

**WRITTEN QUESTION TO THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES
BY DEPUTY S.Y. MÉZEC OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 16th JUNE 2015**

Question

Could the Minister explain exactly what the impact would be on the plans to introduce a new waste disposal charge if the Parish Assembly in St. Helier refuses to give permission to lift the covenant which prevents the parish from being charged for waste disposal?

Answer

The position of the Public is that there is not a covenant “which prevents the parish from being charged for waste disposal”. Furthermore the covenant, insofar as there was one, is long since prescribed. It is of course a matter for the Parish to seek its own advice. I am however pleased to confirm that it remains my intention to introduce a waste charge consensually which of course will require dialogue and engaging with the Parish of St Helier, but ultimately if there is an impasse between myself and the Parish, I cannot rule out seeking to bring the matter before the Royal Court for a declaration as to the correct interpretation or validity of the covenant.

Introducing a waste charge is no more than an application of the user pays principle. In that respect it is difficult to understand how it could be suggested to be unreasonable, unfair or unjustified for the waste charge to fall upon the shoulders of all Parishes. Any new “user pays” charge would be brought back to the States Assembly for its approval.