

STATES OF JERSEY



STRATEGIC PLAN 2006 TO 2011 (P.40/2006): COMMENTS

**Presented to the States on 19th June 2006
by the Environment Scrutiny Panel**

STATES GREFFE

COMMENTS

On 16th and 21st March 2006 the Environment Scrutiny Panel analyzed the Draft Strategic Plan 2006 – 2011. In doing so, the Panel was mindful of the fact that the then draft Codes of Practice for Scrutiny Panels and the Public Accounts Committee stated that responsibility for considering the overall strategic priorities of the Executive fell to the Chairmen's Committee. It further acknowledged that the task of analyzing in detail the developmental process of the Strategic Plan and validity of the financial framework was a matter for the Corporate Services Panel. Nevertheless, the Panel considered that it should comment to the Chairmen's Committee initially on matters which fell within the areas of responsibility of the Minister for Planning and Environment and the Minister for Transport and Technical Services.

It was intended that policy proposals would be reviewed in line with a report submitted by the Strategic Planning Manager and the Senior Accountant (Budgets) to the Council of Ministers on 9th March 2006. On that basis the Panel had sought to establish –

- (a) whether there was clear evidence of continuity from previous States decisions and consultation processes,
- (b) whether the indicators of success chosen were complete and appropriate, and
- (c) whether the individual pledges listed in the sections entitled 'What we will do' were likely to be the most appropriate and effective methods of achieving the outcomes listed.

Having carried out that exercise it was clear to the Panel that there were a significant number of policy issues arising from the detailed content of the draft Strategic Plan. A summary of the Panel's findings in this regard is enclosed at the **Appendix**. The predominating view, however, was that there were several overarching matters of concern arising from the format chosen for, and content of, the draft Plan. This view was reinforced following the subsequent referral of the Panel's summary of findings to the Chairmen's Committee for consideration and also following a meeting on 30th May 2006 with both Senator F.E. Cohen, Minister for Planning and Environment, and Deputy G.W.J. de Faye, Minister for Transport and Technical Services to discuss various aspects of the construction of the draft.

In broad terms the Environment Panel has 4 primary concerns, as follows –

1. The purpose and limitations of the draft Strategic Plan

The Panel contends that the draft Plan in its current form is difficult to assess because in some instances the level of detail is such that it appears to take on a form closer to that of a business plan. Accordingly Panel members have found themselves questioning whether the document could be used by the Executive as a mechanism for restricting unduly the room for future consideration by the States of specific detailed policies. During the course of a Panel meeting on 30th May 2006, Senator F.E. Cohen stated that, in his view, the States may have drawn comfort from the inclusion of a preamble clarifying that the scope of the Strategic Plan, if approved, would be broadly limited to that of a mission statement. The Panel concurs with this view.

2. The degree of ministerial ownership'

The Panel is acutely aware that in bringing forward P.40/2006 the Council of Ministers has been operating to a mechanism and a tight timescale as defined by the States of Jersey Law 2005, as amended, and by Standing Orders. It is nevertheless clear to the Panel, following its meeting on 30th May 2006 with Ministers and their officers, that Ministers may have benefited from more time to assimilate information provided by their officers and to ask questions concerning proposed content for inclusion within the draft. For example, it appears to the Panel that officers are more confident than their respective Ministers on the matter of whether sufficient work has been done to establish whether potential consequences of the Economic Growth Policy, particularly in terms of the likelihood of population growth, have been factored into the policy proposals affecting both Departments. In turn this raises the question as to whether the formulation of the draft Plan can truly be described as having been 'Minister led'.

3. A lack of focus on sustainability

The Panel is concerned that the Council of Ministers appears to have missed an opportunity to set out a clear vision for a sustainable future. Although variations of the word ‘sustainable’ appear at several stages of the document (e.g. Commitment One: We will maintain and enhance a strong, successful and sustainable economy) the Council of Ministers has omitted to clarify how it has chosen to define sustainability. Dictionary definitions may refer to the general concept of living within one’s means but in the context of a governmental 5-year plan for a small island in a changing world, and with particular vulnerabilities to climate change, the Panel contends that there is now more than ever a need for the draft Strategic Plan to be constructed around a clearly defined concept of sustainable living. On that basis it is disappointing to note that the Council of Ministers has not been more open with the public as to the degree to which economic, environmental and social factors have been weighted in determining its preferred definition of a sustainable future.

Turning to environmental sustainability specifically, the Panel recalls that in 1996 the States endorsed the Environmental Charter which contained the following mission statement –

“The States will promote the conservation and sustainable use of resources and will minimise environmental pollution in all its own activities. It will seek, through its influence, the achievement of the same objectives by other sectors of the community. The States will review all of its policies, programmes and services and undertakes to act wherever necessary to meet globally accepted environmental standards”.

The Panel considers that the Council of Ministers may wish to clarify in the debate on the draft Strategic Plan whether the Environmental Charter remains valid in 2006 and, in particular, whether the draft Plan is fully compatible with the above mission statement. In addition the Panel recalls that further work was done on environmental sustainability in Jersey following on from the Environmental Charter. This work led to the production, in 2001, of a report entitled ‘Jersey into the Millennium: A Sustainable Future’. The Panel considers that the Council of Ministers may also wish to clarify during the debate which of the key policy options contained within this important strategic document, which appears to have been shelved for over 4 years, have been incorporated in the draft Strategic Plan 2006 – 2011.

4. The extent of interdepartmental working

The analysis of the draft Plan carried out by the Panel in March 2006 (see **Appendix**) appeared to reveal evidence of a fragmented approach to the compilation of the document. Submissions made to the Panel on 30th May 2006 served to counter this assertion in part but there was recognition that the draft Plan was being brought forward at a time when the States was still having to work with several policies developed by independent Committees in ‘silos’. The Panel looks forward to receiving clear evidence that comprehensive assessments of the likely effects of key policies within the Plan have been considered and/or modelled effectively across departments.

In summary, the Panel is of the view that the draft Strategic Plan 2006 – 2011 is an unnecessarily complex document and one which, in view of the level of detail included, may have been brought forward too quickly. As a result, members may be tempted to debate policy proposals in a level of detail which might have been better reserved for the forthcoming Business Plan. Nevertheless, the key issue for the Environment Panel is the lack of an overarching emphasis on sustainability and a failure to state openly what is meant by phrases such as ‘sustainable economy’, ‘unsustainable population pressures’, ‘sustainable travel and transport plan’ and ‘unsustainable patterns of resource use’.

Environment Panel

Draft Strategic Plan 2006 – 2011 - Briefing Note for the Chairmen’s Committee

On 16th March 2006 the Environment Panel considered the draft Strategic Plan 2006 – 2011. In doing so, the Panel was mindful of the fact that, according to the draft Codes of Practice for Scrutiny Panels and the PAC, the Chairmen’s Committee would have responsibility for considering the overall strategic priorities of the Executive. It further acknowledged that the detailed task of analyzing the planning process and the validity of the financial framework fell outside of the Panel’s remit. Nevertheless, the Panel considered that it should comment to the Chairmen’s Committee on matters which fell within the areas of responsibility of the Minister for Planning and Environment and the Minister for Transport and Technical Services. Each relevant policy detail was analyzed with a view to establishing –

- (a) whether there was clear evidence of continuity from previous States decisions and consultation processes,
- (b) whether the indicators of success chosen were complete and appropriate, and
- (c) whether the individual pledges listed in the sections entitled ‘What we will do’ were likely to be the most appropriate and effective methods of achieving the outcomes listed.

In addition, the Panel paid particular attention to the issues and challenges highlighted and the Council of Ministers’ Top Priorities.

What follows is a summary of the Panel’s findings.

Analysis of special features, issues and challenges (Pages 6 – 8).

The Panel noted a lack of focus on environmental and municipal service issues within this section of the report. For example, there was no mention of the environmental consequences of failing to meet the challenge of improving recycling rates, nor of the recent significant rise in fuel prices and the consequential need to consider how the Island’s future energy requirements might be fulfilled.

Council of Ministers’ Top Priorities (Pages 9 – 10)

Having examined the list entitled ‘Existing Priorities’, the Panel was interested to note that the Council had included a reference to an ‘Integrated Travel and Transport Plan’, as opposed to the ‘Strategic Travel and Transport Plan’ which had been lodged ‘au Greffe’ in 2005 before being withdrawn in 2006 without having been debated by the States. As Deputy G.W.J. de Faye had advised the States on 31st January 2006 that the Council of Ministers had ‘considered the Strategic Travel and Transport Plan and approved it as a high level framework document’, the Panel concluded that the nature of the ongoing policy development in this crucial area was less than clear.

Turning to the list of ‘New Priorities’, the Panel concluded that there was evidence of a disconnect between the scoping and analysis of the issues facing Jersey and the resulting list of top priorities. For example, development of an energy strategy had been included as a top priority, despite the fact that the existing lack of a strategic energy policy had not been identified within the sub-section entitled ‘Analysis of special features, issues and challenges’ as a problem needing attention.

Resources Statement by the Minister for Treasury and Resources (Pages 11 – 13)

The Panel questioned whether the overarching intention was controlled growth of the economy and the overall

population in order to fill the ‘black hole’ and fund the ageing population. In the event that this was the case, the Panel expressed the view that such an approach was environmentally unsustainable. It acknowledged that people were living longer and were capable of working within the economy for longer periods of time. On that basis the Panel concluded that the Strategic Plan should call for a greater emphasis on utilization of existing residents at or near the current retirement age and policies that encouraged parents and grandparents to live closer together, thereby making it easier for both parents to return to the workplace.

The Detailed Plan (Pages 15 – 45)

1.4 The economy is diversified and developed

The Panel was disappointed that no mention was made of the need to assess and to manage the environmental consequences of economic development. It considered that a commitment to develop a tourism strategy with a focus on eco-tourism would have been likely to have engendered public support. Finally, the Panel concluded that the reference to job creation ‘within net growth in [the] workforce of up to 1%’ fell some way short of a direct commitment to stabilizing the population of the Island.

2.1 Jersey is well prepared to meet the challenges and opportunities presented by an ageing population

The Panel was pleased to note the commitment to amend the Building Bye Laws (Jersey) 2004 to include Lifetime Homes Standards; however, it contended that there was also a need to establish whether existing Island Plan policies were sufficient to address all the issues arising from the ageing population.

2.9 Island-wide transport systems and policies which meet the needs of the community

The Panel considered that the actions and indicators proposed were indicative of a lack of vision. It questioned the inclusion of increased numbers of bus passengers as a success indicator for this proposed outcome. Although bus usage rates were apparently increasing slightly, the Panel acknowledged that many buses continued to carry a minimum number of passengers. This situation was not sustainable economically or environmentally. Instead, the Panel concluded that there was a need to evaluate whether an Island wide bus service of the type currently operated was right for Jersey. Such an exercise should analyze the environmental impact of buses running in current and predicted future market conditions. In addition, the Panel submitted that any policy development in this area should focus on managing the need for Islanders to travel in the first place. This could be addressed in a number of ways, including the encouragement of investment in communications infrastructure and Island Plan policies designed to mitigate the need for large numbers of workers to commute to St. Helier. Finally, and with regard to car use, the Panel affirmed its view that policies designed to curtail car use in Jersey were unlikely to succeed in the foreseeable future. Nevertheless, it considered that there were strong arguments in favour of policies designed to encourage Islanders to stop using heavier vehicles, which tended to wear road surfaces more quickly, and those with higher emission rates.

2.10 Inward migration matched to the Island’s needs

The Panel reiterated its concerns regarding the effect of economic growth on the overall population of the Island. It suggested that the indicators and actions as listed constituted further evidence of a policy to allow incremental growth in the absence of an overarching population policy linked to the crucial element of land demand and availability. The Panel remained of the view that it was vital to assess the environmental implications of increasing the resident population of the Island.

3.4 Strong frontier protection against threats to the security, social and economic integrity and environment of the Island

The Panel considered that the Council of Ministers should clarify whether the actions proposed would have any significant effect in terms of prevention against threats to the environment of the Island, or whether the item referred to the social and economic environment only.

3.5 Effective measures in place to deal with risks to life, property and the environment from major incidents and emergencies

The Panel considered that the Council should clarify how the indicators and actions proposed would have a significant effect in terms of dealing with risks to the environment from major incidents and emergencies.

3.8 Good standard of affordable homes for all

The Panel considered that the indicators and actions proposed were broadly positive; it nevertheless noted that there was no mention of draft revised planning guidance on the design of homes, which had apparently been in development for several years. It was also disappointed to note the limited extent of the environmental measures included. For example, it noted that there was no mention of encouraging water conservation by way of requiring the installation of water butts and / or other measures designed to utilize 'grey water'.

4.1 A diverse working countryside

The Panel expressed serious misgivings at the prospect of reliance on the Rural Economy Strategy to deliver the outcome sought. Bearing in mind the Council of Minister's apparent intention to pursue an energy strategy, the Panel questioned whether the Council should commission a study into the viability of growing crops to facilitate the production of biofuels locally.

4.2 A vibrant town and waterfront for St. Helier

The Panel considered that the action listed at 4.2.6 should be reviewed. It submitted that the apparent drive to obtain economic benefits over and above planning benefits was encouraging developers to submit schemes which were at odds with the expectations of the public. Moreover, the Panel suggested that the 4 success indicators as written could be obtained without recourse to planning proposals of the type being brought forward at the present time.

4.3 An energy policy for Jersey

The Panel reiterated its views concerning the need for a study of the viability of local biofuel production, as recorded against outcome 4.1. With regard to the success indicators listed, the Panel queried whether the greenhouse gas emissions target was in fact less than ambitious given the reduction in emissions caused by the closure of the oil fired power station after 1990.

4.4 Clean air, clean water and uncontaminated land

The Panel expressed surprise and concern at the decision of the Council of Ministers to push for the introduction of the Draft Water Resources (Jersey) Law 200-, having received the report of the former Shadow Scrutiny Panel on the subject and in the absence of a final, detailed report from the Deep Groundwater Advisory Group. Turning to the possible introduction of environmental tax measures, the Panel concluded that the Plan should make clear that such taxes would be ring-fenced, as opposed to a general revenue raising measure.

4.5 Jersey's natural and built heritage is sympathetically managed

The Panel reiterated its views regarding the Rural Economy Strategy. It further submitted that the Plan should confirm that any proposals to address over-fishing would be suitably costed.

4.6 Waste systems meet international standards and the use of resources is improved

The Panel was concerned to note the omission of the Solid Waste Strategy from the existing priorities of the Council of Ministers. Moreover, it disagreed strongly with the underlying assumptions on which the

success indicators and proposed actions had clearly been based. On the matter of environmental tax measures, the Panel repeated its view that public acceptance of any such measures was only likely to be achieved if revenues were ring-fenced.

4.7 A new Island Plan that meets the Island's social, economic and environmental aspirations

The Panel queried whether what was being proposed was in fact a revised Island Plan, as opposed to an entirely new Plan. It was acknowledged that the Island Plan 2002 had been designed to allow for a rolling programme of reviews to individual policies, and that a mid-term review of the Plan had been envisaged at the time of production. Having reviewed the draft Coastal Zone Management Plan, the Panel expressed concern that the Management Plan appeared to require additional resources at a time of financial restraint.

4.8 A physical infrastructure which supports the economic and social needs of the Island

The Panel questioned whether adequate analysis of the cost of maintaining sea defences had been carried out. It suggested that there was a need to conduct an up to date cost benefit analysis of managed retreat policies as an alternative to expensive sea wall maintenance.

4.9 Valued and well maintained public places

Although the Panel broadly accepted the actions and indicators for this outcome as listed, it considered that there was a good deal of scope for increases in levels of customer satisfaction concerning a number of facilities. This included the maintenance and cleanliness of public toilets in key locations.

5.1 A stronger sense of citizenship and community

The Panel was disappointed to note the lack of a reference to the importance of environmental stewardship within the Citizenship Curriculum. It considered that the importance of maintaining the local environment was such that appropriate measures should be built into any programme to establish a strong and recognized identity for Jersey.

5.2 Continued development of the Island's international constitution and international profile

The Panel, having noted the lack of a direct commitment to analyze the cost implications of signing up to and implementing particular conventions, expressed concern that implementation of the measures listed might have a disproportionate negative effect on the availability of funding for important environmental and infrastructure commitments detailed elsewhere in the Plan.

6. Introduction

The Panel noted that the 5th paragraph of the text outlining Commitment Six included a brief reference to 'the commencement of a new reclamation site'. As the 3 outcomes listed under this Commitment failed to expand upon this statement, the Panel expressed concern that the decision to include such a statement of intent may not have been thought through effectively. Although the Panel was aware of the extent of the advance planning required for such a scheme, it questioned whether the Council of Ministers had given adequate consideration both to the rate of fill at La Collette II and to the waste recycling implications of committing to a further scheme at this stage. In addition, the Panel questioned the assumption that utility companies operated a service that the public sector could relinquish its involvement in. In the Panel's view, significant strategic consequences could follow from any decision to, for example, privatize Jersey Water.

6.2 Public services that are recognized as efficiently and effectively meeting people's needs

The Panel concluded that it was open to the Council of Ministers to confirm that it was committed to working with the Comité des Connétables to ensure that refuse collection and recycling processes would in future be operated in a more efficient and effective manner.

Focus on Young People

Although the Panel accepted that certain measures and proposals outlined in the plan would, if implemented appropriately, affect young people in a positive way, it was somewhat disappointed to find that the plan appeared to attach more importance to achieving economic and social sustainability than environmental sustainability. It was the considered view of the Panel that young people would be far more likely to embrace a strategic plan that gave equal weight to the concepts of economic, environmental and social sustainability.