

# STATES OF JERSEY

## OFFICIAL REPORT

WEDNESDAY, 11th MARCH 2020

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[9:29]

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

**The Deputy Bailiff:**

Turning to the consolidated Order ...

**Senator I.J. Gorst:**

Sir, I wonder if just before we turn to the order of business, I would like to note that I am here and would have been able to take my Proposition had I maintained it, contrary to some comments in this Assembly yesterday. But, more importantly, Sir, I wonder if you could consider whether the tradition of a States Member being out of the Island on States business simply stands, or it is actually up to the Assembly who could indicate that even if that Member were out of the Island on States business, they were not out of the Island on States business. So, I think it is quite an important principle, which has always stood: a Member is simply out of the Island on States business and it is not for comment by the Assembly based on the fact. If that is to change, Sir, I wonder if you could give it some consideration and opine accordingly in due course.

**The Deputy Bailiff:**

Yes, I think the position is that there was some concern a few weeks ago that simply a bald statement that a Member was out of the Island on States business was insufficient and the Assembly was entitled to know on what business the Member in question was on, in general terms. That was a view with which I had some sympathy, but I made no ruling to that effect and it is really a matter for P.P.C. (Privileges and Procedures Committee) and the Assembly as a whole. But, currently, I am operating on the footing that there needs to be some indication as to the nature of the business that the Member in question is on before marking them away on States business, if that is helpful. If Members wish me to take a different approach, then, of course, I will, but there was a view that Members wanted to know the nature of the business that a Member in question was on when not in the Assembly.

**Senator I.J. Gorst:**

I appreciate that guidance. By the very nature of what this Assembly has asked me to do it should, I hope, be apparent, but if there is any doubt I can inform the Assembly that yesterday I was meeting, together with members of the Jersey London office, the association heads for the finance industry, together with U.K. (United Kingdom) parliamentarians, talking, as you would expect and representing Jersey.

**The Deputy Bailiff:**

Thank you.

**PUBLIC BUSINESS – resumption**

**1. Diversity Working Group (P.118/2019) - as amended**

**The Deputy Bailiff:**

The next matter on the Order Paper is the Diversity Working Group, lodged by Deputy Maçon of St. Saviour. Deputy, I note that there is an Amendment in your name. Do I take it you wish it to be read as amended?

**Deputy J.M. Maçon of St. Saviour:**

Yes, please, Sir.

**The Deputy Bailiff:**

Very well. I ask the Greffier to read the Proposition as amended.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion - (a) to request the Council of Ministers to provide the necessary officer assistance to the Diversity Forum to consider the development and options for implementation of policies which proactively encourage greater diversity (in respect of, for example, sexual orientation; race/nationality; class; disability; age and gender) in applicants wishing to sit on various States-owned, or funded, boards and arm's-length bodies; (b) to request the Council of Ministers to (i) examine the merits of creating associate board member positions on the boards of States' arm's-length bodies; (ii) examine the merits of creating work shadowing opportunities at a senior level in States' arm's-length bodies; (iii) take the necessary steps within the next 6 months to give effect to proposals for such associate board member and work shadowing opportunities; (c) to request the Council of Ministers to mandate the creation of a central website, within one year of the adoption of this Proposition, which contains relevant information for individuals seeking to serve on States-appointed boards, tribunals, panels and related bodies; (d) to request the Privileges and Procedures Committee to make available a programme of unconscious bias training for States Members within the next 6 months; (e) to request the Chief Minister to examine within the next 6 months whether it should be mandatory for all Ministers and Assistant Ministers to undertake unconscious bias training.

**1.1 Deputy J.M. Maçon:**

Why have I brought this Proposition today? As we know, when we go through the various appointments within this Assembly, often it is raised about possibly seeing the same old faces, going through the motions and arriving on these positions on boards and the concern from States Members about the need for different perspectives on these boards. But, of course, the practical question is: well, how do we do that? How can we get people there? So, under my Proposition, I will start with a kind of a simple solution. As we know, information and knowledge is power, so one simple thing which I think we should be doing, which I believe is being worked on, is all the information about the terms of reference, the roles of the various boards and bodies, what the individuals actually do, really should be all simply based on one website page, where individuals who are interested in applying for these positions can go to. The information is there, but in our system you have to hunt around and try and find exactly when a term of office expires, all those types of things. So, for example, if you wanted to put yourself forward, because maybe you have had a very good career in the finance industry and you think: "I can contribute to be some financial person on the board of Andium" but where do you go in order to understand how you even begin to apply for those types of positions? So, the first thing I am asking for is that type of information, as explained in my report, to be established and I would hope that that would be a fairly uncontroversial thing. But that assumes that, for example, everyone is comfortable in putting themselves forward for these positions and, of course, we know sometimes ... so, first of all, I just want to say to those people who have already put themselves forward to boards, thank you very much. We do need those people. It is not always easy attracting some people to these positions, so this is not to in any way attack those people who have put themselves forward, but it is asking and questioning the process about how we can attract other people and perhaps a wider diversity into those positions. So, having a conversation with Dame Janet [Paraskeva] from the Appointments Commission, talking about what other jurisdictions do, one solution, that other jurisdictions look at, are things like associate board membership opportunities, which effectively are almost like training positions. So, for example, when the job description goes out for these positions, you might meet 4 of the 5 things. There is an argument, say, with women - but not just women, with other people - women might go: "Well, I only meet 4 out of the 5 criteria, I am not going to put the application in." Whereas a man might go: "Well, I only meet 4 of the 5, but I am going to blag the fifth one" and, therefore, you get more applications from men and you can only choose from the people that apply. So, the idea is if we know there is reluctance within the

system ... not just with women, but perhaps the bigger concern I have on these boards is class. For me, it is a bigger concern about the representation on these types of boards, but again it is about how we create the pathways perhaps for those people, to give them a bit more courage and a bit more confidence in order to get there, not only to gain the skills, but I think in these types of positions what is very important is also the exposure. It is that networking opportunity, as well. So, I would envisage that the associate board positions, for example, would be a slightly smaller term compared to the other positions, because it is that opportunity for training, for development and for exposure. Again, they can be tweaked in order to encourage certain under-represented aspects. Because I did consider whether we should just be looking at a full on quota system and slam these things into boards, but, of course, there are pros and cons with doing that. One of the disadvantages, of course, is maybe selecting, while good candidates, not necessarily the best candidates for these positions. So, again, with my Skills hat on, I thought: "How can we create a pathway?" I think considering looking at work shadowing, considering the associate board position options, is a pathway in which we can encourage individuals who not only may have the skills and the time but just give them that extra pathway into those positions. That is what I am asking the States Members to agree to today, because, as a backbencher, I cannot really take this forward. There does require a bit more work on it, but I cannot take it any further forward and so, if Members think that that would be a good way forward, it is then for the C.O.M. (Council of Ministers) to develop that proposal a bit further with the detail. The next element, of course, is looking at unconscious bias training and I just want to thank an individual of our community, who took me aside and gave me a presentation that they had received from Google, looking at the benefits of unconscious bias training. I know some Members have said: "Do we really need this?" and, of course, it is one of those catch-22 situations where you do not appreciate that you need unconscious bias training until you have done it, because that is the very nature of the subject. But what I would say to Members is Google and Apple, so these billion dollar companies, give their staff unconscious bias training.

[9:45]

So, if it was absolutely worthless and they did not think it was good, why are these billion dollar companies giving that type of training to their staff when they are selecting people to go on these types of things? Of course, it is partly to help Members with developing themselves, which I think is important, but also the second part, Members might ask: "Why have you specifically asked the Chief Minister to look at this for Ministers?" and I just want to talk about some of the things, which I have been doing in Education, where I think it might be good, it might be necessary. We know, for example, Members have said they might support people, choose people to go into various positions in employment, so that is important why it might be needed in that role. From the C.P.A. (Commonwealth Parliamentary Association), for example, we choose candidates to go away and represent the Island. We have just had a very good presentation from a young person last night, which was excellent to see from them, but again those types of things will inherently have biases within that. Again, when States Members make those types of decisions, we do need to be aware of what that is. But if I look more specifically at my role in Education, because the Minister has very kindly delegated me the responsibility of dealing with things like appeals and school placements and all those types of things, these are really important decisions for those individuals that go through those processes. While, of course, I make these decisions with the advice from Panel members, I also, for example, decide the bursaries that our students get for the Masters degrees, for the PhDs, but again when I am making those types of decisions, are they the best quality decisions that could be possible, because I have not had this type of training? So, it is not just for me, it is for future Members. That is why I think it is important to ask the Chief Minister to ask his Ministers to look at their role and go: "Could we do anything which would improve the quality of decision making that you, as States Members, are being asked to make?" I think definitely within the role in Education there is a good case for that. So, that is why I have asked for that to be done. It can be done on-Island. It partly can be done in-house, or with partner organisations, which is why I am going forward. So

then the last element is, of course, again ... and I thank Members for their contributions, because they said this kind of really fits best within the Diversity Forum envelope. I also thank the Chairman of the Diversity Forum who said: "Brilliant, you can be lead member of this now, Deputy Maçon", which, of course, I accepted. But the problem is, again, if you want to start looking at human resources practice, if you want to start looking at the relationship between the stakeholder bodies, again I feel that the Diversity Forum would benefit from having that type of expertise assisting them when developing proposals. So, what I am asking for is, again, officer support from the Council of Ministers in order to help the Diversity Forum look at how they can develop further proposals in this particular area. So, that is my Proposition and I hope someone will second it.

### **The Deputy Bailiff:**

Is the Proposition seconded? **[Seconded]** Does any Member wish to speak on the Proposition?

#### **1.1.1 Senator J.A.N. Le Fondré:**

Yes, really just to say that we are, of course, supportive of the fundamental principles behind this and when we get down to the detail there may be a couple of issues with technical stuff, but I think that is the point. Are we all behind the principles? I would hope everyone in this Assembly is. It is fair to say that Deputy Maçon was very helpful. He did consult with the People Services team before bringing this and, just to relay that back, it was very much appreciated because he did seek to communicate with them properly. They are of the view that this can be supported from within the existing budget, because there is a diversity role there starting shortly and that is recognising the importance of this work and that includes aiding P.P.C. with information and guidance, which hopefully deals with the officer support side. We do believe that the P.P.C. and S.E.B. (States Employment Board) agendas do complement each other in this area. All are committed to improving diversity and monitoring diversity and we obviously can work with the Jersey Appointments Commission, as well. There was an exercise done in the first half of 2019, which, from memory, was supported from one or 2 of the Members across the other side of this Chamber and that was analysing the gender composition of 80 arm's length bodies and their 592 members. On that, the gender balance, if we are talking about gender balance as one aspect of the debate, was 39 per cent female and 61 per cent male. Some boards did have some very limited female participation, but do not forget diversity is not just about gender. There are various organisations where this has also come to the fore over the last few months and years, if that makes sense, such as the Institute of Directors, the Diversity Network and they are all working together to create a coalition to do more on the Island to remove inequality and barriers within our society. Members will be delighted to know that the Assistant Chief Minister, Connétable Buchanan - who unfortunately has just stepped out of the Chamber - signed up to the Institute of Directors equality and diversity principles yesterday, as one of over 60 organisations pledging to take this area very seriously. So, the short answer is we believe it complements, it joins up with the work from across the States, including the Gender Pay Gap Scrutiny Committee and we are content to support and work on this matter. I would emphasise on the principles there may be some technical things that we do not know about that cause a delay, or whatever it is, but for the fundamental principles it is the right thing to do, so we will be supporting ... well, certainly I will be supporting this Proposition.

#### **1.1.2 Deputy L.M.C. Doublet of St. Saviour:**

That is convenient, thank you. Yes, just very briefly I wanted to just say how pleased I am that Deputy Maçon has brought forward the ideas. It is, of course, part (a) of the Proposition which refers to some work that the Diversity Forum could do and, at the Forum itself, the members of the Forum were pleased to accept this work as being part of our remit. I am delighted to note that Deputy Maçon has volunteered to lead on this important piece of work and I look forward to working with him on it.

#### **1.1.3 Connétable K. Shenton-Stone of St. Martin:**

Until 10 minutes ago, I had no idea that I would be speaking on this, but I am delighted that Deputy Maçon has brought this Proposition forward. One of the written questions I asked this week was to ask what strategies, if any, are used by the Government of Jersey regarding neurodiversity, both internally within the public sector workforce and externally with Islanders, *et cetera*. We really do need unconscious bias training and we do need a more diverse Assembly and more diverse workforce. Google and Apple will be very advanced in giving presentations on this because, of course, the majority of Google and Apple's workforce will be neurodiverse, so I am really delighted to support this.

#### **1.1.4 Deputy R.J. Ward:**

I would like to say congratulations to Deputy Maçon for this. It is very important, diversity. I will quote Deputy Labey - I do not want to build his ego too much - when he said yesterday, diversity is being invited to the party, but inclusion is getting everyone to dance. I think there is another element to this. My only concern is the final bit that says: "To request the Chief Minister to examine, within the next 6 months, whether it should be mandatory for all Ministers and Assistant Ministers to undertake unconscious bias training." I would like to see more action there. I think it is necessary. I think it is necessary for all of us, because we live in a changing society and we need to be aware of the differences that we see in our society. All of us need to be aware of that and it is not something we should be fearful of. It is something we should embrace and we should encourage, so I just hope that it happens.

#### **1.1.5 Deputy L.B.E. Ash of St. Clement:**

Like the previous speaker, I welcome this and I think, as an Island, when we often desperately need people in positions, we are ridiculous if we do not embrace diversity. I would like to ask the Deputy, though, in that he says diversity of class. I would like to know his exact definition, if we look round this room, where we would place everyone in class. It is not always easy, so I would like to know his definition. It is obviously easy to see someone like Deputy Huelin as a solid, upper-class chap, but how the ...

#### **Deputy R.E. Huelin of St. Peter:**

I am not going to object to that. [Laughter]

#### **Deputy L.B.E. Ash:**

But I would be interested in exactly how he would wish to define that.

#### **1.1.6 Deputy M. Tadier of St. Brelade:**

I think this is welcome. Clearly, it is one of those issues where you do not know whether you have unconscious bias, because it is unconscious, so I am presuming that we do not need to undergo any psychotherapy, or any psychoanalysis, to unlock what is in the unconscious mind, although that may be one of the ways to find out where our unconscious bias lies. I hope this also deals with conscious bias, because I think that conscious bias exists and is prevalent. It could be argued that we have discrimination laws to deal with that, anyway, but I think it is much more offensive when somebody faces conscious bias and cannot do anything about it than unconscious bias, because at least one can make exceptions and understand that it does exist. So, it is good for Deputy Maçon to raise that. I would like to focus on 2 tangible examples that I have come across in my time of ... I do not know whether it is conscious, or unconscious bias, or it could be preconscious, I am not sure really. One example is that if you ask people, any right-minded person, should you be treated differently because of the way you look, so the colour of your skin, *et cetera*, you would get the answer: "No, of course you should not." That, of course, does not mean that there is not unconscious bias that exists and I think you can take that to another level where it is ... we like to think of ourselves as British and, therefore, having a sense of fair play, but in any society there exists a hierarchical system. So, we do value certain people higher than others and that comes across in our social interactions. Obviously,



some communities, even in the Commonwealth, it is quite obvious. They have caste systems, for example, in India where that is very pronounced, where you are an outcast if you come from certain castes and you are privileged if you come from other ones. But we nonetheless have the same thing that exists here in Jersey. There are the great and the good. There are sometimes the great and then there are also the good and those 2 Venn diagrams do not always ... they sometimes overlap and sometimes do not. So, the example I would give is if you saw somebody with a load of tattoos on their face and lots of piercings. I did an experiment a while ago and put something on social media saying: "If somebody turns up for a job interview and they have lots of piercings and they have tattoos and writing on their forehead, but not ostensibly offensive, it is just they have decided to decorate their face in a certain way, their hands and their arms are full of tattoos, should that person expect to get that job? Should they face any bias as opposed to the non-tattooed person who goes to apply for that same job?" How do we answer that? I think most right-minded people, we would hope politically correct speaking, would say: "No, they should get exactly the same treatment." But the response that you got on social media was completely different to that if you had made it about race and skin colour, which was intrinsic. They said: "Well, of course, it depends on the reputation of the company." So, if you have a customer facing role, if you are working, for example, I do not know, for the Chief Minister's Department on the front desk, or if you are working in a big, prestigious bank in the Island or whatever it is, then you have to project the right image for that company. So, of course, we are going to allow carveouts for that and that is not even just unconscious bias. That is actual conscious bias. The reason I raised that is because I was dealing with a very helpful individual - I will not name the organisation - but this was a forward-facing person, who helps out in a charitable institution, who had that particular profile that I have described. That individual was very helpful and did the job in a wonderful way and you could see that many people ... and I had to check myself as well and say: "Do I have any conscious, or unconscious, bias while dealing with this person?" who did it in an exemplary way. So, the appearance does not matter. In French, there is an expression which says: "*L'habit ne fait pas le moine*" the habit does not make the monk. So, we have an equivalent, which is do not judge a book by its cover. But we also have an expression, which is "clothes maketh the man", which means that it does matter what you look like. These are the complex issues that we deal with. Of course, these aphorisms arise in society, because there are those 2 competing interests. It is important to look the part and, in fact, we do judge people on what they look like. It is easy for a bloke. You can just turn up, stick on a nice suit, stick on a tie, make sure your shirt is ironed, put your hair back, you look the part. Of course, not the case for women. You have to have, like, the whole range of clothes in your wardrobe. Philosophy 1.0. But the second example I would like to use and then I will sit down and I will not name the particular organisation, but in a former life - because, of course, I am so old now - I used to work for Jersey Telecom. It was back in the days where there was not a mechanical operator switch where you put the wire in and out, but there was a digital equivalent of it. You had this screen in front of you.

[10:00]

You would have a call that would come in and then you could put the call out, whether it was a reversed charges call, or whether it was a call to the emergency services. So part of the job and it was a 24/7 rota system, calls would come in and then you would have to direct the call to the relevant emergency operator. As you can imagine, there were lots of false alarms. About probably 9 out of 10 of the calls that come into 999 are just people accidentally dialling in on their phones and there is no further action, you just note that a call came in. Sometimes it could be a child, who has picked up the phone and is playing with it and again you just talk to them. There are very serious incidents, but sometimes there are people just phoning the services for advice. I remember putting one call through and I will not say to which agency, but my experience was that ... because you would listen to the calls. You would have to be on the line in case something happened and you would have to make notes if this is an emergency situation. It was quite clear to me that people got a different reception when they called certain people, not all of them by any means, but depending what you sounded like

on the phone ... so this is not even seeing people, this is about listening to somebody's voice. You would get different treatment, audibly different and objectively discernible different treatment, by the way you spoke, whether you had a slight foreign accent, whether you had a northern accent, whether you came across as posh, because the inferences were drawn on your social background. If you spoke with the received pronunciation, you probably were not a troublemaker and, goodness knows that these individuals who field these calls must get all sorts of calls and it is difficult not to build up prejudices about the nature of society when you are dealing with some of the most difficult issues, I completely accept that. So, you know, these things really do go deep in our society and it is only when people point out things to you about how you behave. So, for example, when a female Member in this Assembly stands up to speak, as a man, do I give her the same attention that I would give to one of my male colleagues, irrespective of what her politics are? Those are the kind of questions that we need to be pointing the finger at. Because the old *cliché* is when you point one finger, there are 3 fingers pointing back to you. So, I do welcome this Proposition by Deputy Maçon, including the Amendment, because it really does give us an opportunity for self-reflection, not the kind of self-reflection we had yesterday, but the kind of worthwhile introspection that is good, that Socrates talked about, you know, a life worth living must be the life which is considered and which is self-reflective. So, let us all get on and support this, but it is not an easy thing to do.

### **The Deputy Bailiff:**

Deputy Young, was your light on?

#### **1.1.7 Deputy J.H. Young of St. Brelade:**

Yes, thank you. I was not planning to speak, but the discussion we have just had reminded me when I was previously a Deputy I made quite a *faux pas* in this Assembly because, just like other Members, we were appointing people to a lot of important bodies, dealing with public interest matters. I think I said at the time: "Why are we always appointing the same people, the same great and good?" I got absolutely hammered for that, because I caused offence. I had numerous phone calls from people all over, into lots of different bodies, saying they really took offence. So it shows my naivety, which I still have and, therefore, I am really pleased that we have another Member who comes forward with a much more sophisticated method of trying to get a way of eliminating this kind of unconscious bias. Now, I really enjoyed the last discussion, because I think the most difficult one is class. I obviously am not born in Jersey, I have been here 40 years, but I have formed the view over the years that Jersey is a less caste conscious society than the U.K., much less, it is much more a meritocracy, but there are other things that divide us. The test for me is about what opportunities in life children have and I am afraid, whether we like it or not, the life that you are born into, the school that you go to, those are the things that effectively dictate the opportunities you have, the economic opportunities and so on and education is the key. Thankfully, gone are the days when we ask people to put down what school they went to, whether you went to Victoria College, or what, you know, whether or not that matters. I just quote that as an example, rather than in any pejorative sense. But, nonetheless, there are these divisions in Jersey, so I very much praise the efforts here. I wish the working group good luck because, as Deputy Tadier spoke, these things, some of these, particularly the class issue, probably are deeply ingrained and they are about our whole life experience and so on. It is going to be really very difficult to do that, but nonetheless it is an important job and I support it.

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

I do feel that this Proposition should not dilute the fact that any person employed, or engaged, should be the right person for the job, whatever their agenda, or leanings, might be. That is really the bottom line, in my view. In addition, could I just ask the Deputy to confirm with regard to the second to last comment in the Amendment, have the arm's-length bodies been consulted? It seems to me that we may be committing them to costs, without them knowing about it.

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

Just briefly, just to indicate that it is all very easy to pick these, if you like, soft targets and appear on the surface as if we are doing something when actually very often we end up doing nothing. So, I will be saying, yes, very good sentiments and I am sure nobody - in Senator Ferguson's absence - will vote against the principle of this, but I will be looking over the coming months for action, rather than just nice words which say we are doing the right things, or we are showing the right feelings, but we are not actually doing anything about it. I would be far more happy with having something in front of me concrete on actual conscious discrimination in our society, rather than unconscious, because it is nebulous and it is difficult to pin down. We often do it and actually what we end up doing is nothing.

#### **1.1.10 The Deputy of St. Peter:**

Clearly, I will be supporting this and I like the word "consider" in the first paragraph. One thing I was very pleased is when Deputy Maçon mentioned the word "quotas" and I think he might confirm this, that he is not over keen on quotas. I think I will be very supportive of not being keen on quotas, if that makes any sense. Training, I am not averse to some training, whatsoever. I am very happy to do that. You never know what you do not know until you turn up and I will embrace that. However, I am concerned that there is a lot of training we all need, especially myself, in this quite extraordinary role that we have undertaken and we want to make sure that we are prioritising our training. I know the Minister for Children and Housing is very keen on training on corporate parenting, so I am just adding that as an example of the list of things that we need to do and the bandwidth we have to do that. However, I just want to be assured that the direction of travel, where we end up, that the people that we ultimately select for these roles - it is very much in support of the Constable of St. Brelade - regardless of sexual orientation, race, nationality, class, disability, age and gender, are ultimately the most talented individuals for those particular roles. That is the direction we need to end up by training and awareness, *et cetera*.

#### **1.1.11 Senator T.A. Vallois:**

I am grateful to Deputy Maçon for bringing this Proposition. It is always a pleasure to work with Deputy Maçon. He is an extremely productive and useful set of eyes as an Assistant Minister, specifically in Education and the work we are carrying out. I would just like to say that P.P.C. and States Employment Board agendas are complementing each other in terms of the work around diversity, but I stood on the basis of the speech from the Constable of St. Brelade and Deputy Southern. I completely agree that actions speak louder than words and we really do need to start showing that what we are saying we are meaning through actions. The Constable of St. Brelade talks about merit and, absolutely, somebody who obtains a role, whether that is on a board, or whether that is in a job, should obtain that through merit and ability and capability of doing that job. But I think that is why parts (d) and (e) of this Proposition are so important and even more important is having somebody within our People Services hub, who is focused on the diversity role working with both P.P.C. and the States Employment Board, because I do not think unconscious bias training is just for Ministers and Assistant Ministers, or States Members. There needs to be training done across all of our staff in the public sector because we, of course, delegate decision making to those senior levels of staff, as well. I am grateful for Deputy Maçon bringing this forward, but yes, we definitely have to start taking action with these types of things and showing people that what we are saying we actually mean.

#### **1.1.12 Deputy R. Labey of St. Helier:**

Just for the benefit of the Connétable of St. Brelade, the phrase "the right man for the job" or "the right person for the job" is the rationale, or excuse, most often given by those choosing an applicant in their own image, somebody who looks like them and it is really time that the Assembly got real and understood these things and stopped using those sorts of expressions, because it is really not up to speed with current thinking. So, that is the point of unconscious bias and training against it,

because as human beings we are predisposed to choose people who look like us and that is what we have to try and get out of the habit of.

**The Deputy Bailiff:**

Does any other Member wish to speak on the Proposition? If not, I call upon Deputy Maçon to reply.

**1.1.13 Deputy J.M. Maçon:**

I thank all Members who have contributed to this debate and just to thank all those Members who have been supportive. But to respond to the Constable of St. Martin and as someone who is dyslexic and dyspraxic, how could I forget to include neurodiversity specifically in this Proposition, but she is absolutely right. It is something which I am delighted to say there is more awareness of now. We have a young person within our community, who is working very hard to try and make Jersey one of the best neurodiverse places to be. Watch this space, because there is more to come, but I thank her for her contribution, she is absolutely right. Deputy Ash asked about class and I could have put in social economic status, but he is right, it at times can be a very difficult thing to define. As a backbencher, without having that type of resource behind me, I came to the point where I could not bring it forward, so that is why I am asking the Council of Ministers and their officers in order to work and define that and get a bit more clarity around that. I thank the Deputy of St. Brelade No. 1, Deputy Young. Those types of things can be very difficult to define and can be much more subtle and much more ingrained than necessarily we appreciate. So, there is more work to be done here. This is not a finished package. Let us say, it still requires... it is still a chunk of coal and needs to be turned into a diamond. Deputy Tadier made a very good point and it brought me back to my A-level psychology. I recall the Milgram study and I do not know if anyone is familiar with that one, but it is about how humans are primarily visual creatures and how visual cues make a huge difference in how we behave, just simply having someone in a lab coat telling you to continually shock someone. What this study demonstrates is that when you have people in authority, who look like they should be informing people how they should be going, does create a very powerful influence on behaviour. If you have the opportunity, it is a fascinating one. Look up the Milgram study. It is interesting. On that point, I remember a statistic. Whether it is a job, or a speech, or anything like that, I remember the statistics saying it is 70 per cent how you look, it is 20 per cent how you sound and it is 10 per cent what you actually say. That is what people take away from it. So, again, that is why we have to challenge these types of parameters that we operate in. Ultimately, I think it comes down to - Deputy Tadier and the Deputy of St. Peter - a very clear job description. It is about being absolutely clear in what skills and abilities are required from whatever candidate. When you have that clearly defined, that is how you can start. It helps tackling these types of issues. Yes, I did consider a quota system and I think we do not need to jump to that just yet, because the point I am trying to make is it is about increasing the applications. You cannot choose from a wider pool of people if you do not have the applications to choose from. That is what we have to do, because we do have people who fit into these categories of merit, but they are just not pushing themselves forward.

[10:15]

So, how can we get them to put themselves forward, which at times can be quite difficult? So, I thank the Deputy for his contribution. I am not looking to push a quota system, but it is about how we increase the pool of applicants, so we can choose, so we have those options in the first place. The Constable of St. Brelade did ask have I had the opportunity to go around and talk to all the States employees. No, I have not, but the safeguard in my Proposition is at the moment just to consider the feasibility because, again, the issues around how would they be paid, what would they be paid, how would it work, can we share these positions with, perhaps, some of the Social Security Tribunals, how would that work, that work needs to be thought of and thought through. So, that is why I have asked for the feasibility of it in the Proposition in the first place, so there is that safeguard within the Proposition itself. Deputy Southern, ever a ray of sunshine in this Assembly, talks about the

importance of not only unconscious bias training, but also about the ability of dealing with conscious bias, to which I say, well, my Proposition has been laid down. As always, I do not mind Amendment and the Deputy has time and is in the position that he has the ability to bring that Proposition. If he brings that Proposition, I will be the first to support it. He has an absolute ... **[Interruption]**. I absolutely agree with that point. I agree with his point and I agree with the point of Senator Vallois and I thank her for her kind words. It is almost like she chose me to be an Assistant Minister. Actions definitely speak louder than words and this is something which we have to grapple with and something we have to demonstrate and I agree with both Deputy Southern and Senator Vallois on that point. What I would say to Members is this is another good step down that road. I would ask Members to support this Proposition and I ask for the *appel*.

**The Deputy Bailiff:**

The *appel* has been called for.

**Deputy G.C. Guida of St. Lawrence:**

Sorry, Sir, are we voting for the Proposition, as amended?

**The Deputy Bailiff:**

Yes.

**Senator T.A. Vallois:**

Sir, may I raise the *défaut* on Senator Farnham, please?

**The Deputy Bailiff:**

Do Members agree the *défaut* should be raised on Senator Farnham? The *défaut* is raised on Senator Farnham. The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 42</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				

Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**Deputy J.M. Maçon:**

Can I thank Members for their support.

**2. Sustainable Transport Policy (P.128/2019)**

**The Deputy Bailiff:**

The next matter on the Order Paper is the Sustainable Transport Policy. Before we commence the debate, there are 2 Amendments which have not been lodged for the requisite time. In order for these Amendments to be considered, I understand that the proposer will be seeking the agreement of the Assembly to reduce the lodging period, in accordance with Standing Order 26(7). To remind Members, 26(7) says that the States may reduce a minimum lodging period for a Proposition if they are of the opinion that it is in the public interest to do so. The first Amendment on the Order Paper is that proposed by the Connétable of St. Helier. Connétable, do you wish to invite Members to agree to reduce the lodging period in relation to your Amendment?

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

Yes, please, Sir.

**The Deputy Bailiff:**

Is that Proposition seconded? [**Seconded**] Does any Member wish to speak?

**Deputy R.J. Ward:**

Sorry, with regards to the Amendment, I might be at the wrong time here, I am just trying to work out my question. I thought it was a 2 week lodging period and mine went in on the Wednesday, now it is Wednesday, so I thought it was no longer late.

**The Deputy Bailiff:**

We will come to yours in a moment. We are dealing with the Connétable of St. Helier's in the first instance. Does any Member wish to speak? Those in favour of reducing the lodging period in the case of the Connétable of St. Helier's Amendment kindly show.

**Deputy M. Tadier:**

Can we have the *appel*, please?

**The Deputy Bailiff:**

The *appel* has been called for. Members are invited to return to their seats. We are considering whether to agree that the lodging period should be reduced in relation to the Amendment lodged by the Connétable of St. Helier on 27th February in respect of the Sustainable Transport Policy. I invite the Greffier to open the voting.

<b>POUR: 37</b>	<b>CONTRE: 0</b>	<b>ABSTAIN: 0</b>
Senator L.J. Farnham		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Martin		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		
Deputy I. Gardiner (H)		

**The Deputy Bailiff:**

The second Amendment, in respect of which the lodging period needs to be reduced is that of Deputy Ward, because it indicates on the Order Paper that the 2 week period expires tomorrow, 12th March, and accordingly you also need to seek leave of the Assembly to reduce the lodging period in your case.

**Deputy R.J. Ward:**

Yes, sorry, I realise it is the end of the day, yes. I do, if I may, thank you.

**The Deputy Bailiff:**

Is that seconded? [**Seconded**] Does any Member wish to speak? All those Members in favour kindly show? Thank you very much. The lodging period is reduced in respect of that Amendment also. I invite the Greffier to now read the citation for the Proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion to receive the Sustainable Transport Policy for Jersey, as contained in appendices one and 2 to the report, and, specifically, to approve the supporting principles of the Sustainable Transport Policy for Jersey, as set out in chapter 8 of Appendix one to the report, A Framework for a Sustainable Transport System 2020-2030.

**2.1 Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):**

Before I start, there is an amend/amend to 128. Do I also need to raise 26(7) on that one, Sir?

**The Deputy Bailiff:**

No, you do not, because that is now in time.

**Deputy K.C. Lewis:**

Excellent, thank you, Sir. Jersey may only be 9 by 5, but being able to get around easily, affordably and in comfort is key to our individual and shared well-being. For decades, the best solution was the private car, which offered freedom, reliability and convenience. Public infrastructure and private development have all prioritised car use in their design and function. As we start the 2020s, we need to recognise that our car dominated transport system is no longer sustainable and not in the best interests of the Island's future. We have ever more cars on our Island year by year. The average size of cars is increasing and over a period where carbon emissions from energy generation, heating and other sources have fallen, emissions from transport have increased. This Assembly almost unanimously in May 2019 declared that there exists a climate emergency, likely to have profound effects in Jersey and I was delighted that the carbon neutral strategy was unanimously agreed in February. Over 30 per cent of the Island's greenhouse gas emissions come from road transport. We cannot agree that there is a climate emergency and be working towards carbon neutrality without having a fundamental rethink about transport. Sustainable transport can no longer be a fringe concern. Our entire transport system must be redesigned following the principles of sustainable well-being. This policy framework starts us on that road. Let me be clear. I recognise that this is just the start and that there is a lot more to do in developing this policy. I want to be ambitious on this and I want to oversee real improvements for Islanders. We have to recognise that to persuade Islanders and States Members that the fundamental changes needed to our infrastructure and to our everyday lives are not only crucial, but they will provide a positive contribution to our sustainable well-being, but requires research and strong evidence base. This will not be easy. We know from experience that everybody wants the carrots, but getting agreements on the sticks is always tricky. That is why I see this Sustainable Transport Policy very much as a living document. While it takes time and further work to strengthen and develop the policy, it is imperative that this does not delay us from making real improvements on the ground. That is why, on 31st December 2019, I lodged the Sustainable Transport Policy in 2 parts. These are A Framework for a Sustainable Transport System 2020-2030 and Sustainable Transport Strong Start Delivery Plan 2020. A Framework for a Sustainable Transport System 2020-2030 has been developed that outlines an approach to fundamentally rethink how we allocate space on our Island, how we fund our transport system and what we expect from it. It outlines a vision and supports decision making principles to achieve that vision. It proposes a programme of work in 2020 to carry out a rapid analysis of several big, strategic



transport planning questions that we have not currently had the answers to. How do we get people to make more active cycling and walking journeys? How do we improve the bus service to get more people using it for more journeys? How do we effectively and fairly manage car parking demand to support those that need to access the private vehicles, while encouraging more active travel and public transport use? How can we facilitate the decarbonisation of road transport to contribute to the long-term climate action plan and support the Island's carbon neutral aspirations? This work will allow us to produce the following plans in 2020 that will inform our longer term sustainable transport delivery plans for 2021 and 2030. These are an active travel plan, bus service development plan, a parking plan, a contribution to the long-term climate action plan. The Sustainable Transport Strong Start Delivery Plan 2020 outlines a programme of foundation work in 2020 to begin to achieve the aim of sustainable transport vision. Funding of this work has been agreed in the Government Plan 2020-2023 and will be delivered by Growth, Housing and Environment and Strategic Policy, Planning and Performance. In agreeing the Sustainable Transport Policy, the £1.55 million allocated in 2020 in the Government Plan from the Climate Emergency Fund for sustainable transport initiatives can be accessed. This represents a doubling of our current annual investment in sustainable transport and includes provision for the following initiatives. Schools: set up and subsidise a school shuttle bus operating across Town to the St. Saviour schools. Set up and run a walking bus operating across Town to the St. Saviour schools. Support bike-ability - that is cycling proficiency - training to school children. Delivery of infrastructure improvements. Upgrades to crossings to make cycling and walking routes to the new Les Quennevais School safer. Cycling: employ a cycling development officer, dedicated to developing the cycle infrastructure and promoting cycling. An evaluation of the previous e-bike scheme and, depending on the results of the review, establish and fund a new grant scheme to promote electric bike use. Install new covered cycle parking at 5 locations and install 5 village cycle parking units. Bus travel. Complimentary bus journeys for carers accompanying disabled concessionary cardholders. Infrastructure improvements to improve accessibility to 5 bus stops, shelters and kerbs. Install 7 new bus shelters and prepare an infrastructure design for priority bus lanes leaving Liberation Station. Supporting businesses running 2 sustainable transport workshops. Training events for small businesses. Production of a toolkit for businesses to establish workplace mobility strategies. Support commercial e-mobility trials, car clubs, e-bike hire through the reallocation of car park spaces and the provision, or adaption of infrastructure, that is bike parking.

[10:30]

Decarbonisation. Continue the Eco-Permit Scheme for discounted parking for electric vehicles. Supporting the J.E.C. (Jersey Electricity Company) to reach their target of 75 public charging points. Continue to increase the number of electric vehicle car priority spaces in car parks. Depending on the outcome of the feasibility study, design and initiative financial support for the switch to second generation biodiesel in the Government of Jersey fleets and the bus service. I would like to thank the Chamber of Commerce for their letter, which we all received. We have met with various Chamber Committees to discuss the Sustainable Transport Policy and have committed to continue to work in an open and engaged way with them throughout the further policy development of this work. I was also delighted to receive a letter of support from the Energy Forum and I would like to take this opportunity to thank the Energy Forum Chair and members whose feedback has been crucial in developing this policy. Members of this Assembly have received an open letter detailing their support and observations, which I am grateful for and draw your attention to it, if you have not had the opportunity to read it. The Forum comprises representatives from the energy industry, key business and sectorial groups including the Chamber of Commerce and a third sector including the Consumer Council. The Forum was originally constituted in 2014 to oversee the delivery of Pathway 2050, the Jersey agreed Energy Plan and they have widened their mandate to consider the climate emergency and decarbonisation agenda. As transport accounts for such a large proportion of both our energy use and carbon emissions, transport has been the key part of their remit and the opportunity to consult the highly experienced and knowledgeable members as the policy has been

developed has been invaluable. In conclusion, our dependence on the internal combustion engine is coming to a natural end. The well-being of our Island and future generations requires us to redesign our transport system and update our expectations on how we travel. This Sustainable Transport Policy provides us with a framework for this journey and a strong start in 2020. I would therefore like to encourage Members to give it support. I make the Proposition.

**The Deputy Bailiff:**

Is the Proposition seconded? **[Seconded]** Thank you.

**2.2 Sustainable Transport Policy (P.128/2019): Amendment (P.128/2019 Amd.) - as amended (P.128/2019 Amd.Amd.)**

There are 3 Amendments to the Proposition, the first of which has been lodged by the Connétable of St. Helier. Connétable, could I ask do you accept the Amendment to your Amendment by the Minister?

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

Yes, Sir.

**The Deputy Bailiff:**

Would you be content for the Amendment to be read as amended?

**The Connétable of St. Helier:**

Yes, Sir.

**The Deputy Bailiff:**

Are Members content with that? Thank you very much. I ask the Greffier to read the Proposition with the accepted Amendment.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of the opinion to approve the Sustainable Transport Vision, as set out in chapter 6 of Appendix one to the report A Framework for a Sustainable Transport System 2020-2030 and the supporting principles of the Sustainable Transport Policy, as set out in chapter 8 of Appendix one to the report and the decision making principles as set out in the table on page 26 of Appendix one to the report. Those principles I will now read as follows: “We will (1) recognise that fewer motor vehicle journeys will be good for Jersey, (2) conform with the Jersey mobility hierarchy, (3) improve transport options including parking for people with mobility impairment, (4) make walking and cycling more attractive, especially for travelling to school and commuting by providing safer routes, (5) invest in a better bus system that more people want to use and that is accessible to all and present a Bus Service Development Plan to the States for debate during the spring session 2021, (6) recognise and price fairly the social and environmental costs of private vehicle use and present a parking plan to the States for debate during the spring session 2021, (7) reduce the impact of vehicles on our landscape and create more space for people in St. Helier, (8) create public service and planning systems that reduce the need to travel, (9) discourage the use of petrol and diesel vehicles and encourage the use of zero emission vehicles to reduce pollution, (10) work with businesses that rely on road transport to support their efficient and safe use of the road network, their delivery and servicing needs and their uptake of alternative low carbon fuels.”

**2.2.1 The Connétable of St. Helier:**

As the Minister has accepted my Amendments, I do not propose to speak for very long, which I am sure will please Members. I just wanted to say a couple of things. First of all, I wanted to apologise to the Minister and his officers for the tone and the language in my report. If Members have read it,

they may have seen my frustration perhaps being portrayed in some of the language that I use and, indeed, when I wrote the report and the Amendments, I was feeling a great deal of frustration that I know other Members have felt about the lack of progress, particularly in terms of making walking and cycling safer in Jersey. We seem to have been very good at supporting the bus services. The bus service is, I think, in excellent shape. It is not there yet, but it has done fantastically well and so much attention has been paid to bus shelters and buses as if that is the silver bullet in terms of sorting out transport and attention paid to electric vehicles, as if that is a silver bullet. Where what we need to do is get more people walking and cycling, because that is good for the health and that, of course, reduces congestion at peak times. So I was, as I say, somewhat hot under the collar when I wrote my report, it was late at night and I do hope that I have not offended officers in the Department, in particular. I am sure the Minister has a very thick hide. How the Amendments came to be accepted, I just want to refer to, because I lodged these around 2 weeks ago. I lodged them in time, but they took a while to get progressed, because they are obviously quite wordy. I lodged them a couple of days before a meeting with the Regeneration Steering Group which was held on the 27th of last month and, at that meeting, I was - to use the words I used in an email to one of the officers - blown away by the scope of the concrete proposals that the Minister's Department is preparing to make walking and cycling in particular easier in the Town. I did feel the need to eat humble pie and we had a meeting with the Minister and his officers and apart from adjusting the timing of bringing forward the bus plan and the parking plan, the Minister expressed his willingness to accept my Amendments. He feels, I believe, that they make his policy stronger and certainly the Amendments have put the needs of disabled drivers right up at the top where they belong, they have put the needs of walkers and cyclists next and they have put buses after that. That important phrase in the amended Proposition: "We will conform to the Jersey mobility hierarchy", what that means is that when we spend money as a Government, we will spend it on the most needy people first. We will not spend it on the people who do not need it, which is kind of obvious. So I am expecting, notwithstanding the breakdown of the Minister's comments about how that money is going to be spent, the £1.5 million, I am expecting that money to be spent in conformity with a mobility hierarchy that does things in the right order. The other useful thing that came out of our meeting was that the Minister agreed with my suggestion that I and other interested backbenchers should work closely with him on delivering some of these policies and some of those schemes, particularly to make walking and cycling better. There is no point in us being at loggerheads. This has certainly happened in the past particularly where St. Helier is concerned with our disagreements with the Department about parking, for example, which we think is important for St. Helier and I think I stand to achieve more by working with the Minister and his officers, than by constantly lobbing bricks over the wall. So, with those words, I would like to commend the Amendments to the States. Thank you.

### **The Deputy Bailiff:**

Is the Amendment seconded? [**Seconded**] Thank you. Does any Member wish to speak on the Amendment?

### **2.2.2 Deputy K.C. Lewis:**

I would like to thank the Constable of St. Helier for his kind words and I look forward to a closer working relationship with the Constable. I have met with the Constable to discuss his Amendments and the points he makes are ones we share and the desire to work collaboratively to improve the Island's transport system. I feel his Amendments strengthen the transport policy and, in particular, I welcome the inclusion of the Sustainable Transport Vision for the States Assembly for approval and the broader supporting principles of the Sustainable Transport Policy. Regarding cycling and walking, I was recently with 2 officers in Holland researching cycling and it works extremely well in the Netherlands. Things changed in the 1970s. They had one particular year where they had, I believe, just under 1,500 fatalities on the road. Sadly, a very high proportion of those were children and people blocked the roads in demonstration and it was called Kinder Moord or Child Murder and

the Government listened and it coincided with one of the regular crisis that we had in the 1970s and the Middle East with fuel and the Dutch Government bit the bullet and said: “Right, let us do this” and installed cycle tracks all over the country and it is now a complete way of life in the Netherlands. There are people who complain about the weather in Jersey, but the weather in Holland is no better than ours. We do have more hills, but we have electric bikes that can take care of that. So, as I say, I was cycling down one street and 2 schools and a university exited and I was overtaken by 7,000 bikes. It was quite something to see. Going back to the Proposition, I was delighted that we could come to an agreement with the Constable of St. Helier and work together for the changes we have made to this Amendment. Thank you.

### **2.2.3 Deputy S.G. Luce of St. Martin:**

I rise to applaud the Constable of St. Helier, who has far more gumption than I have. I attended with very few States Members the presentation at the Town Hall where various glossy brochures were delivered to us and, at the time, I was flabbergasted. I had no words to describe how disappointed I was with the Minister’s policy. What an opportunity to really take us forward with a policy with some firm goals and decisions and I came away from that meeting thinking that I could not possibly support it. It needed to be stronger and it needed to have more vision and it needed to be much firmer and I cannot tell Members how underwhelmed I was. So, I take my hat off to the Constable, who has done maybe what I should have done, which was got up and made some Amendments and got them accepted and I say to the Minister: “If these Amendments have been accepted and it made the policy stronger, why did we not come out with a stronger policy in the first place?” There is so much goodwill in this Chamber, the Constable, Deputy Ward and others, to try to really get to move forward quickly on this - on walking and on cycling. Certainly, in my time as Minister, the Constable I hope would agree we tried our best to try to make progress on this issue and here was an opportunity to come along with some proper policy. I am afraid I still see, or hear, lots of fine words about plans to do things, plans to work this out and plans to think about how we might do this in the future. What I was really hoping for was some black and white decisions as to how we were going to do this exactly and where we were going to do it and which people were going to be affected, but I will happily support the Constable. I think he and I think very similarly on many issues and the way people move and use St. Helier, especially the areas about green open and amenity space, but, yes, I will vote very clearly in favour of these Amendments.

### **2.2.4 Deputy R.J. Ward:**

I have come up with an idea to deal with my thoughts on this and I am going to take a leaf out of the Constable’s book and I am going to use poetry. As a form of self therapy, I have written what I can only describe as a freeform poem, as the speeches have come out and I have read through this. So, I will go through it and please do not write any reviews on this, Constable. I know you are a skilled poet and a published poet indeed. So, this is what occurred to me as I read and listened today. I heard “review, plan, review, plan, bus shelter, crossing, school shuttle, walking bus, promoting, proposed, supporting, feasibility study, update, redesign, strong start.”

[10:45]

That is what I got from this and that is, to be quite frank, all there is. We have been here before and I know many of you may not have accepted my bus proposal, although it is a brilliant idea. A lovely idea and one might say, trying to get used to positive words, but we have been before and we had this conspiring before of: “Let us come up with some Amendments.” Amendment after Amendment and then: “Let us adopt those Amendments” and: “Let us go against the Amendments” at the end but we end up with a Sustainable Transport Policy, 6 months ago, 7 months ago. I do not know how many months ago. Ages ago. A significant part of the term of this Assembly, while we have declared a climate change emergency and I invite you all again to come and walk around the centre of St. Helier as the schools start, as the children are going to school and the secondary schools where all the cars

are arriving there and breathe the air and taste the air and what do we end up with from this Sustainable Transport Policy? A few empty promises. Bus shelters. Seven more bus shelters. Hooray, 7 more bus shelters and 5 upgrades of bus shelters. We must not miss those and more crossings, so that we can cross the road when we are walking. Do not worry about the danger for the children with so many cars and adults that are on that road, driving on roads that are too small for those cars now. Do not worry about that. We have cycling proficiency, so you know how you should be cycling on the roads, when you put yourself at risk, because of the massive amount of traffic on our roads. We have promises for walkways through the centre of Town. Why are we not acting? The missing word from my freeform poetry was “action” and that is the problem we have with this Sustainable Transport Policy. Genuine action. The notion of a strong start, I am sorry, is just a contradiction to the policy itself when you read it and I am left with a massive dilemma. I will come back later and I will say: “I have another Proposition, which I will try wholeheartedly to convince you of.” Of course I will, but whether we adopt that or not, what do we do? We are left with a really simple... we either vote for something that has very little in it where we say that that is our Sustainable Transport Policy and look people in the eye and say: “This is what we think a Sustainable Transport Policy is” and it is not, or we end up with nothing. We are classically between a rock and hard place and that is the worst part of this. The worst part of this is it puts this Assembly in a position where it has very little to vote for, but we believe we have done something and that is just so typical of what we are doing and one of the reasons why people do not engage in politics in this Island. There is just so little action here and so I sit with exasperation and remind people there is about £1.5 million being spent on this, plus the 3 per cent profit return from LibertyBus which is spent, I believe, on bus shelters. But I will quote the Minister back to himself later in my speech that is there. So, there is a significant amount of money going into 2020 plus £5 million put away for a Climate Change Fund, which I do not know is being spent. There should be more action here. I will not speak on my Proposition now, but I obviously will come back to that. There should be more action, so I finish with a single word poem. It is “disappointed”. It is what my mum used to say to me and my brothers and it was the worst thing that could be said: “I am not angry. I am disappointed.” Thank you.

### **2.2.5 Deputy M. Tadier:**

I think, as the Assistant Minister with responsibility for culture, I have a certificate in my drawer that I would like to award to Deputy Ward later. I think he should consider entering himself for the *Eisteddfod*. I cannot speak as to whether linguistically, or technically, his poem was going to win any awards but certainly in terms of effort, he should get a gold certificate for that. I was really interested by the example of the Netherlands that the Minister gave as an exemplar of sustainable transport. Clearly the Netherlands is flat. It is *Les Pays-Bas* and it is called that for a reason, because it is a flat country and it lends itself to cycling but, of course, there are many flat parts for cycling in other parts of the world, which do not have that uptake in cycling. I was impressed by the Minister’s words and enthusiasm about the can do attitude if Jersey wanted to adopt the same cycling plan. Unfortunately, when I suggested something similar about an idea, which is not mine, but which came from a member of the Town Roads Committee, saying that: “The key thing you need to do is and it is great - paraphrasing his words - having all these cycle networks in some parts of the Island - until you sort out cycling in and through St. Helier, the rest of it is effectively meaningless and if you want a Sustainable Transport Policy for cycling, it is basically you need to build paths as the crow flies and where the roads already exist, you need to let cyclists use them both ways, irrespective of whether there is a one-way and you need to consider having areas which are car free, because we know that cycling people need to feel safe.” If you wanted to have a genuine Sustainable Transport Policy expedited, the best way to do it would be to take all 49 elected States Members, all of us, drop us at different points of the Island and say: “You guys are allowed to use a bike, you lot can just walk, some of you are allowed to use the buses and some of you perhaps are going to have to get around in a mobility scooter, or in a wheelchair.” There are variables that you can put into that. If we came back after that away day and we sat down around a table, we would make a Sustainable Transport

Policy that worked for the Island, because we would have experienced the difficulties that people face. So, if you put someone in Trinity and tell them: “You need to get down to Les Quennevais swimming pool, because we are encouraging well-being”, how do they do that? Can they get a through-fare on a bus? No, they cannot. So they have to go to St. Helier on a bus, maybe wait outside in the rain for that bus and then they have to pay again when they get to St. Helier. We do not have through-fares. Let us get back to the point about the Netherlands before I digress too much. This idea that you should be able to cycle into Town, through Town and out of Town in a very easy way, so one suggestion from the Council is that you should be able to cycle up and down King Street. I wait for the gasps. Imagine that. Shock horror. Imagine if you allowed people to cycle up and down King Street, but only at certain times of the day. Let us say before 9.00 a.m. and after 5.00 p.m. Shock horror. We could not possibly do that in Jersey, but you can do it in the Netherlands, because the Minister has just given us a very good speech and the Netherlands exists on shared spaces. It is not that they have banned the car in the town centres, or even anywhere else. It is that they give priorities to bicycles, they give priority to pedestrians and there might be certain times when cars are not allowed there. So, when a Member of the Assembly then writes and says: “I am considering bringing your Proposition saying that we should be able to allow cycling through King and Queen Street in the morning and after work”, do you get that same optimism that the Minister just gave us now, or do you get the following: “In considering any changes to the use of infrastructure, there is an important structured safety audit process to go through to safeguard the public. The purpose of this, beyond assessing the immediate hazards presented to public safety, is to prevent the States from civil, or criminal, actions through the exercise of due regulatory and engineering diligence with auditable management systems that are capable of meeting policy objectives and withstanding robust public scrutiny, [pause for breath] in a court of law, if necessary. Notwithstanding this political ambition, I think this measure will prove controversial with the public and the views of the public should be taken into account, i.e. those who hate cyclists. My worry is that any such measure may bring the future proposal for the Town cycle network, which is in the process of being developed, into disrepute before we even start. Thus, if there is to be an Amendment, I would suggest that it is couched in terms to undertake to review the opportunities to allow cycling at certain times as part of a coherent Town cycle network.” On the one hand, we have a Minister who has been to the Netherlands, who has been inspired and says: “Yes, they are great. Why do we not just get on and do what the Netherlands are doing?” But when you suggest something to one of the officers, you get this complete bureaucratic... I mean, linguistically, perhaps there is some kind of ironic poem about despair and a cannot-do attitude which could be entered into the *Eisteddfod* as well, along with Deputy Ward’s own submission of street poetry, but we could call this maybe Team Jersey Bureaucratic Doublespeak, whatever we want to call that. This is the kind of response you get. A simple idea. Imagine if you suggest something even simpler like banning plastic bags. I would love to have seen the email chains that perhaps Deputy Gardiner got when she suggested these issues and it comes back to the point that you will be told: “We cannot do this, because it is piecemeal. We have to wait for the bigger issue.” I do not think the Constable of St. Helier should be apologetic in any way for the frustration which led him to put those words on paper when he was probably in his right state of mind. I am not suggesting that, of course, he should be at loggerheads with the Minister and sometimes I am sure the will is lost and you can capitulate and think: “If you cannot beat them, join them” but I think it is good to have the bad cop and the good cop approach. When we look at the issue of having fewer motor vehicle journeys, I am interested that the word “journey” is put in there, because surely we want fewer motor vehicles in Jersey full stop, do we not? Because Jersey has that dubious statistic of having the record for having more vehicles than there are people and you could argue that is because we have not necessarily cleared all the scrapped vehicles, but I suspect it is because there are more vehicles in Jersey than there are people. Given the fact that there are lots of people in the Island who do not even own a vehicle, that statistic is even more remarkable, but point 4 of course, which the Constable is also lobbying for, not point 4 but (7): “Reduce the impact of vehicles on our landscape and create more space for people in St. Helier”, well, of course, if we

just cut down on motor vehicle journeys, but do not cut down on the amount of motor vehicles in the Island, then those vehicles will need to be parked up for longer. So, what you are having is more redundant vehicles being parked up in spaces which could be used for more genuine and more immediate need, such as housing and green open space. I think it really does not bode too well that the EVie (electric vehicles) vehicles which we have coming to Jersey now, which are great initiatives ... I recommend that anybody can go out and you can borrow an electric vehicle for an hour, or for a whole day. It is affordable, it is clean and they really are nippy. You can get to 40 miles an hour on St. Ouen roads very quickly and, of course, you will not legally be able to do any more than that, though I suspect you could do if you wanted to, because the acceleration and the torque on those vehicles is amazing, as we know. We also have these bikes now, which have been put in the Royal Square. We have had to rely on private business to do that and we could have had a can do Government, which could have been initiating these things years ago. Even the Tories in the U.K., even Boris, had his eponymous Boris bikes in London, which he was able to instigate even though Tories are usually averse to helping the environment and spending money on the public good, so it was not impossible for them. What more could we have done in a small Island of Jersey? What I say to the Constable is: "Good on him for bringing these proposals" but I hope that he recognises that it is not just a case of being co-opted by the Minister and working closely with him and not then working with other backbenchers, because we do need transitional arrangements. We do not have the cycle paths currently to get our children to school. If you live in Grouville or St. Clement, or even parts of St. Saviour and you go to Le Rocquier School, where is the cycle path to get to Le Rocquier? Where is it? You will be cycling on that inner road which, at best, you are going to be overtaken by lorries and cars and it is not safe for, I would say, even somebody who is a relatively accomplished cyclist to do that. Where are the cycle paths for our children? So, when it comes to it, we will need to use the bus service as an interim solution to get children used to using forms of transport other than buses.

[11:00]

So, I fully expect the Constable of St. Helier to be showing solidarity with backbenchers like Deputy Ward when they are trying to encourage young people in our Island to use the bus and to do that in a more affordable way. I do not think it is an either/or of being at loggerheads with the Minister himself and still working with other backbenchers. We do need some dialectical politics in this Assembly. There are times where we have to sit around and work together, of course, but where policies are not being brought forward quickly enough, we need to be prepared to bring our own proposals to this Assembly and to force the Council of Ministers' hands where they are not acting quickly enough. I know I technically have 4 minutes left, Sir, and now we have instigated the 15 minute limit, I am generally inclined to use that as a target, but I have nothing left to say so I will sit down while the clock is still green.

### **The Deputy Bailiff:**

I remind Members we are speaking to the Amendment of the Connétable, as amended by the Minister.

### **2.2.6 Deputy J.H. Young:**

I think what we have seen here is a fast moving process because, if you remember, it was only last May when we decided to embrace the Carbon Neutral Strategy and full marks for backbenchers bringing that and it has brought us fast up to speed, I would like to think, in line with the rest of the world. Then, during the process of our Government Plan came the request: "we need this Transport Strategy" and I think what we found is that it has been difficult to deal with that fast moving situation in the time we have had. Particularly in the very complex and, I think, overly convoluted processes we have now spawned in terms of financial planning and that budget allocation to the Government Plan. Nonetheless, there has been enormous progress and I really praise both the Minister and the Connétable for really adding big value to what was already a good start and I think it has now gone

beyond a good start and offers a framework for the future. It is right. This is just a start and it is inevitably going to have to be constrained because we, under our rules that we signed up to in the Public Finances Law and the Government Plan, have put a money limit on what can be done in 2020. £1.5 million is inscribed in the Government Plan from the Climate Emergency Fund to be spent on this subject of transport. What the team have done is they have come up with an Early Start Action Plan and there is absolutely no question; I think it is a drop in the ocean myself, but it is a good drop in the ocean and at last we are starting to get movement and progress. I think we should try and put some of the negatives behind us. I certainly shared disappointment when I first saw the early drafts, but what we have now started to get to is something with much more meat on it and I think it is important we now kind of focus on why we need to do this. Now I suppose, obviously speaking to the Amendment, the Connétable has given us a good set of principles and I think those are absolutely essential, because we have the Island Plan process underway and I am keen. I am not just keen. I am very clear. If we are to address the issue of making our urban areas good places and better places to live, work, enjoy life and have good quality of life, we need to do something about the impact of traffic on those areas. To try and move from where we are to a better place, where some of the other societies that we have all been to and visited and saw how wonderful they are ... lucky enough, I was in Iceland the other week where we had 3 buses. Hydrogen powered buses. Three buses. The Netherlands, we hear about it. You go to France, you get it everywhere but it takes time. It cannot magically be done and it is going to require money and a financial strategy, so we have to make a start somewhere but there is no question. Unless we have a framework, a strategy for doing that, it is all going to be piecemeal and I think what the Constable has done is send us on the road with work with the Minister and the officers with some structure. Particularly, one of the things I have asked for in the Island Plan is I want to see a study of the traffic flows in Town, because I think the traffic is impacting adversely on residential areas and that damages quality of life and if we are to have more homes in those areas, it is desperately important we do something about that. In fact, that means trying to get this shift away from the dependence of the private vehicle. We have got pollution in the schools. No question. Urban schools having a very high level of pollutants. It is not acceptable. We have to do something about it. All the evidence tells us that children are especially damaged by that and we do not have traffic levels. It is a peak time issue but it needs management. We do not have those systems in place yet. We have certainly got congestion and now, I cannot believe it, road rage in Jersey. Road rage. Cycling rage. Do we have safe cycling yet? No, we all want cycling to be more safe, but I think still, in places, it is dangerous. As the Minister for the Environment, I take every opportunity I can to accept invitations to go and meet schoolchildren and I have attended Mont Nicolle School and met with them and there is huge interest in the children and their parents of finding alternative ways of being taken to school. Walking to school. Cycling, they say. Well, of course, that is pretty dangerous and a lot of parents are not comfortable with that at the moment but nonetheless they want to find alternatives. I went to Children's Day at d'Auvergne. The Minister and I also had the same issue coming back to us from all the schoolchildren. From the Schools Council, the same and the Colin Powell peace debate, the secondary schools, they really are crying out for this, absolutely wanting progress, so a good start. The £1.5 million that we have in the Government Plan is not going to do it. I do not believe it will anyway. It is a good start and what the Minister had done is produce a plan to kind of spread that out and achieve a number of things that are possible within that. My hope - and this is what I said at the meeting the other day - is that within this strategy, we are going to see also, as part of the climate change work, a decision to introduce measures to raise revenue and I believe that should come from vehicles and that money should go, I believe, into achieving a transition in our bus service. Increasing the service and, I believe, reducing its costs. Of course, it is not just a question of this cannot be done instantly. I am quite clear that if we want to expand more bus routes, it takes time. It will probably be up to 6 months. New buses, new drivers, training, maintenance and support. It is not an instant thing, so we have to have that strategy to do that step by step but, at the end of the day, there needs to be money and this is why I am encouraging the group that is working as part of the climate change work on looking at taxation



measures that will come forward with monies, because I think we do need to reduce the costs of the bus service and change the situation where the bus service is working with a fixed constraint of working within a finite sum of money and I think we will have to make judgments. We can have that debate later. We are going to have to make judgments on how we best apply those funds that can be released, so I think there is really good progress on this. There are some very long-term things that I am going to flag up. I think the issue of transport into St. Helier and reading down the list of principles there, beyond the Island Plan process looking at the issue of land reclamation, personally, though probably beyond that, obviously I will not see it. I will not be the Minister responsible, but personally I would love to see the opportunity being taken, if it is possible, to invest in major public transport infrastructure between the east and west of the Island in the Town.

**Senator K.L. Moore:**

Sir, would the Minister give way please? I would just like to ask, Sir, what relevance this has to the Amendment?

**The Deputy Bailiff:**

I can simply remind you, Deputy Young, that we are dealing here with the Amendment only and not the Proposition as a whole, so perhaps you can bear that in mind when you make your speech in relation to this.

**Deputy J.H. Young:**

OK, well, Sir, my reading of the Amendment is that there are 10 principles and, in those principles ...

**The Deputy Bailiff:**

Yes, you have just addressed those. Yes, that is right. You are right. You have just addressed those principles.

**Deputy J.H. Young:**

I thought that the 10 principles are pretty wide-ranging and I think what we have is a Proposition here which was kind of much more compact and what the Constable has done in his Amendment is expanded it into a broader range of objective, so I think it is relevant, because I think that particularly the effects on the Town residents, the effects on urban areas, the issues that I have said are I believe relevant, but nonetheless I think there has been some criticism of some of the things I have said. There has been some criticism of the Minister, which I do not think is fair. I think the Minister has responded extremely well and put a lot of work in in the last few months to try and make sure that what we end up with here is an amended and complete strategy which can be supported. So, I apologise if Members get rather bored with the sort of things that I have to say. Clearly, I can see there is a lack of interest and maybe I will deal with that and I will speak when we get to the next part.

**2.2.7 The Deputy of St. Peter:**

I have taken a clue. I think what I propose to say is more akin to the principle so, apart from saying I will support the tightening up of these policies by the Constable of St. Helier, I will do as I am told and I will speak later to the principle.

**The Deputy Bailiff:**

Well, you can speak on the Amendment, of course, now as you wish.

**2.2.8 Deputy G.P. Southern:**

I am really disappointed. I like listening to Deputy Young. He is always positive. I do not know how he manages it sometimes, but nonetheless in the words of the Minister proposing this because

this starts us on the road and I had this sudden vision - happy chappy that I am - of what happens when you go on to Jersey roads. Within about 20 yards, you meet the traffic and it is usually stalled. So you go out by my house and either you turn direct left on to the inner road and wait until you beat the cars and then you can go across the road and on to the dual carriageway and wait until you can beat the dual carriageway of 2 sets of cars, so that is what happens when we start on the road. I do not know if it is 3 or 4 Sustainable Transport Plans that I have been a veteran of. I used to have a tactic which was to put in a Hoppa bus, which I think is still there. However, it never got through. One year it did in principle, yes, until the budget came along. That money goes, so does the Hoppa bus. So, something about the buses certainly needs to be done and transport around the Town is the vital element of that. The Minister also mentioned in 2014 the arrival of the Energy Plan which was largely about insulating homes to cut down our carbon load that way and I wonder what happened to that. Oh, yes, we spent the £1 million allocated to it and then we stopped. It is atrophy. We did not look for other ways, or other mechanisms by which we could improve insulation in our homes as a method. That £1 million went and the plan stopped. That is what happens. The £1.5 million that we are talking about today in terms of this particular ... I do not know if it is version 3 or 4 of the Sustainable Transport Plan. When that £1.5 million is spent, is that the end? Is that it? Do we stop? Because that is the evidence I have got of what happens when we do manage to allocate some decent spending to it. Then finally all the speakers today have mentioned cycling proficiency and I am reminded again - the happy chappy that I am - of the first principle of driving a motorbike, certainly on Jersey roads, but on any roads and the rule is they are not looking for motorbikes just like they are not looking for cycles. So, drive as if the drivers around you have got something against you. They consciously want to kill you. To drive like that, you might avoid the cars, because that is the reality of what it is to cycle on our roads, because they are very dangerous places, because we have so much traffic on the roads. Until we can take some traffic off the road, it would be a case of drive as if they are out to get you.

[11:15]

### **2.2.9 The Connétable of St. Brelade:**

I am pleased to hear that what was once referred to by the Connétable of St. Helier as a cannot-do Department has changed its spots. Unfortunately, that situation does not prevail in other Parishes and various proposals seem to have been given the thumbs down as all the effort has been directed towards St. Helier. I would ask the Department to change their natural negative instincts to a far more positive approach. It is not a question of just saying “No” to everything. One can say: “No, but what about doing this, or what about doing that” and that is really what I feel one wants to hear. I have 2 parishioners offering land for cycle paths but “No” once again. Those do not come very quickly and there was an awful amount of expense in acquiring land and in situations where parishioners/landowners are prepared to offer land being *gratis*. I think we need to look very seriously at those. I would say to the Connétable: “Do not forget the Town retailers.” Business is hard at the moment and we must be cognisant of the consequential effects of any actions we agree to here today. Thank you.

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

I will start by saying I am very pleased that the Minister has accepted the Connétable’s Amendments, because those Amendments make something of the Sustainable Transport Plan. In its original form, it was weaker than it still is and it would not have delivered very much for the Island certainly going forward beyond this year. I am very pleased, in fact, that Deputy Southern says that he has a vision, because that is something that is seriously lacking overall in this Government at the moment. There is no vision and the original form of the Sustainable Transport Plan showed that. While Deputy Young spoke about the unfair criticism of the Minister, I do think we have to acknowledge that the reason the Sustainable Transport Plan came about was not because of the Minister. It was because of a Proposition brought by Deputy Ward, which was amended and ended up with the Assembly

demanding a Sustainable Transport Plan. Had it been left to the Minister, we would not be seeing this document before us today and I commend Deputy Ward for having made that happen. So, we have the Connétable's Amendments, which make the transport plan into something worth voting for. We have Deputy Ward as the instigator of the Sustainable Transport Plan and, sadly, the Minister is the one person who has been missing from this equation so far. So, when Deputy Young says it is unfair to criticise the Minister, I respectfully disagree, because the vision that we need to deliver an Island that is sustainable in many ways, that is going to be able to reach carbon neutrality targets, that are set late this year, we need people with vision and we need people who are willing to lead. As we heard from the Connétable of St. Brelade just now, this is a Department which is characterised very often as just denying things and just saying "No" to things. We need a Minister who does not put up with that, but who asks for something stronger and asks for alternatives. I will be supporting the Sustainable Transport Plan. I had a parishioner write to me earlier this week saying: "Please do support the Sustainable Transport Plan." I said: "Oh, yes, absolutely. Do not worry about it. It is so weak, it cannot do any harm. So I shall. There is no question about that." I will leave it there, because I know this has been, sadly, a negative speech, but I feel we cannot sit here and pretend that this is all wonderful when it is because of non-executive Members of this Government that we are looking at a workable and, to some extent, worthwhile Sustainable Transport Plan. I will be supporting it, but I do so with those *caveats* attached. Thank you.

### **The Deputy Bailiff:**

If no other Member wishes to speak, I call upon the Connétable to reply.

#### **2.2.11 The Connétable of St. Helier:**

I am grateful to everyone who has spoken. I am not going to go through all of the speeches, but I want to pick up on a couple of comments. A couple of Members, starting with the Deputy of St. Martin and later the Constable of St. Brelade, suggested that this was all about St. Helier and, of course, it is not. I brought my Amendments to the policy as a Member of the States Assembly, because I care passionately about transport across the whole Island, particularly networks of walking and cycling. It is one of the great joys of living in Town that I can walk reasonably safely and cycle slightly less safely to a tremendous range of facilities and places, whether it is about schools, or shops, or open spaces, or whatever. People who live in the rural parts of Jersey are quite often not so free. They are essentially required to use their cars for all their journeys, because they do not feel safe on foot or on a bicycle. So, I am very mindful of the needs of the rural communities of Jersey and that is why the way in which these principles are framed is they are designed to give us transport options across the whole Island which are sustainable. Having said that, of course, one third of the population live in St. Helier. A great majority of people work and go to school in the urban areas of St. Helier and St. Saviour and, of course, it is right that infrastructure is prioritised in the areas where there are the most number of people. It would be absurd if we spent all of the money in St. Ouen, for example, without spending a greater part of it where more people are and I am sure the Constable of St. Ouen would agree with that. I share the Deputy of St. Martin's frustration and I am grateful to him for his approbation for the work that I have done and, of course, Deputy Ward has even more frustration than the Deputy of St. Martin. It has forced him into poetry. I can recommend poetry as a great way of dealing with all manner of emotions and I hope he will continue his work. He certainly needs more work and I hope he will continue with poetry. **[Laughter]** We will, of course, be addressing his Amendment later on. Deputy Tadier was critical of the use of the word "journeys" rather than "vehicles" and I sought that change from the word "vehicles" to the word "journeys" and I have said this in the Assembly before in my probably vain efforts to shake off the anti-car image that I have. I have tried to explain to Members that it is not about the number of vehicles in the Island. It is about how often they are used and particularly about whether they are used at peak times, whether they are used for the commute and whether they are used for the school run. There is nothing wrong with having a motor car and the Minister talked earlier on about how the private car used to

offer us freedom. Well, the private car still offers us freedom. If we want to go to France on a trip, or across to Guernsey, or to the U.K., there is really no better way than loading up the boot and heading off to the ferry - if it is running - and having a great weekend in France. Cars are really useful things for visiting elderly relatives, who live the other side of the Island, when it would be difficult to use a bus. I am not going to go on, but I do not believe that this policy should be seen as anti-car. I think it should be seen as trying to reduce the number of journeys that we take in our cars, particularly at peak times, so that less traffic on the roads will make the roads safer for other people and make them better for business, as well. Deputy Young I think rightly pointed out that there is shortage of money and when he spoke about the fiscal measures he wants to see and many of us have been calling for, for years, it is great all these carrots, but where are the sticks? He wants to see all that money pumped into the buses. Well, again, I would remind him the purpose of these Amendments is to make sure that if lots of money comes from the fiscal measures that the Minister for Treasury and Resources has promised she is looking at, like a levy on workplace parking, which is happening in many other places, then that money must not just all go into the buses. It must also be spent on the higher priority items, such as improving the transport lot of the disabled and making walking and cycling safer. Deputy Southern obviously was thinking about his Hoppa bus Amendment and I was too and certainly the Hoppa bus was something I thought about including in my Amendments, but then I thought: "If the Minister is going to bring a bus plan for debate in time for it to be debated in the spring of next year, then we have time in the course of the coming year to talk to the Minister." I hope that Deputy Southern will perhaps get an invitation to get involved and to talk to the bus company about a Hoppa bus. Can it be included in the bus plan for debate? Because if it is not included, I strongly suspect there will be an Amendment to put it in, so I feel that is the place for the Hoppa bus and I think that is the place for ideas about free buses, as well. The Constable of St. Brelade said: "Do not forget about retailers." Well, I would just draw the attention of the Constable to the fact that retailers and business were not in the policy until I put the Amendment in, so towards the bottom of my Amendments is a specific requirement that we take into account the needs of business, in terms of servicing and deliveries. It is really important. I had a meeting with the Chamber of Commerce, which I mentioned in my report and I absolutely agree with the Constable. We have to respect the needs of business to make deliveries and to service as well. Having said that, that does not mean that businesses should enjoy 24 hour access whenever they like and that they should not accept change, because clearly some businesses have done things in a certain way when it comes to deliveries and they do not want to change. Well, if we are going to have more cycling and walking in our Town centre, if we are going to have to think about, for example, making Broad Street pedestrianised, certainly during the hours of the busiest hours of the day, then that would mean that you were not going to do a delivery in Broad Street at lunchtime. You were not going to bring a huge lorry down Halkett Place, past the market, at lunchtime, because there are thousands of people who would like to use that space and have that space reallocated for shopping and socialising and eating out. Equally, businesses will object and not just businesses, but lots of people will object when we have to make a decision about a safe cycle route for our children. If we are going to provide a safe cycle route and it happens to require the removal of on street parking and delivery bays, of course people are going to be very upset and I warn Members that in the course of the coming year if we are to believe this policy, which I hope is now strengthened, there will be some significant battles that have to be fought in order that we can make our streets safer for walking and cycling in particular. Again, for the buses, why not have a bus priority lane on Victoria Avenue? Imagine how that will go down. Not very well, but it would make buses more attractive without spending a penny. So, again, these are things which have to be looked at as we move forward. Finally, Deputy Morel, and I want to correct Deputy Morel. I am not trying to get the credit here, but he said that Deputy Ward had instigated the transport policy. Well, he did not. Deputy Ward wanted free buses and I amended Deputy Ward's P.52 and, in fact, the only thing that survived the debate was the instruction to the Minister to bring forward a policy. I have to say that my Amendment also included walking and cycling strategies and if Members are wondering why there is no requirement on the Minister in

my Amendment to bring forward a Walking and Cycling Plan for Jersey, it is because it is already late. It is in P.52 as amended. So, as well as the matters listed here, the Minister - and I am looking forward to working with him on this - will have to bring forward a walking and cycling strategy for the whole Island as soon as possible, because it is late already. It was supposed to be delivered by New Year's Eve last year. Again, someone asked me, a member of the public said: "Why have you not put Green Lanes in your Amendment? Do you not agree that the Green Lane network should go across all of the Island's Parishes and there should not be 3 who do not participate?" Stony faces from the Constables. Only 2? Well, that is not so bad then, is it? Clearly, if we have a Green Lane network, it has to apply to all Parishes and I give notice to my fellow Connétables, who do not have one, that the pressure is going to be on for those Parishes to deliver a Green Lane network, because otherwise their parishioners will not be able to take advantage of the Green Lane when they start trying to cycle safely and walk safely to school and work. I am grateful to Members for their comments. I hope that what I have said is helpful. I would encourage any Members who want to be involved, do not wait for the invitation from the Minister.

[11:30]

Offer your services. Let us get some kind of political working group together, so that we can drive forward these policies. I maintain the Amendment.

**The Deputy Bailiff:**

Those Members in favour of adopting ... the *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 39</b>	<b>CONTRE: 0</b>	<b>ABSTAIN: 0</b>
Senator I.J.Gorst		
Senator J.A.N. Le Fondré		
Senator K.L. Moore		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy of St. Martin		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		

Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

## [Approbation]

### 2.3 Sustainable Transport Policy (P.128/2019): second Amendment (P.128/2019 Amd.(2))

#### The Deputy Bailiff:

There is a further Amendment, lodged by Deputy Ward of St. Helier and I ask the Greffier to read the Amendment.

#### The Deputy Greffier of the States:

Page 2. At the end insert the following words “with the addition of approval of a bus pass scheme for all people eligible to pay fares aged under 21, for which a charge of £20 *per annum* should be levied, to commence from 1st April 2020 and to be reviewed by the Minister for Infrastructure with a view to assessing overall cost, take-up and customer satisfaction, the outcome of the review to be published by the end of the third quarter of 2021”.

#### 2.3.1 Deputy R.J. Ward:

I thank Members for their time and I thank you for allowing the lodging period to be slightly reduced. That is much appreciated. I do not know if it is Groundhog Day, or just *déjà vu* today. This Amendment came from the Assembly’s response to my original Proposition on 19th June. One might call it a homeopathic response, because it was so diluted it was almost not there, but hopefully there will be some effect that needs faith to believe that something will happen. The Hansard of that debate is a very interesting read, given the publication of the Sustainable Transport Policy that emerged from the debate. I am going to revisit a few things from that Hansard to set a context for why we are here today and what we are doing. The Constable of St. Helier, in one of his many Amendments, said that: “I would urge Members to support the Amendments, because they are ambitious, they go across the board and give a real chance by May next year of having a Sustainable Transport Policy that is funded and delivers a wide range of improvements apart from just free school buses, that includes free school buses.” But it turns out that he got very little and had to bring Amendments again, which I believe were as equally homeopathic in their nature. This time I hope he can support a real move for change, a real tangible outcome. He also stated, in the final statement of the Proposition speech, regarding the need for action that: “We will not get that unless we start doing some bold things.” It troubles me that we are talking at the moment about the transport policy, a bus policy, in the spring of 2021 before anything even begins to happen and that is just one year before the election. What is going to happen? Deputy Gardiner, I was interested in what you said, because I know how much you toiled with it and it was really interesting. You said, like myself: “We could give the Government a task, come back with a plan, December 2019, 6 months down the road.” We are now in March, so we are nearly 9 months down the road, by the way. “We need to give them trust and give them time to work on it. I do believe we need to act. Let us see. If they do not come back in 6 months with a plan, let us start to act. Let us start to bring the Proposition, but at this point I would give the

Government a chance to act on this.” Time has passed and now is the time to act and this time I hope to gain your support for this Proposition, which indeed I have brought back. Deputy Young, when talking about the final iteration of the Proposition, said: “So I really regret having to go against it because, like other Ministers, we met at Children’s Day at d’Auvergne School and the children told us that they wanted to see improvements in the bus service and they included in that about free fares. This tells us where their hearts are and it is something we must absolutely try to deliver, but to me the route is the Government Plan, hypothecated funding and real decent money being raised in those decisions this year.” He went on about putting a flag up: “I put my faith in the Council of Ministers that we are going to do this.” I hope he still has faith in the Council of Ministers that it will happen. We have seen the Sustainable Transport Policy. I hope he will now support this Amendment, which is the action that we talked about. It is clear that the Amendments that were brought in the original debate meant nothing. Deputy Lewis urged us to vote for all of the Amendments, including those he had brought. Sorry, we brought Amendments and then Deputy Lewis voted against those Amendments, which is clearly a reckoning process. The Minister finished with this: “Please vote against all of these Amendments in the Proposition here and leave it to the Department for Infrastructure and we will be back next month with our plans.” I think it means next year with our plans, but we have seen them and for buses they are non-existent. Well, they are not non-existent. There are 7 bus shelters, 5 improved bus shelters, a system for those people who assist others to get free bus fares. Why that is not happening already I do not know. The other action is to just simply change the routes of the buses coming out of the bus station. That is not an action that is going to change bus usage on this Island. We are still yet to have real-time air pollution monitoring. That is the other theme of my questions that I put in. I have asked again and again and we still have no information. I would like to ask how we are making decisions on our transport policy, without knowing the pollution levels in key areas of our Island, because the urgency will not be there unless we have the data and the information and the effect. Another 1½ years of inaction means that young children have another 1½ years of breathing in pollutants that will affect them for the rest of their lives and that is not just fearmongering. That is the research, the reality, the World Health Organisation, the Institute for Noncommunicable Diseases. Look them up on the internet, do your research; it is there. The other thing from the Hansard is that the Minister stated ... and I want to be clear - can I just be clear - when I talk about the Minister I refer to the role and the position of the Minister, not the individual, the person, or the personal. I think that is too much of our politics and I know that Deputy Lewis is a lovely man. It is the same as with people’s attitudes towards Reform; we are lovely people; we really are. I know, for a fact, that Deputy Tadier will be buying flowers for his partner on the way home tonight. I did not want to give that away. I may have just dropped him in it, but there we go. The Minister stated: “The contract with regards to LibertyBus includes an innovative profit share arrangement whereby any profit over a baseline of 3 per cent is shared equally with the Government to reinvest in infrastructure. That is such things as bus shelters.” So, we are having income from LibertyBus to build bus shelters, but we are using the income from the Sustainable Transport Policy to build bus shelters. Is this not double income, double use of money, or are we just obsessed with bus shelters? There are a number of key points to my Proposition. Sorry, I have got my pages in the wrong order, fundamental error. There are some positive responses as well in the Hansard. Senator Moore stated in support of free buses: “It is in order to make the school run easier, so that it can change the habits of many people around the Island. We all see and acknowledge the difference that the lack of school makes to traffic in the morning as we all make our way to work and so it seems to me somewhat of a no-brainer to encourage a change of habit at the very beginning of life.” I will not quote any more. I am aware that I could have and I have not quoted all of those who support it, but there is a context to the old debate that got us where we are and we are there again. So, let us talk about money. We have a £5 million climate fund sitting there. The so-called Sustainable Transport Policy will spend it on bus shelters, changing road directions, as I have mentioned and yet more consultation. We are going to be spending money on consultation - on consultation - all of the time while we have a ticking clock on the climate emergency. This change

may mean a lower income for LibertyBus during the period of the trial and that may mean less return for the Government, but this is an investment that we need to make now. I have asked repeatedly questions about income. I asked on Monday an oral question and the response I got was not suitable. We received an email afterwards with a figure and I still do not know what that figure is. I emailed all Members with some of the questions I have asked about income and it is an absolute dark art as to where that money is and the cost of these services. In order to stand here, the obstacle we have here, particularly for backbenchers bringing Propositions, give me an absolute cost of how much it is going to be and that is the only driver we have in this Assembly at times. It is a very clever situation where you cannot get into the figures and the numbers to do that, so the Minister is free to invent huge numbers like in the last debate, £7 million, £10 million, but I am afraid, without any detail behind them, that is all I am left to conclude in terms of a conclusion from the information I am given. That is what we do. It has been well publicised that there were 5 million bus journeys last year, which generates a significant amount of money. Where has that money gone? Is it all coming back into the Jersey bus service? Let me be clear on the Amendment; it is not free. There is a £20 charge for the pass itself, so people have to buy into it. I have had some questions with regard ... I will come on to it afterwards. This will pay for the administration and enable the creation of a database of users. There is nothing difficult about a tick in the G.D.P.R. (General Data Protection Regulation) box to say that we can track your use, in order to use it for research purposes and every time that card is tapped we will have a record of its use for a year. We know the times, how many frequent journeys there are and then you can get some idea of the “cost”, in inverted commas. Will that be the cost of having to run extra buses, or will it be that empty buses are filled up? We do not know, but we can find out and so the real cost, which is the figure everybody wants, we will only know if we have some real-time research. That is the leap of faith I hope that Members can make today and understand that this project, if you like, enables us to do that and this is the key. It is a one year action that could be reviewed and built upon. I have said the third quarter of 2021, because I knew what would happen: you cannot research it and get back during that time. But there is plenty of time. It is after the springtime when we are told we are going to have a sustainable bus policy, or whatever it is going to be called, so I am giving as much time as necessary to analyse the data. You can always come back earlier with trends and if it does not work, if it is not used, if it is not successful then change it, but looking for data in something that does not exist just gets us into that existential loop. Can I just make a point about that? In the Hansard, because I just sadly enough read through it from the last debate, I mentioned an existential loop, I mentioned Sartre, but I was quoted as Versace. [Laughter]

**The Deputy Bailiff:**

That is different, yes.

**Deputy R.J. Ward:**

It is a slightly different angle, I believe, so I just wanted to put that one in there. What we try to do is we try to currently review something that does not exist while we fail to take action and this kicks everything into the long grass, absolutely everything and that is not leadership. Leadership is about taking decisions and then afterwards, when you have made those decisions, having the courage to say they are working and we are going to keep going with them, or they are not working and we will make changes and you lead again. That is what we have not got. There are beneficial effects. This is not inflationary. Some of you will be very pleased about that. It is cutting the cost; it is not inflationary. There is a real key point that I want people to understand: it will lower the living costs by removing the cost of travel for young people. For some families, that is a significant cost. For transport to school for a 6 week term it is £51 or £66 per child. Those of you who are saying there are those who are wealthy enough to pay for it, you know what, those parents will be responsible members of our society and not take out the pass, just carry on paying for their bus fares. There are Members in this Assembly who will say: “But I can afford to pay for my children.” That is fine,



carry on paying for them, but this is an availability for children and not just for school buses. It gives under-21s the ability to use the bus service and get out and enjoy our Island.

[11:45]

Frequently and in the carbon neutral debate we brought a policy and we negotiated a policy to say that we would not bring anything that increases income inequality, or increases the cost for lower income families. This is completely consistent with that, because it lowers the cost disproportionately for low income families. If you take £51 of the cost of a lower income family, compared to a higher income family, it has a disproportionately greater effect because more of their money is being spent on those buses in the first place. It is a positive impact on those families and consistent with what this Assembly voted for. It gives means of travel to initiatives. We are going to build a skatepark out at Les Quennevais; children have to get out there. This way, young people, 21 and under, will be able to travel out to the skatepark for free. We have got an opportunity there to get people out, get them active and we desperately want to do that. I recognise that buses do not run late enough often for this, but if there is some chip away at the Jersey Lifts type problem where young people are more likely to get a Jersey Lift, which is completely unregulated - and I agree with the Minister on this - but they can get on to a safe bus service for free, if that stopped one or 2 young people from being at harm, I think it is absolutely worth every penny. It also takes the cost away from young people who are starting their careers and travelling to work, who may be working in Town. They have so many obstacles in their way of cost, of rent and everything else that they are facing going into the future. One simple action may also take away one cost and it also starts to address the principle of culture of travel. From a young age onwards it says that the bus becomes the default process of travel. If we take cars off the road, as the Constable of St. Helier talked about, safer sites, safer walking, that will not happen unless we start somewhere an action that will get people out of their cars and young people driving in their cars. Get them out of their cars, get them on to public transport when they get themselves around the Island. It is part of that recipe for success that we need. What we have today is a decision to make as an Assembly on how we go about making any change. Do we, as we do now, undertake review after review about actions that have not happened? Do we continue to engage in this eternal navel-gazing about every issue, every possible progressive step, regardless of what the benefits may be? Some of you say it is reckless to not take this approach but that is a clever smokescreen, created, I believe, to stifle creativity and backbenchers from ever making the change that is so sorely lacking in Government. Do we, in the right circumstances, allow a change and then review and monitor as we change *in situ*, an active, positive, creative approach that may impact positively for the people of Jersey? This Proposition does exactly this. It addresses the inadequacy of a failed Sustainable Transport Policy and, let us be clear, the previous bus Proposition failed in large part due to the fallback promise of a Sustainable Transport Policy. The failure of that exposes the failure of the system of eternal navel-gazing while money is wasted and nothing changes. Those Members, who so readily criticise the transport policy, need to step forward and support an Amendment that has an actual meaningful action attached. To clarify this Amendment, let me clarify it. The Amendment commits us to a one-year project that will be reviewed. There is an inbuilt mechanism for this review and monitoring in the purchase of the pass and the subsequent registration scheme that I have explained. It will also give a true picture of the cost of this action. The bus contract is renewed yearly. By introducing one simple project now, changes to the service can be negotiated following information gathered and there is an analogy for this. When I was 21, I had a contract with myself. I could go out and do whatever I wanted. I had very little responsibility. I was younger then - I know I do not look any older, Senator Gorst, you are looking at me and I know it is unbelievable I am not 21 - and I could go out 2 or 3 nights a week and I could get on with my job and it was absolutely fine. But if I had transferred that contract to my life when I was 35 and had 2 small children, it would not function. I could not function, because times have changed and the context has changed and that is exactly where we are with our bus contract and system. It needs to fit into the needs of this Island, rather than simply the needs of a company that

feeds into a larger company and that is a brave step that we need to take. So, you have an opportunity to make a real change, the only one on offer now, not from the Minister but yet again from a backbencher. We had a difficult day yesterday and it was quite divisive. I believe the Constable of St. Peter seconded my Proposition and I would say thank you to the Constable. What we need today is something positive that we can all come together with. We could all vote to come up with a positive response, be you a Constable, a Senator, or a Deputy, be you a member of Reform, be you a member of not Reform, be you a member of a party that we do not know about yet, but whoever you are, we can all come together, do something positive for the young people of this Island and go outside and the headlines might actually be: "The States Assembly have done something useful" and that will be great for all of us. So, I ask you to think about the benefits for your constituents, the young people who are the future of this Island and take the risk, the risk of actual action. That is what we need to do today. I offer the Proposition and I ask you to support it. Thank you very much.

### **The Deputy Bailiff:**

Is the Amendment seconded? [**Seconded**] Does any Member wish to speak on the Amendment?

### **2.3.2 Deputy I. Gardiner of St. Helier:**

I would like, first of all, to say thank you to Deputy Ward, because he is bringing action and keeping free buses for young people on the Island on the agenda. My speech will be very short, because I do have questions. The first question I would like to ask the Minister is why the Department was not able to produce financial implications to Deputy Ward for this Amendment? The Department may not agree with the free buses approach, which I can understand. At the same time, in this Chamber we have discussed it, it was on the agenda and I would expect from the Department for the last 8 months at least to give something and to say: "Let us look at how much it might cost and what will be the impact", basically, at least in general terms, so that we have an understanding if it is £500,000 or it is £5 million. I have no idea at this point and I would expect the Department will give some indication. I would like to ask if the Minister can advise if his Department has given this thought and looked into a free buses approach during development of the Sustainable Transport Policy and if yes, what estimations they came to. If it has not been done, the second question is: would the Minister commit to bring forward evidence and analysis, which the Sustainable Transport Policy commits to anyway, of how much it will cost and what will be the impact? If the Minister at this moment thinks that it is impossible to produce it by any means, because it is impossible to produce, maybe it is good to take Deputy Ward's suggestion to do a real-time pilot and some of this £1.5 million, that we still do not know how it will be distributed over the project, will be put into the pilot towards Deputy Ward's suggestion. Again, this is a question to the Minister, because I do believe we need to increase bus usage and enhance the public travel offering. The question, basically, is how we are doing this. A question to Deputy Ward, if he has any idea of estimates and I am not looking for a commitment of what it will be. I would like to understand what it could be up to, because I really will struggle to sign an open cheque for public money, as I do not do it for my private finance. I do want to support Deputy Ward's Amendment and at the same time when I have no idea if it is £500 or £3 million, it is a difficulty for me. So, I am going to listen to the debate and I would like to see how it will develop. I will make my mind up as it will come to the vote.

### **2.3.3 The Connétable of St. Helier:**

I would like to remind Members that not very long ago, probably about 20 minutes ago, we agreed that as a body we will conform to the Jersey Mobility hierarchy. That is a decision we have taken. That is a principle we have all adopted unanimously and here we are debating an Amendment to the policy, which could - it may not but it could - fly in the face of that principle we have just agreed, because we could be putting money that should be going into the disabled transport needs, into groups further up that hierarchy than the bus users. We could be putting it in the wrong place and I am slightly perplexed that Members have not realised that yet and certainly that the proposer has not

realised that. Transport policy is made up of carrots and sticks and it is generally bad policymaking to just hand somebody a whole lot of carrots, because they may not like carrots, they may simply not eat them, the carrots may just sit in a pile and go bad. You need sticks there as well to make transport policy implementation happen on the ground. To give an example of this, I was recently talking to a year 10 class and Deputy Ward will perhaps appreciate this because I was reading a poem to them about my learning to drive and the subject of the lesson was about driving. That is the subject I had decided I would talk about and after we had talked about the poem a bit I said to these youngsters: "How many of you plan to get a provisional and start taking driving lessons as soon as you reach the magic age?" and most of the class put their hands up. Second question: "How many of you are looking forward to getting your first car?" The same hands went up. A lot of those youngsters will have the means to have a car in a couple of years' time and will be driving about on our roads. Importantly, because my next question was: "How many of you intend to drive to school?" Most of the hands went up. The fact is - and I am not going to name the school - I was quite struck when I walked up to give my lesson by how many cars were parked all over the campus. It was a sea of cars and I expect a lot of those cars were being driven there by youngsters, who are enjoying and absolutely fair play to them, the freedom that comes from car ownership. I cannot agree that cars should be used for the school run, because I believe that is bad for all of us and I think it is bad for the students. I would much rather they were walking, or cycling, to school, or even lift sharing, but all of them bringing their own cars because they enjoy free parking in the school car park? This cannot be ... what I am saying, of course, is that if you give all of this class that I spoke to a more or less free ticket on the bus, do you think they are going to use it? Another question I asked them was: "How many of you come to school on the bus?" and of course a lot of them get a lift with mum or dad or carer, but a few hands went up. I said: "Tell me about your bus journey" and it is long. It is 1½ hours in some cases. The bus goes all over the moon before it finally hits the traffic jams and makes its way into the college. When Deputy Ward tells us that buses are the default method of travel, I simply cannot agree with him. I would much rather ...

**Deputy R.J. Ward:**

Sir, can I make a point of clarification?

**The Deputy Bailiff:**

Do you wish to give way?

**The Connétable of St. Helier:**

Yes, Sir.

**Deputy R.J. Ward:**

I did not say they are. I said they should be. There is a very distinct difference. We are talking about what we do in the future to make that happen, not what happens now, so that is an invalid argument, I believe.

**The Connétable of St. Helier:**

My point is the same. I do not believe that buses should be the default method of transport for our youngsters. I think our youngsters should be encouraged and enabled to walk and cycle to school, rather than to take the bus. The premise that the Deputy is coming from, and he came from the same direction in P.52, is that simply by putting lots more money in the bus service we are going to address our ills in terms of a transport policy. I do not believe that is the case. Without the schools saying we will not allow our children to bring their cars to school, indeed without addressing the teachers, because I remember a member of the Minister's Department telling me years ago that a lot of the problem with the school run, it is not the kids, it is the teachers who are all taking to their cars at the same time. Now, I know I will be told, well, you have got a huge pile of textbooks. I used to do that

myself, happily of course, everyone is doing things on iPads these days, so that might not be so difficult.

[12:00]

I know that a lot of teachers do prefer a more sustainable way of getting to work, they walk and they cycle. But there is still a lot of school traffic, which will not be addressed by this Amendment if it goes through. So, I would urge the Deputy, as I urge Deputy Southern who wants to see a Hoppa bus, as I do, get involved with the Department in the course of this year, get some kind of improvement in the pricing of bus travel in the bus plan which we are going to debate in the spring of next year and if you do not get what you want, bring an Amendment to the bus plan when it comes forward. I must say, from my point of view, if there is a sum of money that can be spent on buses without disadvantaging the higher priority groups, then I would rather see it spent on through-fares, because I think it is really annoying that you have to change buses in the Town centre. If you live in the East and you want to go the airport, you have to pay twice. That has to be wrong. Everywhere else I travel on the buses you have a pass which lasts you for a day, or an hour and it does not matter how many times you jump on and off the bus your pass is working. Surely we can do that. As I say, I do not think this is the best way to spend our money. I do think the bus plan offers the Deputy an opportunity to get involved in making a policy which really makes the difference and we do need to tackle the fact that without the sticks whatever carrots we produce are just going to go to waste.

#### **2.3.4 Deputy M. Tadier:**

I am pleased to follow the Constable and I deliberately put my light after I saw his light go on. I do not know how this debate is going to go and I am not fatalistic about it. I know that a similar Proposition, that my colleague brought last time, got 15 votes in this Assembly. What I want to address is where is the vision of this Assembly? The Council of Ministers, of which I am a small cog, hopefully well-oiled, is that we have ... and it is the Assembly's policy now as well, because it has been endorsed by the Assembly, we have agreed to 5 strategic points. One of them is that we will put children first. The second is that we will improve Islanders' well-being and mental, physical health. The third is we will create a sustainable vibrant economy with skilled workforce in the future. The fourth is that we will reduce income inequality and improve the standard of living and I would include in that the quality of living not just about financial and economic standards and that will protect and value our environment. Now, as far as I can see, what Deputy Ward is proposing ticks at least 4 of these 5 boxes. It does seek to put children first. Now, I have signed up to that. The first point I would make is that if the Minister wanted to do this, if the Minister came out and said: "I am going to propose giving unlimited access to all under 21s in the Island for a fixed fee, so they get unlimited bus use for a year for £20" none of us would oppose that, I suspect. The Constable of St. Helier would not oppose that, no one would say: "You cannot do that, because it is a waste of money." We would agree that the Minister's got a vision about how he wants to run the Department and we would let him get on with that. So, the idea itself is a good one, I would suggest and if it were coming from a Minister it would be a good idea, if it is coming from a backbencher, with a particular political label on it, we do not like it. It goes back to the argument of conscious and unconscious bias that we were talking about this morning. Now, I am particular disappointed with the Constable of St. Helier, because I would like him and I still hope there is time to convince him, to support this. He has just brought a proposal this morning that he says he wants to see fewer motor vehicle journeys in this Island. Now, I will explain why it is that an under-21, or a school child, might want to take the bus every now and again, it seems like we are promoting double standards. We are saying that we expect all children to not get car licences and not to use the bus either, because that is polluting, they should be out there either cycling or walking. So, we do not want them to use cars, but we are not going to incentivise them to use the buses either, we realistically expect them just to walk and cycle everywhere in the Island. But we do not apply that to ourselves, even those of us who are verbal proponents of environmental issues allow ourselves the scope of coming to work

and visiting our friends and family around the Island by using the car. The Constable of St. Helier said it earlier, he said: “When I go and visit elderly relatives on the other side of the Island, we jump in the car” because the car is a practical solution. But children and youngsters do not necessarily want to start buying a car, they do not want to get into that whole economy of having to pass your test, buying a car, or a second-hand one, because, of course, they are not going to be buying electric vehicles. Your average 17 year-old, who passes his or her test, is not going to think: “Oh, well let us just get a top of the range ... I can get some credit now and I can buy maybe a £30,000 electric vehicle in case I need to go and visit my grandmother who lives in St. Ouen.” They will not be thinking about that. They will be thinking about the economics of it. They will be thinking: “OK, do I genuinely get to Les Quennevais to use the skate park from Trinity by cycling all the way down there and cycling all the way back with my skateboard under my arm?” Of course they are not going to do that, they will probably just get a car, or they will get dropped off, or they will get a Jersey Lifts, or whatever they do and that will cost money. Now, we already have unlimited access to the use of the roads for your lifetime if you buy a one-off permit and it is called a driving licence. I do not know what a driving licence is nowadays, let us say it is a couple hundred pounds and, of course, you have to pay for lessons but you get that, you get unlimited access to the roads in Jersey for the rest of your life. You do not need to pay to get it renewed. So, even if you have forgotten how to drive, you do not need to do it. That is fine. The reality is that when the weather is bad we have all got options, so we might cycle some days, we might have an electric bike, but what I do if the weather is really bad is I would probably get the bus from outside my house - the bus stop is literally just outside, great for me - or if I have access to the car that day, I will jump in the car. If the weather is good and I want to go to my surgery in Les Quennevais, I am not going to get 2 buses to go there, I am probably going to jump on my moped, if the weather’s good, that helps me beat the traffic, or I am probably going to drive there, because I can do some other journeys later on my way back to Town. But we are expecting that youngsters should only cycle and walk. It is not realistic. We do not question the value and the cost benefit analysis of the senior citizen bus pass and that is given universally to anyone in the Island over 65. I think it is pretty universal. I have absolutely no problem with that, I think it is a good benefit to have, but it has to be said that there are some seriously more wealthy, or more capable, individuals of paying for their own bus passes at the age of 65 than there are 14, 15, 17 and 20 year-olds in the Island who are struggling with those issues. Now, let us look at what HTC, the LibertyBus parent company, said in their report. They do look at how young people are affected and, I think, indeed, Deputy Southern may have quoted some of this last time. It comes out on social media in fact. It is not uncommon to hear the younger generation referred to as the snowflake generation, because, of course, everything in the past is so much more difficult and youngsters nowadays have got it really easy. I take serious offence at this, because I think it is an overly simplistic argument. In the same way that we should take offence when the older generation are referred to as old fogies, we would not use that term and think that is acceptable. These are not my words. It is said that young adults between the ages of 16 and 24 face a wide variety of pressures, everything from carrying on with study, starting out in work to social and peer pressures, moving out of the family home and finding their place in the adult world. These pressures are not merely the complaints of snowflakes, they are significant present concerns. It goes on to explain about the social benefits of youngsters being able to use the buses, they become much more socially capable, those who suffer from depression and loneliness find it really helps them to engage and that is backed up by the statistics which are provided by LibertyBus. It also means that they can come into contact with a bigger demographic of people who use the buses. So, I would say if we are giving it to one section of society, which is all over-65s, why can we not do the same for the younger generation, it ticks the box of helping putting children first, it also deals with the issue of reducing income inequality because while not everybody who uses the bus is necessarily poor, we know that if you cannot afford to buy a car in the first place you are probably one of the most poor in society, you have to rely on the buses. I do not think it is reasonable, as I have said, to tell people: “Well, we do not want you to use the buses, we expect you to use cycles and to use your bikes.” At the last debate

something that struck me was the contradictory arguments that were given. We were told there is no evidence that this is going to increase bus ridership. It is not going to make any change in behaviour, but then we were also told we cannot do this, because it is going to be too costly for the buses and they will not be able to cope with the extra journeys. So, first of all, which is it? Those arguments were put forward in some cases in the same breath by the same person making the argument. I would suggest that we need to have a vision. As I said at the beginning, if this was a Minister proposing to do this, we would let him get on with that. I very much work in the same way. I have taken on board ... I have a vision for what I want to do with culture and next year I am going to target some of the monies that I have to reintroduce the flashcard for all the museums in Jersey and I think that is a good thing. I think if a backbencher brought that it probably would not get done. They would say: "Well, actually this money could be spent in a much better way." That is why I think the Constable of St. Helier knows that the argument can always be given that this money could be spent on Y, rather than X, but it is not going to be spent on Y, because that is not how it works. We are asking today that it is spent on X, that we are giving young people a wider opportunity. I will finish with the point that I wanted to make at the beginning. So, when I get on my bus, or I get in my car, or I get on my moped - when the weather's bad it is probably in the car - and I drive along from Grouville on the inner road past Le Rocquier School and I am overtaking some cyclists and I remember one particular day when we had the recent high winds and the rain which was coming down almost horizontally, there was a young lad pedalling on his bike ... and I was dropping my partner to school, she teaches at Le Rocquier and she said: "Oh, that is so-and-so, he always cycles to school. He cycles to school every day" and today sure enough he was cycling to school, as well, with his shirt, he did not have his jacket, he did not have any jacket on, I think he just had a shirt and his tie flapping around and he was soaked already, he had not even got to school. So, we are telling young people: "We expect you to get on your bike." Why would he be cycling to school in the rain and in the wind in those conditions? I do not know, maybe he does not have the opportunity to get on a bus, but you know that there is a bus stop outside his house. The family probably cannot afford it, they probably cannot afford to use the bus. Deputy Ward's Proposition today will allow families like that to get on the bus, it will save them money, but it will also engender a cycle of behaviour which says: "I do not need a car, so when I get to the age of 17, you know what, I am not going to do my licence because I can afford to access the bus cheaply and, of course I will cycle, of course I will walk when the times comes, of course I will use the electric vehicle hire for an hour or so in Town. But my prime method of getting around is going to be a mixture of all of those things" but the key thing it does, it divorces our reliance from a young age on the motor car. That is why I think we should take the vision that is being shown by Deputy Ward and we should adopt it into the strategic policy and make it not just Deputy Ward's or our policy, but make it the Assembly's policy and ask the Minister to deliver that. Of course, lastly - again lastly - the Minister is absolutely right we do need to have transfer fares, but we do not need extra money for that. LibertyBus should be doing that anyway. The Minister should be telling LibertyBus: "I want you to deliver transfer fares within the next 3 months, just get on and do it." The reason it does not cost any more is how can it? If you get on the bus at Snow Hill to go to the Weighbridge and most people have got off at Snow Hill, that bus is then effectively empty. It is going to the Weighbridge anyway, why should you not be able to jump on the bus at Snow Hill, get your ticket and use that same ticket to travel to, I do not know, Five Oaks, to Les Quennevais, to Mont Félard? You should be able to do that for exactly the same price and you would not even necessarily need a Hoppa bus, not that I am saying we do not need a Hoppa bus. But those bus circuits already exist. The Minister can use the power that he has already got and we should be voting for Deputy Ward's proposal today. Let us be a can do Assembly and let us enable the Minister to be a can do Minister.

### **2.3.5 Deputy L.B.E. Ash:**

Once again, I find myself having a lot of sympathy with Deputy Ward's Proposition. I think it is a right sentiment, we do need to get more people using the bus and it is a way forward and it will, if it is correctly done, get people off the road.

[12:15]

I do not think this is the way of doing it. If you target it at 16 to 21, a sizeable number of people leave school at 16 and start working, an even larger amount of people leave school at 18 and start working. At that age they have a bigger disposable income than many people, certainly more than someone who is 27, just got married, had a child, struggling to pay their rent, they will still have to pay a bus fare, while someone who has just got the money can go out, have a good time, they are going to get a free bus fare. It is a flawed concept there. I also have to agree with Constable Crowcroft who said: "Where is the evidence that people are going to use it? Where is the evidence that will drive me back on the bus?" Where is the evidence even for 12, 13 year-olds that will say the parents will go: "Oh, the bus is free now, I will not bother to drop you at school, you get the bus." Where is the evidence to say that? Basically, there is not any evidence, that is the thing. I can tell you where we need to go and I am happy - from my own perspective in Treasury I am happy - that we should help the bus service but it should be targeted in the right way. The reason we do not get more bus travel is because our system at the moment, way improved though it is, way improved it has been over the last 10 years and it is a pretty decent service in most areas, but it is a flawed system. I will give you a couple of examples. I am very lucky because I live on the St. Clement route and that is a fantastic service. The one coming in from St. Aubin is fantastic and the Minister might correct me but I think it is 46 per cent of all bus travel is on those 2 routes. Partly it is done by population, of course, because that is why they are the best 2 routes, although yesterday we saw that the population is not necessarily a reason that we should not have overrepresentation on other routes into the country. I will give you 2 examples. I went the other day to meet a chap I used to work with at the Blacksmith Arms. Now, I did not drive, because I did not want to meet up later with one of Constable Norman's fine establishment. I did not walk, because I did not have a death wish and walking up some of these country roads is not the easiest thing to do, although I know the Constable of St. Clement now is a regular walker on the country lanes and fair play to him. I understand there has been a few ghostly sightings apparently reported in Le Hocq Lane, but it only adds to the quaintness of the area. But, anyway, I went to the Blacksmith Arms and I said to the barman: "Could you tell me the time of the next bus back?" He said: "Yes, certainly" and he had a look and he said: "It is in half an hour." I thought: "Well, if I am only here for half an hour that is probably not enough time, I will probably only get 3 pints in" so I said to him: "OK, that is fine, could you tell me when the next bus is?" and he goes: "Oh well, they go every 2 hours." That really brought it home to me. So I was faced with basically having to ring a cab. I would have got a bus there and back if there was one even every half an hour, but there is not. So, what we have to do, we have to make sure, even if it is a mini bus service shuttling to St. John and back in the day and through until 10.00 at night, it goes every half an hour at least. because otherwise you cannot tell people to get the bus and then say: "Oh, by the way, if you have not got the bus at 7 o'clock you will have to get a cab back to St John." You cannot ask people to do that. If we are going to get people back on buses we have to subsidise those routes, whether we like it or not. It is the only way to do it. If that means using some money from the Government that is what we will have to do if we want to get our bus services operating properly. If we do not, we are wasting our time. We have the only airport bus system that I have ever been on that decides to go half way around the Island, rather than direct into Town in 15 minutes. Why are we not running a fast service into Town, so when people get off the airport plane they think: "I will just get the bus." Most people think: "I cannot be bothered getting the bus because it is going to take me 35 minutes." Again, these are things that could be looked at. If we did that, we could use the rugby club car park as a park and ride on that speed bus from the Airport into Town. There is so much we should be looking at and giving free bus travel to people under the age of 21 is not, in my opinion, the correct way to go.

### **2.3.6 Connétable S.A. Le Sueur-Rennard of St. Saviour:**

I am in agreement with the last speaker. Being a Constable, we get a lot of applications for driving licence, provisional or otherwise and it is a big thing. As soon as a youngster can drive, they will come for the licence. We get a lot. I had an awful problem about 5 years ago in the Parish where one particular school was allowing all their children to drive. I went to the school and I said: "Please could you stop it." They said: "Nothing to do with us, it is your problem." So, I solved the problem by stopping parking altogether in 2 of the lanes, by putting yellow lines down. The school traffic just shifted somewhere else. The children who can drive will want a vehicle, whether it is a scooter, a car, they want that ... yes, I do feel sorry for the Deputy who has brought this, because it is a damn good idea but I am afraid for someone who has all the schools in her Parish I know exactly what it is like. They will not hop on a bus, especially those who come through St. Saviour, bless their hearts, because we do not have a bus maybe after 6 or 7 o'clock. So, if they want to go out they are snookered. Unless you come up with a good bus service through the country lanes, which is never going to happen, I think I have used this expression here before and I do not know whether I was reprimanded, or whether I was not, but it was: "Dream on, baby, because it is not going to happen." It is unfortunate and I need to know, with all these free passes we are giving out to these youngsters, who most of them are earning a good wage, like the previous speaker said, how much it is going to cost the ordinary person because, once again, the O.A.P.s (old-age pensioners) have come into the equation. They get it free, yes, they do and there is no reason why they should not, because most of them are unable to drive after a certain age anyway. They need to go to Town, they need to go to the doctors, so they need a bus pass. We go on about a living wage, half the pensioners do not even have a living pension. So, no point in having a test to see how much the pensioners earn. There is not going to be a test for how much the youngsters earn and I think there should be if you are going to start doing these things. It is going to be a waste of time and money but, having said that, if the Deputy can come back and tell me how much it is going to cost for this year to be put into operation, then I will have to think about it, but it will have to come through before we vote again, because unless I have a figure of how much it is going to actually cost, I am sad to say I am not going to vote for this.

### **2.3.7 Deputy K.C. Lewis:**

I am afraid I must oppose this Amendment. For me, this Proposition is premature and, sadly, undermines the principle that underpins the entire approach I put forward in the Framework for Sustainable Transport Plan. That is to bring forward researched evidence and costed policy solutions that will deliver an improved transport system for Jersey. I recognise and share Deputy Ward's wish to improve accessibility of bus services and that is why I propose in the Sustainable Transport Plan a bus development plan, which will be brought to this Assembly for debate in early 2021 as a result of the principles that we have just agreed. There is a detailed explanation of the objectives of this important piece of work on page 42 of the Framework for Sustainable Transport Plan 2020-2030 as I referred to in my comments to Deputy Ward's Amendment. The purpose of the fundamental piece of work, that I will be starting immediately, is to undertake a whole system analysis of the options, opportunities and challenges for our bus system. This will involve looking at a wide variety of complex and interdependent factors including the design and frequency of existing and potential bus routes; infrastructure including improvements that would make it quicker and more convenient to use the bus; looking at the size and types of vehicles we use on our roads; considering how we allocate road space to buses, which include priority bus lanes, junctions and bus stops; our ticketing and fare structure concessions and the Government subsidy; the school bus network and service and the long-term investment plan for the bus fleet, acknowledging the move to ultra-low emission technologies. The plan will be based on detailed quantitative modelling and quantitative analysis of where, when and why people do and do not want to travel. You can see from this extensive list that we have much work to do to consider with stakeholders and customers that we have a lot to consider. None of the above precludes the outcome and changes tariff structures and subsidies. Perhaps Deputy



Ward's solution may prove to be the right way to invest in the future, a service for maximum overall benefit. However, it is only after we do this work will we have the evidence to show that this is the case and be in a position to bring forward quantified and costed policy interventions that this Assembly will debate in due course. Deputy Ward's proposal asked this Assembly to make the leap today that the best use of unquantified amounts of 2020 funding is to run a year-long pilot scheme that allows all under 21 year-olds free bus travel. But I cannot support asking this Assembly to reach a specific conclusion in advance of the findings and recommendations of the bus development plan. We do not have that evidence to prove this policy intervention would achieve our policy objective of increased bus use and is the best use of funding in comparison to other possible solutions. Therefore, I cannot conclude free bus travel for the under-21s is the most effective way to spend unquantified amounts of the Climate Emergency Fund, even as a pilot scheme. To start such a project without this reassurance is not wise and can only lead to disappointment if the offer is withdrawn at the conclusion of the pilot. I know the Deputy will challenge me by saying he wishes to see action to improve our current bus service. I do not agree with him and my ambitions are high too. I am not suggesting we do nothing while we carry out the bus service development plan either. The strong start delivery plan outlines how we make immediate progress in the following areas. Extending the AvanchiCard scheme to provide complimentary bus travel for a carer to accompany those that are unable to drive due to disability and require assistance in making journeys. Additionally, by the end of 2020 we will have made accessibility improvements to 5 bus stops where disabled access has currently been identified as poor and we will have installed at least 7 more shelters at bus stops. By the end of 2020 we will have developed a bus priority scheme that will significantly speed up bus journeys. I have extensive experience and a history of delivering better bus services with our contracted suppliers. As many will remember, I was the Minister when the last contract was renegotiated. I did not shy away from making difficult decisions that ultimately have led to the increase in quality of our bus service and attracted significant increased bus ridership. I will do the same again and the next iteration of our bus service will be underpinned by evidence and will have the foundation of increased investment opportunity from the Climate Emergency Fund. A better bus services is a priority for me, but I need to bring forward to this Assembly evidenced and funded policy interventions that I will develop collaboratively this year. In summary, I conclude that while free bus travel may be a conclusion reached by the bus service development plan this Assembly does not yet have that evidence and, therefore, I believe should not support this uncosted proposal. We will be putting a board together to consider all options in the future and I do hope that Deputy Ward will sit on that board.

### **2.3.8 Connétable C.H. Taylor of St. John:**

I congratulate Deputy Ward for bringing this forward, because it has created discussion and it is the type of discussion we should be having, because it is thinking outside the box. What I cannot agree with is that it should be free, because, of course, there is no such thing as a free meal. A free meal means somebody else is paying for it. I do, however, support a scheme – if it is properly costed – that would enable youngsters or students ... I, as a youngster many years ago, used to enjoy student passes on British Rail and student passes on various bus networks and I see no reason why we should not have something similar here and this reminds me of those days.

[12:30]

But it is not something in this form that I can support. But the principle of encouraging youngsters on the bus is good, because it will create the habit and hopefully they will be the bus users of the future and that will be good. Just as a footnote, one of the speakers through the Chair inquired about the cost of a driving licence, claiming it was £200. It is £45 for a driving licence, which is valid for 10 years.

### **2.3.9 The Connétable of St. Brelade:**

I do believe that this Amendment is just a little too short of financial information to make it acceptable. Driving licences, in my experience, are all about independence and that is truthfully what 16 and 17 year-olds want and I am not sure whether anything will get them on the buses, but we have to try. I am sure we would all love everything to be free and in truth there is no evidence that under-21s cannot afford to pay the bus fare, but in an effort to be positive, I would agree to an incentivised scheme for younger people. I am not sure if this is what the Minister alluded to earlier; probably the under-18s as they are less likely to be in employment as others have suggested. This would enable, in turn, the bus company to obtain the data the Deputy yearns for and submit a properly costed change to what presently prevails. Members have questioned the lack of information and will need to accept that there is not any for the under-21s. I am not far from the Deputy's aspirations, but I feel my suggested route of an incentivised scheme is more palatable financially at this point and I regret not amending this Amendment to achieve this. The effect of this Amendment will be to reduce the ability of the bus company to enhance the existing service by adding additional trips where and when there are gaps. That is what we really need; more regular services, so we do not have to think too hard about when the next bus might turn up. I would regrettably urge Members to reject this Amendment.

### **2.3.10 Deputy G.P. Southern:**

Thank you and I am smiling as I rise to my feet, because here we are seeing the game at which this Chamber and these Members are past masters and absolutely current superb champions. It is called let us see how many ways I can find a reason not to support a Proposition in this Chamber, which actually means that something gets done. We got principles; I did this morning say careful of voting for principles we can all get behind and nobody is going to ever get to have their apple pie with cream on and a side serving of ice cream. But that is exactly what we have got today; we have got some principles, we have got the fourth sustainable transport plan in the past 2 decades where the Minister - wonderful person that he is - is saying: "But we have not got the research. We have not got the figures." Hang on, we have been 20 years of sustainable transport and we still have not got the numbers. Why is that? Because we have not flipping well asked for them; that is why. So we can always use that: "I have not got the evidence" to do nothing. That is exactly what this Chamber appears to be proposing. The myriad of ways in which we can, while sounding perfectly OK, do nothing. So, a backbencher comes up with a proposal and immediately brains are clicking, synapses are moving all around the room: "How can I not vote for this and yet appear reasonable?" That is the game we play for years. It happened yesterday on the debates on how do we go forward in terms of representation and we decided that we were going to do nothing and nothing would change again. Here we go on a much smaller matter in which we are doing exactly that. We are told to do nothing by the Minister using words I think - I have not had time to look it up today - that he probably consigned the Hoppa bus to non-action some years ago. They were not? They were different words, were they?

### **Deputy K.C. Lewis:**

Unfunded.

### **Deputy G.P. Southern:**

Unfunded: "I could not get the funding for it" and we have not got the funding for this: "I will not spend until I have got the evidence". The difference then was it is unfunded and I am not pushing hard for it, rather than: "We have not got the evidence that it would benefit." But we did not have a Hoppa bus either and it still has not arrived. So, that is the general thing by which we are told we have not got evidence and, therefore, we should not be acting and we will only act when we have got reams of evidence to suggest one method is better than another method and anyway this will not work because it is free, apparently. A dozen Members, at least half of them said it is free. It is not, it costs £20. I cannot repeat it often enough, there is a cost to it. If you want to join this, there is a cost to it

and it should cover its face. It may not, but then if it does not it would either be a low spend, because there is no take up, or it would be a higher spend because there is take up and it is working, possibly. Now, in addition to: “We have not got enough evidence and here are half a dozen reasons why I cannot do this now” my own Constable - shame on him - managed another way of doing it. He took the position of the purist, this does bus riding as part of its strategy and not walking and cycling, because essentially they are the purest form of exercise approach that would get us exercising, as well. So, he has taken a purist view that if it is not perfect and it is unlikely to be in the next 3 years, then I do not want to touch it, never mind that this is a longer term ambition which 20 years down the line may well produce exactly the sort of incentives and ridership that we expect and that we are trying to achieve. So, he says: “I cannot support this, because it is not absolutely correct and guaranteed one way or the other.” Then, finally, we have the Minister again, I will return to him, who is researching and while I find it difficult to vote for this Proposition, as unamended, if he is to have any chance of my vote at all, he must tell us what the information he gave yesterday when I asked him, between 2013 and date, what payments were made to or by LibertyBus. It averaged about £3.4 million a year, described as LibertyBus payments. Were they payments by LibertyBus, to LibertyBus? What do those payments mean? Without that, I could not possibly vote for what he is proposing unamended, because effectively that basic question about what are we doing with our bus service has been unanswered from yesterday. So, I look forward to the Assistant Minister - because the Minister has spoken - telling us what that £3.4 million on average yearly spend was. Was it spent by, or for, or to Liberty Bus?

### **2.3.11 Deputy H.C. Raymond of Trinity:**

I could start by saying probably - which is used quite regularly in most of the meetings - and that is what is a bus and how far do you have to walk to the bus stop. In my particular case, in Trinity, I would have to go some distance to catch a bus and, in fact, some distance to find a bus stop. But, that aside, I can certainly understand the Proposition being put by Deputy Ward, the frustration is there, even with the frustration of the previous speaker of how much does LibertyBus get. The problem is, is that I would have probably - if this debate had taken place prior to me coming into the States - would have known a lot more about it. I have only picked up the situation with regards to the buses over the last 6 to 9 months and very much took ... as I say, with Deputy Ward's Proposition, very frustrated as to some of the situations with regards to the present position of LibertyBus. But what I am beginning to understand is that in any business - and having been very much involved in plenty of large businesses - you have to look at the overall picture. I did not know, until the Deputy said recently, that it has been 20 years before we have made a decision about what we are doing with the situation with LibertyBus and free passes for children, or whatever. I would have probably, as I said, gone back and voted for that some time ago, but the problem is you have to look at the overall picture. You also have to remember - and I do not want to repeat anything that my Minister said - but the Assembly recently approved the Government Plan. We agreed to set up a building hypothecated fund with seed funding of £5 million, which we have all agreed, further input from the income on the above R.P.I (Retail Price Index) increase in fuel duty, so we are gaining more money as well. This fund has to cover the multiple policies we will develop to tackle the climate emergency. These will be developed in collaboration with our community and communities over the few months and is brought forward for debate within the long-term climate action plan. A key part of that will be sustainable transport options. As we know, that decarbonising local transport is vital to reach carbon neutrality. The work outlined in the sustainable transport framework will, of course, contribute to this policy development. We will have to carefully consider and agree how we use the Climate Emergency Fund to deliver best value but, Members, I must point out, this fund is not an all-you-can-eat buffet. In fact, we agreed during the Government Plan debate that the Climate Emergency Fund is unlikely to be sufficient and we are now going to have to agree additional income to that fund to fund our decarbonisation journey. I will come onto that in a moment, later on, because there is a point which physically changed my mind and very much went down the route of what

Deputy Ash was saying. How do we do this? Where the public appetite lies will be a critical part of this year's Citizens' Assembly and public consultation. This being the case, we should not be agreeing to fund uncosted projects that we do not have the evidence to know will work. Fine, we can take that as a criticism, we could fritter away the fund in a heartbeat if this were the case. Some of the suggestions made by Deputy Ward with regards to the 12 months situation and everybody will know in this Assembly, the cost of retaining or getting data costs money. You cannot and, therefore, you have to start with what the agenda is as to how we manage that data and how we deal with it. The bus development plan will be the evidence we need to understand future investment. I am fortunate, because I sit from one meeting to another and I will go to Fort Regent, as a prime example. One of the biggest issues on the Fort Regent Steering Group was transport. How do we get to the Fort, what is going to happen to the Fort, how are we going to deal with the transport? Look at the education debates going on. I left a meeting this week with regards to schools and how we develop that; again, transport. Unfortunately, we live in the situation that we have picked up, that for 20 years you have been discussing it and I agree with you that nothing has really been done and that is the move we have got to make forward today.

[12:45]

I cannot go ahead with it because of the present situation. I need more facts, more figures and I also want to make sure that the beneficiaries are the right ones that are receiving it. That is where I say I go back to Deputy Ash with regards to his position for over-21s, but at the end of the day we may well be giving free places. The one thing I would ask with the Minister behind me is that I do think ... I know we said to February/March 2021, I would like to think that we could consider that we bring that forward. This is obviously becoming a very important issue with regards to everybody and we all have children, grandchildren and everything else and if we can get them to places safely, bicycle routes, walking, or by buses rather than our own transport then that would be great. But I have got to say that once you start doing a piecemeal situation in any situation then you are going to have problems. We make a decision and I am saying this, this is going to cost money, something else falls by the wayside. The unfortunate thing in this Assembly and in the year 2020, you are not going to get all the money for everything that you do and I think that, dare I say it and I hate the phrase, we are going to have to wait to get all the information together, so that we can get a bus development plan that we all know, we all support and we can bring back to the Assembly that everybody can put a tick box against.

**The Deputy Bailiff:**

I can see it is past 12.45 p.m. if anyone has any applications to make?

**LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

Do Members agree we should adjourn until 2.15 p.m.? The States stands adjourned until 2.15 p.m.

[12:47]

**LUNCHEON ADJOURNMENT**

[14:17]

**Senator I.J. Gorst:**

Before we just resume the debate, could I just inform Members that P.129, Draft Taxation (Implementation) (International Tax Compliance), I am moving to be listed for 21st April. There are

still some questions and conversations to be had with Scrutiny in that regard and that is why I am moving it. I just wanted to inform Members, with as much time as possible.

**The Deputy Bailiff:**

So P.129 to 21st April?

**Deputy J.M. Maçon:**

As it might be an opportune moment, can I inform the Assembly that the Propositions under the Minister for Social Security today will also move to the next sitting. She is very passionate to take them.

**The Deputy Bailiff:**

That is P.2, P.3 and P.4. Thank you. The next Member to speak is Deputy Wickenden.

**2.3.12 Deputy S.M. Wickenden of St. Helier:**

While looking at this Proposition, I think we can all agree that it is unfortunate that there is not an awful lot of information that we can judge how and where costs and travel, how it will be affected. I guess the only thing I can take as an example for what I think what it will be like is my own experiences from when I was at school. Now I have no children, so I do not know what it is like for travel for kids at the moment, but I will go to that later on as well. But when I was going to school, many years ago now - it is getting further and further away - I used to have a bus that would travel from my house out near the Union Inn Pub and it would go all the way up to the north of the Island, straight across the top of the north, all the way down through Trinity, through St. Martin, down into St. Saviour. It was easily an hour and a half bus journey. So, we used to just cycle. It would be easier to get 15 minutes and cycle, it was still quite a journey on some serious roads and we would just cycle to school and we would cycle back. I do not know if the roads are as dangerous then, or as they are now or the likes and surely there is definitely more traffic on the road. But I do not think anyone is going to try and run over school children if they are cycling to school. What I want to talk about is the targeting of this from 21 unders. Now, I left school, I think I was 15, because I left school after my G.C.S.E.s (General Certificate of Secondary Education) and I went straight into work and I had a job and I left home at 17 and I got my own flat because I wanted to go and try and live on my own. So, I was working, I had enough money to go and get a flat and I was going on at that same time. So, I am struggling with this under 21 and how it is targeted and why it has targeted under 21s in that manner. Now maybe my growing up was not typical in some ways, but in no way were we affluent, or a rich family. But I ran out to work, I left home, I got a job, by the age of 21, where this kicks in at, I was probably earning more money than I am now in this job. So, I just think the targeting of this does not seem to make sense where it is like 21 and under, because it does not really fit for everyone. So, how is it being targeted in the way that it is? As I say, earning a lot of money in those days in the private sector, there is no way I needed a free bus pass. Now I did not drive until I was 30. I passed my driving test at 30. I lived in Town, worked in Town and I relied on paying for transport and the likes. So, there is a targeting, so it is aged under 21. So zero to 21 you get a free bus pass. Again, I am not quite sure on the targeting of this. So, I do not have any children, but I do have nieces, so my brother has 3 beautiful young girls, my sister has 2 beautiful young girls and I know that my sister-in-law has to go and pick up my nieces from school, because they have after school activities. So, they go and they do gym and music and all sorts of other activities that you just would not let an 8 year-old travel up to somewhere like St. Mary on a bus, even though it is free, to go to gym or any of those places. I know that a lot of children in our schools go and do after school activity, so will giving children, all ages under 21, will it make a difference in a lot of areas? My 8 year-old, of course, cannot go on to a bus with a bus pass in the evening. I do not even know what age it is you have to be to be unaccompanied, apart from on a school day, to have a child go on a bus. I am sure if my niece jumped on a bus at 8.00 [p.m.] and tried to get on a bus without a parent they

would not be allowed, or I would hope they would not be allowed and I hope no bus driver would drop my niece off in the dark at a bus stop somewhere and just expect her to be able to get home. It is about this targeting. This under-21s. It feels like there is not enough information but, as Deputy Southern said earlier, this is an opportunity to do something, just something that will make a difference. But I also know that just doing something for the sake of trying to do something never delivers the outcomes that you are looking for. Normally, you end up having to just fix it and fix it, or scrap it, because you have not looked at it properly, you have not dealt with the right evidence. So, this is where I struggle with this Proposition, which is I know there is not enough information, I know from my own personal experience that there are other ways to do things, but I do not understand the under-21s. We should be targeting properly and appropriately. The other thing I wanted to just mention, which was in the proposer's speech, it actually said the best thing about this is it is non-inflationary, I believe. He said it is non-inflationary. But there is no such thing as free. Somebody is going to pay for this. So, it is going to be paid for in the Proposition under the Climate Change Emergency Fund, which is being paid for by a 6p increase in fuel. So, as we know, that is going to have an inflationary measure on it, as well. So to say that just because that bit is being dealt with to get the money, that this bit is not inflationary, I do not think is a true statement because somebody is paying for it. So, when you get to 22 you will be paying for it. When you get a car you will be paying for it. So, I do think that we need to do more with the buses. I do think that Constable Crowcroft was right where he talked about ... I live in St. Martin, if I want to go to the airport I have to get 2 buses and I have to move around to get to the airport that we should be looking at properly. But the Minister has talked about in his strategy that these things are going to be looked at. There is an idea that we are going to look at it and we are going to get the evidence and it is not there now and it is such a shame that it is not there now. It really is. But is this just doing something for something's sake under the premise of an ill-targeted approach the right thing to do? I cannot say it is. I think I would rather let the Minister go and find the information about travel and who can do it. We have a lot of parents that take their children to school in great big ... they are called "Chelsea tractors". They can afford these great big, gas guzzling, cars to take their children to school. Are they going to stop buying those cars that they can afford and stop taking their children to school because they get free buses? They are not at all. They are just not going to do it. I think it will help a small amount of people and I think we can do more work to find out the people that we can help in this manner, but just by blanketly doing under-21s in this manner, in an ill-targeted way, without understanding all of the outcomes that we are looking to try and achieve, is not the right way to do any kind of legislation in this Assembly and I will not be supporting it.

### **2.3.13 Deputy C.S. Alves of St. Helier:**

It was something that Deputy Wickenden mentioned that made me put my light on and other Members. This notion that when you are youngsters you get a good wage. Maybe it is the generation difference, because there is almost a decade between myself and Deputy Wickenden. But I was 19 when I left home and I was working 3 jobs, 60-hour weeks, to pay for my rent. This notion that youngsters have a good wage and therefore have more disposable income is just simply not true, unless something has changed between the generations, because I am a different generation. Can I remind Members to look up the trainee rate for social security wages? It is about £5 an hour, I think. A lot of these youngsters under 21 will be on that wage. On top of that, we have got a minimum wage that is below the U.K.'s minimum wage, when our cost of living is 20 per cent higher. So, I would like to know where these under 21s are that are earning so much money that apparently they are getting a good wage. Picking up on a couple of things that the Minister said. How can we gain evidence if we are not even willing to run a pilot, or an experiment? I would like to know the answer to that. Because the Minister said that if we approve this it will just prove to be a disappointment. Well, where is his evidence to that? Also, where is the evidence that those who can afford to go in "Chelsea tractors" to take their children to school, they will not stop doing that? We talk about evidence and evidence and I completely agree, we do. We need to stick to facts, we need to stick to

evidence. But if we are not willing to experiment, or pilot schemes, how are we ever going to gather that evidence? That is all, thank you.

### **2.3.14 Deputy J.M. Maçon:**

This debate has gone on for quite a while. Just a few things I want to mention, of course. The Deputy is not asking for free buses for under 21 year-olds. What he is asking for is a capped scheme to perform their subsidised system for people who are under 21. Alternatively, however, we do already have a form of a subsidised scheme for those children in full-time education currently and I just want to bring Members' attention to this, because they can get a student AvanchiCard and I am quoting from the LibertyBus website: "Please note that children under 5 travel for free (one child per fare paying adult)." The child fare is £1.10, contactless is £1.00.

[14:30]

The Avanchi student card for children aged 5 to 15 years inclusive of students in full-time education pay just 85p per journey with an Avanchi student card. So, in a sense, we already have a subsidised system for our students in existence, so what exactly is the benefit when we have already got that system. I would like the Deputy to respond to that when he sums up, because we have already got one in existence. I think when Members have been speaking, no one else has referenced that. I think we just need to make sure that, again dealing with facts, that Members are aware of that. I recall my school days, which were not that long ago, but of course, where I was at Georgetown, I was lucky enough to get into Hautlieu and I remember cycling in the rain. You always used to carry an extra pair of clothes - to answer Deputy Tadier's question - with you when you got to school, going up either the death trap that is Les Varines or the steep Fountain Lane. So, I tended more to push a bike to school and then ride a bike home, because it was down the hill. That tended to be my experience but, of course, why I raise this is because free bus travel would have been absolutely no advantage to me whatsoever, because there was not a bus going to where I needed to go. Of course, this is the point when it comes to the system, I appreciate this is not just about students in full-time education. There is a remit of this proposal that is, of course, right up to 2021. But the point which I want to make and I think it is a fundamental different point of view that I share with Deputy Ward in that. Yes, I agree we should have a better bus system but, in my opinion, what we need is more buses at times when people want to use them and a better route system, so that you can encourage people to use the bus system. If we have a pot of money to invest, which by the way we do not necessarily know we do have, if we do have this pot of money to invest, is that not a greater priority and a better way of targeting the system and changing that overall behaviour, is that not a better way of using any monies than what the Deputy is proposing? Yes, we do need the Minister to do that work. That work does need to be done. The Minister has agreed to undertake that work and I look forward to that. I would like to see some investment in the next Government Plan towards the bus system after that analysis has been done, because, again, we do need to change behaviour and I agree with Deputy Wickenden. I am a St. Saviour Deputy where we have got the schools congregated. I have one in particular in my own district and it is true that with what is available, I do not necessarily believe that this system will suddenly change, all those parents who were going to kick out their dear little Johnny, or dear little Jessie, out of their substantially large cars and make them cycle or walk to school. I would take the bigger point, however, that of course we do need to invest and I look at the Constable of St. Helier, in our safer routes to school policies and travel plans, because if we want our students to cycle and walk to our schools then that is where we need to put more investment going forward. So, when we are talking about how you will use the climate fund and put that one into the pot of ... where does that sit in priority to all the other stuff? Because if you want to again reduce the carbon neutral strategy where you have got the hierarchy of travel, actually you would want people more to cycle and to walk to these schools, as opposed to using the bus, in the round. Deputy Ward brought a very similar proposal last week and I do not feel that the issues around it really have been addressed in this particular speech. I do think we need to do things on a more evidenced basis, which the

Minister is looking to do. But what I would say is well done to Deputy Ward for continuing to push this subject, because he is pushing it up the political agenda, he is forcing Members to think about this more and, whichever way the vote goes on this, it is a credit to him that he has continued to push that issue. I do not say that to be patronising, I genuinely think that he is doing good work here. But on this one I am not able to side with him today.

### **2.3.15 Deputy J.H. Young:**

In similar respects, I think Deputy Ward and the Connétable are both on a similar journey really, a parallel journey, which is how to use the very summarised core material in the original Proposition and how to try and shape that up into a policy that we felt went far enough for us. But, of course, there are limits to that. I certainly have encouraged Deputy Ward to work with the officers and to try and do that. I think my advice was to come up with some strengthening in the policy, which relates to the importance of this public transport, the bus service, without being too targeted and specific. Because I think, at the moment, we do not know where best to put that money. For example, what we do know is there is an existing bus contract. The Minister has been running that successfully for a number of years but, in my view, we need to review that basis of the contract, because it is based on the notion of a fixed minimum subsidy. Therefore, the task has been in the current contract to get the best public service that we can out of that subsidy. That has been very successful. But I think we have reached a point now that needs to be reviewed, because we know there are not enough routes, we know that the current ... we have a high fare structure, we have inflexibility in that structure. We do not have through-fares, we have got no circular routes, we have got no Hoppa bus and yet all these needs and we have got the need for school bus improvements. Of course, it is not an innocent thing. I heard what was said there. I have got absolute sympathy for the effort that Deputy Ward has put in. I do not want to see him come away from this debate feeling he has got nothing out of it, even if the Proposition falls, because it is not a pilot scheme. It cannot be, because I know already that if we are to achieve even some of those things, we will need new buses. We will need to recruit more drivers. We will need to recruit more support infrastructure and so on. That will take time to do. The plan that is in the sustainable plan is to do exactly that piece of work to where we work out the money. Now, at the moment, 2020 is constrained by the £1.5 million, which was approved in the Government Plan to be met from the climate fund. On all those initiatives, including improvements in the bus service, but that is no way going to be enough. So, I am very hopeful that in the review that the Minister spoke of we will see a real set of proposals of where those resources are to go, to achieve those things I mentioned and we can have the opportunity to fund that from the climate fund. There is a balance in that fund at the end of 2020 and, of course, if the revenue group that has been set up produces the goods, we will have a flow of money, an order from revenue generating sources from those that pollute. So, with that, I think with great regret, I feel I cannot go to the step to go along with Deputy Ward's Proposition today. But I absolutely praise him for putting it on our agenda, because unless we add that we would not even be thinking of it. We would not even have the commitment in this document that there is going to be this piece of work. We would not have commitment in principle to the funding. So, I am hopeful we can come back to this when we have that information at the back end of this year and that is a time at which I think we can really invest and set the bus company on a new challenge; how to achieve all those changes and we will have to put money into that, I am quite clear. But to make sure the money goes to the right place, that is the task that we have got to do.

### **2.3.16 Senator S.Y. Mézec:**

This is a great idea, but ... I support the principle, but ... I congratulate the Deputy for his well-intentioned proposal, but ... That is all I have heard in this debate so far. This Assembly so often is so good when it comes to accepting nice words. We had that yesterday with part (a) of the Electoral Reform Proposition and then we are so bad at putting our money where our mouth is and taking action based on those words. Some claim that it is the Council of Ministers which is uniquely



bad at putting off decision making, but sometimes this Assembly is just as guilty of that. There are sometimes criticisms over lack of leadership and vision, but on the issue of public transport I say that Deputy Ward has leadership and has vision on this issue, which he must be congratulated for. I wish more people would have faith in somebody who is coming up with tangible proposals to move forward on this. I think that the aspiration for free public transport is a noble aspiration and one which in the last few years I have come to support wholeheartedly. It is not a radical suggestion of having free public transportation. They have just introduced it in Luxembourg, they have it in Dunkirk, there are other places too. It is not radical. It is something we can do if we have the political will to do so. What makes it a more attractive proposal is the fact that there is not really anything else on the table. What we are going to have is we are going to do a piece of work and then a piece of work we are going to review and then we will have another review. Frankly, we spend so much time going over decisions that have been spoken about, as Deputy Southern pointed out, decades before. How many years ago was it that the Assembly approved the principle for a Hoppa bus and we still have not got one? That is what this Assembly is so often guilty of. So, I wholeheartedly support this proposal from Deputy Ward, not just because it is something in the absence of anything else, but because I think the aspiration is right. Part of why I am motivated to support free public transport for people under the age of 21 is because contrary to what some people think, I think that that generation has got a rotten deal over recent years. I remember when I was 17 years old, around about the time that the financial crash happened, I remember watching “Newsnight” one evening, because I was a bit of a weirdo at that age and would watch the news, unlike many of my peers, and I remember a panel of economists being interviewed who were saying with the financial crash at its peak then looking forward to recessions and governments and opposition parties then talking about austerity, making the prediction that the young generation then would be the first for hundreds and hundreds of years to have a lower standard of living than the generations which came before them. That is so clearly true. Young people may well benefit from having smart phones, which is quite nice, but they are the generation who has had university tuition fees imposed upon them by generations who all got to go to higher education for free. It is the generation that has to suffer from the systematic degradation of the pensions system, it is the generation who with their wage-to-rent ratio has a far worse deal than the generations that came before them, many of whom will have benefited and been able to flood the market with buy-to-let investments, rather than homes for people to own themselves. They have had a rotten deal and I think the idea that we would do something to support them, support them in getting to school, which can be expensive for those families on low incomes who have got multiple children, who have no choice, they have to send their children to school on the bus, because of where they live, whether they have a car, or not. To be able to support those young people, if they choose to, to go to work. Something which I would hope we would want to support young people in doing if they want to and to support them being active, whether that is to go to sports facilities or, frankly, just to go out and enjoy themselves and spend time with their friends. This idea that when you hit 17 you get your driving licence, you get your car, you get your independence and that is it, is out of touch nonsense. How many young people are there, firstly, who do not aspire to take their driving test as soon as they are eligible? There are plenty of young people who do not. How many are there who give it a go and for one reason or not turns out that they do not pass their test, or want to put it off for a few years? How many people out there whose families cannot afford for them to have an extra car and the high insurance rates that go along with that? Let us not forget all of the young people, who live with their families in flats in Town, who do not have parking spaces? Would not have a place to leave their car, even if they did. So, this idea that that is the automatic aspiration for young people is simply out of touch nonsense. For many young people the bus is a good option.

[14:45]

This is a proposal which will aim to support them. But I thought the speech from the Constable of St. Helier was bizarre where he spoke about going to a school and seeing all of these cars everywhere.

We know St. Saviour has particular problems with congestion, because of how many schools there are in close proximity there and our solution is to not even try to do anything about that whatsoever. To say that we can still encourage people to get in their cars at the worst time for congestion, where lots of these schools based in a small concentrated area are causing real problems and difficulties there rather than simply say: “Oh yes, it would be nice if there were alternatives and young people or anybody going to work would not have to drive their cars” but we are not prepared to entertain the idea that we might actually take some action to achieve that. That, I think, is the most frustrating type of politics for me. I would much prefer that decisions on something were to be made. If it is the case that this is not the right idea, I want to know what is the right idea. To say we are going to review it, we are going to review it, we will do this down the line, I simply do not have faith in that process, because we have been here so many times before and ended up with nothing as a result of it. So, I do not simply say to Deputy Ward I support the principle but ... For me there is no but. I will be voting wholeheartedly in favour of it and congratulate him for bringing some vision and leadership on the subject. I wish that more Members would see that taking action does not have to be the radical or bold thing to do. It is frankly what the people who elected us expect us to do, rather than talk.

### **2.3.17 Connétable D.W. Mezbourian of St. Lawrence:**

I think I probably agree with most of what we have just heard from Senator Mézec, although I disagree slightly with him regarding young people who want to drive. My experience is that as soon as somebody hits the age of 16 they send their mum to the Parish Hall to collect the appropriate forms for them to complete to get their provisional licence. Indeed, we get the mums coming in before the kids have reached 16, because they want to be able to apply, as soon as they possibly can, so they can get out there, they can get in their cars, learn to drive, drive to school. We see that all the time. How do we stop them doing this? Actually, we have to change their mindset and that is exactly what this Proposition, or this Amendment, is about. I do not think people have paid enough attention to what Deputy Ward said when he spoke, because he did concentrate on the point that it is about changing attitudes. If kids can get free bus travel from a very young age and they begin to use it with their parents initially and then maybe they will be going into Town at maybe 12 or 13, they can hop on the bus, it does not cost them anything, they will realise that using public transport is an asset. I know the Connétable of St. Helier spoke against this, because his Amendment has just made cycling and walking more attractive. That is what we are aiming to do, especially for travelling to school and commuting. But it is not always possible to walk and cycle and public transport is there to be used. Frankly, changing the mindset of young people is something that we should have been striving for years ago. I think they welcome the initiatives that this Government, or this Assembly, are leading on with sustainable transport and with the carbon neutral strategy that we have adopted, because they are very aware of the impact that the use of the private motor car, particularly with a single driver, has on the environment. The Constable of St. Helier, unfortunately, was not at the last meeting of the Comité, but initiatives such as this do not always come to this Assembly. At our last Comité meeting, we had a presentation by the Deputy of Grouville, Deputy Labey, to encourage every Roads Committee in the Island to look at safer routes to school and cycle routes. So, we gave a commitment to her initiative to look at our Parish roads, to identify suitable areas that could perhaps have cycle lanes in them, or even consideration being given to creating green lanes to promote safer cycling and safer walking routes through our Parishes but then to join up, of course, with which we share boundaries. So, initiatives to encourage us all to get out of our cars, particularly when it is single occupancy, are going on all the time. I applaud Deputy Labey for bringing that to us. I am sure all the Roads Committees across the Island are busy working on the review of their Parishes and we will be meeting later this year to then try to join up the cycle paths. Do not know if it is going to work, but unless you try you do not know and I think that is what Senator Mézec has just said. Unless we try things, we do not know if they are going to be successful. I think this is pushing at an open door for many young people, not least because of the fact that many of them do not have much disposable

income. My disposable income as a teenager was what I earned at BHS on a Saturday and I think my first day there I earned £2.07 for a full day, so that ages me, does it not? I earned more than those people at Woollies. I did not want to spend that hard-earned cash on the bus, so I used to walk in to BHS and walk back again. But, of course, had it been free, I would have used the bus in bad weather; in bad weather. So it is about initiative and that is the example that is being set to us, or given to us, by Deputy Ward. I think it is really disheartening to hear so many people speak against it. I do not know if it is deliverable by 1st April. If it is approved, then it is up to the Minister and his officers to deliver it, because that is the date that has been mentioned in here. Somebody said there is no advantage whatsoever, because buses need to go where you want them to go. I think it was Deputy Maçon. That is absolutely true. We have no idea what the take-up will be, because we know that buses do not reach every part of the Island and that is one of the reasons I think why, as soon as we hit 16, we get our provisional licence to get ourselves on the road. That is what we are trying to avoid. We are trying to break the cycle. This, I think, goes some way towards it. I am really disappointed that yet again we have heard from a Minister - and I like Deputy Lewis, we have served in this Assembly since 2005, so we go back a long way - but it is disappointing that there is not more encouragement. He could have stood up and said: "It is a really great initiative - really great - and I will work to deliver it as soon as I possibly can. Maybe I need a few figures." But I do not think it is going to cost us a fortune, because I am not sure there are that many young people who would be taking it up, but it is those few who are encouraged to use this and to consider the wider implications of car journeys. I support the principles, but although not many people may be supporting it, I certainly am going to.

### **2.3.18 The Deputy of St. Martin:**

I am driven to stand and speak by Senator Mézec talking about Members in this Assembly standing up and playing lip service to Deputy Ward, saying what a good idea it is and then voting the other way. When I read the Minister's comments to this Amendment, I was reminded of Deputy Ward's poetry: plans, reviews, consultation. I have just come from a meeting, where some of the stark effects of climate change was spelled out very clearly to me and I have come to the conclusion that I am getting fed up with plans, reviews and consultation. I am very much more going to align myself behind things which take action. We do not have much time left on carbon emissions, on doing things about climate change. We cannot go on for ever and a day, waiting for reviews that do not turn up. I know the Constable of St. Helier is keen on walking and cycling and so am I. That is something that must be progressed in St. Helier, but we cannot do that without reminding ourselves of the rest of the Island, a lot of people would make more use of a bus service if it was there more regularly and it was cheaper to use. If no other reason, allowing under-21s free access to buses would get them into the habit of using a public transport service and I would hope, when they got to a point where they might have to pay something to use that same service, they would be much more inclined to do that. So, there is a change there that could be made. The other thing about the comments to this particular Amendment, which I find amazing, is that there are no figures from the Minister as to why this might not be such a good idea. There is not even an attempt at a vague approximation, or even scaremongering which would almost be allowed, if you like, to say this could potentially cost us millions and millions of pounds. To me, that is just not good enough. There must be some numbers somewhere about the number of children that use school buses, the number of people who are a younger age who get on buses. There must be a way of a cigarette packet calculation, if you like, as to what this might cost Government, but there is nothing. So I am saying to Members today, let us look at a proposal which gives us the quickest and most accurate way of coming up with how much this might cost us. Let us do it. There is a promise to review after a certain amount of time. If it does cost a load of money, it does not increase ridership by very much and the youngsters do not take it up, well fine. We will put the money to better use somewhere else. But I have to say, inactivity and inaction is not something we can tolerate much longer in this Assembly when it comes to things like climate change. We do not have much time left. The effects of climate change on this Island,

on the globe, are coming home to roost very quickly. We have got to get people out of cars where we can and if we can encourage any of our population into buses, it is time we did it.

### **2.3.19 Deputy G.J. Truscott of St. Brelade:**

My first distinctive memory, I had a brand new bike and I must have been 10 or 11 and it was the spring that I decided to go on an adventure. Living in St. Brelade, to Town and back in those days we had the one ... we have still got it, the Railway Walk, so it was down the Railway Walk, into Town had a mince about, came back again. It is one of those childhood memories that kind of stay with you. It was the first big adventure for this Parish boy, who is a country boy, so to speak. While I am on the subject of the Railway Walk, I understand that the Minister still has not appointed somebody to maintain it, so I hope that will be remedied shortly, because it is looking in one hell of a state. Going on, when I went to Hautlieu, I car-shared with a neighbour. We both went to Hautlieu, we were in the same year. He had a Morris 1100, just to kind of put things in perspective. No, it was a Morris Minor, just to put things in perspective and I had a Vanden Plas Princess, which was quite posh, absolutely. There were walnut tables in the back. It was very elaborate. It was a hand me down from my mum and dad, but it was quite smart.

[15:00]

On to the subject; I have the greatest sympathy with Deputy Ward, because it is ... I can tangentially feel the frustration that he has with this whole process. You have desperately been trying to get out the information from the Minister, desperately asking questions and not getting feedback and I can understand his frustration, because I am sure if he had had some tangible information he would have come up with a: "This is what we can do", *et cetera* and I have the greatest sympathy with him. I also recognise that there are these manoeuvres in politics, where things are put off and we should, as an Assembly, try and avoid that and really start ... to hear of action and start to do things. But - I have got a big but coming - and it is just my sensible hat on my head today and it is about impact assessment. One, we do not know how much it is and it is no fault of yours and I am going to absolutely agree with Deputy Luce of St. Martin. Best guesstimate would have been nice. There must have been some way of kind of analysing what this would cost and we do not know how many extra buses would be involved, how many extra drivers would be needed. The impact on the paying public is something that would have been useful to understand, as well. So, you can see it is difficult from this perspective trying to work out the impact analysis on the travelling public of Jersey. I would love to be able to support this, this afternoon, really I would. Believe me, I would. What I am hoping is that when the Minister does come back with a raft of suggestions, we can look at those suggestions, the ones that we like the best that will deliver the most environmentally friendly things for the Island and I think we have also got to think about getting people out of cars, out of buses. Half of our children, the population is obese. They are classed as obese. So, if we can get them onto bikes, off buses, out of cars, cycling, walking, I think it has got to be the way forward. So, as much as I would like to support Deputy Ward this afternoon, I really am going to wait for the Minister to come back with his suggestions. Then I can make a judgment call and one I feel would be best going forward. I hope possibly there will be free buses at some point, or certainly heavily subsidised buses. I think Guernsey are quite cheap, £1 a journey, or something and it is something we could look at. But I want to see it in context of a bigger offer. So that is where I stand.

### **2.3.20 The Deputy of St. Peter:**

Very quickly, I share Deputy Ward's frustration of not getting information out of Infrastructure, but I would like to know if he went to LibertyBus themselves to present his Proposition to them to find out what the impact will be on their business and the ability to deliver this service, both financially and practically. However, what I have really learnt is that a year to do a bus development plan is really just too long. I would like to lay down the challenge to the Minister for Infrastructure to deliver this in the autumn. I cannot believe it is that difficult to bring something that gives us enough

information, in order to have more of a trial than necessarily a final deliverable and I would like to see that happen. I just say that because it is quite well-known I am a supporter of EVie. I first heard about EVie a year ago and it was an idea. No more than an idea with some people and, within one year, they have turned that idea into it 8 cars, 8 parking spaces, 140 e-bikes are over here. They negotiated, with the support for the Parish of St. Helier, Digital Jersey supported them, they delivered that in a year, not just a plan; they delivered it. So, why can we not do things faster and equally as efficient. So, I lay down that gauntlet. Because, if I thought supporting this Proposition would accelerate the bus delivery plan, then I would. But I do not think it will deliver that necessary result. If we are going to have these plans, we can at least give some really strong aggressive timescales instead of a year here and a year there. That is why we cannot achieve anything.

### **2.3.21 Senator J.A.N. Le Fondré:**

I think what I would like to do is actually just put us all the way back and start actioning praise of LibertyBus, which feels like it has got a little bit negative somewhere in the discussions. I know it is going back a little bit in history, but there was a point when the roles were reversed and the Minister for Infrastructure was my boss, I was his Assistant Minister. That was in the handover between Connex and LibertyBus. Without going into all the trials and tribulations that happened at that time and I genuinely cannot remember the specifics of the bus contract, but the point is and I think the Minister said it on a number of occasions, we are now at something like a 40 per cent, or over 40 per cent, increase in bus ridership since then. If we are talking about carbon neutrality and all that sort of stuff, that is a huge increase and people seem to forget that actually there has been quite a significant change. I want to endorse the comments from the Connétable of St. Helier. It was wonderful to listen to him speaking this morning. But also going to the point he made about working with the Department and how he believes he is getting dividends. I really do encourage Deputy Ward to be going down that line. But I think, on the basis I am obviously supporting the Minister, the reason I will not be supporting this Proposition, let us go back to it. In less than 3 weeks it is to bring in whatever the scheme looks like. It has only been lodged for less than 2 weeks. So, the Minister has basically had 2 weeks to respond and he has got 3 weeks to put it in place. It is all very well saying about year of action and I was slightly disappointed at the Deputy of St. Martin and others who said: "Oh, it is not that many, but how do we know it might not be that many." "Let us spend the money, because we do not know where we are going." If I came up and, my goodness, on the Government Plan, the grief we got on certain things which we thought were sort of reasonably obvious, it did what it said on the tin in terms of wanting to spend quite a lot of cash. I will go back to the point, the Government Plan was a plan for the year. That was the point of putting big financial expenditure in there, so you can plan for it, you can put the resources in. One of the reasons, for the Deputy of St. Peter let us bring it in time, is because somebody needs to do it. One thing I have also learnt is that the whole transport system in its entirety is quite a complicated little network that is both on bus routes, that is about a viability and can you afford it. Liberty in the past have tried. They tried to do the kind of ... I will not use the expression I used to use, to try and address with small buses some of the zones, like up at Mont Cochon on the edge of both 3 and 4 in St. Helier, or St. Lawrence, where they are not served. That was an experiment and it did not work out, because there was not the demand. That obviously was a waste of resource. There are arguments around the thing that can you go from the east to the west and two-thirds versus one, which the Minister, I think, has said he will be looking at. Indeed, that is what is labelled out on page 43 of the S.T.P. (Sustainability Transport Policy), the optimum distribution design and frequency of routes, including existing routes. Where improvements can be made. All that sort of stuff. What we learned once, when there was a relatively minor rockfall at Westmount, I think it was, on land that did not actually belong to the States at the time, which I think the Minister was very keen to remind people, but he got a lot of blame for, is because that one thing overnight, the traffic chaos and carnage that took place for the next few weeks was ridiculous. That is how in certain parts of the Island it is on a bit of a knife edge. So, in other words, you play around with the system, you do it coherently and you

do it properly. If we get massive demand for the untargeted group that the Deputy is talking about, who potentially some of whom, it may be a majority of whom, we do not know, can afford to pay for it anyway, what is the consequence? If you need to suddenly go out and get more buses, do you displace the people on the school bus system, or the people who desperately need to use the buses? I go back to the point about evidence. About doing it properly. We are using taxpayers' money ultimately and there is a consequence to it. LibertyBus, I think, are an excellent operator. To me, they are very flexible and they are very open to trialling these type of things. My understanding is that part of the advice we have had is it does not necessarily achieve the objective of what Deputy Ward is trying to do. I think there is a decision there as to whether one is trying to do a benefit, in other words are you trying to assist people who cannot afford to do something, or are you trying to change behaviour. Because, if it is about changing behaviour - and let us go back to evidence - I do not know, it is not targeted at 21 year-olds, but it is the only bit of evidence, as a non-transport person whatsoever, but it was circulated I think by the Minister some weeks ago when we got into the wider thing of free bus passes was that the evidence is you get unintended consequences and it does not achieve what you are trying to do. What the evidence of the academic study that was done and I cannot remember where it was targeting, I am going to say somewhere in Holland, but it was academic studies and it was evidence-based, which should be where the Deputy is coming from as a Chair of a Scrutiny Panel, was that the evidence was that the unintended consequences one saw was that more people who cycled and walked took advantage of the free buses, then that is your reduction in cars. So the unintended consequence was you did not achieve the sort of reduction from a carbon neutrality point of view, all you did was you made it comfortable for people, who were already not using motorised transport. That is my answer: what is the objective? If the objective is to achieve a change of behaviour, free buses and this is basically free buses for a different area, did not achieve the objective by itself. If the Deputy needs that paper, I am sure the Minister will be delighted to recirculate to him, I am sure he has seen it previously. But I do get worried when having been through the whole planning process, tried to allocate the resources that we have got, we have a limited pot, do not forget, particularly when we are facing the challenges not only of today, the current challenges we are facing and they are going to get worse over the next few weeks, I suspect and there will be demands for resources to go into those sort of areas to assist businesses and we have got to manage all of that side of things. The other challenges we are going to face during the year, which could be the longer economic consequences and jumping into something which we do not know, is not costed, for all the reasons that I think has been expressed and it may be around getting data and it is not really targeted. On that whole reason, I certainly will not be supporting it and I would encourage Members not to support it today. I do take the point, I do encourage Deputy Ward to work with the Minister, to work with the review that is going to happen, we will expedite it if we can, but it is about resource, it is always landing on the same people. But, as I said, it is not targeted and it does not necessarily achieve the objectives he is setting out.

### **2.3.22 Deputy G.C. Guida:**

I was wondering when I would be able to mention this. First of all, it is true that figures about our bus system are quite difficult to get at, but there are a few that are published and one is quite interesting. We subsidised 600,000 journeys of school buses and basically what this means, if you take your calculator and spend 5 minutes on it, is that this Proposition will cost between £500,000 and £750,000. So, that is the cost. For people in Infrastructure, in Environment, who work pretty much every day looking at reducing the emissions of carbon, we are looking at these figures and we would not mind investing that much and trying to reduce a little bit, however, I get the chance to read you my list. Electric buses, additional routes, through-fares, flexible fares, circular routes, dancer routes, biofuel for buses, augmentation of parking charges, rise in fuel duty, strengthening of Building Regulations on parking, creation of electric hubs, addition of charging points, more covered bicycle parking, more motorcycle parking, revamp of V.E.D. (Vehicle Emissions Duty), biopetrol for classic cars, regulations for deliveries, more delivery rounds for more shops, biofuels for plants and

machinery, biofuel for commercial transport, biofuel for agriculture, tree planting, rewilding, land management, incentives for 2-wheel transport, changes in how we regulate mopeds, incentives for electric mopeds, deregulations of individual electrical devices, more cycle lanes, cycle friendly offices, commercial seller, home seller.

[15:15]

Insulation subsidies, home electric conversions, uses for hydrogen, extension of heat pumps, use of cargo bikes, scrappage scheme, I have more and this, of course, is a very small list of everything we can do about carbon neutrality, about the climate emergency. Now, if you wanted the whole list and I mentioned this exactly a year ago, it is about £100 million a year. We do not have it. We have nowhere near it. So, unfortunately, we will have to make choices. Now the problem with buses is that on the one hand we do know that they are going to be important. Whatever we do, public transport is absolutely key and we will have to do something, we will have to put money in it. I am very handy with the calculator. I am very good with the internet. I have no idea where to start. It is a very difficult question. Now something extraordinary happened only a few weeks ago. We got somebody from Infrastructure to talk to Environment and we got the person who is in charge of the buses there. Of course, it is a separate bus company, they operate on their own, but they do have a correspondent in Infrastructure and that person knows everything there is to know about buses in Jersey. We were trying to get him to tell us what can we do with buses, what do we put on our list, what is the first item to put on our list? I could not get an answer. I said: "Listen, if I gave you £2 million now, what would you do with that?" He said: "Well, the truth is I have no idea. We need to study this, because it is more complex than you can imagine." I have to accept it. I have looked at it. There were things that sounded so obvious: what are through-fares going to do to the use of buses? They are desirable, it would be very nice to pay once and travel all day. But what is it going to do? Is it going to increase the use of buses? Does it decrease the use of buses? It is massively difficult to do. We need to look at it and to do it properly and it is a very important survey. Now, routes is a good example. A new route that goes across Jersey costs basically £125,000. Now, this is interesting, because if we had £750,000 to spend and we really do not, why not make a few more routes, 5 more routes? That sounds pretty good, because those are going to be used. It might mean doubling of routes, so then instead of every 2 hours it is every one hour, or every half hour instead of every one hour; it could be in a completely new place. We know that this is going to be used. These are going to be additional people travelling on the bus that would not have before, because it was not there, so would this not be a better way of spending £750,000? Obviously, there is a question there. So, yes, we are so impatient, all of us, to try to do something about this. This is 20 per cent of the list of things that we can do. I hope that the Citizens' Assembly will come up with some more. Somebody came up with the crazy idea, which was ticking all the boxes, perhaps. Put more tax on petrol, but when you fill up you get your AvanchiCard recharged, so you fill up, but then you have this incentive to use the money on your card. Why not? We are going to have so many of those things coming up and unfortunately not that much money to spend on them. We need to make hard choices. To take the first thing that comes up, because we are so impatient to do something, anything at this stage really is wrong. I will not be voting for this.

### **The Deputy Bailiff:**

If no other Member wishes to speak, I invite Deputy Ward to reply.

### **2.3.23 Deputy R.J. Ward:**

I should have got one of those tables. I have always wanted to use one of those, because I have got 11 pages of notes, so I hope you are comfy. There will be a quiz at the end. It has been a very interesting debate and I have never had so much sympathy and care in my life and I thank you wholeheartedly for that. I thank the Minister for what I would only refer to as a coronavirus illegal handshake earlier - I have given it away, Deputy Lewis - and the fact that we can disagree without

personalising it and being rude to each other and I think that is a really important thing. Hand sanitiser does not work unless it is 60 per cent alcohol, by the way. Let us go through some of these things. There is so much to go through. Deputy Gardiner talked about a price and it has been almost impossible ... and I will talk about cost in more detail at the end in terms of what we mean by cost in this debate and for this action. The Constable of St. Helier, I am very disappointed and I have used that word again, but we did declare a climate change emergency in St. Helier. I remember the publicity that came from that was very good, but yet again what we have got is the lack of support of a real tangible action that may actually make change. He did say that he does not believe that bus travel should be the default system of travel. If that means that what we are going to do is price everybody off the buses so that they walk, that is a very strange system for us to have and it shows a real lack of understanding of some of the challenges that the residents of St. Helier face in terms of their incomes and when they are on low incomes and the costs that are genuinely there for bus travel for some people. Deputy Tadier made some very valid points about public transport, which are important for us to remember in terms of who is in charge of our transport system, who is in charge of the policies behind it, who is in charge of the direction, who is in charge of leadership. I see Senator Gorst and I welcome you back for such an important debate, as well, by the way. Thank you for being here.

**The Deputy Bailiff:**

Through the Chair, please.

**Deputy R.J. Ward:**

Sorry, Sir. I welcome Senator Gorst back for this important debate. I see Senator Gorst, but it seems to me that we cannot do anything because the bus company does not like it. It is as simple as that. There were a number of questions.... Deputy Ash, his view is 16 to 21 year-olds ... a lot of people today have talked about the lack of evidence and then proceeded to make assumptions based upon one piece of evidence, which is their simple opinion, absolutely unfounded and based upon either a political ideology that is different, or simply because it feels like that on the day, or some bloke down the pub told them. It seems to me a strange method of politics and a strange way to gather evidence for something that we want to do. What we have uncovered and Deputy Guida made the point, is not even the specialist who knows about buses has a clue what to do with buses on this Island. Nobody has a clue. It is like an episode of QI where everybody is holding a “nobody knows” card. Is that what the meetings of the Council of Ministers are like? That would be interesting, would it not? Nobody knows and so what do we do in order to do that? You make a change and you investigate. You perform what one might call an experiment. You make a prediction that something will happen, like young people will use the buses if you make it available to them. You take the action and set up the experiment and then you make conclusions from it as you go along. It is analytical, it gives you data and then you can act on it and that is what I am asking you to do and that is what this Assembly fails to do time and time again. We are getting back on to poetry again. A piece of poetry came to mind and it was from Blackadder, from Baldrick, the classic one in the trenches where he said: “Boom, boom, boom.” My poetry would be: “Delay, delay, delay” and that is what we are doing, because in 2 years’ time we may have a bus policy. We may, in 2 years’ time, have a notion of what we might do with our buses. It is like me promising to do something around the house. I might do it. **[Laughter]** I will genuinely fix that hole in the ceiling that I made in building the kitchen at some time in the future, when it becomes relevant. It is exactly the same principle. That does not work. It does not get us anywhere and this does not work. It simply will not make the change that we want to make. The Constable of St. Saviour, who I have a huge amount of respect for - mainly because I am scared - in regards the traffic, there is no evidence to say that the traffic will not be changed. Young people use their cars and of course they are fascinated, but one thing I know about young people, having taught for 25 years, is if you offer something that is tangible and real for them for free, they will go for it, even if it is just at the beginning, because they see



something and they will work together if you convince them and that is called leadership again and I am going to use that word again. We need leadership in this Assembly for the actions that we take. Deputy Lewis, we cannot wait even longer to 2021 to come up with a bus system and I would like to know where your evidence is going to come from, because it is theoretical evidence. It is sitting down in an office with a group of people, perhaps who do not even think buses will work in the first place, so you start with an assumption that is fundamentally flawed and then you look for evidence to either undermine yourself, which means you get in a problem with arguing with yourself, which is a really strange situation to be in, or you look for evidence from where? From what we have at the moment, which is dysfunctional for our Island. We are not getting the car use down. Cars are increasing and increasing and public transport is filled to the brim at the wrong times and I will come back to cost. So, I have no idea how you are going to gather this evidence without running some form of pilot scheme.

**The Deputy Bailiff:**

Deputy Ward, through the Chair, please. You are saying “you” all the time.

**Deputy R.J. Ward:**

Sorry, Sir. I am trying to focus on what I am doing and multitasking is not a strength of mine. I apologise. The Constable of St. John, it is not free; there is a £20 charge. The ideas that the Constable came up ... come up with some Propositions then. There has been lots of ideas in this Assembly and not a single Member who has come up with those ideas brought an Amendment to the Sustainable Transport Policy to say: “Well, let us do them”, not a single one and so they become, I am afraid, quite empty words. I will come back to financial information; I will deal with it in one go. I cannot read my own handwriting, apologies. Deputy Raymond, the Government Plan puts £5 million aside to tackle climate change and yet again we spoke about bus shelters. Can I just inform you from a scientific point of view, a bus shelter will not protect you from climate change? It will protect you from the rain, but not from the long-term effects of climate change. We are spending money but we are spending money in the wrong way. I will go straight to the Chief Minister’s comments. He talked about a yearly plan. Now, let us think through what he said here when he talked about a yearly plan. There was £5 million in this year as part of the climate change fund and £3.5 million will not be spent, but we cannot find the figure given by ... suddenly we have a figure of between £500,000 and £700,000 for school bus usage, but the figure for that cannot be found from that £3.5 million, which will not be spent this year, to run a trial that may provide the data that we need to make a genuinely informed decision long term. We cannot do that. That is not the fact that the money is not here. That is a simple fact: we are choosing not to do it. We are choosing not to take action. We are not leading and again we are in that same position. If the bus transport has improved so much with so many more journeys, where has that income gone? I do not see any extra buses on the routes that I am seeing in the morning if I get the bus, because 2 or 3 go past me and are full up. So that is one of the issues that we have to consider: where is that money going? I have asked this before and I ask again: is it coming straight back into the Jersey bus system, or is it being filtered off into other parts of the company? That is something that needs to be answered. I would like to thank the Constable of St. Lawrence for her support. We may not have agreed yesterday, but today is a new day and you are absolutely correct, you summed something up really well and I wrote it down and you said about how do we know if we do not try and the Constable is absolutely correct. We are yet again heading into a blind alleyway of research and plans that will take one and a half years, without any real action that we can summarise. Deputy Alves made a very good point about training wages and young people. Deputy Wickenden, I was very disappointed in what he said. From the sense I could make of it, at 17 if you manage to get your own flat in this Island, that must have been some time ago, because if you can find a flat now at 17, 20, 21, 25 that you can afford, particularly if you are on a minimum wage, then good luck to you because it is nigh on impossible here.

[15:30]

Senator Mézec made very good points about his generation and we are not understanding the pressures sometimes of his generation. You are absolutely right about we have tuition fees, high rents. I will add a couple of things to those: climate change, Brexit and Donald Trump. So we owe that generation quite a few things. Deputy Young, I was hoping Deputy Young would support this today and unfortunately it seemed to be an admission that we cannot control the bus service in the way that we want to and that the improvements will come perhaps over a long time and with luck. That, to me, is not what we need if we are genuinely going to impact on our transport system on this Island and do something about the number of cars that are running around the Island every single day. Deputy Truscott re information; now let us look at that. I have only gone 11 minutes, that is not too bad. Let us talk about costs. What are we talking about when we talk about costs? We can take the raw costs of how many bus journeys would happen, how much money would this company make and that is the cost, but if we give a bus pass that costs £20 to young people under 21, a few thousand take it up, there is an income from that. If we are going to say because of our initiative more journeys were made, therefore we would have made that money, which does not exist, it is an accounting trick. It does not exist now, but we are going to have that as a loss in the future. They are not real economics and they are just excuses. In this format, what we need to do is realise the impact of that and with this process, if we have more people using the bus to a point where we are now concerned that we might need more buses and more drivers because more people are using the bus and getting out of their cars, that is the entire point of the operation in the first place. If it does not work, genuine leadership is to step up and say: "It did not work, we will change it." When the Chief Minister talked about a trial that did not work and it was dumped, that was not a failing. That was a genuine trial that did not work. Without trials like that, half of this Assembly would not be alive, because science would have given up on finding cures for things. That is part of the process that you need to remember. I think when we talk about cost, we have to think about the future in the first year and take some idea of the bus journeys that are there. If young people are using buses that were running anyway and were empty, but are now full of young people rather than getting lifts with their friends, or using Jersey Lifts, or sharing a car, the extra cost is minimal. The extra cost is what you would not have made from the extra journeys that would not have existed unless you put this process in in the first place. So we have a fallacy when it comes around cost. It is not true. It is very difficult to pin down. Those of you who are simply saying: "Because I do not have a number, I cannot vote for this", I am afraid that you are stuck in a fixed mindset, from which I am afraid we are never going to move forward in this Assembly. It is a virus, if I may use that rather relevant term, that is spreading through this Assembly, this fixed mindset where we cannot get out of it, we cannot make any steps forward. What we do is we say: "Unless we have a figure and we know about that" and not everything works that way. I will finish off by saying this was an opportunity, the Sustainable Transport Policy, to come up with something radical, something that might make an impact on this Island, something that might get people out of their cars, that may get the inexpensive mode of transport, which is the car ... you can buy a very cheap car. I have got one myself, it was about £500. If you want to buy a car, you can have it for £600, it is a bargain. I can fill that up with petrol and drive round the Island and it is a lot easier to do, as can so many people on this Island, but it is polluting and if you live in the centre of Town, you will know what that pollution is. I say to you again, we in this Assembly, so many of us, have signed a pledge to children to say that we will put children first, but at the same time we shy away from any action that may cost a small amount of money, because you cannot define that amount of money right now, that may take cars off the road, may decrease pollution and may improve the lot of children. I believe that is hypocrisy in its truest sense and if we cannot take action that works towards a better environment for our children, I would suggest you get some Tipp-Ex and take your name off the pledge, because we are not doing the things that we pledged that we would do. This is an opportunity to add something to the Sustainable Transport Policy, to do something tangible and to trial and if in a year's time it comes back and we come up with genuine evidence to say this does not work, it has no impact, I will be the first to stand up and say: "Thanks for trying this, ladies and gentlemen. You are quite right. Let us move on and

find something else”, but by that time we will have the beginning of the investigation into what might happen with bus transport into the future, so that will be OK. I urge you to make a step forward today, have bravery and vote for a change for once, rather than kicking it into the long grass and delaying yet again. Thank you. I call for the *appel*.

**The Deputy of St. Peter:**

Sir, I asked a specific question of the Deputy about whether he engaged with LibertyBus directly and I do not think he covered that.

**Deputy R.J. Ward:**

Sorry, I did not hear that.

**The Deputy of St. Peter:**

I asked the Deputy if he spoke with, met with LibertyBus directly, based around the financing of this, whether he presented his Proposition to them to find out whether they could deliver it, both operationally and financially and I did not get that response.

**Deputy R.J. Ward:**

No, I have not met directly with them. I had done so before the previous bus policy that I brought in, which had figures to it. I have asked a large number of questions in the Assembly regarding exactly that topic, regarding the income of LibertyBus, the impact, the cost of school bus transport, the income from the Assembly, the income from bus fares, *et cetera* and that is the data I used. I have to say that I did not find the meetings with LibertyBus particularly useful at that time, so I have moved forward, because I believe that my role is leadership, not simply following.

**The Deputy Bailiff:**

The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 22</b>		<b>CONTRE: 22</b>		<b>ABSTAIN: 0</b>
Senator K.L. Moore		Senator I.J.Gorst		
Senator S.W. Pallett		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator J.A.N. Le Fondré		
Connétable of St. Lawrence		Senator T.A. Vallois		
Connétable of St. Saviour		Connétable of St. Helier		
Connétable of St. Peter		Connétable of St. Brelade		
Connétable of St. Mary		Connétable of Grouville		
Connétable of St. Ouen		Connétable of St. John		
Connétable of St. Martin		Connétable of Trinity		
Deputy G.P. Southern (H)		Deputy K.C. Lewis (S)		
Deputy of Grouville		Deputy J.M. Maçon (S)		
Deputy M. Tadier (B)		Deputy of St. Ouen		
Deputy M.R. Higgins (H)		Deputy S.M. Wickenden (H)		
Deputy of St. Martin		Deputy of St. Mary		
Deputy L.M.C. Doublet (S)		Deputy G.J. Truscott (B)		
Deputy R. Labey (H)		Deputy J.H. Young (B)		
Deputy of St. John		Deputy L.B.E. Ash (C)		
Deputy M.R. Le Hégarat (H)		Deputy K.F. Morel (L)		
Deputy R.J. Ward (H)		Deputy G.C.U. Guida (L)		
Deputy C.S. Alves (H)		Deputy of St. Peter		
Deputy K.G. Pamplin (S)		Deputy of Trinity		
Deputy I. Gardiner (H)		Deputy S.M. Ahier (H)		

[Members: Oh!]

**Deputy R.J. Ward:**

Sir, can I ask that we definitely raised the *défaut* on Senator Gorst? [Laughter] Sir, a bit of humour.

## **2.4 Sustainable Transport Policy (P.128/2019) - as amended**

**The Deputy Bailiff:**

We now turn to the main Proposition, as amended by the first Amendment. Does any Member wish to speak on the Proposition?

### **2.4.1 The Connétable of St. Helier:**

I must say, that is a very surprising result, that Amendment and while I absolutely agree that Members wanted to send out a message that they support making bus transport easier and cheaper for our children, I think it suggests a worrying failure on some Members' part to really understand what this debate has been about. I will say again, because I said it in my earlier remarks, that we have already agreed as an Assembly to have a Jersey mobility hierarchy and to prioritise the most vulnerable, the most needy people who are using our roads and yet we have just almost voted to put an unknown sum of money in a few weeks' time into the buses. That makes no sense to me at all. It seems to me... I was accused by Deputy Southern of being purist. I do not think I was being purist. I think I was being consistent. We adopted a principle and an hour later, half the Assembly voted against it, but that is up to Members. It is somewhat depressing that people do not follow the things that they vote for. I also must take an issue with Deputy Ward and I do commend him for the work that he has done, but he really should not suggest that those of us who voted against putting this sum of money in a few weeks' time into free bus travel for the under-21s are reneging on their commitment to putting children first. I would be very grateful, if he speaks on the main Proposition, to hear Deputy Ward withdraw that remark, because it is simply untrue and unfair to say that Members who voted, as I say, against his Amendment do not support children. Indeed, I have to comment that several speakers in the Amendment were belittling the role that walking and cycling will play in a future transport policy and suggesting that it was almost like an *idée fixe* that I had and that really we should all be supporting the buses. I need to remind Members that we have an obesity crisis. We have many young people, who really need to start walking and cycling more than they do and the way we can do that is by making safe walking and cycling routes across our Island and that is what I mean to do as soon as possible with the Minister. When the Minister sums up ... and I have to say some Members thought I suggested ... perhaps I was being a bit gullible to think that it is all going to change now. It has been, as some Members have said, 20 years we have been trying to get things going on sustainable transport in Jersey. We have had 20 years of inaction and 20 years of spending money on pet projects. We have had a lot of investment in the buses, I have to say. We have had very little investment in walking and cycling. Members will not need me to remind them that way back in 2005, the St. Helier Roads Committee, which is still the only Roads Committee that is open to the public, sent to the then Minister a proposal for a cycling strategy and that has never been responded to. So, absolutely right, there is a lot to do in this year of action. The Chief Minister knows that he and his Ministers have to deliver on many fronts, but perhaps on no greater front than on sustainable transport. As I say, I would like to hear from the Minister how he intends to take forward my offer and, I believe, his acceptance that backbenchers should be involved in this development. We need to develop an active travel strategy, which is what his Department calls walking and cycling routes. They really need to be taken forward. We need to develop a bus development plan. Some Members think that a year is too long, but it is very clear in the Amendment that we are going to debate it in the spring, so it must be prepared obviously before that. We do not want it on New Year's Eve again. We would like it in the course of this year. So, I would like to

hear from the Minister how backbenchers' enthusiasm and interest and knowledge is to be incorporated into these discussions. I am available for a meeting in the next 7 days and I hope we will get invited to that meeting. I think the transport policy, Members have been pretty rude about it. Certainly, I was pretty rude about it in my comments in my Amendment and I am going to believe that the Minister is going to involve us, that he is going to come forward with concrete proposals, some of which we have heard from Members today. I love the one that Deputy Guida referred to about getting your AvanchiCard charged up when you fill up with fuel. That is a brilliant thing that has come out of the Citizens' Assembly. We need to work hard; we need to be motivated. The Minister needs to come forward with all of these plans for debate and hopefully they will include incentives that will get people on the buses and they will also include incentives that will get people walking and cycling, not forgetting the mobility needs of those who are disabled and their needs must come first.

**Deputy R.J. Ward:**

A point of clarification, I feel I should say. I do apologise for making that comment. I have said that my politics is not about personality and if I get it wrong, leadership is about saying you got it wrong, so I do apologise and I withdraw that comment. [Approbation]

**2.4.2 Deputy I. Gardiner:**

I would like to follow my previous speech, because in my speech I asked questions at the beginning of the debate and this is where I felt really ... on this yes/no and I did support Deputy Ward's Proposition, because it was an attempt to kind of understand the cost. I understand it is lost.

[15:45]

I would like to hear in the closing speech by the Minister if the commitment to bring back evidence was on general transport and the buses, or we will see evidence at least some of them that will support school buses for primary schools, school buses, say, for young people, that it will be work done specifically for the children and young people, possibly free buses. We will get some evidence that can show us yes or no in the next debate, because it will not go anywhere. We have seen the result today.

**2.4.3 Deputy M.R. Higgins of St. Helier:**

A few minutes ago, the Constable of St. Helier chastised us for agreeing various principles and going back on them and yet I do not think there is a person in this Assembly who does not agree that we have got to encourage other forms of transport other than necessarily the car. He talks about cycling and he talks about walking and he says we have got to prioritise the vulnerable and the disabled. How many of the vulnerable and disabled are going to be cycling and driving? That is the first thing. Many of them may use the buses, if they are made more accessible, or there are more buses where you can get chair walkers, or disabled chairs on it. Sometimes people are fighting for the space, or being left behind. So, buses have their role and I am very much in support of increasing the use of that. I am also concerned, when we talk about cycling, Deputy Tadier earlier mentioned how cyclists should be allowed to go both ways down a one-way street. I believe the Constable of St. Helier put this forward many years ago and I believe he has been responsible for many near misses in that case in St. Helier, where drivers are going down and out of nowhere comes a cyclist going the other way. I think that motorists have got to respect cyclists. We have got to give them the space, so we do not take them out as we go by them, but equally cyclists have got to take note of pedestrians. How many times have I been walking down a sidewalk and almost been taken out by a bicycle coming up behind, which does not even have a bell to give you warning? If I had gone left, or to the right, I would have been collected by it and I am sure many other people would have done so. The same also goes for the cycle paths. Sometimes I have seen bikes on there almost taking out people who are walking. So, it is about respect. It is about motorists having respect for cyclists, cyclists having respect for

other motorists and also for pedestrians. So, we have all got our responsibilities, no one has a priority over the other and that needs to be stressed. If we are going to talk about cyclists, motorists and so on, we should all obey the law. Cyclists going through red lights, or going the wrong way, or coming across at a crossing ... you see them come up next to you and what do they do? They come off the road, go across the pedestrian crossing - still riding - and out the other side. It is not good enough. We have all got to follow the rules. I am all for a Sustainable Transport Policy, but I want to see a proper policy catering for everyone. I stress again, the vulnerable, the disabled are not going to be cycling and walking and that is not the panacea for our problem. As I say, I shall be supporting what I believe are reasonable sustainable transport policies, but some of these measures, even if we may have an indication that we think they are priorities, I want to hear the evidence. I want to hear what is being suggested first, because I will not back some of them.

#### **2.4.4 Deputy M. Tadier:**

The Constable of St. Helier, who has now amended the substantive Proposition - so it is effectively partly his, in that it has taken on some of his ideas - started off his speech in this part of the debate by defending the way he voted and spoke against Deputy Ward in the last debate. I know that the Constable is a literary man and he will know, of course, the reference: "The lady doth protest too much, methinks." I cannot help thinking the Constable has a slightly guilty conscience, because he is somebody who has traditionally presented himself as somebody who supports sustainable transport and yet, on this occasion, he seems to have done some kind of deal with the Minister, which involves shutting out a backbencher who is bringing forward a progressive Proposition, which has got the support of many of his fellow Constables. Certainly, if I was a St. Helier resident I would be quite ashamed of the way my Constable had voted today. Although he is a very experienced politician, it seems that sometimes his politics can be quite ophidian at times, so I am quite disappointed by that particular one. I do question on whether ...

#### **The Connétable of St. Helier:**

I did not quite hear, but if the Member said "perfidian" then I think that is a word that is not parliamentary and I would suggest that it would be withdrawn.

#### **The Deputy Bailiff:**

Yes, if he did say that, it is unparliamentary, but I was not sure what word you used, Deputy Tadier.

#### **Deputy M. Tadier:**

Sir, I did not say "perfidian". I do not know if that is a word. I think "perfidious" is the word.

#### **The Deputy Bailiff:**

What did you say?

#### **Deputy M. Tadier:**

I said ophidian.

#### **The Deputy Bailiff:**

What does that mean?

#### **Deputy M. Tadier:**

I think it is self-evident, is it not, Sir?

#### **The Deputy Bailiff:**

No, not to us.

#### **Deputy M. Tadier:**

That is not my problem. I presume we have all had a basic level of education in this Assembly, so that is not my problem. I know we were not all privileged enough to go to public ...

**The Deputy Bailiff:**

I understand it means snakelike, which is akin to a suggestion of reprehensible, or dishonest, behaviour and I suggest that you might want to withdraw that.

**Deputy M. Tadier:**

Sir, that is not my interpretation of the meaning of the word. I do not think that snakes are dishonest in any way. I think that they just have a certain ...

**The Deputy Bailiff:**

Well, that is the popular perception, so I invite you to withdraw that.

**Deputy M. Tadier:**

I will withdraw it, if you direct me to do that, Sir, but I emphasise that there is no suggestion of dishonesty, rather one of being able to weave and bob. Maybe a pugilist is a better way in the sense that you can weave and bob and he is an experienced politician, but certainly snakes do that as well so there was no inference. I have the greatest respect for snakes and other reptiles. I am an animal lover. I love all of evolution's manifestations. But let us get back to the point. If we take the logic that is employed by the Constable of St. Helier, he is saying that unless you are walking and cycling, that all other modes of transport are invalid, because the sustainable transport hierarchy has walking at the top, cycling is the next one and then it is public transport, so buses. That is all we have in Jersey. We do not have trains, we do not have trams, we do not have electric. We have got a little train, I think, that the tourists use. That is the third best option for getting around. Taxi is listed lower down and then private automobile is right at the bottom of that and presumably H.G.V. (heavy goods vehicle) is probably not a good way of getting around if you are just nipping out to the shop to buy some milk. So it seems to me that the third best way - and it is certainly vastly better than getting around by car, by private automobile - is to use and invest in our buses and singularly what we have failed to do, yet again, is to make any improvements in our bus service. It seems to me also that we are going to have to do things piecemeal. I do not think there is necessarily anything wrong with that. When we have got a leaderless leadership, for want of a better expression, we are going to need to do things piecemeal. We heard yesterday that piecemeal, doing things evolutionarily, rather than revolutionarily, is better, so we are going to see the likes of backbenchers coming up with things to ban plastic bags, to introduce through-fares on the buses and to come up with other ideas that are going to be supported, to introduce cycle lanes within the centre of St. Helier. So I am not really sure whether or not I can support this proposal. We have heard from the Deputy of St. Lawrence, Deputy Morel, who said, hopefully slightly tongue in cheek: "I can vote for this today, because it does no harm." Is this what it has come to in this Assembly, that we are having proposals put in front of us that simply do no harm? It is a great philosophy to live by generally in life, do no harm, leave a light footprint on the planet, but we should be trying to leave a reduced carbon footprint on this planet and I am not sure that I want to vote for something that simply does no harm, because the flipside of the coin is that maybe it does not do much good. Maybe we need more than words; maybe we need action. So I look forward to hearing from other Members and, again, I apologise to any snake lovers out there who have been listening. I did not mean any offence to the species from my words, which might have been clumsy.

**2.4.5 Deputy J.H. Young:**

I just wanted to raise a couple of points arising from the principles that we have ended up agreeing in the substantive Proposition. The first is more focused, which is this question, I think, of how to make walking and cycling more attractive and the emphasis there is, I see, on safety. Of course, we all know that the roads in Jersey are, I believe, far from safe at the present time. We have got

aggressive driving, we have got a lack of a points system for driving licences and, in fact, safety provisions, I think generally, are very lax. I would like the Minister to give a commitment that although these matters may not all sit within his Ministry, would he accept that in taking this strategy forward ...

**The Deputy Bailiff:**

Deputy Tadier, before you go, you make us inquorate if you leave, I think. You can go. What did he say?

**The Connétable of St. Saviour:**

He said: "I will take the risk."

**Deputy J.H. Young:**

It must be something about it, Sir. I have that effect every time.

**The Deputy Bailiff:**

I think we might be 25 still. We are 24? We are inquorate.

**Female Speaker:**

Can we have the roll call, Sir?

**The Deputy Bailiff:**

I think we are quorate again.

**Deputy J.H. Young:**

I am starting to get a complex of the effect. When I rise to speak, half the Assembly disappears off. I promise you, I will try to make my words this time focus on the Proposition in hand and not stray off. My question was asking the Minister to give a commitment that in addressing the principle number 4, which is addressing how to make walking and cycling more attractive and in particular safer routes, will he give a commitment to ensuring that the problems of road safety ... which are plainly, I think, slipping badly in Jersey, where speeding is almost *de rigueur* everywhere and there is very little enforcement of speeding. We have got no points system for driving licences, which would act as a discouragement of that. In general, I think cyclists and pedestrians take their lives in their hands in many places where there are simply no pavements and so on. As an example, recently I went on holiday - I will bore Members with this again - and I could not believe it. In Iceland you stop and the cars stop. They actually stop for pedestrians, every time. When would that sort of thing happen in Jersey? No, it is: "Get out of my way." I would like the Minister to give a commitment that even though all those matters may not sit within his ministry, does he accept that this is part of the strategy in order to take the sustainable transport strategy forward to achieve the safety of walking and cycling? Otherwise, I fear it will be illusory, unless we can tackle that safety issue. That was one of the things that came out of what people did not like in the surveys that we did in 2018 - I have forgotten the name of it now - what people like about Jersey and what they dislike. They disliked the dangers on the road. The other point I would like to make is obviously just the consequence upon the debate that we have just had. I, myself, had a real struggle with that principle, because I want to see massive increases and changes in the bus services but I want to make sure they are the right one and in the end I voted with my head not my heart. My heart said go with it and I think what we have got now is a strong declaration from the Assembly that people will want to say this. But I want to raise a point there in terms of principle 5 and I would like the Minister to give us a clear commitment. What it now says, unless I am reading the wrong paper, is: "The bus development plan will come to the States for debate during the spring session of 2021." Now, I want to see action early. What worries me is does that mean that we will get a report in 2021 and, therefore, the money and the do and the action that we all want to see, will come into 2022? If so, I am not happy with that. I want



to see a commitment given that the action we will put the resources into the Government Plan during this year for 2021, so that when we approve that in 2021 we can get on and take action, exactly the same way we did with the Climate Emergency Fund. It is following the same parallels. I would like the Minister to give an explicit commitment on that.

[16:00]

So, officers, if you are listening, if this House gets a commitment, it goes in the Government Plan for 2021. The second point is the other part, because these things have to be paid for. Principle 6 says, again, assuming I am reading from the right paper: “To recognise and price fairly social and environmental costs of private vehicle use and present a parking plan to the States for debate during the spring session of 2021.” I think what that means is a commitment to the proposal, so that we should recognise the cost of vehicles in terms of their impact on the environment and make sure they are not, if you like, cheaper than public transport and other alternatives, which is what we need to do, address the parking costs. That, in my mind, recognises introducing new charges, because it says “priced fairly”. I would like the Minister to give a similar commitment that those proposals will come forward into the Government Plan this year for 2021, so that the funds can be generated promptly into the Government Plan this year for 2021, so again we do not have a 2-year delay. I felt very stung by the Member’s comments about action. I am absolutely as impatient as Deputy Ward and everybody else and I will not be party to sitting here and waiting until 2022 that it gets that done. I want the action in 2021, so please can I have those explicit commitments from the Minister? I think they are so essential to me.

#### **2.4.6 Deputy M.R. Le Hegarat of St. Helier:**

I am pleased to follow the Deputy behind me, because he has led nicely into the topic that I wish to speak about: school travel. In this document it says: “In 2020, working collaboratively with Jersey Sport, we will support the delivery of Bikeability (cycling proficiency) training to schoolchildren in years 1, 4 and 6. Initially this will be run as a pilot to schools in the West and then scaled up to other schools as we build our capability throughout the year.” We have diversified a bit this afternoon and I thought I was in a time warp, and why do you think that is? That is because between the years of 2005 and 2009, I managed a very diverse team of individuals. Among that diverse team was a road safety officer. What do you think that person did? Yes, they taught cycling proficiency to schoolchildren. So, what I want to know from the Minister this afternoon, with my hat on of safety is this: first of all, what happened to the road safety officer? What has happened to him? When did we stop doing this in schools, the cycling proficiency and why did we stop doing it? If they are creating a pilot, that indicates to me that is something new. This is not something new. We did this across all the schools. If I was a sceptic, do you know what I would think? We had a cutting exercise and so what we said was: “Did we need the road safety officer?” “No, let us cut that post. We can do without it. We will save whatever cost it was, we will save the money.” Here we are, in 2020, looking at a transport policy that says safe travel to school and we are going backwards. This is 10 years ago. We should be forwards not backwards, so I want assurances from the Minister and this Assembly that there will be guarantees that this will not just be a pilot, but this will continue and we will not be sitting here in another couple of years thinking: “Shall we have cycling proficiency tests again?” No, we need to keep it and if we are going to save money we need to look somewhere else.

#### **2.4.7 Deputy T. Pointon of St. John:**

I did not contribute to yesterday’s debate, because I did not wish to press for an outcome that I knew was a forlorn hope. Today is different, because I believe it might be possible to effect a change in direction from the Minister for Infrastructure and those who provide the current bus service. Some people do not see the bus service as a viable or desirable alternative to other modes of transport. Elderly and semi-mobile individuals - coming to the Constable of St. Helier’s point about dependent people being high on the list - do not find the current bus service particularly accessible and so, as a

consequence, quite undesirable, not as a good alternative to other modes of transport. The elderly and semi-mobile potential users are often disincentivised, because they may not live on a bus route. They have no option but to rely on volunteer transport, or to use their own transport, to go into Town. For commuters, the bus capacity at commuter times is insufficient and individuals contemplating using the bus, who live close to a bus stop, are not going to make the effort if, as happened to me, they are unable to board the bus, because it is full. I happen to live about halfway down the bus route and it has frequently been full. Proof, of course, that many people do use the bus. In addition, if the commuter lives some distance away from a stop, he or she is unlikely to want to forsake the warmth and comfort of the vehicle sitting in the driveway. There are aspirations in the Minister's sustainable plan and I am impressed with the list of his intentions and applaud his general commitment to ensure we have an Island bus service that ticks the boxes in predictable areas. There is, however, a very obvious omission. Where is there any reference to developing a park and ride service that would reduce the need for motorists to travel into Town at all? I have to ask the question: do backbenchers have any real say in the formulation of policy, given the response to a question I recently asked? The answer has to be no. In a number of questions and debates, I have raised the idea of developing a park and ride service that would encourage commuters to leave their vehicles at peripheral parking areas, board a bus, remove polluting vehicles from the roads and reduce congestion. Unfortunately, without exception, the Minister has resisted these ideas. The sustainable transport plan makes no mention of expanding parking in the periphery of the Island to facilitate increased usage of the bus service by commuters and/or isolated, less able people who live in the country Parishes. Extending routes to existing car parks, often only a short distance from an established route, would be but a small move involving little cost and could have significant impact on the ability of people to access the bus in remote areas. Commuters may not use the service initially because of the capacity issues mentioned earlier, but isolated and infirm individuals would be able to drive, or be transported, the short distance to a designated car park and catch the bus. This reluctance to engage with this type of development suggests that there is no acknowledgement of the dire need to moving polluting vehicles off the roads and effect a reduction in traffic congestion. Given the Minister's readiness to dismiss any reference to park and ride, I suspect that the Minister is probably motivated by a priority to maintain an income stream to the Town car parks. If this is the case, our sustainable transport objectives will never materialise. In the meantime, he preaches a motherhood and apple pie level of user satisfaction among existing bus users that bears no relation to the levels of dissatisfaction that isolated and infirm individuals express in the Parishes. Additionally, there is no data that relates to parents with young children, who have no access to a bus and who have no option but to use the car, because the service cannot meet their transport needs. Will the Minister, through the Chair, when forming his bus service development plan, place the creation of a park and ride system high on the list of priorities?

#### **2.4.8 Deputy G.P. Southern:**

Having heard from my Constable about his interpretation about the principles that we have acknowledged and accepted and voted for in this session, I am worried about the attitude that says that any changes to the bus service, improvements to the bus service, are really of no priority, compared to my Constable's wish to see people walking and riding everywhere. I sincerely hope that the Minister is not going to adopt a similar approach, which I will call purist, that says only perfect answers are the right ones and answers that part meet the need to get people out of their cars are to be ignored. Possibly, although this does on the surface look like apple pie, cream and ice cream on the side, I am tempted not to be able to vote for it. In particular, I wish one question to be answered and I have asked it twice yesterday and twice today, the £3.4 million on average over each of the past 6 years described as LibertyBus payments, will the Minister inform us, before we vote, whether those payments are to the bus company, by the bus company into Government revenue, or some other payment? What are those payments? We have been paying £3.5 million for the last 6 years, which

is quite a significant sum, or someone has been paying. I would like that answered, please, with clarity.

#### **2.4.9 Connétable R.A. Buchanan of St. Ouen:**

I shall endeavour not to cough and I can assure everyone I do not have coronavirus, not yet anyway.

#### **Deputy M.R. Higgins:**

I just said that and then immediately got it.

#### **The Connétable of St. Ouen:**

I think Deputy Higgins, Sir, should be isolated for at least 14 days, if not longer. **[Laughter]** Firstly, a word of warning to Deputy Young and very much tongue in cheek, I certainly would not try speeding in St. Ouen, because we have been very tough on speeding. I think he does a bit of a disservice to the efforts of the Honorary Police to control speeding in the Island, because certainly to my knowledge there has been a lot of effort put into that. I do recognise it is a serious problem, but I can assure you that things are being done behind the scenes to try and curb it. Anyway, to the matter in hand. A number of us today went to a presentation put on by the Chamber of Commerce, at which a very senior economist from the Royal Bank of Scotland gave a very scary presentation about climate change and I think, for me, the most scary thing was that just a few degrees change in our average temperature over the course of the next 10 to 15 years will have a profound effect on our society. I think all of us who are feeling perhaps a little complacent about climate change, that it is a problem somewhere in the future, perhaps we do not need to worry about it because it is not realistic, have perhaps been shaken a bit by the recent coronavirus crisis that we have at the moment, not least because of the effect it has on our supply chains, our transport chains and indeed financial markets, which have been going into meltdown over the last couple of weeks. It certainly shakes me out of my complacency and makes me realise that climate change is serious. It is also urgent, because the action we take now will have a profound effect on what happens in a few years' time. It also highlights to all of us, I hope, that if we do not do something, by the time we get to the effects and the impact on our society, such as rising sea levels, disruption to our food chains, famine in countries all over the world, major climate events such as tropical storms, long periods of rain, all of which we have seen some of the effects of recently, it will be too late. It will be too late. Those things, we will be able to do nothing to change them in 10, 15 years' time.

[16:15]

So, the point of raising all this is to make the point that we do need to do something and one of the reasons that I voted for Deputy Ward's Proposition, I applaud his sense of urgency. He, I think, among all of us, realises that we do need to do something and we need to do it now. In my mind, there were a few flaws in his presentation and he knows that I like to see cause and effect. I think it would have been good if he had been able to find a cost to the exercise and give us some idea of the implications and the impact on the bus service, but I accept that there were difficulties in that direction. I think the trial would have been worthwhile and I think it also would have helped those of us who wanted to vote for this Proposition if we had some sort of outcome in detail of the objectives of the trial that we could look at, some measurements that we could look at. But, nevertheless, I hope it sends a message to Deputy Lewis, who I have the greatest respect for, because I think this Assembly is now starting to take this seriously. We do believe that climate change is a real crisis and we do need to do something. I understand completely that Deputy Lewis has an awful lot on his plate, not least the things that we in St. Ouen keep asking him to do. In defence of Deputy Lewis, I have found Growth, Housing and Environment extremely responsive. We are in the process of introducing kerbside recycling in St. Ouen and I have to praise the officers for the help and assistance they have given me to do this. So, although it is easy to criticise people, nevertheless behind the scenes I know that he and his team are working very hard to try and meet all the demands that we place upon them.

So, I think my message would be to give him a bit of a break now. He is doing his best. I think my message is I like this policy and I particularly like the Amendment that the Constable of St. Helier put in, but I think if we do vote for this today - and I hope we do and I have certainly had a lot of pressure from people in my Parish to support this - that we will address this as a matter of urgency. Believe you me, from the presentation I have seen - and I have been assured by the Chamber of Commerce that we will get a copy of this, which I will circulate to everyone - we need to get on with this, because if we do not, in 10 years' time we will seriously regret not having done something. So my message to everyone is please do support this. Nothing in life is perfect, but it is a good step in the right direction and I, for one, will be voting to support this.

**2.4.10 The Connétable of St. John:**

I think my first question is: "What exactly is the problem?" because one needs to identify the problem before you can resolve it. I think part of the problem is that everybody wants a bus stop outside their own house and, as a Constable, they want a green lane there as well and they want 40 miles an hour everywhere else, so they can drive as fast as they like. I was caught in a traffic jam the other day coming into this Assembly. The traffic was backed up as far as the La Motte Ford garage on Victoria Avenue and I thought to myself: "Oh dear, this is a terrible traffic jam" and instead of it taking me the usual 4 to 5 minutes to get from there to my parking space in Town, it took me 14 minutes, so in other words, I was delayed 8 or 9 minutes. One has really got to scratch your head and say: "Really? What is a traffic jam elsewhere in the world, 2 hours, 3 hours?" I understand there are traffic jams in China that last for weeks. I was stuck in a traffic jam on my way to try and catch a plane at Gatwick for an hour and a half and that was because one car had broken down, so really I am at a loss as to whether the problem is as big as some people make it out to be. Deputy Young talked about the dangerous roads and the danger on roads and dangerous crossings, nobody stops to let you cross. He needs to come to St. John, because I can tell you quite clearly I walk straight out the Parish Hall and I walk straight across the road virtually every time. Sometimes, I even actually look up and down the road before I do so. Sometimes, cars squeal their brakes a little bit and I look at them and I go: "You naughty person, you were going too fast." It is not a problem and I do not think that Deputy Young was correct.

**Deputy J.H. Young:**

Would the speaker give way?

**The Connétable of St. John:**

No. [Laughter]

**Deputy J.H. Young:**

Just like the traffic.

**The Connétable of St. John:**

I am very happy for the Deputy to come up to the Parish and witness it for himself. The issue in some respects is parking. Why is there a traffic jam? The reason there is a traffic jam is because cars are queueing to get to a space to park their car and it is the tailback from the car parks. That is essentially what a traffic jam is. The problem we need to resolve is to ensure that people can park their car as quick as possible, without causing delays to other motorists. I think with the exception of the Waterfront car park, the last car park we built was Patriotic Street. I believe that was some 30-plus years ago, but I cannot remember because it is so far back and the number of cars on the Island have probably doubled in the meantime. There is possibly one of the problems. Last year - probably a bit more than last year, 18 months ago or so - on the Hospital Policy Board, one of the points that was brought up was the staff in the hospital. We were told: "We have to be in before 8.00 a.m. to get a parking space in Patriotic Street, even though our work shift does not begin until 11.00 a.m." Nothing has been done about that and something could have been done about it and must be done

about it, not should, but must be done about it. I have spoken to businessmen in St. John, who work from home but say: "I have to be in there before 8.00 a.m. to park my car because I have only got one appointment at 10.00 a.m., 11.00 a.m., lunchtime, but I still have to go in before 8.00 a.m. to park the car in order to have that one appointment." I am at a loss as to why there is not just a little more joined-up thinking on this. When you buy a season parking ticket, why not allocate a space to that parking permit? You can then drive in at any time of the day, probably 9.10 a.m. or at a later time and avoid the peak rush-hour period. LibertyBus has come in for a little bit of criticism today and I would like to extol their ... or praise their service. When I first became Constable, I was a little bit into the deep end in that there was a project looking at a countrywide bus system. It was to go through the lanes of St. John, St. Mary and St. Lawrence, picking up people and taking them into Town. A special minibus was obtained by LibertyBus and they trialled the system, they trained drivers; they were all honorary drivers. I forget how many, I think in the region of 18 to 20 drivers, but I am not certain. These drivers were volunteers, trained to drive this minibus and the trial ran for 3 months and they managed to pick up the grand total of one passenger. So LibertyBus have tried, they do try to provide services and find ways of how they can provide a better service. Despite the knowledge of my fellow Deputy from St. John, LibertyBus did provide a park and ride scheme from the carpark by Les Fontaines Tavern and they trialled it for a number of months - I believe it was 9 or 10 months - during which time they picked up precisely no passengers, so that park and ride scheme did not work. We need to have a clear passage, a clear strategy as to what exactly the problem is and what are we trying to resolve. I realise, living in a country Parish, we tend to see things slightly different, we do not have traffic jams, but we do have slightly different problems. I am trying to build a carpark. One of the uses of the carpark will be for elderly parishioners to park and use the very good bus service that we have from St. John's Church and from the village precinct into Town, but unfortunately the Department for Infrastructure, or whatever, G.H.E. (Growth, Housing and Environment), have opposed this application and there is a massive contradiction. Here we are trying to do something in one hand and it is being obstructed in the other. This is why I stand here and I say I want a clear vision: what exactly is it that we want? Is it to reduce the peak traffic hours? In which case let us look at that, but there does not appear to me to be a clear strategy and I would like to hear significantly more than what I have seen in this policy before I can fully support it.

**The Deputy Bailiff:**

Was there a noise, Deputy of St. Ouen, from your computer earlier on?

**Deputy R.J. Renouf of St. Ouen:**

I do apologise, Sir, it was me.

**The Deputy Bailiff:**

You have got the cash on you. Very impressed by that, thank you.

**2.4.11 Senator K.L. Moore:**

It is a pleasure to follow the Constable of St. John. I have a slightly different perspective on this and I feel that, along with many other members of the public and businesses too, this policy does not go far enough and it is significantly behind the curve, when one thinks about what the current feeling is in terms of sustainability, the environment and our approach to transportation in the Island. The number of cyclists is increasing week on week, despite the weather. It is even in the middle of winter sometimes difficult to find a spot to park a bicycle on one of the bike racks. In fact, recently I think, St. Helier has installed more bicycle racks around Town because there is significant demand for them and I thank them, or perhaps it is the Department for Infrastructure. Whichever, I thank them for that, because they are gratefully received. We see also businesses, such as EVie, taking the march, such is the vision and desire to meet the demand there is that we see people taking bold steps to produce exactly what people want in terms of shared e-bicycles available and cars too, electric cars,

that are available at the touch of a smartphone, which is absolutely fantastic to see. What people want to see Government provide is the enablers to enhance these ideas and the desire and the demand from the public to move around the Island in a different way. Unfortunately this policy, although it is very hard to vote against it, because there is very little, if anything, to dislike about it, it simply does not go far enough in offering that vision and that action that the public expect Government to provide in terms of removing the hurdles to providing pool car spaces for shared car schemes around Town. Those hurdles are still there and this policy does not show us how they are going to remove them effectively and efficiently in order to meet the demands of the public who do want to travel in a more active or mindful way. In fact, what does concern me and I would like the Minister to respond to this, is exactly how much does he intend to spend on research and consultation, because essentially that is the prevailing theme of this policy, that there needs to be more research and consultation. I really dread to think that we need any more. It seems to me a raid on the Climate Emergency Fund for this research and consultation, which is not costed and he must tell us how much he needs to spend on it. It would be much more sensible ... and we heard many comments in the previous debate about Deputy Ward's Amendment about the need to improve our bus service.

[16:30]

Surely what the public would like to see is the use of that money, rather than being on research and consultation, on improving the service. When I was canvassing during the elections, I very much enjoyed a visit to Langtry Gardens. One conversation I had there always remains with me, because I said to the person: "Wow, it must be great having that fantastic new bus stop outside Langtry Gardens. What a wonderful thing to have" and the person said: "Well, yes, it is brilliant during the day, but if we are going to go to the cinema in the evening, we do tend to drive because there are no buses to get back." When one thinks about the great numbers of people that live in that area of St. Saviour, on the outskirts of Town, one would really expect that there would be an efficient and effective bus service throughout the day and into the evening. It is a great failure that we do not have that and there are many members of the public who would wish to use it. It is a facility that one would expect would be well-used, but it is simply not used, because it is not there. Where there is some detail in this policy, it just simply again falls behind the curve, so buses might run on biodiesel. That is not exactly ground-breaking, is it? In fact, some critics suggest that biodiesel contributes to deforestation, which is hardly sustainable. Why are we not looking at natural bus systems, or hydrogen-fuelled buses? I know we have trialled an electric bus and the Minister has already told me it is too expensive, but there are alternatives out there. In fact, I regularly visit a town in France that has moved to natural gas for its buses and it is very efficient and effective and they run very well indeed and have contributed to much improved air quality throughout that town. Of course, I will support this policy, but I do ask the Minister firstly to tell us how much he is going to spend on research and consultation; secondly, to ask the Minister to please not do too much research and consultation, because we and members of the public would like to see action and delivery from this Government in relation to this very important matter.

#### **2.4.12 Deputy J.M. Maçon:**

I just want to say that I am, indeed, a non-driver. I am a regular bus user. I am very lucky that I live on routes close to the 2 and 16 that go through Georgetown, so I am very lucky to be able to have those services, but just to pick up on what Senator Moore says ...

#### **The Deputy Bailiff:**

Deputy Maçon, we are now inquorate. Do you want to pause for a moment? I invite Members to return to the Chamber.

#### **Male Speaker:**

Can we have the roll call, please?

**The Deputy Bailiff:**

Not yet. Please continue.

**Deputy J.M. Maçon:**

To add to Senator Moore's observations, she is quite right. Of an evening, or of a Sunday, I have big gripes with my constituents that the Sunday bus service is quite poor if you want to do something in this Island. The Minister for Infrastructure must be feeling that he is having a few bricks thrown at him from Members of this debate. I have stood up in this Assembly and I have said quite openly what the Minister needs is this Assembly's support because he does have a Department which does not have enough funding in order to provide what Members are quite clearly asking for. That comes back to us to say we have got to give the Minister the resource in the Department in order to do that in the first place. I do have a minor bit of criticism because, in 2009, when we had the last Sustainable Transport Policy, I did vote against it and that was because, at the time, we had a very good, very robust and very thorough Scrutiny report that condemned the then Sustainable Transport Policy of the day, which identified that at a minimum, it was underfunded by £1 million. I would like to ask, with such a significant policy, where is the Scrutiny report for this particular policy? Where are the comments from the Panel? Because, this policy does have a lot of implications; it is not just about buses. One example, we have got an Island Plan which we will be debating soon. One of the planks that that Island Plan looks at is the Sustainable Transport Policy and one of the reasons why I voted against it last time is because the Sustainable Transport Policy of the day was used in order to justify in the planning system a reduction of the carparking requirements in the urban area. I stood up then and I say now - why when these people put these policies together, why do they always assume that everyone is an office worker, or is a civil servant? We have nurses, we have care workers, we have tradesmen. They need a vehicle and a lot of them will live in the urban area and will need a parking space. You cannot do that on a bus, you cannot expect a nurse to put 2 oxygen tanks in their panniers - we were having the conversation previously - and then say: "Off you go." The bus is not going to work for everyone and not everyone works in Town and it does seem to me that when these policies are cooked up, those are the perspectives that never seem to penetrate the policy formation. I just want to remind Members that this policy has wider effects. At the same time, we also have to examine the things that we do, and partly through Health and Social Security, through the Closer to Home initiative, we have started to do that. It is about thinking locally, it is about providing services more locally, so that they do not have to make those journeys into Town, which again will all have an effect on people's transport behaviours and have an effect on obviously carbon production. One issue which I should raise with my Constable, it has been mentioned to me by my parishioners, why when we do not have a bus route to the Parish Hall of an evening, when it is easier to get to St. Clement's Parish Hall, or St. Helier's Parish Hall, why do we not do things that affect Georgetown? Why do we not have Parish Assemblies down in Georgetown, for example? I do not know if that affects other Parishes who are perhaps ... I represent a poorer constituency. Maybe it is not an issue for other Parishes, but should that flexibility be thought about when it is issues which have a localised effect, that we might need to change the way that we do things? It is probably a bit unfair for me to say that here, but just to put it on the record that we need to change how we view things as well in order for this policy to be a success. I was interested in the policy where it talks about the walking bus from Liberation Station to the St. Saviour schools. I did have to think about this a moment, because obviously the primary schools are mainly catchment area schools, so why you would go into St. Helier and then walk back to St. Saviour, I am not entirely sure how that works, so it must mean, therefore, we are talking about the secondary schools, but again, is that necessarily going to be the most effective thing going forward? I appreciate the Minister saw this as a pilot and it is something which we are looking at, but I am not entirely sure. Because we have not been through that robust Scrutiny process, which has gone: "How is that going to work? Is that the best use of time and should the resource be applied elsewhere?" He has not gone through that process, so for me, this policy, while it is still high level, there is a lot of it which still requires a lot of refinement

and a lot of critical thinking, which I am not entirely sure has been there. I think there is something else which we need to consider, which yes - and the Minister has mentioned this - while he does have more resource and therefore can provide more carrots, ultimately at some point we need to provide a few more sticks in order to get the carbon neutral strategy kind of going and getting people to change behaviour, but whenever that happens ... I mean, when we had one small proposal to increase the parking hours, Members in here ran a mile, figuratively. They absolutely dumped it. It was all obviously covered in the media. That was the thing they focused on, which by the way, a trick missed by the media, because it allowed everyone to focus on that in the Government Plan. Of course, everything else in the Government Plan, which there are some juicy things you could talk about, did not even get a mention and did not get any oxygen, but that is an issue for them to think about. But ultimately it meant that when we had a very minor proposal which was, of course, publicly unpopular, it was dropped incredibly quickly. At some point, we are going to give the Minister some answers and sticks. He needs the support of Members within this Assembly in order to drive that forward. We have all signed up to a climate emergency. At some point it is going to be: "No, you have to do this" and one of those issues, for example, in the Education Department, how exactly are we going to encourage parents to stop dropping off their kids right outside the school gates when that does not need to happen? But can you imagine the lobbying we would get from parents of certain schools saying: "How dare you possibly try and do anything about that?" and how soon would politicians drop that type of proposal? I look forward to the group that is going to be coming forward with the Citizens' Assembly looking at these types of proposals, because there is not the appetite in this Assembly to give that type of support when it comes to the crunch, as we have seen. It is a balanced position for me, because as Members have said, there is a lot of good notionally within this policy, but there is a lot which needs to be tightened up as well. I will wait for the Minister to sum up and I do want to support him, because there is good in this policy, but there is a lot that this will affect, which has not even started to tackle these things. But what I will say is if the Minister needs extra resource in this Assembly, I would be one of the Members who have stood up and will stand up to act to support his Department, because his Department does need resource. We are not going to reach the aspirations of Deputy Ward, or others within this Assembly, unless we tackle this and give that Department ... which is not a glamorous Department, which members of the public are not going to thank you for to really give money to that Department, but if we want to achieve these things, we have got to do it. That requires a change of thinking in this Assembly.

#### **2.4.13 The Connétable of St. Saviour:**

I feel I have to stand up, because I would be doing my parishioners a disservice if I did not, because a lot has been focused on St. Helier and it is a privilege to follow one of the Deputies from St. Saviour. First of all, to reply to Senator Moore's problem, the Langtry Gardens, the buses do not operate because Langtry Gardens were going to be provided ... not the bus company, their own people were going to provide minibuses to take them wherever they wanted, so that is not a reflection on the bus company. The Langtry Gardens were going to be provided with minibuses. Secondly - I am doing the problems first - Georgetown is a long way away from St. Saviour's Parish Hall, but if you look at St. Saviour's Parish, it is a very disjointed shape and we are almost bordering St. Helier. Then if you go a bit further up, you are in Maufant and you are in the country and you are with the cows. It is a problem, but I promise you, Deputy, we will look and see if we can do something about that. Right, now to the matter in hand. I have got a lot of notes because firstly I have asked for all sorts of things from the Minister's Department, yellow lines and things and we are still waiting for those to happen. We know he is under-resourced, but the Parish is trying to do something about it, because we have so many schools. Everybody coming through the Parish nearly always has a schoolchild with them and they are dropping them off. I have been kind of lucky, again thanks to Deputy Maçon and the Minister, we have put 3 crossings eventually on the Longueville Road. They did not go down too well with people using the Longueville Road, but we got them through and we are very pleased about that. I see a Deputy has raised his eyebrows just slightly. The people coming from Grouville,



coming down Grouville Hill and through the Trading Estate, were angry because they had to slow down on the Longueville Road, but I had people who wanted to cross over, so determination, we hung in there in the end and we got it. It took a long time, but we did get it. We have also taken a lot of stick by having a crossing at the top of Wellington Hill for the schoolchildren there. I cannot remember who it was ... oh yes, the Constable of St. John behind me, who does not seem to have a problem with crossings. Well, I am sorry, but we do in St. Saviour.

[16:45]

We have a lot of crossings and a lot of drivers have no idea what you do with them because: "Even if it is red and there is nobody on it, I can still go." I had a row with a lady - and I mean a row - on the crossing and she said to me: "It has got nothing to do with you. There was nobody on the crossing." I said: "Sweetheart, it has everything to do with me, because I am the Constable of the Parish and you have just jumped a red light." So, people are not educated and it is the same as the cycling proficiency. Why are we wasting our money on cycling proficiency? We have told the cyclists: "You have a free ... you have *carte blanche*, you can do whatever you want. You can go up a road, down a road, behind a road, you do not have to worry about the pedestrians on the road. You can do whatever you like, because we are thrilled to bits you are not doing anything with the carbon thing. Your footprint is wonderful, so you do whatever you want." That is completely wrong, because a lot of these people when they eventually get in the car think the same thing applies. This is why we have such lousy drivers over here. Nobody thinks about anybody on these roads. I have been so desperate, I got the Children's Commissioner to the Parish Hall the other day, because Five Oaks is a nightmare. If you come through La Grande Route de St Martin and you are going to go down Bagatelle, you are not going to stop on that roundabout. We have even had to put a "keep clear" so that people can go into the supermarket and people will still go over the "keep clear." Do they think I have got a pot of white or yellow paint that I have got nothing to do with? I am trying to keep my Parish safe. I wanted the roundabout to stay the odd shape that it was, so that you would have to pull out just ever so slightly and go around. I was denied that. The people said it was not safe to put the roundabout that was not completely in circumference, so I was talked down in that. I have got 3 traffic wardens that my parishioners pay for and those 3 traffic wardens police the schools and 2 of them in particular go down to Wellington Hill and make sure that the traffic and the buses on Wellington Hill and the people using it are safe. Those are provided by St. Saviour's Parish. The parishioners pay for that and what we get is: "Oh, St. Helier have got this, St. Helier have got that." St. Saviour take all the overflow from St. Helier. It is not St. Helier's fault and I was quite intrigued to find out that some of the Deputies had been - I think Deputy Young went to one of the schools to find out about cycling proficiency - have you tried at St. Saviour's school? Have you been? Have one of you Ministers been to a St. Saviour school to find out what their problems are? The Commissioner did a report and the report says that Five Oaks is a nightmare. I have asked for the same sort of privileges in the Five Oaks area going down St. Saviour's Hill and Bagatelle as they have in St. Peter's village. When you hit the village, you have got a smiley face that tells you 20 miles an hour. I have been told: "Oh no, you cannot have that." God knows I have tried. You are terrified to hold people up. We have spoken about traffic jams. You do not even know what a traffic jam is over here. You are delayed for 5 or 10 minutes, maybe 15. We have had accidents at the bottom of Bagatelle going down to Mont Millais. We had 2 children knocked off their cycles. It was parents coming out of a school were not paying attention to the kids on the bikes. As I say, I was so at my wit's end to try and keep the children in my Parish using my schools safe - and I say they are mine, because they are in my Parish - that I have had to get the Children's Commissioner on board. That is a sad reflection, but she had done her homework and although there is a lot of details on here, the Five Oaks area is a nightmare and I would like the Roads Committee, who have almost been on their knees begging for help, I would like the Sustainable Transport Policy to try and do something for the Five Oaks area. We do not have green lanes in St. Saviour. There are quite a few reasons for that, but I do have - and I am going to end on this lighter note, because I do think it needs to be taken

light and you are going to laugh, hopefully - some cows on Trinity Hill by Grands Vaux. That lane going up to Oaklands is a green lane. I had 2 cows loose about a year and a half ago and they ran down the road towards Grands Vaux School, because they were going home, because I walk my cows everywhere. It was not possible to put them in a box, so they knew their way there and they knew their way back and they were going home. I was running behind, not so agile as the 2 girls, but we passed a motorcyclist, who was doing the 15 mile an hour and I said: "Are you all right, sweetheart?" He said: "Yes, but my street cred has just gone out the door because when I tell my mates I have been passed by 2 cows, it is not going to go very well." **[Laughter]** That was a lighter note, but please could you think: we look at St. Helier, fantastic. Could you just remember St. Saviour has all the traffic coming through? They work hard. You asked for quality of life. If you live in Bagatelle, or you live anywhere in that Five Oaks area, in the morning you cannot open your windows, because the traffic is bumper to bumper. Deputy Ward pointed out about the schools. I do not know if you have ever put those things outside the schools in St. Saviour, but I tell you what, if you do, you are going to have ... H-E-L-L is not parliamentary language, so you are going to have an awful shock about the amount of fumes that are captured around the schools. I will leave that there, but please, try and do something.

#### **2.4.14 The Deputy of St. Peter:**

Yes, I will be supporting this, but I have just got a couple of observations, or maybe omissions. The first one, there is nothing here on the use of technology. I was at the Digital Jersey 2019 review, I think it was in January and there was an amazing presentation from a company called Augment City. They are a Norwegian company. Ultimately, what they do is they take a large area and they model the flow of traffic as it is going through that particular area. They can do the "what if" analysis, that if they were to say change or stagger schooling, how much would that delay, or pad out, the flow of traffic going through that area. Also, one benefit of that is obviously stationary traffic puts out more emissions than moving traffic. It has an impact on car parking and I think it, possibly modelled very well, could improve the flow of traffic through Five Oaks for the Constable of St. Saviour. So I ask you all to have a look at it, but more importantly, I ask the Minister to use and embrace technologies like that, because the information you can find and learn from it will play very heavily into decisions going forward. I believe this particular piece of technology is being ... I think the term is sandbox. Maybe Senator Farnham will support me here, but it is being sandboxed over here, so there is a trial going on over here using this technology. It is also links into emission sensors, which I know Deputy Ward is particularly keen on. Let us use this stuff that is available - it is not futuristic, it is available today - to help us build this Sustainable Transport Policy. The next thing is, look, OK, everybody knows that I am personal friends with the founders of EVie, and they have done a fantastic job in a year of what they have delivered, but that is not the point. The point is there is one paragraph here on supporting businesses to develop commercial viability. Why are we not reaching out to get all other talented, innovative ideas and supporting them to support our policy and embrace them to do that? Because, let us face it, it is proven that the commercial organisations can do things far faster than we seem to be able to do. I just say put something in there or make sure that we are open to all suggestions and ideas that come across the Minister's desk to listen to all these ideas, dovetail them into our policy and embrace them and bring them on. We do not have a very good, shall we say, reputation of being open to ideas from commercial businesses for such things, so let us be open for those things. Those are just the 2 quick ideas I have, but otherwise, obviously, I will be supporting.

#### **2.4.15 The Connétable of St. Brelade:**

I am very interested in the document on page 49, the words that: "Transport is something that affects all our lives and is a subject which often arouses enthusiastic debate." That is so very true and we have seen that here today. I would like to go back to the previous policy in 2010 and ask the Minister what analysis has been done since that time on the effects of that policy. I had a bit of involvement with it and I am aware that the proposal was to reduce traffic by 15 per cent. I do not know if that

was achieved in any measure at all, but it would be useful to know, because I think it is important always to learn from our past triumphs, as well as our past mistakes. My recollection towards the bus operator of the time and its subsequent replacement and the research done into the placing of the contract with the present operators, I can assure Members that has been a great stride in the right direction for the Island and I think we benefit from a very fortunate arrangement with the present operators. These debates tend to be a list of grumbles, I suppose, because we all have issues close to our hearts, which we would like resolved by the traffic officers. Sometimes it is an impossible thing to do and once again the report does suggest that our transport systems are really quite difficult to find a solution to resolve it, to keep everyone happy, so I applaud the Minister and his team for coming up with these proposals today, which certainly will be a step in the right direction. Finally, I would ask the Minister to let Members know at what stage he proposes to review this policy. We have the parking plan, the active travel plan, the long-term action plan, the bus service plan. At what stage can we look back into the policy, maybe have another moan at him, but find out what strides we have made into getting the desires of this policy underway? Might I suggest in a year's time might be appropriate?

**The Deputy Bailiff:**

I want to check that we are quorate before calling the next Member to speak. We are not.

**2.4.16 Deputy R.J. Ward:**

I will be brief. I have spoken enough today; I am sure people are sick of my voice. What I would say is that I will support this plan, because we have nothing else. I do have some questions that I must ask and they are very specific questions. From the 10 principles that we have adopted, yet again we have changed. I would like the Minister to define what he means by “conform” because that could be a tiny bit, or a lot. I would like a date for when he defines spring, because he said that the Sustainable Transport Policy would be here by the end of 2019 and lo and behold it was on 31st December 2019. I do not know if it was set to go out as a New Year's gift, but that is what we had. What will the evidence be that he is looking for? What is the nature of that evidence, because I cannot see it and will that evidence be Scrutiny proof, because we have seen, in the past, that things come, are picked apart by Scrutiny, go back and get delayed? How will the impact be measured? Because if you do not measure, then you do not know how it will be reduced, so you must have definition of impact, the level of that impact and therefore some defining point at which you would know it will be reduced by. What part of “discourage”, how do you measure “discouraging”? I discourage my dog not to eat other animals' remains from my garden, but it does not mean I can stop him doing it, but “discourage” is not an empirical term. We have had so much criticism of the lack of numbers that if you have empirical terms in your set of principles, they are very easy to miss, or very easy to avoid even, dare I say. When you say “invest”, can we have a figure on investment, because that could be £1, it could be £10 million, it could be the entire budget of Jersey itself, but who knows? I would like you to define what you mean by “rapid analysis.”

[17:00]

At the moment, the rapid analysis in some things are Spring, as undefined, 2021, which is over a year away - I do not think we are quite in Spring yet - or will it be 2 years, or will it be 3 years, because then there will be a new Parliament and Lord knows where this ... sorry, Sir, nobody knows where that will go, so I think we really do need to define these principles. This was voted for on the idea that it gives us the drive and gives direction. When you analyse the actual language, there is very little direction and most of these terms are very easily avoided, or redefined as we go along, so this is a moveable feast. I just want some reassurance that something will happen and I think those things that I have asked may give me that sort of reassurance.

**The Deputy Bailiff:**

If no other Member wishes to speak, I call upon the Minister to reply.

**2.4.17 Deputy K.C. Lewis:**

That was a marathon and I thank all Members who have spoken. First of all, I would like to say to the Constable of St. Helier, I would like to congratulate him. He has had a few hits from fellow Members, but he stuck to his guns and I can say welcome to my world. This is the right way to go. We are working collaboratively and I can give the Constable and the Assembly assurances that I will include backbenchers in the development of the bus and active travel policies. Deputy Gardiner: I can reassure the Deputy that we will be seeking and obtaining data to support the bus development plan. Deputy Higgins: I acknowledge there are different social needs and the strategy is not all about walking and cycling, especially there will be free bus travel for carers. That is already in train and it is happening. Deputy Young: I can assure you road safety will feature prominently in developing the active travel strategy. I believe several Members, including the Constable of St. Saviour, mentioned air quality. That falls under my colleague, Deputy Young, the Minister for the Environment, but I will bring that to his attention and more than happy to assist in getting those put in place. The Constable of St. John: firstly, can I say that park and ride was also considered in some depth - sorry, the Deputy of St. John - in the previous S.T.P. but will definitely be considered in the bus development plan, as well. Nothing has been ignored. It is in the plan. Obviously, it is not easy to obtain areas for parking and there are certain regulations regarding car parks. As I say, with the assistance of our colleague, the Minister for the Environment, you cannot just tarmac over a field and away you go, it is not that simple, but the principle is there and we try and encourage as many people as we can to indulge in that. There is an unofficial park and ride, which I have mentioned before, in Grouville at Longbeach. A lot of people drive down from St. Martin and beyond, park at Longbeach and get on the bus into Town and return journey. As I say, that is an unofficial one. Deputy Southern: the payments were to LibertyBus, effective subsidies, but to passengers; not to the buses, but to the passengers. Deputy Le Hégarat: the road safety officer does a range of road safety activities. Historically, it did head up the cycling proficiency, but I see increasingly less time dedicated to this. The person is still going into schools to talk about road safety and so on, but not able to run cycle training at all schools, so this will be upgraded. Who else have we got? Yes, Senator Moore, bike racks and research. We have put in a few bike racks already. There is one bike rack we have just put in at Sand Street Car Park. I invite Members to go down and have a look at it. That is before we do any serious work, we have started on that. Regarding a gas bus, we are trying to cut down on carbon and that is going the other way, but obviously there is a research going on with hydrogen buses, electric buses. As long as it is low fuel, then obviously we are interested and there are very friendly biodiesels coming online now. Obviously, we do not want to do anything that harms the rainforest, or anything else, but there are friendly biodiesels on the market. Deputy Maçon hit the nail on the head with his comments. As I say, we are working collaboratively to get everything through. The Constable of St. Saviour: people jumping lights, cycling on pavements and so on, my apologies, but I do not have a blue light on my head. I am not a police officer and I cannot stop people. It is a police matter, that the law is there and it is for the police to enforce it. I do not permit anyone to cycle on the pavement, with the exception of one pavement, which is bottom to top of Beaumont Hill and that is for cycle safety, but as I say, everything else is laid down in law, but we are trying to keep everybody safe. Deputy of St. Peter: we are using tech at the moment and we are working with Digital Jersey, which we have been for some time. We use a lot of tech. You may have noticed the A.N.P.R. (Automatic Number Plate Recognition) which is in place.

**The Deputy Bailiff:**

Through the Chair, please, Minister. Through the Chair.

**Deputy K.C. Lewis:**

A.N.P.R., so it recognises car number plates coming in, coming out. We hope to extend that in the future, so that people can open accounts. You get can charge cards now to charge up and maybe in the future we will have accounts, where you can charge up your account so you merely drive in, drive out and the fee is deducted from your account. The Constable of St. Brelade: 2010, who was in charge then? Let me think. Oh yes. Buses are up 40 per cent and we have a 5 per cent reduction in traffic of recent times. I can honestly say the bus contract and the bus debate made today's debate a walk in the park. That was very tough. I had to go head to head with a lot of people on that one, but we got it through. Had we not have done it at that time, we would not have had the 40 per cent increase in bus ridership and I think with the increase in population which we have, which is a completely separate argument, I grant you, we would be in serious trouble now. I am glad that went forward. Deputy Ward: conform, evidence, invest. As I say, we are covered very tightly by Scrutiny. I am as keen as the Deputy is to get things going. I would like to start things today, but I do get screamed at during our Scrutiny meetings: "Where is the evidence? Where is the proof?" We are saying we are finding the evidence and the proof, but I am like the Deputy in a sense that I want to get things going now. The money itself is locked in here, the money is allocated. There have been complaints that we have not done things in the past, but that is because we did not have the money. We do have the money now, it is all locked up and the key to unlock it is the S.T.P. It is a starting process. This is the fast-start process. As soon as this money is unlocked, we can be up and running. I think I have spoken enough and I make the Proposition and ask for the *appel*.

### The Deputy Bailiff:

The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 42</b>		<b>CONTRE: 2</b>		<b>ABSTAIN: 0</b>
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				

Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**Deputy K.C. Lewis:**

I thank Members for their support. Let us go to work.

**3. Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 7) (Jersey) Regulations 202- (P.5/2020)**

**The Deputy Bailiff:**

The next item on the Order Paper is the Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 7) (Jersey) Regulations, lodged by the Minister for the Environment and I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 7) (Jersey) Regulations 202-. The States make these Regulations under Articles 7, 12, 13 and 29 of the Sea Fisheries (Jersey) Law 1994.

**Deputy J.H. Young:**

Could Deputy Guida be the *rapporteur*, the Assistant Minister, please?

**3.1 Deputy G.C. Guida (Assistant Minister for the Environment - *rapporteur*):**

After 3 days of sitting, I am glad to bring something serious to the Assembly. [Laughter] I was going to say a properly meaty Proposition, but of course it is about fish. The Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003 sets out the framework for the Minister to license fishing vessels working in Jersey territorial waters. My Department has received a number of enquiries concerning the requirement for charter angling vessels to have a fishing vessel licence. By charter angling vessel, I am referring to those vessels who take paying passengers out to sea for a day’s fishing using a rod and line, which a number of Members may have enjoyed, as have plenty of Islanders and visitors alike. Recently, enquiries have come from those seeking clarification as to the requirement for a licence, as well as a member of the public seeking more general information relating to the activities of vessel owners offering charter angling opportunities. Following these enquiries, a review of the current policy on charter angling was undertaken. Since the inception of fishing vessel licensing in Jersey, it has been the policy position that in order to operate a charter angling vessel, in addition to any requirement under the shipping legislation, a fishing vessel licence was required. This view was supported in general by the fishing industry, including those involved in the charter angling business. These charter angling vessels applied for and those qualifying received a fishing vessel licence. This policy position was adopted in light of the definition of “fishing vessel”

and the reference to “fishing for profit.” It was concluded that this profit would include payment from individuals for fishing opportunities. However, investigations instigated by the Registrar of Shipping concluded that although the term “fishing for profit” is deemed to have a wide ambit, the issue of profit concerns the financial return derived from the sale of sea fish landed, rather than any other financial returns, such as monies received from chartering a vessel for angling expeditions. This would, therefore, exclude charter fishing vessels from the requirement to obtain a fishing vessel licence if the fish is not sold. After consultation with key stakeholders, it has been agreed that in the interests of stock management and compliance with other fisheries legislation, that the agreed policy position is still the most appropriate and should require charter vessels to have a fishing vessel licence. This position is still supported by the fishing industry. It will help in the fight to prevent the illegal sale of fish through the back doors of pubs and restaurants, an activity that does nothing but harm the sustainability of important stocks and the law-abiding local fishermen, who follow the rules to make a living. I must make it very clear that I am not unsupportive of fishing charters. We are blessed with a fantastic marine environment and I would encourage the sustainable development of the blue economy. However, as Assistant Minister for the Environment, the key for me is the word “sustainable”. This Amendment seeks to do this by the well-established route of licensing that allows for better controls and regulation of the exploitation of our marine resources. This Amendment will have no impact on current charter angling fishing businesses and does not prevent new enterprises starting up, albeit with an upfront cost. However, the additional benefit to the management for marine resources must take precedence and I will always take that position in the matters I bring to the House for debate.

[17:15]

I would like to take this opportunity to thank Connétable Mike Jackson and members of the Environment, Housing and Infrastructure Scrutiny Panel for taking the time to consider this Amendment in meetings with my officials. While this Amendment may seem inconsequential, given all the other fishery related matters that Members will be aware of at this moment in time, it is a small but important piece in the complex jigsaw puzzle that is fisheries management and I urge Members to support this Amendment.

### **The Deputy Bailiff:**

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles?

#### **3.1.1 Deputy M.R. Higgins:**

Just a very brief one, a question. Can the Assistant Minister tell us if there are any restrictions on the type of fish that these vessels can carry and in particular blue tuna?

#### **3.1.2 Deputy M. Tadier:**

I do not know that I can support this for one, given that there seems to be a lack of evidence, first of all of the need; secondly, unless the Assistant Minister can provide me with exactly the number of fish that will be caught, making this change more or less, the net difference - no pun intended - between what is currently caught and what would be caught in the future, I do not think I will have enough information to be able to make this decision, because fish stocks are very important to me. I have got a concern that we are already over-fishing and I would not want to do anything that I did not know absolutely what the outcome would be of those proposals. I do not think I can support these proposals until the Assistant Minister can give me all of those facts, including whether it is inflationary, because we know that currently it might make charter vessels more costly to operate. Charter vessels form an integral part, or at least some, of the offering to our tourist industry. Tourists like to go out on a boat either just to watch other people fish, or to be able to catch some gamefish themselves. We do not know if this is going to be inflationary, or whether it is going to have a negative impact on the industry now that we are officially down the rabbit hole, these seem like

entirely reasonable Tory arguments that are put forward. We need to be consistent, I think and we would not want to ... it is very flimsy, this document, is it not? If we look at what is contained in it, there are lots of blank pages but very little explanation as to why this is really justified, so I think the Environment Department can do much better. Maybe it is because they are understaffed. Maybe they need a lot more budget and a lot more staffing. Maybe they can raid some of the environment money that has been put into the environment fund for this, but it really is a jolly poor show.

### **3.1.3 The Deputy of St. Martin:**

I hope that Deputy Tadier, by the end of this very short debate, will be convinced, because I know Deputy Guida is not always the easiest to understand, if he will forgive me, but he did say in his speech that this Proposition will mean no change whatsoever to what is currently happening. He is absolutely right. It has always been the tradition that charter vessels working in Jersey waters needed a fishing licence and the reason that it is necessary now to bring this to the Assembly is that we have a threat, not just from unregulated charter boats from Jersey, but mostly from charter boats on the other side of the Channel, who come over the Channel and fish in our waters indiscriminately and take all that fish back to the U.K. There is nothing we can do about it until we come officially down and say: "You need a fishing licence in order to be a charter fishing vessel in Jersey waters." We have always said that. That has always been the unwritten rule, if you like, but we need to enforce it as much as we possibly can. This is not about changing the way we do things at the moment. It is about protecting our fish stocks, protecting those charter boats we already have in Jersey, who have a licence, who have paid for that licence, who have a good business. It is protecting the sustainability of our fishing, and I urge Members to support the Deputy.

### **Deputy R.J. Ward:**

That has just answered my question, so thank you.

### **3.1.4 Deputy J.H. Young:**

I am going to leave the questions to my Assistant Minister, but I must respond to Deputy Tadier. I think what the Assembly should bear in mind is that at the moment every Member knows the whole situation, the major issues that the fishing industry faces and with the whole issue of Brexit the amount of work being required by those teams at the moment has been absolutely outstanding and it really is unfair. I would perhaps ask the Deputy to withdraw his comment about what was a criticism of our officers. It is entirely not acceptable and I am grateful for the Deputy of St. Martin for giving us the explanation.

### **The Deputy Bailiff:**

I call upon Deputy Guida to reply.

### **3.1.5 Deputy G.C. Guida:**

My very sincere thanks for Deputy Luce for helping people understand me here. Indeed, the whole point of this is to close a loophole. Basically, we felt pretty safe in that our law required licensing and all the local boats use that, paid for their licence and they were quite happy to be protected by those licences. It is only a very recent development that led us to believe that maybe the licences were not absolutely necessary in law and, therefore, we needed to change the law. Everything that applies to recreational fishing, in general, applies to recreational fishing in a chartered vessel, so bag limits, no catch on tuna, these things will continue to apply. There is no change in it. So, this will indeed not change anything to fishing in Jersey, but it will confirm to foreign boats that if they do want to operate in Jersey waters, then they need a licence like our local boats. There is not much in the Proposition, because it is very simple. It is just closing a loophole and making sure that the licences are understood as being compulsory. I think I have answered all the questions and I maintain the Proposition.



**The Deputy Bailiff:**

Those Members in favour of the principles kindly show?

**Deputy M. Tadier:**

The *appel*, please.

**The Deputy Bailiff:**

The *appel* has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 42</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 0</b>
Senator L.J. Farnham		Deputy M. Tadier (B)		
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
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Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hagarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Deputy Bailiff:**

I now need to ...

**Deputy M. Tadier:**

Could we have the one, please? [Laughter]

**The Deputy Greffier of the States:**

The one is Deputy Tadier.

**The Deputy Bailiff:**

I need to formally ask if the Environment, Housing and Infrastructure Scrutiny Panel wish to scrutinise this matter.

**The Connétable of St. Brelade (Chair, Environment, Housing and Infrastructure Scrutiny Panel) :**

Thank you, Sir, no. The Panel has received a comprehensive presentation from the Department and are satisfied that no further scrutiny is needed.

**The Deputy Bailiff:**

Deputy Guida, how do you wish to propose the Regulations in Second Reading, *en bloc*?

**Deputy G.C. Guida:**

Yes, Sir, I would like to propose the Regulations *en bloc*.

**The Deputy Bailiff:**

Are the Regulations seconded? [Seconded] Does any Member wish to speak on the Regulations? Those Members in favour of the Regulations kindly show. Those against? The Regulations are adopted. Do you propose the matter in Third Reading, Deputy Guida?

**Deputy G.C. Guida:**

Yes, Sir, please.

**The Deputy Bailiff:**

Are they seconded in Third Reading? [Seconded] Does any Member wish to speak in Third Reading? Members in favour of adopting the Regulations in Third Reading kindly show. The Regulations are adopted in Third Reading.

**Deputy M. Tadier:**

You did not ask for ...

#### **4. Draft E.U. Legislation (Plant Health) (Jersey) Regulations 202- (P.8/2020)**

**The Deputy Bailiff:**

The next item is the Draft E.U. Legislation (Plant Health) (Jersey) Regulations, lodged by the Minister for the Environment and I ask the Greffier to read the citation.

**The Deputy Greffier of the States:**

Draft E.U. Legislation (Plant Health) (Jersey) Regulations 202-. The States make these Regulations under Article 2 of the European Union Legislation (Implementation) (Jersey) Law 2014.

#### **4.1 Deputy J.H. Young (The Minister for the Environment):**

Before I propose, I should perhaps mention this is quite a complex business, which I could try and sum up. I am very much in the House's hands, given the fact that we are 5 minutes away from our normal adjournment time. So, I mention that at the outset. Obviously, Jersey has a long established relationship on plant health with the U.K. and, in fact, has been a long time member of the European Plant Protection Organisation. Of course, what I have to do today, I have a difficult task to do to bring these Regulations to you, which previously we thought we would not have to do at this pace, that we would be able to have a step-by-step approach and implementation over time. Unfortunately, when the E.U. withdrawal date changed to 31st January this year, it became no longer possible, and we found ourselves in a situation where we were obliged to bring forward and do all the work to ensure that we have consistency with the arrangements which apply right across the E.U. as part of the safer food chain. This is part of it relating to plant health. The other part is animal health, which will come another day, thankfully not today. It does seek to provide consistency across the industry, provide security and deals with the rules for inspection, audit and sampling. Now, Members will probably not believe this, but what this does - and I am told this and I am not an expert, I have to accept - is it simplifies and consolidates existing and replacing E.U. directives. It actually replaces 70 pieces of E.U. Regulations and directives, but obviously for us, when we were able to deal with our, let us be honest, light touch regime in the previous pre-Brexit world, I am afraid we now have to do otherwise. Most people, including me, knew very little about food security, until this was put in front of me and, of course, even less about trade agreements. But, of course, what I am told we need is a robust, evidence-based, plant health regime that does a couple of things. First of all, it protects our environment, which is our native flora and fauna, from pests and diseases, but also it makes sure that we have a sustainable plant-based production. It safeguards food security, making sure that agricultural and horticultural losses against pests are mitigated. So, part of that is about a health regime and, of course, Deputy Tadier will be delighted that this is an evidence-based regime, which will strengthen our environment and our industries against these challenges. So, unfortunately, pests and diseases are increasing very rapidly, particularly with climate change and global travel. Just a couple of examples I am told or reminded: we are familiar probably with Dutch elm disease and the damage that did to U.K. forestry, 60 million elms lost and in Jersey we have lost 80,000 trees. Of course, the new threats, for example, there is another one, a nasty beetle; Members may know about this, an Asian long-horned beetle. That got established in the U.K. and a likely entry route, hibernating in the pallets used by shipping, is an interesting thing. Thankfully, that has been contained, but not without the loss of some trees. Also, there is a nasty virulent bacterial disease called Xylella, found in olives and has spread to cherries, oats, rosemary, lavender and coffee and has been found in Portugal, Spain and now France. So, as these threats emerge, so must the Regulations and that includes seeds and associated produce since 1977 and in 2013 the E.U. introduced the full review of the system that resulted in these new rules. They are called Smarter Rules for Safer Food and the Official Controls Regulation and they came into force on 14th December 2019. It is a change. I am told the logistics of it are that most of what is in here I am advised has already been done. We have done it in our own Jersey way, in a very practical way, through our Plant Health Inspectorate, but in the world we have to work with now, we have to be explicit about it and we have to have this kind of level of documentation. So, what we will have, it is a science-led field. Outside the E.U., more commodities will require inspections and certification before they get into the Union. Of course, within the E.U. more plants will need documentation to move across and the professionals, which are involved with plant material, will need to register businesses and what is known as protected zones, or pest-free areas.

[17:30]

So, the new Regulation introduces new categories and pest diseases. I have mentioned those that are on my note. I am sure there are many others. There are non-quarantine pests. These are pests that are known about and they are already present in the E.U. but have a nasty economic impact. These

pests are given a statutory threshold in order for plants to move within the E.U. so, therefore, that is why we have them. Locally, what these Regulations do is to bring that into force and it allows us to incorporate 17 historic emergency decisions that we made into local law and adopt temporary national measures that our biosecurity officers have agreed with counterparts in the United Kingdom. Of course, where we end up is adoption of these Regulations will put our legislation on an equal footing with all other member states across the E.U., including our counterparts in the U.K. Obviously, Members may say: “Well, why are we bothering?” Obviously, the issue is, whether we like it or not, pests and diseases do not care about political boundaries and this is an important measure to safeguard both our environment and the plant products that move in and out of the Island and it has been long overdue. So, I think, with that, I am going to say there is a lot of complexity in here. I think we have already provided a briefing session with the plant health officers to the Scrutiny Panel, a verbal briefing, and we have given the Scrutiny Panel information on the potential cost which, from what I can see - I have been provided with figures and so have the Scrutiny Panel - shows the costs are relatively modest, because it very much consolidates what we already do. So, that is what I am asked to go along with and, on that basis, I am presenting it to you. I think the Scrutiny Panel also asked about the offences and to basically have an explanation of what is new and what we have done is provided that information, a comparison of the existing under the laws that will be repealed with this, our current laws that will be repealed and the new that has been provided to the Panel, but obviously we will discuss that if we get to the Regulations. So, I think, at the moment, I will sit and propose the principles at that point.

**The Deputy Bailiff:**

Are the principles seconded? **[Seconded]** As we have reached 5.30 p.m., I am obliged under Standing Orders to ask Members if they wish to continue or adjourn.

**Deputy R. Labey:**

Yes, I propose that we continue until the end of business.

**The Deputy Bailiff:**

Is that agreed? Thank you. Does any Member wish to speak on the principles of these Regulations? Those Members in favour of the principles kindly show. Those against? The principles are adopted. Does the Environment, Housing and Infrastructure Scrutiny Panel wish to scrutinise this matter?

**The Connétable of St. Brelade (Chair, Environment, Housing and Infrastructure Scrutiny Panel):**

Once again, we received a comprehensive presentation from the Department, so we have no need for further scrutiny.

**The Deputy Bailiff:**

Minister, how do you wish to propose the Regulations in Second Reading?

**4.2 Deputy J.H. Young:**

I would very much welcome to do this *en bloc*. I will wait to see whether the Members are in agreement. **[Laughter]**

**The Deputy Bailiff:**

Are the Regulations seconded in Second Reading? **[Seconded]** Does any Member wish to speak on the Regulations? Deputy Tadier.

**4.2.1 Deputy M. Tadier:**

I have some questions about Regulations 28 and 29. So, in the shorthand notes in the introductory comments, it says that Regulation 28 deals with entry to premises without a warrant and Regulation

29 deals with entrance with a warrant, which is issued from the Bailiff. There seems to be some potential lack of clarity around why and whether in Article 28 a warrant is actually needed in order to enter the premises. So, Article 28 talks about the ability to enter a premises at a reasonable time for various purposes. The first question I would have - and I am sure it is a well-established principle in law, so perhaps this is for the Attorney General, although I am sure the Minister might want to take it himself - would be to establish what a reasonable time is. Also, to ascertain as to whether, or not, a warrant is needed in order to enter the premises at a reasonable time for those particular purposes if an individual does not grant access to the property. Because in 28(2) it says: "Before entering any premises for the purposes of a specified reason, a plant health inspector must, if requested to do so, produce a document showing that he or she is an inspector and any warrant issued under Regulation 29" but, as I said before, the pre-note suggests that there is not a need for a warrant to enter the premises at a reasonable hour. Also, if perhaps the Attorney General could explain a bit about the issuing of permits by the Bailiff. I am not fully up to speed on whether search permits are normally issued by the Bailiff, or whether they are done by the Attorney General. Perhaps it is an error that I was labouring under, but I thought that they were issued by the A.G. (Attorney General) and not the Bailiff, so perhaps if the Attorney General could provide clarity on those questions, perhaps, before I decide whether I need to continue with the speech.

**Mr. M.H. Temple Q.C., H.M. Attorney General:**

Taking the last of Deputy Tadier's questions first, the Attorney General does not issue search warrants. They are issued by the Bailiff and they are issued by warrant and there is a variety of legislation which confers powers on the Bailiff to issue warrants. In this case, it is clearly set out the conditions on which the Bailiff may issue a warrant. They are spelt out in Article 29(2), so that the conditions are that entry to the premises has been, or is likely to be, refused and a notice of an intention to apply for a warrant has been given to the occupier. So, that condition is where an inspector, or an authorised plant health inspector, has attempted to gain access to the premises but that has been refused. Then the second condition is that asking for admission to the premises, or giving notice of intention to apply for a warrant would defeat the object of the entry. So that would be in a situation where on sworn evidence ... because there is a requirement for sworn evidence to be given for a warrant to be issued, so where there is sworn evidence, for example, or on good evidence that a potential product that is to be inspected may be destroyed, or disposed of. The third condition is that entry is required urgently, so there may be some immediate threat of a disease that is perhaps contagious. Then the last is that the premises are unoccupied, so obviously no one can give access to the premises in those circumstances. So, the rights set out in Article 29 are clear and they are comparable to rights of entry by warrant in other legislation. So, in relation to the further powers of entry in Article 28, those in practice, I suspect, are the ones that would be much more frequently used. So, those are the powers of entry that are given to a plant health inspector for the carrying out of the duties that are set out in that Article. To me, in terms of the conditions that are set out in the Article and dealing with the Deputy's question, the first condition is that the entry to the premises must be at a reasonable time. Now, a reasonable time imports the test of objectivity of what is a reasonable time, so that is a question, if ultimately it came to a court to decide, that would be for the court to decide. But in the case of, for example, a business, then a reasonable time is likely to be the hours that the business is operating during working hours. So, I hope that answers the Deputy's question sufficiently in relation to what is a reasonable time, but it may vary from case to case. So, if it is someone's home, which it could potentially be, then the question of what is a reasonable time may be looked at differently. So, if someone is out to work, then what is a reasonable time for entry to the premises may well be when they are back from work. So, to me, the 2 sets of provisions for powers of entry are clearly different powers. I do not think that there is a confusion or risk of overlap between the 2, and I trust that sufficiently answers the Deputy's questions.

**The Deputy Bailiff:**

Deputy Tadier, are you going to continue with your speech now?

**Deputy M. Tadier:**

I think those answers are helpful, so I do not need to continue. Perhaps I can end there.

**4.2.2 Deputy K.F. Morel:**

I just wanted to assure Deputy Tadier that the search powers in Regulations 28 and 29 were absolutely the subject of our Scrutiny session. We honed in on them very quickly as a concern and we have a publicly available response from the Department to our questions on that. I think it is also worth mentioning that they assured us that they were in accordance with Article 8 of the European Convention on Human Rights, the right to private and family life. Just to add a little to the Attorney General's response; the Attorney General suggested that Article 28 would be the ones used most frequently. It was of interest to the Panel that the officers said that they have never used any of the search powers from Articles 28 or 29 to the best of their knowledge and so just to reassure him that, while they are absolutely on the statute books and they need to have proper assurances around them, in practice they have never been used.

**The Deputy Bailiff:**

Does any other Member wish to speak on the Regulations in Second Reading? If not, I call upon the Minister to reply.

**4.2.3 Deputy J.H. Young:**

I think the answers that have been given do not need me to say anything. I welcome my colleague Deputy Morel emphasising the point that the officers tell me the people they deal with they have longstanding relationships. They know the people; they have never had to use these powers. But it is necessary that when we are introducing a new statutory regime, we do need to make sure that the powers are there and available, otherwise then our regime will be seen to be non-compliant. So, even though we do not consider there is a likelihood that these things will be necessary to be used, nonetheless if they were ever used, those rules would apply to ensure that proper safeguards are followed, but nonetheless we do need them in the register. So, I think, with that, I will make the Regulations.

**The Deputy Bailiff:**

Members in favour of adopting the Regulations in Second ... the *appel* is called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

<b>POUR: 42</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator L.J. Farnham				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				

Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Deputy Bailiff:**

Minister, do you wish to propose the Regulations in Third Reading?

**Deputy J.H. Young:**

Yes, can I propose in Third Reading?

**The Deputy Bailiff:**

Are they seconded? [**Seconded**] Does any Member wish to speak in Third Reading? Those in favour of adopting the Regulations kindly show. Thank you. The Regulations are adopted in Third Reading.

**ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**The Deputy Bailiff:**

That concludes Public Business for this meeting. I invite the Chair of P.P.C. to propose the arrangement of business for future meetings.

**5. Deputy R. Labey (Chair, Privileges and Procedures Committee):**

P.2, P.3 and P.4, deferred from today, have been relisted for the next sitting on 24th March. P.129/2019 - and I am looking to the Greffier for a signal - I think has also been relisted for 24th March. There was a suggestion it might be deferred until 21st April.

[17:45]

**The Deputy Bailiff:**

21st April is the date we were given for P.129.

**Deputy R. Labey:**

Thank you, Sir. I think it is likely that the next sitting of the States on 24th March will go into a second day and, with that, I propose the arrangement of public business.

**The Deputy Bailiff:**

Is that seconded? [**Seconded**] Do Members agree with the proposal of the Chairman?

**5.1 Deputy J.H. Young:**

I would just like to highlight what may be a change. I am not proposing to change it today, but P.106, the Public Health and Safety (Rented Dwellings) Law, as Members will know, I have put forward for lodging a revised scheme which simplifies and also, unfortunately, we had a Scrutiny session booked, but because the environmental health officers have had to come off that work to do contact tracing in respect of the virus infection, we have had to postpone that. So, it is possible that that may get postponed from the 24th, but at the moment I am just putting a flag up and mentioning that, that that may happen.

**The Deputy Bailiff:**

Any response, Mr Chairman, to that observation?

**Deputy R. Labey:**

No, Sir, I guess we have to wait and see.

**The Deputy Bailiff:**

So, do Members *prima facie* agree with the proposal of the Chairman for public business on the next occasion? Thank you. The States stands adjourned until 24th March at 9.30 a.m.

**ADJOURNMENT**

[17:46]