

Environment Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 3rd March 2009

Meeting Number: 4

Present	Deputy P Rondel (Chairman) (PR) Deputy D Wimberley (Vice Chairman) (DW) Connétable J Réfaut (JR) Connétable P Hanning (PH) (Item 4)
Apologies	
Absent	
In attendance	M Haden, M Orbell

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings The minutes of the meeting of 11th February 2009 were approved and signed.</p>	MO
11.02.09 /Item 4	<p>2. Proposed Town Park/Ann Court Car Park Connétable Réfaut reported back following his attendance on behalf of the Panel at a public meeting held at the Town Hall on 12th February 2009. Strong objections had been voiced to the creation of a car park at Ann Court and the meeting had not been sympathetic to positive comments from business interests. Copies of a reply received from the Minister for Transport and Technical Services to the Chairman's letter of 27th January 2009 regarding the Ann Court proposals were circulated.</p> <p>3. Fisheries Legislation The Panel noted that as fisheries legislation is now the responsibility of the Economic Development Department, the Economic Affairs Panel would be expected to scrutinise this. This had been confirmed at the latest Economic Affairs Scrutiny Panel meeting.</p>	
11.02.09 /Item 5	<p>4. Jersey's Ramsar Site: Impact of Energy from Waste Plant Members approved the co-option of the Connétable of St Saviour onto the Panel for this review. It was noted that an amendment to the terms of reference for the review would be required following the disclosure during the rescindment debate that an atmospheric pollution study would be required by Planning prior to the grant of a waste licence to operate the Energy from Waste plant. It was agreed that a letter should be sent to the Planning and Environment Department giving notice of the Panel's intention to scrutinise the results of the study. Members agreed that an approach should be made to the Official Analyst to find out whether reports from the established testing programme could provide an ecological baseline for levels of pollution of marine organisms and the seabed in the Ramsar area. It was considered that it would be important to have a reference point to which future results could be compared; if relevant reports were not available, the Panel would seek to arrange the taking of new samples.</p>	<p>MH/MO</p> <p>MO</p> <p>MO</p> <p>MO</p>

	<p>It was further agreed that a Panel visit should be arranged to the site of the Energy From Waste plant, to include the cooling water outfall inlets and outfall conduits. Detailed drawings would be requested from the Transport and Technical Services Department, together with copies of the existing consents relating to emissions to air and sea by the Jersey Electricity Company.</p> <p>Minor changes to the draft scoping document were agreed in respect of stakeholders, success criteria, risks, consultees and timing. Officers were requested to draft amendments to the terms of reference for the review to reflect the changes in its scope and developments since the rescindment debate.</p> <p>It was agreed that possible dates for hearings in the week commencing 20th April 2009 should be investigated.</p> <p>Members discussed the position of Deputy Wimberley in respect of the review following his private member's rescindment proposition for the Energy from Waste plant. Advice from the Greffier of the States indicated that although there was some common ground, the Deputy's proposition did not present a direct conflict with this review into possible effects on the Ramsar site and the conduct of the Environmental Impact Assessment. Members considered that his private research and knowledge could prove beneficial to the review. It was agreed that the Panel would maintain a robustly independent stance and the addition of a fourth member would further help to ensure that it could conduct an objective and balanced review of the issues. It was agreed that a letter should be drafted to the Minister for Planning and Environment giving the proposed terms of reference and amended constitution of the Panel and assuring him of members' commitment to an impartial review.</p>	<p>MO</p> <p>MO</p> <p>MH/MO</p> <p>MH/MO</p> <p>MO</p>
	<p>5. Energy Efficiency in States Departments</p> <p>Members considered assessment and draft scoping documents for this proposed review. Concerns were raised about the possible workload implications if the review were to be open-ended. It was agreed to proceed subject to revised scoping identifying specific States-owned properties for investigation as examples, with the aim being to focus on efficiency issues related to lighting and heating. The Chairman informed members that he had already contacted the Minister for Education for information about Departmental policies and had lodged questions about energy usage by Harbours and Airport. It was thought that the review might benefit from a partnership approach with Eco-Active.</p>	<p>MH/MO</p> <p>MH/MO</p>
	<p>6. Planning and Building Bye Laws</p> <p>Papers received from Jersey Gas and the Planning Department were distributed.</p>	
<p>23.01.09 /Item 4</p>	<p>7. Chairmen's Committee</p> <p>Members received papers regarding media advertising from the Chairman's Committee and a copy of the Scrutiny policy on Travel and Subsistence allowances. The Panel Work Programme 2009 for submission to the Committee was noted and agreed subject to minor amendments.</p> <p>Members were informed that the Chairman's Committee had agreed to publish a further newsletter and that suitable content would be required from Panels in due course.</p> <p>The Panel noted dates proposed for a questioning skills course for members.</p> <p>Members were briefed on discussion at Chairman's Committee concerning requests from private individuals to be allowed to record or video Scrutiny meetings held in public. It was noted that a</p>	<p>MH/MO</p> <p>MH/MO</p> <p>PR, DW, JR</p>

	<p>protocol was in preparation that would address such matters. Members agreed that the potential for such recordings to be selectively edited or manipulated before being uploaded to private websites or published elsewhere was a matter of concern. It was acknowledged that the established news media often edited recorded material for effect, but there was some route for redress in the event of misrepresentation by established companies that was not the case with private individuals. The Panel was therefore opposed to allowing private individuals to carry out recording in Scrutiny hearings or meetings. However the Panel agreed that all of its meetings with Departments should be held in public, recorded and transcribed by the Scrutiny Office unless there were compelling reasons for some part of the meeting to be held in camera.</p>	MH/MO
	<p>8. Requests from Corporate Services Panel The Panel considered requests for one member to join respectively the Migration and Finance Sub-Panels of the Corporate Services Panel for forthcoming reviews. It was agreed that Deputy Wimberley would join the Migration Sub-Panel, but owing to other pressures there was no member able to join the Finance Sub-Panel at this time.</p>	DW
	<p>9. Ministerial Decisions Recent Ministerial Decisions pertinent to the Panel's remit were noted. There was concern that decisions establishing new Sites of Special Interest could in some cases cause difficulties for existing users of the land in question when the time came to renew permissions.</p>	
	<p>10. Questions to Ministers The arrangements for questions without notice to Ministers at the States sitting of 10th March 2009 were noted.</p>	
11.02.09 /Item 15	<p>11. States Strategic Plan The publication of the first draft Strategic Plan (3rd March) and the dates for the formal Scrutiny process (9th April to 21st May 2009) were noted.</p>	
	<p>12 Presentations from Transport and Technical Services The Panel received the Minister for Transport and Technical Services together with his assistant Minister and relevant officers (Chief Executive Officer, Director of Transport, Manager - Transport Policy, Director of Waste Management and Director of Waste Strategy Projects) in connexion with the following presentations: (a) Draft Integrated Travel and Transport Plan - It was agreed that this presentation should be followed up by further discussion of the draft Plan at a meeting at South Hill on 12th March. The Panel was also asked to consider participating in a working group to review the Island's speed limits policy in accordance with a proposition by Deputy I. Gorst (P.166/2008). (b) Draft Liquid Waste Strategy - The Panel was requested to consider undertaking or participating in a challenge and peer review of the draft strategy including all assumptions and data with a view to providing a framework for political and public engagement.</p>	
	<p>13. Quarterly briefing with Planning and Environment Minister - The Panel, having received apologies from the Minister, received the Assistant Minister for Planning and Environment Minister together with relevant officers (Director of Planning, Director of Environment, Assistant Director Policy and Projects, Assistant Director Environmental Policy and Assistant Director, Building Control) to discuss the following issues: (a) Designation of Sites of Special Interest:</p>	

	<p>(b) Energy Policy: (c) Draft new Building Bye Laws It was noted that the Minister intended to review the current Historic Environment protection regime and the Panel indicated that it wished to return to this matter with the Minister at the next quarterly briefing.</p>	
	<p>14. Future Meetings Arrangements for a briefing meeting with the Transport and Technical Services Department on the 9th March, a visit to the sewerage works on 17th March and the next scheduled Panel meeting on 23rd April 2009 were noted.</p>	

Signed



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Date:

26.3.09

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Chairman
 Environment Panel