THE STATES assembled on Tuesday 22nd March 2022, at 9.30 a.m. under the Presidency of the Deputy Bailiff, Robert James MacRae, Esquire.

All members were present at roll call with the exception of –

Senator John Alexander Nicholas Le Fondré – absent on States business (arrived in the Chamber at 11.02 a.m.)

Deputy Jeremy Martin Maçon of St. Saviour - ill

Deputy Louise Mary Catherine Doublet of St. Saviour – en défaut (défaut raised at 11.13 a.m.)

Prayers read by the Acting Greffier of the States

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Standing Order 55A – remote participation

THE STATES, with reference to their Act dated 14th September 2021, in which they had agreed that, notwithstanding Standing Order 55A(1), members who did not wish to attend in the States Chamber might continue to take part in States meetings using Microsoft Teams (until the States had considered and voted upon a proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of the Standing Order), assembled in accordance with Standing Order 55A with members able to participate remotely using Microsoft Teams.

Island Plan 2022-25: Approval P.36/2021

THE STATES, resuming consideration of a proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, resumed consideration of an amendment of Senator Samuel Yves Mézec (P.36/2021 Amd.(41)) and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(41)Amd.), agreed that, in paragraph (a), the words "all of the homes provided on it should be affordable except where the provision of only affordable homes would render the development unviable." should be replaced with the words ", these shall be for affordable homes unless it has been otherwise approved that the development needs to specifically provide open market homes, particularly where this is required to ensure the viability of public realm and community infrastructure delivery, in line with an approved Government Plan. In such cases, a minimum of 15% should be made available to eligible persons in accordance with "making more homes affordable" policy (HXX), for assisted purchase housing".

Members present voted as follows -

POUR: 30 CONTRE: 16 ABSTAIN: 0

Senator L.J. Farnham Senator I.J. Gorst Senator S.C. Ferguson Senator T.A. Vallois Senator K.L. Moore Senator S.W. Pallett Connétable of St. Helier Senator S.Y. Mézec Connétable of St. Saviour Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. Mary Connétable of Grouville Connétable of St. John Connétable of Trinity Deputy G.P. Southern (H) Connétable of St. Peter Deputy M. Tadier (B)

Connétable of St. Ouen Connétable of St. Martin Connétable of St. Clement Deputy J.A. Martin (H) Deputy of Grouville Deputy K.C. Lewis (S)

Deputy S.J. Pinel (C)
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. 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 M.R. Higgins (H)
Deputy of St. Martin
Deputy J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)
Deputy I. Gardiner (H)

THE STATES, adopting the amendment of Senator Samuel Yves Mézec, as amended, agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that –

(a) within Policy H5, after the words "(0.6 hectares/3.3 vergées)" there should be inserted the following new paragraph –

"Where States of Jersey or States-owned companies' land is brought forward for the development of new homes, these shall be for affordable homes unless it has been otherwise approved that the development needs to specifically provide open market homes, particularly where this is required to ensure the viability of public realm and community infrastructure delivery, in line with an approved Government Plan. In such cases, a minimum of 15% should be made available to eligible persons in accordance with "making more homes affordable" policy (HXX), for assisted purchase housing"

and the words "on these sites, together with any other government-owned sites or sites to be developed by arms-length bodies, that are brought forward for the provision of affordable homes over the plan period" should be deleted."; and

(b) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a)."

Members present voted as follows –

POUR: 44 CONTRE: 0 ABSTAIN: 0

Senator L.J. Gorst

Senator L.J. Farnham

Senator T.A. Vallois

Senator K.L. Moore

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Connétable of St. John

Connétable of St. Clement

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy S.J. Pinel (C)

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. 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 J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Minister for the Environment, agreed to consider the amendment of the Minister for the Environment (P.36/2021 Amd.(103)) to his own proposition entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, as the next item of public business.

Island Plan 2022-25: Approval P.36/2021

THE STATES resumed consideration of the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(103)), agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words —

"after Policy H5 – Provision of affordable homes, on page 194, there should be added the following –

"Five Oaks has evolved into a significant suburban centre providing a range of accommodation but with a particular concentration of family housing. It sits at a major confluence of traffic routes into and out of the town and has a number of commercial sites within its midst.

There is considered to be a legitimate need to undertake a specific piece of work to assess and review the planning issues in this area with the local community and other stakeholders to develop and adopt a masterplan to guide its future development and to improve local community infrastructure. This should, in particular, include a review of the need for, and provision of public open space, community facilities and travel and transport improvements; and which might consider the future development and use of employment sites in the area.

Proposal - Five Oaks masterplan

The Minister for the Environment will bring forward a masterplan for Five Oaks, during the bridging plan period, in consultation with key stakeholders, including the parish, Andium Homes, other landowners, local residents and their children, and businesses which will include consideration of travel and transport improvements, particularly for active travel (walking and cycling); the provision of community facilities and open space; and future employment land opportunities."

Members present voted as follows –

POUR: 40 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator S.C. Ferguson

Senator T.A. Vallois

Senator K.L. Moore

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. John

Connétable of St. Clement

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy S.J. Pinel (C)

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. 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 J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Deputy of St. Martin (P.36/2021 Amd.(17)) agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that –

- (a) within Policy H6 Supported housing, after the words "proposals for the development of supported homes, including" there should be inserted the words "age-restricted homes (for people over 55),";
- (b) within Policy H6, after the first paragraph there should be inserted the following new paragraph –

"To support the provision of homes that help meet the needs of an ageing society the following sites are specifically zoned for the provision of age-restricted over-55 homes, and their development for any other use will not be supported:

- 1. Field MN489, La Longue Rue, St. Martin (1.3 hectares/7.2 vergées), to provide homes for rent, to be administered by St Martin's Parish.";
- (c) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a) and (b); and
- (d) the Draft Bridging Island Plan Proposals Map Part A Planning Zones should be amended to reflect the adoption of (a).

Members present voted as follows –

POUR: 33 CONTRE: 9 ABSTAIN: 1

Senator I.J. Gorst Senator L.J. Farnham Senator S.C. Ferguson Senator T.A. Vallois Senator K.L. Moore Senator S.W. Pallett Connétable of St. Lawr.

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Connétable of St. John

Connétable of St. Clement

Deputy J.A. Martin (H)

Deputy of Grouville

Senator S.Y. Mézec Connétable of St. Helier Deputy M. Tadier (B) Deputy R. Labey (H) Deputy K.F. Morel (L) Deputy G.C.U. Guida (L) Deputy M.R. Le Hegarat (H) Deputy J.H. Perchard (S)

Deputy C.S. Alves (H)

Todior (D)

Deputy J.H. Young (B)

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy L.B. Ash (C)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy S.M. Ahier (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(92)), agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that –

- (a) in Policy H8 Housing outside the built-up area, section 2, together with sub-sections a. and b., should be substituted with the following
 - "2. in the case of an extension or where it involves the sub-division of part of an existing dwelling that would lead to the creation of separate households:
 - a. the accommodation is required to provide independent accommodation for someone who requires a high degree of care and/or support for their personal wellbeing and health; or
 - b. the accommodation is capable of allowing the creation of additional households, where they meet minimum internal and external space standards and specifications for homes, within the existing or extended dwelling; and
 - c. it does not facilitate a significant increase in potential occupancy; and
 - d. where the accommodation is capable of re-integration into the main dwelling."; and
- (b) after Policy H8 there should be inserted a new proposal, as follows –

"Proposal – Housing outside the built-up area The Minister for the Environment will develop supplementary planning guidance to assist with the interpretation and application of Policy H8 - Housing outside the built-up area."

Members present voted as follows –

POUR: 41 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator S.C. Ferguson

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. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Quen

Connétable of St. Martin

Connétable of St. John

Connétable of St. Clement

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

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. 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 S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106, Senator Kristina Louise Moore, Deputy Mary Rose Le Hegarat of St. Helier and the Deputy of St. Peter declared an interest in the subject of the amendment of the Minister for the Environment (P.26/2021 Amd.(92)) to the proposition of the Minister for the Environment, in that they owned property to which the provisions of the amendment would apply.

Arrangement of public business for the present meeting

THE STATES noted that, following the adoption of the amendment of the Minister for the Environment (P.36/2021 Amd.(92)) to the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), parts 1.(b) and 1.(c) of the amendment of Senator Kristina Louise Moore (P.36/2021 Amd.(26)) to the same proposition were deemed to have been withdrawn, with the remaining parts re-designated accordingly.

Island Plan 2022-25: Approval P.36/2021

THE STATES resumed consideration of the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, and, adopting an amendment of Senator Kristina Louise Moore (P.36/2021 Amd.(26)) agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words –

1. "except that, in order to achieve the ability for existing properties to be sub-divided or traditional buildings to be converted to create additional units of accommodation, within Policy H8 –

- (a) the word "and" at the end of sub-paragraph 1.a. and sub-paragraph 1.b. should be deleted; and
- (b) the word "and" should be inserted at the end of paragraph 5.a, and sub-paragraph 5.b should be deleted, with the remaining sub-paragraph redesignated accordingly.
- 2. "except that, within Policy SP2, after the words "in its location" there should be inserted "; or where it involves the conversion, extension and/or subdivision of existing buildings";
- 3. "except that the second paragraph of Policy PL5 should be deleted and replaced with the following paragraph
 - "To protect the countryside and coast and to ensure development is concentrated in the most sustainable locations, the development of new homes will be supported in limited circumstances including the conversion, extension and/or sub-division of existing buildings.""; and
- 4. "except that the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent to the adoption of the amendments to Policy H8, Policy SP2 and Policy PL5."

Members present voted as follows -

POUR: 21 CONTRE: 17

Senator I.J. Gorst Senator L.J. Farnham Senator T.A. Vallois Senator K.L. Moore Senator S.W. Pallett Senator S.Y. Mézec Connétable of St. Brelade Connétable of St. Mary Connétable of St. Ouen Connétable of St. Martin Connétable of St. John Deputy J.A. Martin (H) Deputy of Grouville Deputy of St. Ouen Deputy L.M.C. Doublet (S) Deputy of St. Mary Deputy S.M. Ahier (H) Deputy J.H. Perchard (S) Deputy R.J. Ward (H)

Deputy K.G. Pamplin (S) Deputy I. Gardiner (H)

Senator S.C. Ferguson Connétable of St. Helier Connétable of St. Lawrence Connétable of St. Saviour Connétable of Grouville Connétable of Trinity Connétable of St. Clement Deputy K.C. Lewis (S) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy R. Labey (H) Deputy G.J. Truscott (B) Deputy J.H. Young (B) Deputy L.B. Ash (C) Deputy K.F. Morel (L) Deputy G.C.U. Guida (L) Deputy of St. John

Connétable of St. Peter Deputy of St. Peter Deputy of Trinity

ABSTAIN: 3

THE STATES noted that, in accordance with the provisions of Standing Order 106, Senator Kristina Louise Moore declared an interest in the subject of her amendment (P.26/2021 Amd.(26)) to the proposition of the Minister for the Environment, in that she owned property with a loft space to which the amendment could apply.

THE STATES noted that, in accordance with the provisions of Standing Order 106, the Connétable of St. Peter and Deputy Montfort Tadier of St. Brelade declared an interest in the subject of the amendment of Senator Kristina Louise Moore (P.26/2021 Amd.(26)) to the proposition of the Minister for the Environment, in that they owned property to which the provisions of the amendment could apply, and they both abstained from voting.

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(93)) agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that, within Policy ME1 – 20% reduction in target energy rate for large-scale developments –

- (a) in the Policy title, the words "for large-scale developments" should be replaced with the words "new development";
- (b) after the words "Development proposals", the words "in the built-up area for non-residential development with a gross floorspace of 200sqm or more; or residential developments of five or more homes", should be replaced with the words "for the construction of new dwellings and other buildings, where they are required to meet the technical requirements of building byelaws technical guidance documents:
 - Part 11 Conservation of fuel and power in new dwellings (2016 edition)
 - Part 11 Conservation of fuel and power in buildings other than dwellings (2016 edition)";
- (c) after the words "where it outperforms the target energy rate by 20%", there should be inserted the words "as demonstrated using the existing Jersey Standard Assessment Procedure (JSAP) calculator, or Simplified Building Energy Model (SBEM) tool";
- (d) after the words "the higher standard is to be applied.", there should be inserted the words "If during the course of the Bridging Island Plan period, the relevant 2016 editions of the technical guidance documents are revised to meet or exceed a 20% reduction of target energy rate, this policy will no longer be applied."; and
- (e) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of paragraphs (a)-(d)."

Members present voted as follows –

POUR: 42 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

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. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Connétable of St. John

Connétable of St. Clement

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B. 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 J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Environment, Housing and Infrastructure Scrutiny Panel (P.36/2021 Amd.(81)) agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that –

- (a) Policy ME2 Passivhaus standards for affordable homes and major development outside the built-up area should be deleted;
- (b) in the Proposal "Review of building bye-laws", after the words "arising from buildings." insert the following new paragraph "The Minister for the Environment will establish a working group to consider the environmental benefits and 'Green' opportunities presented by Passivhaus and other energy efficient building standards and to inform decisions on the most appropriate standard for use in Jersey, with a view to the implementation of increased requirements within the next Island Plan."; and
- (c) the draft Island Plan 2022-25 should be further amended in such respects as may be necessary consequent upon the adoption of (a) and (b)."

Members present voted as follows –

POUR: 39 CONTRE: 5 ABSTAIN: 0

Senator I.J. Gorst Senator S.C. Ferguson Senator K.L. Moore Senator S.W. Pallett

Connétable of St. Helier

Connétable of St. Lawrence Connétable of St. Saviour Senator S.Y. Mézec Deputy G.P. Southern (H) Deputy M. Tadier (B) Deputy R.J. Ward (H) Deputy C.S. Alves (H)

Connétable of St. Brelade

Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Connétable of St. John

Connétable of St. Clement

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy S.J. Pinel (C)

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. 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 J.H. Perchard (S)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES resumed consideration of the proposition of the Minister for the Environment, as amended, and, adopting an amendment of the Minister for the Environment (P.36/2021 Amd.(94)) agreed that, after the words "the draft Island Plan 2022-25", there should be inserted the words "except that within Policy CI1 – Education facilities –

- (a) after the words "Mont à L'Abbé School:", the words "part of" should be deleted;
- (b) after the words "field 782 St. Ouen", there should be inserted the following words –

"Proposals for education facilities outside the built—up area or designated sites will not be permitted except in the most exceptional circumstances where the proposed development is required to meet a proven island need and it can be demonstrated that:

- a. the development is essential to the delivery and continuation of education services and cannot reasonably be met through alternative sites, service delivery arrangements or colocation with other services; and
- b. sufficient work has been undertaken to consider reasonable alternative sites for the development and the selected site represents the most sustainable option, with the focus on accessibility to the community relative to the defined spatial strategy, local demand, its impact on the character and nature of the landscape and the scale of development that may be required."; and

(c) the Draft Bridging Island Plan Proposals Map Part A – Planning Zones be amended to reflect the adoption of paragraph (a).

THE STATES, resuming consideration of the proposition of the Minister for the Environment, as amended, commenced consideration of an amendment of Deputy Inna Gardiner of St. Helier (P.36/2021 Amd.(6)).

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 23rd March 2022 to continue consideration of the proposition of the Minister for the Environment entitled 'Island Plan 2022-25: Approval' (P.36/2021), as amended, and the remaining amendments listed for the meeting.

THE STATES rose at 5.26 p.m.

W.J.C. MILLOW

Acting Greffier of the States