

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Bailiff:

The Minister for Planning and Environment will make a statement regarding the Draft Water Resources (Jersey) Law.

7. Senator F.E. Cohen (Minister for Planning and Environment):

The Draft Water Resources (Jersey) Law 200- was lodged by the former Environment and Public Services Committee on 27th September 2005 and it was currently scheduled for debate on 6th June. I have decided to withdraw this item and not to proceed with the debate on 6th June for the following reasons. Firstly, I wish to await the outcome of the work currently being carried out by the Deep Groundwater Advisory Group which was set up by the Environment and Public Services Committee towards the end of 2005. This group has been tasked to look into the evidence relating to the theory that Jersey's deep groundwater resources originate in France and also to advise on the relative contribution to the Island's water resources that deep groundwater resources could make. The work to determine the theory of water from France is proceeding to its experimental drilling phase but due to the level of public expenditure involved, I will not be sanctioning this step until I can gain an assurance from all group Members that they will accept the results of these tests as the definitive resolution of this question. The cost of this experimental process will be just over £50,000 and even though some of this cost will be met by a contribution of £20,000 from Jersey Water, I will not begin the work until I am assured it will lead to a firm conclusion one way or the other. However, I do reserve the right, in the event, to proceed with this important Law if there is an undue delay by the Deep Groundwater Advisory Group in producing their report. Secondly, I am seeking advice from an independent U.K. based consultant who has many years experience in the management of water resources on the appropriate exemption thresholds for the purposes of the draft Law. I recognise the importance of this issue because below the threshold level, abstraction licences will not be required. When the Deep Groundwater Advisory Group and the consultants' reports are to hand and have been evaluated, I will be re-lodging the draft Law in my own name as Minister for Planning and Environment and it may well contain some amendments. I will inform the Assembly as to the timetable as soon as these matters have been resolved.

7.1 Senator S. Syvret:

Can the Minister give the Assembly an absolute assurance that the Deep Groundwater Advisory Group will base its research and its conclusions on demonstrable repeatable science as opposed to paganism and witchcraft?

Senator F.E. Cohen:

I am being most careful to ensure that these tests are carried out on a proper scientific basis. The current proposal is that 2 locations will be chosen by the local water experts. We will drill to a specified depth. The bores will be lined. The water abstracted will be tested to determine its isotopic signature and the isotopic test result will indicate the origin of the water. It is a proper, well-recognised and properly conducted scientific approach.

7.2 Deputy P.N. Troy:

The Minister will be aware of my amendment to the Law which requested exemption limits to be raised from 3 cubic metres to 20 cubic metres. I note that an independent consultant is being employed. Can he advise why that was not done before the Water Law was drafted; and

secondly, as he has intimated to me that he is perhaps inclined to raise the exemption limit, can he explain why he might just not accept my amendment of 20 cubic metres?

Senator F.E. Cohen:

I am not sure why the work was not carried out before. I have looked very carefully at the abstraction thresholds and I have asked for some work to be carried out by my department. I am looking at significantly increasing the abstraction levels although I cannot commit to that at this stage and I cannot commit to the exact figure of the threshold but I would expect it to be very significantly more than the proposal in the draft Law that I am withdrawing today.

Deputy P.N. Troy:

Can I congratulate the Minister on reviewing my amendment favourably, Sir, but give him notice that I may still maintain it if he does not bring the figure up to the level that I proposed.