduce, reuse and recycle before committing themselves to an incinerator. Indeed, Greenpeace counsels against incineration, and it was somewhat depressing earlier hearing, I think, our only signed-up Greenpeace member in the States more or less giving up on the effort to recycle batteries. Now, we are either serious about being a green island or we are not and we cannot simply throw in the towel because it is difficult to get people to take batteries out of their waste. I agree with many speakers who have spoken about the poor standard of the photo montage that we were given in terms of what this site will look like. More, I think, worrying to many Members is the fact that this photo montage has been produced suggests that the decision has been made. Really, the officers know which one they are going to go for. They know what it is going to look like and so we have been given some extremely long views of the new incinerator. By the way, notice that I am using the word "incinerator". It is fascinating in the whole debate - and it is a debate that rages right across Europe and America - that people who believe in incinerators call them EfW plants, and it has been really interesting to hear a Greenpeace member and other members who used to be in the States on a green ticket talking about EfW plants and Energy from Waste. I call them incinerators because that is what they are. They burn rubbish and they create CO<sub>2</sub> emissions. There has been very little talk about CO<sub>2</sub> emissions in the debate so far. Deputy Le Claire spoke yesterday about the RAMSAR site and hats off to Deputy Le Claire. He spoke, I thought, very cogently about the fact that, not so long ago, the States signed up to the RAMSAR Convention and we are talking about placing a brand new incinerator on the edge of a RAMSAR site. I have to ask Members - how is that going to come across in the international community that we are hoping so much to parade on? "Those Jersey Members, they have just put an incinerator on the edge of their RAMSAR site." I can just hear these conversations in the next British-Irish Council meeting. We have also just agreed a Strategic Plan, amended I am pleased to say by me, that puts environmental considerations at the top of the agenda. We did that how many hours ago? The ink is not even dry on the paper and we are saying: "Yes, as a States we are going to place a new incinerator, and we are going to broadcast that fact, on the edge of the RAMSAR site. We had just agreed in the first 1.1, "Show the world that economic and environmental success can work together", and we have agreed one of the indicators will be the 'minimisation' of adverse environmental impacts resulting from economic growth. I did not get the word "prevention" in. I accepted the fact that we should call it minimisation. But are we doing enough to minimise the environmental impact of this facility? Should we not be taking a step back and saying, "Well, hang on, we are all talking about La Collette as the Island's industrial estate. Is it a good place to have an industrial estate?" As our sea visitors come in to our new, wonderful Waterfront, just over there, on the right as they dock, there is an industrial estate with a gleaming new incinerator. Now, is there not a better place to think about putting our light industry? I am not trying to foist it on one of my colleagues on the Constables benches, but it has to be said that Rue des Prés trading estate is pretty invisible. No one really knows it is there. Certainly when they come into the capital of the Island they do not know it is there. Maybe there is a better place. Maybe there is a case for stepping back from the brink. It is an £84 million brink we are talking about. Perhaps we should step back from the brink and say, "Is La Collette the best site for light industry or could we not do exciting, imaginative and extremely valuable things with that site which would make a lot more money, provide a lot more housing, and provide a much better backdrop for our capital and our Waterfront?" What we have had, Sir, today and yesterday is gun to the head decision making. £4 million every 3 months, we have been told. The current incinerator is spewing out toxic gasses. I am sorry.

This is not a way to make an important strategic decision. Now, I do not want the incinerator at Bellozanne to do what it is doing, if we quote the Minister for Health, "Pumping out toxic gasses", one day longer than it has to. But if we are so concerned about that we could, and we should, remove the things from the waste stream which mainly create the dioxins. We should be working today on a plan to pull all of the plastic out of waste stream and I ask the Minister why we are not doing that.

**Senator S. Syvret (The Minister for Health and Social Services):**

We are.

**The Connétable of St. Helier:**

Now, finally, Jersey I think, has really got to think very hard about this decision. I think it is important. As I say, I am not trying to keep it where it is but I do not believe it should be at La Collette either, not at least without a lot more work. The Council of Ministers has changed its mind about this more times than I can remember. I want to finish by talking about the fact that 2 Parishes that I am aware of, St. John and St. Helier, are now looking at advanced recycling. St. Helier in particular - of course, we have not started it yet - have had approval from the Parish Assembly that we are going to do a zero waste scheme. Zero waste schemes are very popular with Greenpeace and I am sure Greenpeace will, in due course, be backing the Parish of St. Helier for doing this. What we are trying to do is to show that food waste can be removed from the waste stream as well as everything else. The question I have for the Minister is, if St. Helier, which I think produces about one-third of the rubbish, takes out food, it takes out plastic, it takes out paper, it takes out glass, it takes out cardboard, it takes out green waste, what is he going to burn in his new incinerator? When I proposed, Sir, the amendments to raise the priority of environmental issues in the Strategic Plan, I asked the question, "Is it safe? Is the environment safe in the hands of the Council of Ministers?" I think Members should think very hard. As I say, we have just approved it. It is a very green Strategic Plan and they may not like it but it is very green now. I think we should think very carefully before we commit ourselves to a policy decision which, make no mistake, will be seen by the international community we are so keen to do well with as a not very green solution.

**1.1.16 Deputy J.A.N. Le Fondre of St. Lawrence:**

On the basis of the various bits of information that I have received, I am actually fully supportive of the plan to locate the proposed plant at La Collette. As has previously been mentioned, this is really the only purpose of this debate. Now, I would like to be a bit more optimistic than Deputy Le Claire. I do not think this is a sad day for scrutiny, necessarily. I would say that there is, I believe, a genuine desire to re-examine the composting side of waste and that is why it has been taken off the proposition for today. Therefore, it is my personal view that provided a sound economic argument is made for an alternative suggestion - that it will be given a proper consideration - I believe that scrutiny has made an impact and, similar to Senator Perchard, I would like to recognise Deputy Duhamel's work even, if to date, I have not supported it. Like many people, I can see both of the chimneys in question from where I live. I see the existing old worn-out one at Bellozanne and the JEC at La Collette. Indeed, on a hot summer's night in July or August or whatever, I am quite aware of the wind direction when it comes from Bellozanne because we have to keep our windows shut. The most compelling point for me is that the proposed location enables quite substantial savings to be achieved through the efficient sale of steam to the JEC - the generation of electricity - and thus it achieves economies of scale by using some of their infrastructure. All nice, long words but we are going to save money. In addition, by being next to the sea it can use the sea water

for cooling, which is a cheaper process. Now, obviously enough, sea water cooling is not really an option at Bellozanne. So, we are taking one plant that generates heat and can generate electricity and putting it next door to a different plant that does something similar. La Collette is an industrial zone and the move from Bellozanne will improve the lives of the residents of First Tower in Bellozanne, as we have already heard, by reducing the traffic carting rubbish past their homes. There have been some attempts to link this debate over location to the rather different debate as to what type of plant the department is going to recommend. The only comment I am going to make on that subject here is to focus on risk. Bearing in mind the minimum recycling targets the TTS are aiming for are 32 per cent, the main risk to me is the risk that we spend £75 million and then find we only needed to spend, say, £60 million because we could have built a smaller plant having exceeded our recycling targets. In this instance, what it basically means is that the life of the plant could potentially be longer. Now, compare this to the risk that if we build a smaller plant and then find we cannot cope, not only will we be up to our necks in waste, probably quite literally, but we will also have serious health issues and it will then take a number of years to sort out the problem. To me, this is by far the greater risk and I do not want to take that chance. Wherever you put this plant there will be a visual impact. If it is at Bellozanne, you will have another chimney. If you put it at La Collette you will not, and I can assure you, Sir, that the existing Bellozanne chimney is a prominent and unattractive landmark, especially when you view it from out at sea. The plant itself is quite large but it is going to be next to a large JEC existing plant and also large warehouses, et cetera. Unfortunately for Deputy Ryan we do not have a clean slate. It is already an industrial area and I do not think we can start moving the whole area to another unspecified part of the island. It is my understanding that the new architectural supremo, courtesy of the Minister for Planning and Environment, will have an input on the look of the final structure. I was thinking about this debate today as I was driving along Victoria Avenue coming into town and looking at the location from the west. It is not going to be that great an impact from the west, and you can see it if you look at the photographs we have already been provided with. There is obviously a bigger impact from the east, but I am reasonably optimistic, I believe, that the architectural supremo will be able to mitigate that impact in an appropriate way. So, that is why I support the construction of the plant at La Collette. The construction is a far cleaner, more efficient, system over the one we use now, and also the fact that by locating at La Collette we will remove an existing chimney that in itself is not the most attractive of structures, especially when you view it from West Hill. The location enables a far more efficient construction and still allows the possibility that, if necessary, Guernsey could come on board, should they so wish, in utilizing the built-in capacity that will exist with the early years with the life of the plant. Now, bear in mind - and this has been referred to a little bit - this is only a factor in the location. It is not a driving force. It could, if you like, be called the cherry on an already substantial cake. So, to me, Sir, it seems a better solution. It does seem a simpler solution. It is a cheaper solution, and on that basis I support the proposition.

#### **1.1.17 Deputy G.P. Southern of St. Helier:**

I came here thinking I was in a new era. I came here feeling very positive. Here is the new Ministerial and scrutiny era where we make rational decisions based on evidence. I came here willing, wishing - if I were religious I would say praying - to be so convinced as to be able to vote for this proposition. Get this thing down at La Collette, please, and get it out of my backyard. Yet I heard the Assistant Minister questioning that I knew where I lived and that I knew that there were lorries coming past my front door on the way to Bellozanne. Because I was told that there was a width restriction on my road, Bellozanne Road, and that no lorries went down it. I would like to know who is policing it, because they must be very busy, or not,

because they do go past my front door on the way to Bellozanne day in and day out and they are wider than 6 foot 6, believe you me. They are great thundering elephantine things. So, they do go past my door and it is an annoyance. Get the number. I will get the camera set up now, shall I? I will talk to the Constable about it. Instead, I still remain unconvinced. I have not heard sufficient evidence. I have heard, as the Constable of St. Helier just recently said, yet another old-time debate. He calls it 'gun to the head politics'. That is exactly what it has been. No rational evidence, no rational examination of that evidence. Instead, yet again, an ill informed, misinformed and almost uninformed debate on a whole set of issues. To say that this is only about the location of one particular element and you cannot say about the size of what is being put down there is absolutely absurd. It is like having an elephant in your lounge. It does not really matter how big it is. It is still an elephant. Really? No, we are talking about putting something very large and a potential eyesore down at La Collette where it possibly should not be. The evidence that is the best decision has not been presented. The Minister or his Assistant Minister have not presented the evidence to convince me and I do not believe others in the room should be voting for this particular proposition. I certainly cannot and I will be voting against it.

#### **1.1.18 Connétable K.P. Vibert of St. Ouen:**

In the time that I have been in the States, the management of waste has been a pass-the-parcel exercise. Certainly, as far as green waste is concerned, and some combustible waste, I recall quite well when we had an attempt at burning it on Grouville Common, which was soundly opposed. We had it at St. Brelade. We have had it at Crabbe and we have had umpteen reports looking at a number of sites across the Island where it could be sited. As I say, all we have done is pass the parcel. Today, I think that we need to stop passing the parcel. We need to say the music stops today and the parcel ended up on La Collette. It is an unfortunate decision, maybe. I am sure the opponents can find a whole range of reasons why this should not be made. I am sure if we delay it for another 9 months they will find an equally large number of reasons why it should not be made. I think, Sir, today the decision has to be made. The parcel has to stop today.

#### **1.1.19 Deputy S. Power of St. Brelade:**

Briefly, I would like to refer to statistics for the future waste plant Solid Waste Strategy. I think we all agree that the Island is generating about 95,000 tonnes annually of waste and of that 95,000 tonnes, 23,000 at the moment is recycled. So, that leaves 72,000 tonnes; I think that is what Deputy Duhamel said. Now, we have to do something with that 72,000 tonnes. But that figure is actually diminishing. Even the Department's own statistics for 2004, the Minister's Department, said that waste had reduced by 5.5 per cent in 2004. So, that figure is going down and it will go down because of increased recycling efforts especially compared to what the Constable of St. Helier said. We will reduce that. That is the first thing I would like to say. The actual diminution of the amount of waste we are dealing with because of recycling and other factors such as the reduction in the tourism industry will cause that. The other thing I would like to say is that in 1996, and I admit it is 10 years ago, there was a proposition brought to the States, P.199, and at that time it said that the third stream, which was commissioned in 1992, had a design life of 30 years. So, going on from 1996 it said then it had a design life of 26 years, so we take 10 years off and we are looking at 16 years. Can the Minister confirm why the third stream, which was built in 1992 at a considerable cost to the States, is unreliable and is it not related to the fact that we are putting stuff into that incinerator that we should not be putting in? I get back to comments that other people have said, that we should not be burning all our tyres or television sets and so on.

**Deputy G.W.J. de Faye of St. Helier:**

Could the Deputy give way just for a moment? I do not believe anyone has indicated that the third stream was unreliable. It is not. It is about the only one of the 3 that is reasonably reliable. However, what has been said is that its life is limited to roughly 13 years. However, suggestions that it still has its original capacity of being able to process 7.5 tonnes per hour, that capacity no longer exists. The actual capacity is more like 5.5, plus or minus 0.2 tonnes per hour.

**Deputy S. Power:**

I thank the Minister for that. I would also seek clarification, and I close on this, that if we do relocate the solid waste facility to La Collette, what actually happens to residents of St. Helier in relation to the Bellozanne covenant? Will that extinguish that or will the parishioners of St. Helier continue to be allowed free facility to dump waste at Bellozanne?

**1.1.20 Senator F.E. Cohen (The Minister for Planning and Environment):**

As Minister for Planning and Environment, I may have to determine this application and, therefore, having sought advice I cannot actively participate in this debate and will abstain in the vote. On the basis that the Minister for Planning and Environment determines the application, members of the Planning Applications Panel can participate and vote.

**1.1.21 Deputy J.A. Hilton of St. Helier:**

Today we are debating the location of the proposed Energy from Waste Plant and I would just like to bring it back to that because lots of people have spoken today about lots of different things, but I do believe that the debate on what the Energy from Waste Plant is and our recycling targets are is for another day. I just wanted to bring it back to the location of the Energy from Waste Plant. Now, I listened very carefully to what the Constable of St. Helier said this morning and ultimately he has to make a decision today. He is either going to support the Transport and Technical Services Minister and support the Energy from Waste Plant being relocated to La Collette or he is not going to. I listened with great interest when he spoke about traffic emissions and the effect on the residents of the Havre des Pas area and I thought, how ironic it is that we come back yet again to the effects on the Havre des Pas residents when he seems to forget that the thousands of residents of First Tower have been putting up with the emissions of hundreds and hundreds of heavy lorry movement every day for the last I do not how many decades. Surely that has to be cause for concern - lorry movements that are going through a heavily populated residential area. Now, one of the points I wanted to make was that, currently, I am assuming that lorries carrying waste coming from the north of the Island would come around the Ring Road, down Gloucester Street and then turn right along Victoria Avenue to First Tower and then through a residential estate up to Bellozanne. I am presuming that those lorries coming from the north, if the proposed plant was sited at La Collette, would simply turn left at La Collette, at the bottom of Gloucester Street, and travel along under the underpass and along Commercial Buildings into the La Collette site. There is nowhere between the bottom of Gloucester and La Collette, following that route from the north, that is going to take those vehicles through a heavily populated residential area. So this business of Havre des Pas residents being concerned about traffic emissions, they just simply are not going to be affected by it. Vehicles coming from the east will come along from the east; they will come along La Route du Fort and back. There is no reason at all why they cannot come down through the tunnel and turn immediately left into La Collette. Likewise, heavy lorries travelling from the west, instead of turning off at First Tower, will continue into St. Helier and on to La Collette. So, to me, we have had all the arguments about the savings, the tower and everything else, to me the argument really comes

down to the quality of life for the residents in the area and it is my belief that the quality of life for the people at First Tower will obviously be greatly enhanced if this plant is moved to La Collette.

**1.1.22 Senator F.H. Walker (The Chief Minister):**

We have been told that we need to put environmental considerations at the top of the agenda and I could not possibly disagree with that, but there are other environmental considerations other than the RAMSAR site. I am not in any way diminishing the importance of the RAMSAR site, but other environmental considerations do hinge around the emissions. Whatever figures we have heard quoted, the fact is that the emissions from the existing plant are way above EU standards and it would have been shut down, as Senator Syvret said, a number of years ago had we been committed to meeting those same standards. We also have, as we have seen recently, a build-up of rubbish at Bellozanne because the plant simply cannot cope with the input at this point and we do have the serious risk of the plant breaking down. So, if that is not an environmental consideration, top of the agenda, I really do not know what is. The Constable of St. Ouen said we have to stop passing the parcel. The Constable of St. Helier said that the international community would look at us askance, or words to that effect, if we invested in Energy from Waste or, as he called it, an incinerator, but why is the price going up? Why is the price of Energy from Waste plants going up? It is going up because of demand from other countries around the world, including, of course, Europe. So I think to suggest that we would be out of favour with the international community simply does not stack up. The Constable also said that there may be a better place than La Collette for a light industrial site. Well, I think it is much too late to be asking that question. We have been working on the basis that La Collette is going to be a light industrial site for as long as I can remember and, I think, since La Collette was first approved. We cannot now, again, just say, "Well, there may be a better site" without having any idea where it may be. It just does not seem to me also to stack up. Although it is not strictly relevant to this debate, a number of speakers have queried the currently planned size of the Energy from Waste plants. I think we should take comfort from that because what we have at the moment in terms of visual impact, capacity and so on is, if you like, the worst case scenario where planning and the drawings have indicated the biggest possible plant that could go on that site. Now, if we can do even better than the new targets for recycling - and I would be one of those who would be pressing for us to be recycling as much as we possibly can - and diminish the tonnage going through the Energy from Waste, fantastic, but we will still need a plant. At the end of the day, we will still need a plant to manage the bulk of our waste, the residual. Now, if it could be smaller than the one currently predicted and the one shown in the plans, fantastic. We win all round. But anyone who suggests that we are not going to need a plant at the end of the day is just, I am afraid, way off beam. The evidence does clearly now support the fact that La Collette is the best location for this plant, but I have to say I agree entirely with Senator Perchard that we do need, and need quickly, a master plan for the entire area which includes the traffic scenario, which includes uses for Commercial Buildings, the old harbour, et cetera. I think that is desperately needed and I personally will be pushing hard to see it come through, but at the end of the day, it seems to me very clear we are going to need a plant of some size, possibly as is being predicted. If not, that is a bonus but we are, at the end of the day, come what may, going to need a plant and it has to go somewhere and it seems to me very clear that the evidence is that La Collette is easily the better option.

**1.1.23 Deputy C.J. Scott Warren:**



Sir, on a point of clarification, I believe the Constable of St. Helier meant that the international community would look down on us because it was by a RAMSAR site not because it might be an incinerator.

**1.1.24 Senator T.J. Le Main:**

Sir, I propose that after one hour we halt the debate. I have allowed an hour and I would like now to propose that the debate be closed.

**Greffier of the States (in the Chair):**

Yes. You gave notice at 10.38 a.m. you required 30 minutes, so you have actually given longer than you require. Is that proposition seconded? Now I believe it is not appropriate for me to refuse the proposition, I do not believe it is an abuse of procedure.

**Senator T.J. Le Main:**

Ca we have an appel, Sir?

**Greffier of the States (in the Chair):**

As the proposition is made with slightly short notice, I will allow Members to return from the precincts for the vote. Now, Senator Le Main has proposed that the debate be closed to allow the Minister to sum up and the vote be taken and the Greffier will open the voting. Have all the Members who wish to vote done so? The Greffier will close the voting. The proposition has been adopted; 21 votes cast in favour, 19 against.

**POUR: 21**

Senator L. Norman  
Senator F.H. Walker  
Senator T.A. Le Sueur  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator B.E. Shenton  
Senator F.E. Cohen  
Connétable of St. Saviour  
Connétable of St. Mary  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Connétable of St. Brelade  
Deputy R.G. Le Hérisier (S)  
Deputy J.B. Fox (H)  
Deputy P.J.D. Ryan (H)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy of St. John

**CONTRE: 19**

Senator P.F. Routier  
Senator J.L. Perchard  
Connétable of St. Clement  
Connétable of St. Helier  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy G.W.J. de Faye (H)  
Deputy P.V.F. Le Claire (H)  
Deputy D.W. Mezbourian (L)  
Deputy S.S.P.A. Power (B)  
Deputy A.J.H. Maclean (H)  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

**ABSTAIN: 0**

**Greffier of the States (in the Chair):**

I call on the Minister to reply.

**1.1.25 Deputy G.W.J. de Faye:**

If I may start briefly on a lighter note, some Members may have been following this particular debate via broadcasts from BBC Radio Jersey where, somewhat to my surprise, I have discovered that Senator Cohen appears to have been making announcements on my behalf. I think this is a case of mistaken identity rather than the Senator attempting to usurp my authority in some way. On the other hand, it may be an effect of sitting next to Senator Ozouf for so long. **[Laughter]** To go back to summing up, I do have to say it is personally frustrating, given, I think, the very substantial body of evidence that has been presented, starting with the waste strategy and moving on, environmental impact assessments that have been provided to Members and presentations made, to still hear that somehow the case has not been put. I do find it rather hard to take, and particularly when quite a number of the speeches, I am afraid, were themselves laden with speculation and assertion and alleged and purported facts that, I am afraid, are simply wrong. I hope Members will forgive me if I simply do not address each speech one by one trying to put matters right. Senator Routier was concerned about talk about road widening in Green Street. Actually, though, the motorway will be going up Rope Walk, Senator. **[Laughter]** Perhaps you can calm the Senator down. Yes, that was a joke. As far as I am aware, certainly my department and myself have not been contemplating road widening measures in Green Street, especially after spending years trying to calm the traffic down there. Now currently, of course, traffic will go past Commercial Buildings, but, as I think Members will be aware, as part of the East of Albert strategic planning process, a very long detailed assessment is going to be made about just what exactly is going to happen in the entire Commercial Buildings, La Collette I, La Collette II, Mount Bingham, South Hill zone. That is not simply relating to the location of an Energy from Waste Plant. That is because the whole of La Collette II is intended to be an industrial zone and, obviously, it will be developed over time and clearly over time that will create a different level of traffic to the amount of traffic using it now. So, this is not rocket science. This is planning that is already in hand and all these things are going to be considered in due course. Deputy Le Hérissier asked me if I would explain why the costs are going up £1 million every 3 months. Well, I did actually explain this. Maybe Deputy Le Hérissier was not in the Chamber at the time but I did indicate that this was a rounded figure and it is based on the fact that we had an overall costing for this type of works in 2001-ish. We now have latest estimates in 2004/2005-ish and the difference is £20 million. So, clearly as a rough rule of thumb guide, which is what I said it was, you do the mathematics and the costs are roughly going up £4 million a year which roughly equates to £1 million every 3 months. However, just to quantify that, our consultant at Babtie Fichtner has said that within its own experience of Energy from Waste Plants, the costs of the plants are going up by roughly 5 per cent per year. So, I think Members will realise that if we are now looking at the base cost of a plant of say around £60 million, 5 per cent on the plant alone is a significant figure. It may not be precisely £1 million every 3 months but I do not think the precise figure is the point. The point is that costs are going up and the longer we wait, the more the cost will be. I will not spend a lot of time explaining to Deputy Le Hérissier about the emission figures. It is quite detailed and he is very welcome to have an intensive session with my officer experts in this at a time of his choosing, but simply to say that the emission figures, based on emissions at the chimney, are measured in nanograms per cubic metre. Modelling of the emissions, in other words the maps that you see, use a different scale and they are based on femtograms per cubic metre and that may account for the potential confusion. Deputy Le Hérissier did sort of indicate, relating to the input of materials into the plant, is going to have an effect on the emissions coming out of the flue. Currently he is quite correct about that. That is the case. However, the situation with any new plant, wherever it is located, is, of course, the addition of flue cleaning equipment. In other words, it actually will not matter what you put in the plant to burn because the cleaning equipment will take all of the problem out via this very, very low

level of emission that we are looking at of 0.1 of a fentogram overall. So, that in a sense, is not a particularly relevant argument. A new plant will of itself be much cleaner. So it will not make any difference what you put into it. However, having said that, yes, the department is doing what it can as fast as it can to take things out of the plant that we do not really wish to burn, but I am afraid it is not simply a matter that the Minister can go and snap his fingers at the officers and say, "I am issuing an instruction and it all happens next week." These things have to be planned. Those plans are in place and bit by bit we have already seen the first of the new recycling operations, pilot schemes. Starting in St. John, we are moving out more and more areas of recycling and, yes, we will soon get to the point where waste electricals and so on and so forth will no longer be going into the plant for burning. That is all being done but it just does not happen overnight.

**Deputy R.G. Le Hérissier:**

I wonder, Sir, if I could, my question was actually if certain major items were to be removed, for example television sets and computers, would that have a significant impact on the emissions coming from the current plant?

**Deputy G.W.J. de Faye:**

Yes, it would have an impact on the emissions. Yes, that is absolutely correct and that is why we want to be in a position to remove them. I was interested to listen to Deputy Ryan's speech because he moved from, at one point, landscape gardening to looking at La Collette II as a tourism asset, which I found a fascinating analysis. **[Laughter]** I should say to the Deputy that in my experience of arriving in Jersey by sea, particularly if I am coming from the United Kingdom, I am normally welcomed by the north coast cliffs, then treated to the visual experience of Corbiere Lighthouse and then I come round the southern bays and my attention is, in fact, drawn to Elizabeth Castle as I come in. That is assuming I have not been ordered down into the hull to go and stand by my car. I really do not buy this argument that putting another large industrial plant next to an already enormous industrial plant is somehow going to destroy the beautiful magical gateway to the Port of St. Helier. It just does not stack up, I am afraid, as a concept. Similarly, there seems to be amongst some Members, a failure to appreciate that we have a working harbour down there. It is not all sort of happy marine leisure boating. It is a fully functional commercial port and if a fully functional commercial port is not an industrial zone, I do not know what is. It must be obvious to anyone that you must expect serious industrial facilities somewhere near a port. Deputy Scott Warren did raise her shared concern clearly with Deputy Le Hérissier about tyres and television sets being burned and, as I say, that is a matter that we are addressing. As I say, things cannot be done overnight. I was interested in the comments made by the Deputy of St. Peter on the fuel farm. It is an area of his expertise, I know, and I think was probably addressed by Senator Kinnard, the Minister for Home Affairs. However, I will make comment on it because frankly if I had considered this was to be a major risk element I would have brought it forward and made a point of it. I have done my own reading of the Buncefield Report and the assorted assessments we have had from it so far, which are interesting and relate to things like remote control valves perhaps not shutting down in an 'off' position but sometimes shutting down in an 'on' position. You know there is major work going on here but I think there are a number of points worth considering. The scale of the Buncefield site is of a very dramatically different order to the fuel farm. There are no existing problems whatsoever about locating an industrial plant down there. The Deputy was quite right, the EfW plant would be in Zone 3, and Zone 3 actually only restricts buildings like hospitals where you may have major difficulty in trying to evacuate large numbers of people in the event of some very serious emergency. I think it is only worth making 2 brief comments on this. No, we do not yet know

the final outcome of the Buncefield Report because it simply has not been published. All the available expert evidence - and I have asked and we have had interdepartmental discussions on this subject - is that it is a very, very remote outside chance of anything emerging from the Buncefield Report that will have an impact on Jersey and its approach to the fuel farm. If something did emerge, such as increasing the hazard perimeters, then it would not simply affect this site. It would affect the power station. It would affect the existing warehousing and it would affect everything down there. So we would find ourselves in a completely different level of debate and the solution, in fact, would not be you do not develop down at La Collette I and II. The solution is, in fact, most likely to be, under those remote circumstances, we would have to relocate the fuel farm. So I hope that deals with that.

**The Deputy of St. Peter:**

Can I just ask for a point of clarification, if I may? Is the Minister saying that he will have an independent review of the safety management and the COMAH site on site?

**Deputy G.W.J. de Faye:**

I think the Minister is saying he has already had an independent review and will continue to monitor the situation. Clearly, when the Buncefield report is out, we will independently review it. I think that goes without saying. It will be a responsible thing to do.

**Deputy P.V.F. Le Claire:**

Could I ask the Minister if he has spoken yet with the Fire Chief about these issues?

**Deputy G.W.J. de Faye:**

Not personally but the Fire Chief has been involved in the discussions so far.

**Deputy P.V.F. Le Claire:**

Did the Minister not undertake to do so? In questions in relation to this matter a few weeks ago, to me personally he undertook to speak to the Fire Chief.

**Deputy G.W.J. de Faye:**

I do not think I said I would speak personally to the Fire Chief but I certainly undertook to communicate with him, indeed.

**Deputy C.J. Scott Warren:**

Sir, can I have some clarification about whether there has or has not been an independent report done because it seems to be one minute it is being said there is an independent report and another minute there will be.

**Deputy G.W.J. de Faye:**

I have said nothing about a report. I have said that independent assessments have already been made on the basis of interdepartmental discussions. However, the facts are clear. We are looking at a remote possibility of anything changing and, under those circumstances, I do not think it is worth dwelling on the issue more than it deserves. The Constable of St. Brelade I do wish to answer. He was concerned about the allocation of space for marine leisure. The reality is that that space as allocated already in the original designs for La Collette II is not going to be affected. In actual fact, the location of the plant that Members will be aware of does intrude close to the edge of the site where the site effectively has a dip into it on the map. As I understand it, the reason that dip is there was because that was where a possible roadway was going to enter into the La Collette site from the Havre des Pas direction. I would suggest, and

particularly to the representatives of the Havre des Pas area, that the fact that we are now going to be building an EfW plant very close to that particular section of the site very much reduces the likelihood of a large road being built along the sea wall and entering the site at that particular location. I would also just like to scotch the rumours that there is an intention to build out at that area. The fact is that when my officers were questioned on this matter they said, and I think clearly at the time, this was a possibility that the States might wish to consider at some time in the future. The possibility of extending the site there would not be a cheap thing to do in real terms but it would be so that the size of the hill could be extended and raised, but that is not currently part of the planning. Deputy Duhamel said we need a master plan for the area. Of course we do and we will be having one. It will come in as part of the East of Albert strategy. He also had some concerns about eating into the leisure area but I believe I have already addressed those. But I do need to pick up the Deputy on a couple of issues. He did imply that we were claiming to be processing, I believe, 95,000 tonnes and, in fact, he then quoted the figures that in fact we were processing around 75,000 tonnes, so what was going on? Well, the explanation is that the 95,000-tonne figure is the total amount of waste, and recyclables are taken out. We are doing this already and that is why the residual amount of waste left for incineration at Bellozanne is that smaller figure. So, I think it is important to understand the difference between the 2. Just whilst I am going through these brief notes I made, in response to the Deputy of St. John, yes, we have taken into account the recycling measures that are taking place in St. John and all the other parishes and they all will contribute to the 32 per cent target that we aiming at and I will come on to that in detail at a later stage. Also in respect of Guernsey, and I know the Deputy is interested in Guernsey, the fact is - and I hope I did make this clear in my initial speech and if not I will make it clear again - I did say that Guernsey was only a possibility and if Members recall I said that is why you should only give it a half tick in the box. It may not happen and we are aware that Guernsey up to now have indicated that, no, they do not want to ship their waste to Jersey. But nevertheless they will run out of landfill. They will not have built an Energy from Waste Plant or an incinerator or any other on-Island project to deal with their waste for some time and they will be, and have been, in discussion with various bodies in France about shipping their waste to France. The only reason that I do raise this as a possibility is that, at this stage, I am not at all convinced that Guernsey have agreed on shipping waste to France and I am not at all sure that approval is there. On one of my more recent visits to meet with my Normandy counterparts at a municipal level, I picked up the distinct impression that the French were concerned about their own landfill problems and, when they had not enough landfill for their use, they did not appear to be very enthusiastic about allowing anyone else to come and tip their rubbish in as well. So I think there is a substantial question mark over what Guernsey is going to do over the next few years but, as I say, I only said that is a possibility. Nevertheless, let us think about the location. If that was to come to pass, if the plant is at La Collette, it would clearly be a very easy thing to accommodate. Similarly, I should point out for those of the Members who are more green and enthusiastic about shipping recyclables and reused products out of the Island, it again makes sense to have a reuse and recycling facility down by the docks, which is the long-term plan. So, I do not think some Members can have it both ways. Deputy Le Claire is, I think, in a state of some confusion about RAMSAR. As I have already said, the site is not in a RAMSAR area but it is - I agree with the Deputy, I think this was the point we finally got to - adjacent to the RAMSAR area. In respect of the use of sea water for cooling, when the RAMSAR site was originally considered there was special arrangements and understanding with the Jersey Electricity Company, that used sea water cooling facilities for the power station, that they would be allowed to carry on that practice and they are effectively licensed for a very substantial amount of sea water usage for cooling. All that would happen is that an Energy for Waste Plant alongside the existing power station

would be able to tap into that usage. The levels of usage would be a very small percentage compared to what the licensing agreement is in place for.

**Deputy P.V.F. Le Claire:**

Would the Minister not take on board my point, which I have made on several occasions, that it was during his department's presentation that it was quite clearly made known to Members that consideration could be given to extending the reclamation site into the RAMSAR site as well and that was a factor that was presented by his department to States Members?

**Deputy G.W.J. de Faye:**

Well, I do not know if the Deputy was not listening to me about 5 minutes ago, as, I did address that point in some detail, but I am happy to address it again. Yes, my officers did say it was a possibility but I think they said at the same time that would be something that the States would have to consider in the future and it is not part of the current plans. Now, the other area which I think I would wish to give comfort to Deputy Le Claire on is this idea about the potential pollution problem. The Deputy will recall, I am sure, the diagrams of the emission fallout that are contained in this document and clearly the net result of having a new plant, irrespective of whether it is at Bellozanne or La Collette, is that the levels of emissions falling on to the RAMSAR site will be dramatically reduced by a very, very substantial margin. So I really do not see that there will be some difficulty at an international convention level. What is going on is that we are finally fulfilling our responsibilities in terms of environmental concern, shutting down a horrible plant that is dishing out emissions above EU levels and replacing it with one which will be effectively clean, with levels of emission that fall way, way, way below normal background levels. In fact, it will be the point in time where, if we are looking to air quality, we will start turning around and taking I think a much bigger look at car exhaust emissions which will be one of the next major pollutant issues for the Island to deal with. The Deputy of St. John did ask whether there would be a difference in the timing of the construction if we go to Bellozanne or La Collette. Yes, there will. I would not wish to make it a strong debating point, quite frankly, as one reason why you should go one way or the other but it would be in the order of perhaps 4 to 6 months' extra preliminary work at Bellozanne because of the requirement to shift the refuse handling plant that is currently sited there to another location. But, as I say, I do not think that is a particularly major issue. Now, I think there was a suggestion that the department should somehow be able to press ahead with the tendering process without this requirement to decide where the plant is going to go. I regret that just in terms of large civil engineering projects it simply is not possible. I think Deputy Huet touched upon this. It is like asking someone to build a house for you but not telling them where to put it. These projects are looked at and tendered for on a top to bottom basis and, in many respects, sometimes the foundations of these buildings are some of the most important elements that go into it. That is why it is absolutely critical that we make a decision on where all this is going to go. Now, I would just very briefly sum up on what I think the key issues for Members to bear in mind are between these 2 sites. There is the cost. I do not think this is a major consideration in real terms as a one-off payment. It is about £1 million difference between the 2. However, as I have indicated, there are ongoing potential benefits to be realised by siting the plant next to La Collette because of the synergies that may well be achieved following discussions with the Jersey Electricity Company. Air quality and so forth will be improved radically on either site because the very feature of having a new plant will make enormous difference to the emissions coming from the chimney. There is a slight variation in terms of the construction works and the enabling works as I have just indicated. The siting at Bellozanne will delay the process marginally as we have to relocate the current refuse handling plant. That is not a problem at La Collette. Similarly, the actual

work of construction will be constrained by the fact that Bellozanne is a small narrow valley and you will have to have large trucks going in and out hauling the various construction elements in and out. Whereas at La Collette you have an enormous amount of space to play and construction is likely to be enhanced and made very easy down there. In terms of Energy from Waste, I know the Connétable of St. Helier is a man of letters and he was talking about an incinerator and an Energy from Waste Plant. Well, there is a difference. An incinerator by itself is just a furnace that burns stuff. An Energy from Waste Plant is an incinerator with a boiler attached that produces steam and runs it through a turbine to produce electricity. That is the difference. An Energy from Waste Plant is not just an incinerator. It is doing something else as well and, of course, it does make an awful lot of sense to locate something that is effectively an industrial electric power plant next to an existing industrial electric power plant such as the JEC. The ability to do that is very easy at La Collette. Up at Bellozanne we would have to be paying a very substantial amount of money to put in new cabling. I will not dwell on Guernsey any more. I have discussed the potential synergies of JEC. Use of the chimney; the Island loses one and effectively we use one already in existence. There is the cooling water advantage, as well as joint use of things like oil tanks and workshops. I do not think noise is going to be a big problem for the plant either way because it will be a more modern plant. However, the La Collette site, as I wish to emphasise, is about as far away from the residents in Jersey as an industrial site could possibly be. Obviously, you rule out the ludicrous examples of on the headland of Grosnez, sites of special scenic interest and beauty. It is a long way from the nearest house. I think we all have our own views on the traffic, but the Department assessments - and you can either take the word of the experts at the Department or not - show a marginal impact on peak-time congestion. However, this has to be contrasted with the flows of traffic that are going through First Tower area, a heavily built up residential zone with a school, and is that really a place to continue having heavy traffic passing through for another 25 to 30 years. I suggest this is a strong element in favour of a location down at La Collette, which I think we have all established is an industrial site. Finally, yes, there will be a visual impact. No one is denying that. That is the advantage of Bellozanne. You can hide it and you can pretend there is no such thing as a waste disposal problem because you cannot see it, other than a chimney sticking out at one end of the valley. Of course there is a visual impact but is it a significant one? I am not that convinced when the argument is simply, well, you are removing the current view of the fuel farm and replacing it with a building; when the surrounding buildings are all massive warehouses and, most significantly, the major impact currently down at the site is the enormous JEC Power Station and its chimney. So, Members will have their own view on the aesthetics but it is my proposition as amended, and I am grateful for Deputy Duhamel's amendment. I move the proposition, Sir.

**The Connétable of St. Helier:**

I did ask a specific question; I wonder if the Minister could answer it. I asked him whether he would be taking steps to address the current traffic pollution levels in Bellozanne valley from exhaust emissions.

**Deputy G.W.J. de Faye:**

Well, I do not really know how to answer that, Sir. It seems to be a very specific question located to a specific area. I think I would have to say, no, I am not doing anything immediately. I am not quite sure what the Constable has in mind, whether he wants me to put bans on commercial vehicles of some sort, but I would be very happy to discuss what ideas he has on it at another time.

### **1.1.26 The Bailiff:**

Very well. Well, I ask all Members who wish to vote on this proposition to return to their seats and I will ask the Greffier to open the voting. I will ask the Greffier to close the poll and I can announce that the proposition has been carried; 32 votes were cast in favour, 13 votes against and there was one abstention.

#### **POUR: 32**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy of Grouville  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy A.J.H. Maclean (H)  
Deputy of St. John  
Deputy of St. Mary

#### **CONTRE: 13**

Senator B.E. Shenton  
Connétable of St. Mary  
Connétable of St. Helier  
Connétable of St. Brelade  
Deputy R.C. Duhamel (S)  
Deputy C.J. Scott Warren (S)  
Deputy G.P. Southern (H)  
Deputy P.J.D. Ryan (H)  
Deputy of St. Peter  
Deputy P.V.F. Le Claire (H)  
Deputy D.W. Mezbourian (L)  
Deputy S.S.P.A. Power (B)  
Deputy I.J. Gorst (C)

#### **ABSTAIN: 1**

Senator F.E. Cohen

### **The Bailiff:**

Members are asked to note that the Draft Companies Amendment (No. 8) (Jersey) Law 2005 (Appointed Day No. 2) Act has been lodged 'au Greffe' by the Minister for Economic Development. We come next to Projet 49, draft Non-Commercial Movement of Pet Animals (Jersey) Regulations 200- and I ask the Greffier to read the preamble.

## **1.2 Draft Non-Commercial Movement of the Animals (Jersey) Regulations 100-(P.441/2006)**

### **1.2.1. The Greffier of the States:**



Draft Non-Commercial Movement of Pet Animals (Jersey) Regulations 200-. The States in pursuance of Article 2 of the European Communities Legislation Implementation (Jersey) Law 1996 have made the following Regulations.

**1.2.2. Senator F.E. Cohen:**

For many years Jersey has maintained its rabies-free status by requiring a 6-month quarantine before permitting the import of any animal of a susceptible species. Advantages in vaccination practice now permit the importation of appropriately vaccinated and certified dogs, cats and ferrets. The details of the EU and UK regulations have changed and consequently Jersey needs to update its legislation to keep in step. The Non-Commercial Movement of Pet Animals (Jersey) Regulations provide for a new scheme to replace the pet travel scheme based on the European Communities legislation that came into force in 2004. There is little difference between the old and the new scheme. The main reason for the change is because the scheme is now governed by the EU and some provisions no longer need to be catered for locally. In addition, this new scheme applies to ferrets as well as cats and dogs and provides for animals to be imported by air as well as sea and for importation by sea no longer to be limited to the St. Malo route. There is a need to make the accompanying Order, the Draft Rabies Importation of Dogs, Cats and Other Mammals (Amendment No. 6) (Jersey) Order, which will make changes to the previous 1974 Order largely required by these Regulations. This Order can be made upon the adoption of the draft Regulations by the States. There are no financial or manpower implications for the States arising from these draft Regulations. As the proposed Regulation, in effect, enforces the EU regulation within Jersey as if part of the UK, only the requirements for identification, blood testing, tick and tape worm treatments and carrier require regulation. Therefore, this results in a simplification and efficiency in local legislation. I will seek to answer any questions Members may have and I propose the preamble.

**The Bailiff:**

What was formerly called the preamble as I wrongly asked the Minister to propose is now called the principles of the draft Regulations have been proposed. Are they seconded? **[Seconded]** Does any Member wish to speak on the principles of the draft?

**1.2.3 Senator M.E. Vibert:**

Only, Sir, to support and welcome this and to see that we might have a growth in international ferret racing in the future.

**1.2.4 Senator L. Norman:**

Sir, I wonder if the Minister could describe perhaps in some detail how one goes about micro-chipping a ferret. **[Laughter]**

**The Bailiff:**

I call upon the Minister to reply.

**1.2.5 Senator F.E. Cohen:**

I have no experience personally in dealing with micro-chipping ferrets but I can assure the Senator that the department have advised that ferrets are regularly chipped. **[Laughter]** I propose the principles.

**The Bailiff:**

I put the principles: those Members in favour of adopting them kindly show; those against. The principles are adopted. Now I must ask the Chairman of the Environment Scrutiny Panel whether he wishes to scrutinise the draft Regulations?

**1.2.6 Deputy R.C. Duhamel:**

I think we might be tempted into actually having a look at how you do chip a ferret but in practical terms, no.

**The Bailiff:**

Well, it is open therefore for the Minister to propose the Regulations. Do you wish to propose the Regulations en bloc?

**1.2.7 Senator F.E. Cohen:**

Sir, I am sure Members have familiarised themselves with the Regulations. I am happy to answer any questions Members may have and I do propose them en bloc.

**The Bailiff:**

The Regulations and Schedule are proposed and seconded? **[Seconded]** Does any Member wish to speak on any of the Regulations? I put the Regulations: those Members in favour of adopting them kindly show; those against. The Regulations are adopted in Second Reading and you move the Regulations in Third Reading, Minister?

**Senator F.E. Cohen:**

In Third Reading.

**The Bailiff:**

Seconded? **[Seconded]** Does any Member wish to speak on the Regulations in Third Reading? I put the Regulations: those Members in favour of adopting them kindly show; those against. The Regulations are adopted in Third Reading. Now we come to the last item of public business, unless perhaps as we have to discuss the last item of public business in camera, I wonder if Members might wish to deal with M before we go into camera? If so, perhaps I could ask the President of the PPC (Privileges and Procedures Committee) to propose the order of business.

## **ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**2. Connétable D.F. Gray of St. Clement:**

I would like to propose the items listed on the second Supplementary Order Paper under M with one change and 3 additions, Sir. The change is on the list for 4th July, item P.58, the income tax allowances relief and exemptions thresholds be transferred to the Order Paper for 18th July. That is the change. The 3 additions, Sir, are 2 to 18th July 2006, and that is the Rent Control Tribunal, Appointment of Members, P.80, the Draft Companies Amendment (No. 8), P.81, and to 12th September 2006, the Draft Electronic Communications Amendment, P.79. So, with those amendments and the change, I would like to propose the adoption, Sir.

**The Bailiff:**

Very well, the arrangement of business proposed and seconded. **[Seconded]** Does any Member wish to speak?

## **2.1 Senator T.A. Le Sueur (The Minister for Treasury and Resources):**

Yes, may I just say a few words about the deferral of the Income Tax Allowances Reliefs Proposition, P.58? There was a presentation scheduled to States Members this morning but clearly with the advent of States business that has been postponed until a future date and Members will be notified. The Chairman of the Corporate Affairs Scrutiny Panel has raised certain issues on this projet which we hope to debate in the interim and the date of 18th July 2006 is a tentative date pending the outcome of discussions with that panel.

### **The Bailiff:**

So, Projet 58 comes off 4th July 2006, Minister, yes, and goes tentatively on to 18th July 2006. Does any other Member wish to speak? Very well, could I assume therefore that Members are content with those arrangements?

## **3. RETIREMENT OF CONNETABLE OF ST. MARTIN**

### **3.1 Senator S. Syvret:**

I wondered, before we go into camera, it might be appropriate to say a few words about the Connétable of St. Martin who is, of course, with his parish today where there is an election for his successor. He has been the Connétable of St. Martin for 12 years and a very successful and popular Connétable he has been. He is one of those Members of the Assembly, Sir, who spoke rarely during debates but when he did he had something of relevance and importance to say and to contribute. I think the Assembly has appreciated his wisdom and sense of the Island's traditions and customs over the years and I think we will miss him, Sir, and I would hope that the Assembly would show their appreciation on this day for the work of the Connétable of St. Martin. **[Approbation]**

### **The Bailiff:**

Thank you, Senator.

## **4. PUBLIC BUSINESS (continued)**

### **4.1 Jersey Financial Services Commission – appointment of Commissioner (P.66/2006)**

#### **4.1.1 The Bailiff:**

Well, we now go into camera for the purpose of debating the last matter of public business and I ask the media to switch off the broadcasting. Perhaps I could ask the Greffier first of all to read the proposition?

#### **The Greffier of the States:**

The States are asked to decide whether they are of opinion, in pursuance of Article 3 of the Financial Services Commission (Jersey) Law 1998 to appoint Mr. John Campbell Boothman as the Commissioner of the Jersey Financial Services Commission with effect from 30th June 2006 to 30th June 2009.

#### **4.1.2 Deputy I.J. Gorst of St. Clement:**

Sorry, Sir, if I might just at this point declare an interest; however, I will be staying in the Chamber as the interest is neither direct nor financial. Thank you.

### **The Bailiff:**

Thank you.

**4.1.3 Deputy A.E. Pryke of Trinity:**

Sir, I wish to say that my son works for the Financial Services Commission.

**The Bailiff:**

I see, thank you. I ask the media to switch off the transmission and I call upon the Minister to propose the proposition.

**[Debate proceeds in camera]**

**The Bailiff:**

We are now in public session and I can put the proposition: those Members in favour of adopting the proposition of the Minister for Economic Development kindly show; those against. The proposition is adopted and that concludes the matters on the Order Paper.

**ADJOURNMENT**

**The Bailiff:**

We stand adjourned until 4th July 2006.