

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 27th JUNE 2006

QUESTIONS.....	3
1. Urgent Oral Question	3
1.1 Deputy J.G. Reed of St. Ouen (of the Chief Minister):.....	3
Senator F.H. Walker (the Chief Minister):	3
1.2 Deputy G.C.L. Baudains of St. Clement:	3
1.3 The Deputy of St. Ouen:.....	3
1.4 The Deputy of St. Ouen:.....	4
1.5 Deputy R.G. Le Hérisier of St. Saviour:.....	4
1.6 Deputy S.C. Ferguson of St. Brelade:	4
1.7 Connétable D.J. Murphy of Grouville:.....	5
1.8 The Deputy of St. Ouen:.....	5
1.9 Deputy R.G. Le Hérisier:	5
STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY	6
2.1 Senator P.F. Routier (Minister for Social Security) regarding the Employment Tribunal:	6
PUBLIC BUSINESS (continued)	6
3.1 Strategic Plan 2006 to 2011 (P.40/2006) (continued)	6
3.1.1 The Greffier of the States (in the Chair):.....	6
3.1.2 Deputy P.V.F. Le Claire of St. Helier:	6
3.1.3 The Very Reverend R.F. Key (The Dean of Jersey):.....	7
3.1.4 Deputy C.J. Scott Warren of St. Saviour:.....	8
3.1.5 Deputy G.P. Southern of St. Helier:.....	8
3.1.6 Deputy J.B. Fox of St. Helier:.....	11
3.1.7 Deputy G.C.L. Baudains:	12
3.1.8 Deputy J.J. Huet of St. Helier:	14
3.1.9 Senator L. Norman:.....	15
3.1.10 Deputy A.D. Lewis of St. John:.....	16
3.1.11 Senator T.J. Le Main (Minister for Housing):.....	17
3.1.12 Deputy G.W.J. de Faye of St. Helier (Minister for Transport and Technical Services):	19
3.1.13 Deputy S. Power of St. Brelade:.....	21
3.1.14 Deputy R.C. Duhamel:.....	23
3.1.15 Deputy J. Gallichan of St. Mary:.....	25
3.1.16 Senator P.F. Routier:.....	25
3.1.17 Senator J.L. Perchard:	26
3.1.18 Senator P.F.C. Ozouf:	27
3.1.19 Deputy P.N. Troy of St. Brelade:	28

3.1.20	Deputy J.G. Reed of St. Ouen:	28
3.1.21	Senator B.E. Shenton:	29
3.1.22	Senator F.E. Cohen (Minister for Planning and Environment):	29
3.1.23	Senator S. Syvret:	30
3.1.24	The Connétable of Grouville:	30
3.1.25	Deputy R.G. Le Hérissier:	31
3.1.26	Connétable A.S. Crowcroft of St. Helier:	32
3.1.27	Deputy S.C. Ferguson:	32
3.1.28	Deputy A. Breckon of St. Saviour:	32
3.1.29	The Connétable of Grouville:	38
3.1.30	The Greffier of the States (in the Chair):	38
3.1.31	Deputy F.J. Hill of St. Martin:	39
LUNCH ADJOURNMENT		40
3.1.32	Senator M.E. Vibert of St. Brelade (Minister for Education, Sport and Culture):	40
3.1.33	Deputy D.W. Mezbourian of St. Lawrence:	41
3.1.34	Senator F.H. Walker (Chief Minister):	41
3.2 Solid Waste Strategy – locations for proposed facilities (P.45/2006)		48
3.2.1	The Deputy Bailiff:	48
3.2.2	Deputy G.W.J. de Faye:	49
3.2.3	Deputy R.C. Duhamel:	55
3.2.4	Deputy G.W.J. de Faye:	57
3.2.5	Deputy R.C. Duhamel:	59
3.2.6	Deputy G.W.J. de Faye:	64
3.2.7	The Deputy of St. John:	65
3.2.8	Senator P.F.C. Ozouf (Minister for Economic Development):	66
3.2.9	Deputy J.B. Fox (Assistant Minister for Education, Sport and Culture):	66
3.2.10	Deputy P.V.F. Le Claire:	66
3.2.11	Senator S. Syvret (Minister for Health and Social Services):	69
3.2.12	Deputy G.P. Southern:	71
3.2.13	Deputy J.J. Huet:	73
3.2.14	Deputy C.J. Scott Warren:	73
3.2.15	The Connétable of St. Helier:	74
3.2.16	Deputy S. Power:	74
3.2.17	Deputy G.W.J de Faye:	75
3.2.18	Deputy J.A.N. Le Fondré:	75
3.2.19	Senator F.H. Walker (the Chief Minister):	77
3.2.20	Connétable K.A. Le Brun of St. Mary:	77
3.2.21	Deputy R.G. Le Hérissier:	78
3.2.22	Deputy R.C. Duhamel:	78
ADJOURNMENT		81

The Roll was called and the Dean led the Assembly in Prayer

QUESTIONS

1. Urgent Oral Question

The Greffier of the States (in the Chair):

Under “L” questions in accordance with Standing Order 15 relating to urgent oral questions, the Bailiff on Friday approved the following question to the Chief Minister by the Deputy of St. Ouen, the Bailiff being satisfied that it was in the interests of the Assembly that this question be asked before the continuation of the debate on the Strategic Plan, and he therefore allowed it under urgent oral questions, and I invite the Deputy of St. Ouen to put the question.

1.1 Deputy J.G. Reed of St. Ouen (of the Chief Minister):

There are three questions. The first is, when was the Chief Minister first made aware of the revised financial forecast that was circulated to Members late on Tuesday, 20th June 2006? The second question is, when was the Council of Ministers first made aware of the revised forecast? Thirdly, why was the revised forecast not released to all Members prior to the start of the debate on the Strategic Plan?

Senator F.H. Walker (the Chief Minister):

I will answer (a) and (b) together, if I may. The Council of Ministers and I were first made aware of the provisional update to the financial forecast at our meeting on 15th June. It was agreed that discussion on the revised forecast should be deferred to a future meeting when the Council would be considering the annual business plan. The answer to “C” is it should be emphasised that the provisional update was a first draft of the revised forecast of States revenue, and in particular the 2006 trends for impôts duties were still being reviewed. The figures also included a number of rounded estimates which needed to be confirmed, and given that they had not been properly considered by the Council, it was not felt appropriate that they should be released at that stage. On 20th June, the first day of the States’ debate on the Strategic Plan, I was advised that the media had become aware that the provisional forecast indicated an improvement of some £30 million and were preparing to publish this information. In order to ensure that Members were advised officially before they learnt it through the media it was decided to present the forecast immediately to States Members. Although the financial forecast did not form part of the proposition to be debated in relation to the Strategic Plan, the Council of Ministers did not wish to be accused of withholding information from Members. The revised forecast was accordingly checked to establish that it was sufficiently robust, and was circulated by email to Members later that same day.

1.2 Deputy G.C.L. Baudains of St. Clement:

Could the Chief Minister tell us the source of that leak to the media, please?

Senator F.H. Walker:

I am not prepared to divulge the source because I have no proof, although I believe I am aware that it was an innocent slip in what was considered to be a casual conversation with a member of the media. I am sure it was an innocent slip.

1.3 The Deputy of St. Ouen:

Does the Chief Minister agree that the release of the revised financial forecast had a major bearing on the debate regarding the Strategic Plan and also the position taken by the Council of Ministers over the use of the Dwelling Houses Loan Fund?

Senator F.H. Walker

I do not know. It is for Members to decide whether it had a major impact on the debate or not. The Council of Ministers' position was altered in terms of the amendment; I think only the amendment of the Corporate Services Scrutiny Panel, for 2 reasons. One was, we learnt a week before the debate that the proposition was to be taken in 5 separate votes rather than being taken as one, and that fundamentally enabled us to review our position because we were totally and implacably opposed to the proposition in its entirety, but we were pleased to be able, when it was broken down, to look at it anew and yes, the fact that the day before we were able to consider our approach to the dwelling house loan fund in the light of improved figures did make a difference to our position.

1.4 The Deputy of St. Ouen:

In answer to one of the questions the Chief Minister suggested that these new, revised forecast figures, were certainly provisional and there was no guarantee that an extra £30 million would be reflected over a 5 year period. Could you confirm that this is true?

Senator F.H. Walker:

When the Council Ministers first looked at the figures, as I said in my answer, they were, without question provisional and there was no question of us introducing them into the debate at that point for that reason. Because we learned that the media were going to publish basic information on them, the Treasury worked overtime, in more ways than one, to assess the robust nature or otherwise of the figures and it was on the back of that work that we were able to release the figures to Members when we did. We could not have released them earlier. They were released as soon as it was appropriate and as soon as it was acceptable, indeed, for us to do so.

1.5 Deputy R.G. Le Hérissier of St. Saviour:

I wonder if the Chief Minister can elaborate? Can he tell us, in laymen's language, how his Council and his experts made the assumption that a yearly increase could be translated into a steady 5-year increase? What was the thinking to make these robust figures?

Senator F.H. Walker:

I would have thought that was fairly clear. The position has improved, and as a result of that it has a knock-on effect. Similarly, had the position deteriorated it would also have had a knock-on effect. That is the nature of these figures. That is the nature of forecasting. That is the nature of financial management.

1.6 Deputy S.C. Ferguson of St. Brelade:

Surely one swallow does not make a summer. Should we be basing a whole load of forecasts and our future on just one 6-month period? This is really quite silly. **[Laughter]**

Senator F.H. Walker:

The Deputy may think it is silly, but the fact is that is what we always do, and that is what governments always do. Governments prepare forecasts. Of whatever frequency they prepare forecasts is a matter for them. The States of Jersey and the Treasury have, for as long as I can remember, prepared forecasts on a 6-monthly basis. How else does one assess the future, and

the forecast in the Strategic Plan was a forecast. The forecast that we now have is a forecast and, of course, we always react, as all governments must react, to forecasts. This House should be welcoming the fact that the position has clearly and significantly improved.

1.7 Connétable D.J. Murphy of Grouville:

In view of the fact that the Minister does not feel able to tell us who the leaker was, could they please identify themselves to the House in the interests of open government? Thank you.

Senator F.H. Walker:

I think I have the question. Is the Connétable asking me to identify the source of “the leak”?

The Greffier of the States (in the Chair):

I think he asked you whether the -

Senator F.H. Walker:

I said I could not.

The Connétable of Grouville:

I can understand why you did not want to tell on your friends, but could that person please make themselves known to the House?

Senator F.H. Walker:

Well, Sir, that is a matter for that person.

1.8 The Deputy of St. Ouen:

Would the Chief Minister not agree that any improvement in the financial forecast described in the Strategic Plan should be down to the States to determine how and when that money is apportioned and it should not be the role of the Council of Ministers to arrange or make deals with that money? We heard on the Strategic Plan 2 Members of the Council of Ministers stand up and say: “It is all right. We have got new money.” Secondly, the Housing Minister, who is definitely seeking capital funds, one minute was saying he needed the housing dwelling loans fund, and the next minute he said: “It is all right, the Chief Minister has told me I will have the money in another route.” Would he confirm what is the story?

Senator F.H. Walker:

This is beginning to sound remarkably like a bit of sour grapes, I have to say. The fact is, the Council of Ministers have made no deals, as the Deputy is well aware. The Council of Ministers do not decide how the money is spent, as I and the Treasury Resources Minister and other Members of the Council of Ministers have repeatedly said, it is for the States to decide how the money is spent. The Council of Ministers make recommendations, and for 2007 the States will decide and only the States will decide. I really do not know how many more times I have to emphasise that point. Only the States will decide how that 2007 money is to be spent and allocated in the business plan debate in September.

1.9 Deputy R.G. Le Hérissier:

Given for the last several years the Council, or its predecessor, has been hammering home the message that things are very tight in the public sector, we have to cut back, and we have all, albeit grudgingly, gone along with it and tried to follow it through. Now that the situation has changed, is it now his intention to loosen the purse strings?

Senator F.H. Walker:

I find that an astonishing question given the 3-day debate we had last week when the Council Ministers made it abundantly clear what its views were on how much money should be spent and how it should be allocated. We made it abundantly clear that we wished to reinvest the £20 million savings that we are making, principally in central departments, into the core key social services of Jersey. We made that abundantly clear. We made it abundantly clear that on the back of that vision for the future we do recommend that the States spend more than was originally allowed for in the fiscal strategy and in last year's business plan, but the House accepted that. Given the choice between spending more and investing in key social services and continuing to control expenditure down to previous levels the House overwhelmingly supported the Council Ministers.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

2.1 Senator P.F. Routier (Minister for Social Security) regarding the Employment Tribunal:

The Jersey Employment Tribunal currently consists of 14 Members, a Chairman, a Deputy Chairman, 6 Employee Side Members and 6 Employer Side Members, which is the maximum number of panel members that may be appointed. Initially the Tribunal appointments were approved by the States and offered on a staggered basis, varying between one and 5 years to ensure that the terms of all those appointed did not expire on the same day to provide continuity in the composition of the Tribunal. The Employment Tribunal (Jersey) Regulations 2005, provide that Tribunal members are appointed by the States initially, but if a member chooses to take a second and final term of their choice up to a maximum of 5 years he is entitled, as a right, to do so. This is in order to secure the tenure of persons appointed to offices in which their independence should be protected. Mr. William McPhee is a works convenor for Jersey Harbours and Chair of the Jersey District Committee of the TGWU (Transport and General Workers Union). His first term on the Tribunal is due to end on 30th June 2006, and he has requested an additional term of 5 years. I am grateful to Mr. McPhee for requesting a second term on the Tribunal and I would like to thank all the Employment Tribunal Members, the Chairman, the Deputy Chairman and the Secretary for their hard work and commitment during this crucial first year of the Employment Tribunal.

PUBLIC BUSINESS (continued)

3.1 Strategic Plan 2006 to 2011 (P.40/2006) (continued)

3.1.1 The Greffier of the States (in the Chair):

Thank you, Minister. Very well, the Assembly now comes to public business and the debate on the Strategic Plan was interrupted at the end of the last meeting. Members will recall that the Chief Minister proposed the plan on Tuesday, 20th June, the amendments have now all been considered and the debate therefore opens on the plan as amended. Deputy Le Claire?

3.1.2 Deputy P.V.F. Le Claire of St. Helier:

I hope to make a very short but poignant speech in relation to the Strategic Plan. During the stages that the Strategic Plan has surfaced among us, many Members have criticized the contents of the plan, the plan itself, and the Members bringing amendments and the Members bringing the plan itself. I think what the Strategic Plan means to me is a vision for the future and importantly and presently a principled vision for the future which sets out a state of the

union type address for the people of Jersey to have confidence in us as a legislature for their wealth, health and wellbeing in the future. It sets out a course we would like to take in respect of their welfare and in respect of making society a better place for them to be in Jersey. In that regard I think it is an important thing to do today to support the Strategic Plan. We may wish to challenge individual parts of it as it returns to the Assembly in more drawn up form, and we may wish to disagree with Members and Ministers on those points when they arise, but I think it is irresponsible of any of us to suggest that we should not hold up a map and a plan for the direction we take over the next few years to the people of Jersey. Otherwise, what business do we have in saying to them that we will manage their affairs? So, I wholeheartedly support the Strategic Plan and I applaud and laud the ambitions that are set out within it, with the reserve that I will debate each part of it as it returns to the Assembly.

3.1.3 The Very Reverend R.F. Key (The Dean of Jersey):

I wanted to comment on the plan, not because I have great economic qualifications - particularly in view of a speech last week that did not exactly boost up A-level economics, which is the only one I possess - but rather to say it seems to me that this gives us the chance to look at what is the business of government, what is the responsibility of this House, and I offer this as an ethical comment as somebody who does not vote in this Chamber. It seems to me that the starting point for me is the Hebrew concept of Shalom, which often in English is translated "Peace", but if I understand my wife's Hebrew correctly is better translated "Wholeness", something more complete than merely the absence of hostilities or a transitory sense in which things are going reasonably well. For me, of course, as for people of faith, whether that means a peace under God, as our wonderful crest up there reminds us. But I think the Strategic Plan takes the second half of that crest, the *mon droit* bit. But what is the balance between the rights and responsibilities accorded to the citizen and accorded to the State? Plainly it is the States' business to enable good and sound economics, both so that people can make provision for their own futures and so that those who are disadvantaged can have provision made on their behalf. It is right that we do all we can in the areas of housing, and particularly those areas which the plan has highlighted, as I mentioned last week, the areas where we have often fallen short with Western Europe in the past. Namely, the environment and our care of young people. It is right that the plan gives those particular attention. I applaud every attempt at any level to get our thinking joined up and this plan seems to me to be a step in the right direction. However, I would want to say that as governments around the world try to work out whether they are to be nanny states, taking more and more power unto themselves and interfering more and more in the family lives and individual lives of their citizens, or rather to be an enabling state and a caring state. I would want to urge us to go for the second of those and not the first. It is the States' role to provide the right conditions, but not so to disempower the individual or the family so that decisions are taken from them. It also seems to be right, but not necessarily popular, that we remind citizens that the States is not simply about creating conditions and affirming rights but also reminding people of responsibilities. Mr. Blair is well known for his slogan: "Tough on crime and tough on the causes of crime". But years later, as an article in yesterday's *Telegraph* was making plain, this has come home to haunt him because it gives the idea that all crime has sociological causes. I want to say that simply is not true. I grew up in a Victorian terraced council house with an outside loo and no bathroom. My father had died when I was 5, and at one stage my mother was doing 3 jobs to make sure that I had a decent education and could go to university. It did not seem to be that she was forced to go and start stealing things or, indeed, simply to start saying: "This is somebody else's fault. Please give me everything I need." There was a balance of rights and responsibilities. As we build a caring and compassionate society in Jersey, which I know we all want to do, it seems to me that we need

to balance those God-given rights which we must ensure our citizens have with also - I would contend - those God-given responsibilities which it is our role to ensure that people understand that they have so that there is a general 2-way street, a genuine 2-way street between the State and the citizens. That the citizens sees their responsibility also through the voluntary service in which this Island rightly prides itself both to receive from the citizens as well as to give it. My hope, and indeed my prayer, is that as this plan is worked out in the years to come, then Jersey will become, not simply ever more wealthy, but also ever more a place of that God-given wholeness.

3.1.4 Deputy C.J. Scott Warren of St. Saviour:

There is no doubt that the amendments and debate throughout last week have strengthened the Strategic Plan. As a result we have hopefully achieved a proper balance between economic, social and environmental considerations. However, the difficult part now lies ahead, delivering for the people these many worthy initiatives in the coming years. These initiatives include past commitments, present ‘must-dos’, and our belief in a better future for all our community. ‘Subject to resources’ is a phrase States Members know all too well but it is nonetheless essential that our priorities are right each year, year on year. Senior citizens are very pleased about the winter fuel payment. This must now be delivered or our reputation will certainly be tarnished. There is a mishmash between the long term vision in this Strategic Plan and the piecemeal consideration of annual resources in each business plan. One thing that I believe successive past States Assemblies have not been good at when allocating, or even arguing, over resources is the vision to look ahead over a period of, say, 5 to 10 years and ask: “Will this saving of X amount be an actual long term saving, or will it lead to an even greater loss of revenue?” I believe that the loss of Mr. Battle at our flagship tourism event probably reduced our tourism profits during successive Augusts. This is just one small example of where government needs to be very careful to fund areas that will increase future revenues and thereby grow the economy. I have been very concerned that efficiency savings were, in fact, starting to impact on our core social services. This Strategic Plan allows us to maintain and improve our provision of social services and also to address areas that have been neglected over many years, even decades. Only when we have addressed poor social housing, the lack of adequate provision at the prison, and the inequities in our society, and also address our neglected infrastructures, can Jersey be justly proud of its place on the international stage. At the same time we must protect, nurture and enhance the unique identity of beautiful Jersey.

3.1.5 Deputy G.P. Southern of St. Helier:

I will rise early because I do not want to cast an aura of too great a gloom over the House. Nonetheless, we have just heard recently this morning about forecasting and how useful it is and how dependable it is and how we can rely on it. Well, it falls to me to be the soothsayer who acts as Cassandra, and I remind Members that Cassandra was always right. So I would love to be able to join in this festival of congratulation and hope. However I cannot. The problem is, for me, that in rejecting amendment 18 at the very beginning of the process this time last week the House rejected the useful part that might have been made out of this - as I describe it – ‘wish list’ of this Strategic Plan. In doing so, albeit by only one vote, but would that that one person had had some courage, especially on this side of the House, to vote the other way -

The Greffier of the States (in the Chair):

Deputy, I am sorry to interrupt you but there seems to be an unfortunate trend creeping into speeches to refer to “This side of the House.” I am not sure if it is in the way Members sit but that is certainly not an accurate description.

Deputy G.P. Southern:

I think it is -

The Greffier of the States (in the Chair):

I appreciate the Council of Ministers do sit -

Deputy G.P. Southern:

The Council of Ministers lies over there.

The Greffier of the States (in the Chair):

I am not sure you are free to speak for all those over on my right.

Senator J.L. Perchard:

Could the Deputy remind us of what amendment 18 was?

Deputy G.P. Southern:

Amendment 18 was the one which asked that we have 5-year figures and some basis to assess the 5-year plan. It was the first amendment. It was the one that was brought by the Chairman’s Committee. Very well, Sir, I will refrain from using that particular phrase, although I use it physically rather than spiritually. It is just that what we have today is a 5-year Strategic Plan setting a precedent of what we do in the future, about which we know nothing really about the priorities. We know nothing about the emphasis. We know nothing about the spending. We are asked to take that a year at a time over the next 5 years and hope that it all works out at the end. Now, to my mind, that is not proper planning, strategic or otherwise. If the Isle of Man can do a 3-year plan, with a 3-year spending commitment, resource commitment, so they know where they are going, roughly when, and they know what the priorities are, then why can we not do the same for 5, and we have turned down that option, and I believe that is a mistake. So, I cannot, and will not, be voting for the Strategic Plan because that has meant I have been unable, and Scrutiny has been unable to do any realistic work about assessing the priorities contained in this plan. It remains what it is - just simply a wish list. A wish list that is supposed to gather consensus but the involvement of the whole House has been very limited in gathering that assessment, and it must inevitably be so if Scrutiny is not allowed to see what the resource implications are and what is going where, so it can decide on priorities. Now, the Dean referred to our citizens and said that they should be able to give as well as receive. Now here is a fundamental objection I have to the Strategic Plan because, oh boy, are our citizens going to have to give in the next 5 years because of the core of the Strategic Plan. On the back of the fiscal strategy it says: “And we are going to shift our tax base away from business and on to individual citizens - individual residents - on the Island, to the extent that they will be paying an additional £60 million a year at least.” That is the size of the burden. That is significant. Not only that, but we are likely to be doing it in an extremely regressive way, and we will see when the fiscal plan comes back to the House in its

final detail - because it is still only being worked on - just how regressive that is. The poorest will pay proportionately most, the wealthiest, well they will pay proportionately least in percentage terms. Please, Senators, stop shaking your heads. That is a fact. If we introduce - when we introduce - GST (Goods and Services Tax), we will be introducing a regressive taxation mechanism. So that is one objection I have to it. Secondly, in terms of the priorities, yes, we have amended it, and it may well be that the plan as it now reads is perhaps a much more balanced document than it was, but where did those amendments come from? Those amendments were not there initially and were not prioritised initially. Where is the will, the drive behind it? No. Many people who brought amendments have had to signal: "Hang on, you have not even considered this. The environmental mechanism, the social emphasis put into it." It is almost as if we are twisting the Ministers' arms. This is not willingly given, but not spotted. Not passed in our priorities, not given significant emphasis, so we might have changed the words in black and white on the paper but have we changed the will, the spirit behind it? I do not believe we have changed one jot. What was the spirit behind it? My reading of it initially, and it is still there today, economic growth. Growth, growth, growth, and along with that growth, inflation targets. A bland statement: "Low inflation is sustained." I have to ask, how? We do not have the tools, with or without the untried and untested stabilisation fund to shift money into the cupboard, Old Mother Hubbard, and shift it out at various times. A-level economics, I am afraid, again - whatever chapter it is, whatever page it is - untried, untested. Does it work in a small economy? We have no idea. The only weapon we have. So, growth with low inflation. Growth with low inflation, and low migration, or sustainable migration, because it certainly, I believe, will not be low. We have seen the start of that already. Now, we have just changed migration policy for "(j) Cat's" ('J' Category). Ministerial decision. It will not come to this House. One of the most significant decisions we might have made, so that employers can grant unlimited "(j) Cats" to their employees. I remind Members of what the function of "(j) Cat" was. "(j) Cat" was a temporary permission to employ somebody who was not locally qualified in order that the company could train up a locally qualified replacement to take over the job. I would be grateful, Sir, if the Minister for Housing will let me get through one speech without his additions to it, and useful though they may be, I would like to continue on my own. I am not giving way, Sir. Will the Minister wait his turn? Good. Unlimited "(j) Cats", and we are told, of course, this will not increase the number of "(j) Cats". No, it will not, but it will increase the number of people eventually who ended up qualified to live here, and we will see population growth. It is very simple. If the government says you can give this position a 5-year "(j) Cat" and then you have got to get rid of it. You might get a year's extension on it, but that is it. All those "(j) Cats" cannot qualify to be residentially qualified in Jersey. They do not stay. They come and they go. It is not a fair system but it is the one we work with. In terms of controlling population, possibly it works. But, of course, if an employer has got the right person for the job, they are going to want to give them a permanent post. If not, a 5-year rolls on to another 5-year to 10 years. You have your qualification. That person may stay with the company, may have been promoted twice en route in there, is now doing a different job in some way whatsoever. Who is doing the job of the "(j) Cat"? Why, another "(j) Cat". Come the end of his career, does that person leave the Island? No, he is qualified. He probably stays, becomes yet another member of our aging society we have got to support, and a "(j) Cat" still gets pulled in. So, no, not necessarily an increase in "(j) Cats", but an increase in the population brought about by inward migration, because that is the way it works. Because the reality is we have not got the skills base here to maintain our primary economic driver, financial services industry. We will continue to need to import that expertise no matter what efforts we make because of our physical size and our population size. We just simply cannot supply enough people trained up to the right level. So, a migration policy which envisages job growth of up to 500 a year, which we are already

seeing, amounts to a majority, 270 or so, inward migrants against local jobs created for local people. We have already seen that growth starting, and we have just seen the first buds of growth, so as we go for growth that will undoubtedly increase. But low inflation targets? Now, as we allow people in, as we suck in with the growth inward migration, what happens? Well, of course what happens - we have already seen it. We have already seen the evidence - house price inflation. Here it comes, up to 7 per cent. Early signs of growth, early signs of numbers rising. Oh, interest in the housing market, 3 and 4 bedroom houses, shortage area. That is leading the way in terms of inflation. So house price inflation kicks off. Let us imagine, if we can, that that Cassandra scenario is avoided. Imagine that the Economic Development Minister can drive economic growth largely through productivity growth and creating unique jobs for locals. Imagine the reverse, and perhaps the Minister may think he can achieve this. What do we get then? We get a stop on inward migration of the skills our major industry desperately needs so instead of house price inflation there, what have we got there? We have got a skills shortage still. What is the first thing that any employer does when he is faced with a skills shortage, cannot get the man for the job? He ups the wages. I will pull somebody in from Joe Bloggs down the road. I will get them in, I will get the expertise, I will be doing it. We get wage inflation. So low inflation sounds very nice, lovely. Lovely-jubbly wish list, with economic growth, is not going to happen. We are not going to be able to deliver it. Either house price inflation or wage level inflation, that is the future. In the meantime deflating the economy enormously by massive tax rises in terms of residents' pockets. Where are we going? I just do not see it. But that is the vision that I have, unfortunately, and I cannot refrain from pointing that out. But I return to my starting point. I might have been able to go for this if I had felt that with 5-years' worth of data I could usefully, constructively added something in terms of prioritisation - in terms of where are your priorities, and what mechanisms can you put in there to make sure they happen. That involvement, sadly, has not occurred on this occasion. I think we are setting a precedent for the next occasion when that involvement similarly will be missing. We have missed an opportunity. This plan will not be getting my vote and I do not believe it deserves anybody else's vote either.

3.1.6 Deputy J.B. Fox of St. Helier:

I do not have the pessimism of the previous speaker. No, the world is not perfect, but in politics I think that one of the problems that we face is that everybody has a different viewpoint, both from within the Island and the external pressures that we also receive from outside the Island. What we have to do is obviously be able to move forward and improve, and make decisions that are just and are qualifiable. I think that the first sign of ministerial government is showing that we are on our way. That is important. Now, what progresses are we making? Now, we have a 10 per cent membership of this particular House that are not on the Executive above the executive figure. That means that when a decision is made it is right that there is a majority on the Executive and therefore that is the view of the way whatever is voted, which I think is important. So, if you do not achieve your objective, well, that was the decision made at the time and it is up to you, whether it is me looking at individual propositions that are brought that have not been successful, it does not mean to say that I leave it there. I work behind the scenes and see if there are ways that I have looked at that was a mistake, or I could have done better. Indeed yesterday I was talking with the Minister for Economic Department on such issues. On the Education Department, that I am involved in at the moment, we are looking not just at education. We are looking at the wellbeing of the Island in many different forms. Early years. The question has been brought up very loudly and vociferously recently. That will hopefully come to the Council of Ministers and then to the States later on this year, maybe the beginning of next year. I do not know. I do not control

the timing. Fourteen to 19 years. We are not just looking at the academic students, the people that we wanted our future leaders, our captains of industry, we are also looking at our skills; our future people, our young people that will sustain this Island and sustain us, hopefully, in our old age as well, that will continue to make this Island prosperous. We are continuing with further education, in looking at ways to improve the education that we are doing locally through Highlands College, through further education, in looking at having our own academy, at looking at distance learning. All the other forms of support that we can give to our local community to make the quality of life better, to give them the skills to be able to do the jobs that we require, and this is important. Again, with higher education, as you know, we are going through a very difficult period at the moment. The previous speaker was talking about a 5-year plan. What do we know what the prices the universities are going to charge in the next 5-years? We do not have a clue, but we are going to have to, through the support, find a way through to ensure that there are proper opportunities for our young people to be able to advance their learning skills, careers, et cetera, that will support the Island. Yes, not all of them will come back immediately. Some will go away, they will need further advancement. We will want them to further advance themselves, otherwise they will not be able to come back here and we will continue to employ '(j)' category people to fulfil those roles, and so it is important. I am pleased that "Imagine Jersey" have said: "Hey, there has been nothing said in any great sincerity about what the things we think and what we believe in, and we want a say" so they had their own "Imagine Jersey" that was set up at that time by Policy and Resources. Since that time the Youth Council has been set up. There are school councils. There are all sorts of different communications with young people and with the rest of society and citizenship, certainly, is something that we are actively doing so, and we have even seconded one of our senior teachers to promote the workings of this and bring it into fruition. I was pleased that yesterday we had a day on the regeneration of St. Helier, obviously for dovetailing it in for the new waterfront. I was pleased to see that there were 3 young members of the Youth Council there. It was a very productive day yesterday. No, it does not provide instant solutions, but what it allowed us to do was go through a very productive process in bringing forward ways of improving the quality of life for not only the residents of St. Helier, but for the people that work and visit our Island, being the capital of the Island. That did not mean to say that other aspects of the Island did not come up as a part of the conversation because we are a small island and it is a strategic part. Sir, I have faith that I see now that with our new ministerial government, yes, it is going to take some time to dovetail things together, yes, we have the Scrutiny and the accounts committees to examine, to challenge, and not forgetting of course the backbenchers. I see that what we have been through over the last 6 months as a very productive process in moving forward. Painful at times. There will be those, and people like myself, that will want more and we will have to make sure that when it comes to replacements of existing things like income support for less well-off people, for our senior citizens, et cetera, that they are properly reimbursed and recompensed where something suddenly goes askew like the cost of electricity or fuel, oil, et cetera, at the moment. But we also must bear in mind that the previous past that we had of just handing out money which is not targeted, those days have gone. We must make sure that we spend wisely, that we listen to the people, and act properly, but swiftly accordingly to carry on the work that is being done in this process of change. Thank you, Sir.

3.1.7 Deputy G.C.L. Baudains:

It is always interesting to follow a Minister, or one of his assistants, it enables me to bring the House back from its parallel universe back to reality, hopefully. What an interesting few days we had last week. I am reminded - I believe it is an Arab curse - "May you live in interesting times". I wonder where they got it from. I did, as Members will have noticed, avoid joining in

adding amendments to this plan. I also restrained myself, although some Members may not agree, with joining in the debates, certainly as much as I would normally have done, but that was for a reason. I was disappointed with the strategy because, in my view, it is neither fish nor foul. What should effectively, in my view, have been a manifesto for the Council of Ministers setting out their aspirations for the future became a part business plan/part aspiration and as such I believe it is a dangerous document because what Members may think is in principle will no doubt be taken as approved and what is detailed probably will not happen. I think we know this Council better than they would like us to. This contradiction that I have mentioned about the strategy, Sir, has been the reason, I believe, for so many amendments, an unparalleled number in my recollection. It seems to me, Sir, that the head chef sent his fellow cooks off to create a new menu for the future. Unfortunately, there was a lack of direction and some produced heavy savoury dishes while others brought along a nice light soufflé which do not all sit together well in the same pot. Far from being a collective effort, Sir, it is abundantly clear that individual Ministers have asked their respective departments to come up with a list. Admittedly this was in the early days and the Ministers had a lot of other pressing things to do at the time. But some of the lists indulged in wishful thinking; others went into detail. There seemed to be no proper collective cohesion. Silo mentality, Sir, is also still evident by those initiatives which have ramifications for having no corresponding input from the departments affected. Consequently I view this plan as something of a mongrel. While some of the improvements, it has to be said, to this document have improved it, they still do not go far enough. This strategy, in my estimation, is about a high cost, high spend economy; one that is unsustainable in the long terms, one that has paid insufficient attention to environmental and quality of life considerations. Thanks to those successful amendments, environmental issues do now have a higher profile, but what concerns me is that the Council left those out in the first place. It does, Sir, demonstrate their thinking and it does concern me. In my view the worst example is of this tax and spend philosophy. I think it is outrageous that they should have ignored agreed policy and, therefore, rejected the amendment of the Corporate Affairs Panel. The whole reason, surely, for raising taxes was to fill the black hole that we were advised was looming on the horizon left by a reduction in tax from the finance industry due to external forces. If we now have a windfall of 30 million, as has been suggested and discussed again this morning, surely it should be used to remove the need for things like Goods and Service Tax. Instead, Sir, the Council have gone on a spending spree in this strategy. Like little boys with a few shillings burning a hole in their pocket, not for them prudence, respect for the taxpayer. Instead we have another shopping list with an uncostered exercise expecting the taxpayer to cough up just the same. So, I believe that this strategy would, if carried out to the wishes of the Council, make Jersey even less competitive than it already is as we further price ourselves out of business and probably destroy one of our greatest assets - or further destroy one of our greatest assets - in the process, our countryside, by building ever more housing estates to cater for the immigration needed to fuel this "spend your way out of trouble" philosophy as alluded to by Deputy Southern earlier. It will, in my view, also further widen the social divide that we already have. In fact, it came to me, Sir, that if this strategy had been my proposition I could almost write Senator Walker's speech rubbishing it. Talking of speeches, Sir, in general terms it is disheartening to see the increased polarisation of this House but unfortunately it is probably not unsurprising given our new system of government, because in the previous model Members did work across the House much more than they do now and today's non-executive Members, as we have seen in the debate last week, really are treated as second class. When the Council opposed amendments to this strategy, Sir, I did note that they delegated speeches among their Members, just as a political party might be expected to do. I find it ironic, therefore, that this Council should on occasion accuse Scrutiny of acting like an opposition

while at the same time they clearly act like a party. I can only say, Sir, that if Scrutiny ever does become an opposition it will be a direct consequence of their attitude. Even the quality of debate has diminished, Sir. Arguments once factual and put with conviction are now seen to be nothing more than sound bites. This strategic plan, Sir, clearly puts spending first, efficiency and prudence second and people and environment last. The Chief Minister will, no doubt, in his summing up tell us otherwise but, as Deputy de Faye correctly pointed out last week, what matters is the wording of the proposition. Verbal assurances, clarifications and promises count for absolutely nothing. Unfortunately, Sir, I cannot support this strategy and also unfortunately I will probably not be able to stay long enough for the vote and, indeed, if the House sits tomorrow I offer my apologies in advance, Sir.

3.1.8 Deputy J.J. Huet of St. Helier:

I do not make big speeches so it is more or less some observations on what we have heard this morning in this Chamber. We have spoken about '(j)' categories and that it was terrible that we were going to get rid of them. They never really worked, Sir. When you served on Housing you found they did not work. If somebody really wanted to keep a member of staff in Jersey they would find a way round it. There was no way that you could stop it because they could always come up with the financial side and that is what we rely on our cash from, so you always had to give it over whether you thought it was a spin off or not. So, there is no difference there and it did not work then, so it is nothing today. The only thing with Deputy Southern I have some sympathy, and I admit this, this is on the immigration. The reason I have this problem is I have spoken to Senator Routier so I have tried to speak about where I think we have problems. It is fine to bring more people in but I happen to sit on the Community Board for St. Helier and a couple of weeks ago I had 18 cases in the morning, all from youngsters that had never had a job or at the most they have had a job for a couple of weeks. They had no qualifications and I know that we have got a good education system, but these kiddies are slipping through it. They are leaving school with not a qualification to their name. They do not always come from fantastic backgrounds so maybe they do not get the encouragement that we might give to our children to go out and learn something or do something and I feel these kiddies are getting battered from pillar to post. There is no job out there for them. They normally end up - it might only be with a minor criminal record - but they end with one. The minute they end up with one of those criminal records it is almost impossible to get an employer to take them on and I do feel that we are failing here. We have to try and do something to help on this one. The other one that I spoke to Senator Routier about is I have some problems, again, with the low income. Again, by serving, as we say in the old way, on the welfare board we have people no matter how good they are, and I am sure they look after their families very well, they cannot manage money. Maybe it is not the right way but how we have tackled some of it is when they come in we say: "Right, now here is your rent. You go down and pay your rent to the Housing and come back with a receipt and then we will give you the balance." Because we know that if you do not do that something more urgent for the child will come up or their children or their families. The rent will never get paid and then you end up with an eviction on your hands. I would like us not to go down the road that we will just give money out to people because they come into a low income. Some of these people will need help for ever more, even if it is just to try and manage them and I hope that we will take this on board. But I always say in the banking world we used to have a saying which was "monkey on my back." So, it is fine to criticise something. Unless you can come up with solutions leave it alone. Do not be negative. This is the plan. We know that there are things that we are not going to like about it or things that maybe we could do better and I am sure we will. But it is like most things. What is the saying that says something about acorns and oak trees? So, let us not be negative. Go for it. We can say where our

concerns are; we can try and address them, go to the people that can help them and hopefully by working together we might become better and stronger and look after the people that need looking after, whether they be young, old or middling. Thank you very much, Sir.

3.1.9 Senator L. Norman:

A week ago today the Chief Minister introduced this debate and during his opening comments he stated - he stated very strongly, in fact - that this plan was not a wish list and I have to agree with him absolutely. This document is not that good. It is not a Strategic Plan any more than it is a wish list and the Chief Minister, I think, came very close to admitting that when he described it as a work plan and that, quite honestly, is the most accurate description of this document that I have heard. We are asked to support the vision on page 5. That is the motherhood and apple pie bit. Statements that have been made time after time in jurisdictions all over the world and in reality are no more than statements of the obvious which will cause no offence to anyone. They will not cause any offence, but neither by themselves will they add much to the sum of human happiness either. Then we move to the Council's top priorities on pages 13 and 14 of the consolidated document. Again, Sir, there is virtually nothing, if anything, new here. But it is all good rousing stuff. For example, develop an integrated inclusive strategy for early years childcare. That sounds great. Then I ask myself: "Develop a strategy?" This is a strategy debate. This is supposed to be the strategy debate. We should be being told now what the policy is, what the strategy is and indeed what the costs are. But we are not. We are just told the Council is to work in this area - an example of the work plan that the Chief Minister spoke about. Now, the same is true for many examples on that page like access to high quality, affordable housing. Well, nothing new here; that has been the policy of the States for at least 20 years. Where is the strategy? What is the policy? What are the financial implications? No, all we are told is the Council of Ministers will develop strategies and review demand and supply; something we have been doing, as I say, for at least 20 years. It goes on: develop a health and social care strategy. Develop an energy strategy. Develop strategies for everything, but we are not told what the policy is. We are not told what the strategy is despite the fact that this is supposed to be the strategic debate. It is not a strategic debate; it is a work plan debate. There are, of course, minor exceptions. So, we have all these strategies to be developed. We have all these strategies to be costed. Yet despite the fact that the work has not yet been done in most cases, the revenue implications have been announced and I think formed the major part of the debate in the 3 days last week. But I cannot fathom out how these costings can possibly have been announced because the report of the Council of Ministers on the funding implications is, in my view, confused and contradictory. As part of their fiscal strategy, and other Members have mentioned it, very commendable cost reductions of £20 million promised by the change programme will be utilised to partly fill the black hole caused by the structural changes to our taxation system. But, as Members have noted, that is not going to happen any more. The Council of Ministers are, in fact, going to spend it. But what are they going to spend it on? Well, that depends on which page of the Strategic Report you read. If you take page 9, the £20 million that was to help fill the black hole is to be spent on roads and housing as well as health and education, despite the fact that we are told in the Strategic Report that health, housing and education strategies have not yet been developed. But on page 15 the £20 million is to be spent on health and welfare. Well, what can we understand from this? Is it that the Council of Ministers are confused about just what they plan to spend this money on or do they intend to spend it at least twice? I find it very difficult to support a document with such a lack of clarity. What is missing from this so-called Strategic Plan besides many strategies? Well, one thing that sticks out like a sore thumb to me is a strategy for the prison. I had expected some comment on that issue and all I can find, until we accepted Senator Perchard's amendment, was one sentence about the prison talking about

the completion of a cell block already under way. The 2001 Inspector's Report condemned the administrative regime at the prison and, after a brief flurry of activity, that report gathered dust until, that is, earlier this year when the Inspector's 2005 Report was published, which was even more of a condemnation than the earlier one. This must be the greatest source of embarrassment, the greatest source of shame and the largest indicator of incompetence that we could have had. So, what are the Council of Ministers going to do about it? Well, according to the Strategic Plan, nothing. It is not even mentioned. It does not even say in there that there is a strategy to develop a strategy. That, in my view, is a disgrace. Sir, as a strategic document this document fails. As a wish list this document fails. Even as a work plan it only just about makes the grade. The direction of the Council of Ministers is no clearer to me now than it was when we started this debate except that whatever that direction might be it is going to cost the taxpayers a lot of money.

3.1.10 Deputy A.D. Lewis of St. John:

The words "just get on with it" come to mind, Sir, because we have been in bed with this for some time now and we have heard a lot of arguments for and against elements of the plan. I was very encouraged with a lot of the amendments that came forward. I think there were some very sensible ones and they were taken on board by the Council of Ministers. There were also some barking ones but we shall not cover that today. I was interested to note that Deputy Scott Warren suggested that we needed a new Mr. Battle so I thought perhaps Senator Walker might want to put himself up for that. But I would like Members to remember that we are not passing a law here. We are passing a Strategic Plan. This can be amended and should be amended as and when circumstances change as we move forward. It should not just sit on the shelf. It should be dusted down very regularly and reviewed appropriately; and we must ensure that the things that it contains are actually done and I am sure this House will make that happen by bringing the Council of Ministers to account when it does not. Certainly to become something minor as well, and I am sorry Deputy Southern is not here to hear it, but I would like to remind him and others there are 8 Assistant Ministers on this side of the House. It happens to be the right side of the House, believe it or not, which is quite ironic; and there is also a Minister as well. So, I see no divisions there. Sir, I believe that the plan is balanced, well thought out and is equitable. It achieves this by balancing the books, by finally getting rid of the reliance we had for so long on direct tax and now having indirect tax as well and balancing our books by doing so. There has been some talk about housing and the revision of "(j) Cat" status. I welcome it and so do many people in the Island. I spoke to somebody only yesterday who was full of euphoria over the fact that he could now stay in the Island for a long period and be of huge economic benefit to the Island. Our only natural resource is people; we educate them well. We bring in the right people when we need them and those right people should have the right to stay if they so wish and continue to contribute to our economy. People are the vital component of our economy and that is what keeps us rich in both diversity and in economic well-being. Sir, education: people have mentioned that. The Assistant Minister discussed the issue of our own people coming back to the Island or not going away at all. I would urge all young people to leave the Island, gain an education outside the Island, work there for as long as they possibly can and then bring their skills back to the Island as and when appropriate. Deputy Baudains suggested that the Council of Ministers are working in a silo. I am sorry but I am a new Member to this House and I have bitterly criticised the government for working in silos in the past and suggested that certain elements of Clothier would resolve this. It has done that. We now have a Council of Ministers that meet regularly. They do not work in a silo any more. All those ministries discuss all the time the issues that they have. They are not working in a silo any more. We have achieved, finally, some joined up thinking in government and I praise that and I think that is a very important

element that is the reason why we have the Strategic Plan on our desks today. Sir, spending money: I do believe in spending money, but I believe in spending it to budget. I do not believe in spending money we have not got. We are not doing that in this plan; we are spending and investing in our community wisely. We are not spending money we do not have. So, I commend this plan and I would urge all Members to do the same and vote in favour of it. Thank you, Sir.

3.1.11 Senator T.J. Le Main (Minister for Housing):

I support wholeheartedly the Deputy of St. John in all that he says. Now, last week, Sir, Deputy Southern - it was mentioned before we adjourned whether we were going to continue to debate this Projet today and Deputy Southern stood up and opposed it on the basis that he had quite a lot to say and wanted a full debate on it. Well, I have to say, Sir, I was very, very disappointed in what Deputy Southern came out with this morning. Quite honestly, there was nothing of any substance whatsoever in my opinion. In fact, he was very highly critical of the '(j)' category policy and I would like to explain a little bit to this Assembly about the thinking of the '(j)' category policy and the growth plan approved by this Assembly and the issues relating to it. I have to say, Sir, that in all the 3 years or 3½ years that Deputy Southern has been a Member of this Assembly he has always publicly criticised policies from the Housing Committee and now myself and on not one occasion has he ever requested a meeting with myself or officers or Migration Sub-Committee or others so that we can explain any fears or issues that may be about. Never once has he been to see me at Housing but will continue to publicly criticise without knowing the true facts. Let me just say, Sir, that while I have the current responsibility of administering the Housing Regulations and Laws I will keep a very tight rein on the kind of businesses and employers and the ability to employ '(j)' or otherwise. Sir, employers will not be able to just get permanent '(j)s'. The permanent '(j)' will be someone who is permanently needed with a very high skill base unavailable and untrainable in Jersey. So, these employers who need '(j)s' would still have to prove that the skills required are unavailable in Jersey. They will have to make a very robust case. There will still be an emphasis on training to replace short term '(j)s'. There will be short term '(j)s'; most of them will be short term '(j)s'. Sir, it is anticipated that most of the permanent '(j)s' will be the nurses, the doctors, the educationalists - the people that look after people and place people in family nursing. There is a need in this Island, Sir, for people to be long term dealing with the clients, whether it be the clients in banks where people are investing from all over the world into Jersey, there has to be a "know your client"; there has to be a "know the person you are dealing with." In the community, Sir, it has been of concern to me for a while that the changeover of staff has affected the care given out to people in long term illnesses. They want to know their nurses; they want to know their doctors; they want to know their bankers and, as I say, Sir, we anticipate there will be a very small increase in '(j)s' because what will happen is only the highly skilled or employees that are importantly part of a company or business will become permanent. They are here now. They come in as 5-year '(j)s', very, very important. They build up a relationship with a client across the world, as we are now an international place to do business with. These clients across the world want to know who they are dealing with. They want to be able to deal with someone who knows the regulations in Jersey, knows the anti money laundering, who knows everything about the quality of what we are offering to the world in general. These people are in Jersey. They are already occupying '(j)' category places. There is a shortage of skills to replace these people. Look at the shortage of skills; there are not demands for these types of skills - those highly trained professional individuals that are very much part of the companies doing and operating in Jersey, not only branch companies but companies that are Jersey owned. We need to be able to retain these people so they can offer the security and the confidence to the world in general. Sir, with our growth

policy '(j)'s will be given sparingly. I can assure you that businesses that are going to apply for growth are going to have to be businesses that are going to be good earners, are going to pay a lot of taxes, going to pay very high salaries. I will not be part of anything where we are going to be giving out '(j)' licences to businesses or approvals where we are going to be bringing in unskilled migrant labour. There is a policy in place now with the Housing Law and Regulations. I have again reiterated this morning to my officers the policy and it must be adhered to strictly. I do not want it and I know the fears of Members of this Assembly who are worried about bringing in unskilled. We could have policies in place where we could bring in by the droves unskilled labour who are going to be a burden on education, health, housing and supplementation and everything else. There really, really has to have a very, very sharp eye kept on the situation virtually on a daily basis and I, administering the Housing Regulations, keep an eye on all the '(j)' category licences that are given out. I want to know on a monthly basis every month who are the '(j)'s, where they are going to, what kind of businesses and I keep a very sharp eye on the issue. I have to say, Sir, that I have sat in this House, as I say, for nearly 30 years now and I have heard the opposition to PAC (Public Accounts Committee) and Policy and Resources and now to the Strategic Plan. The same Members, the same Members that opposed everything the Housing Committee used to bring along, the same Members that used to oppose the issues that other Committee Presidents brought along. I know that one has to have opposition at this Assembly but I believe, Sir, that in my role as the Housing Minister I will be coming up with a Property Plan; I will be coming up with another full assessment of the social housing needs in the Island and this will be before the Assembly before the end of the year. So, I am really, really hopeful that we are going to move on in this area. But, Sir, I also believe very much that part of my policy will be to encourage and to have housing policies in place which will encourage young professionally highly skilled Jersey people to come back to this Island - people that have been to university with higher degrees, people that are working in the UK and wanting to come back to Jersey. But the number one issue at the present time that is given to me by the Education Department is that young people are not coming back as much as they could. Although we get 60 per cent returnees back to the Island, there is an opportunity here to provide, as the Council of Ministers have agreed, a policy of affordable homes, shared equity, home ownership. We are looking at all those issues at the moment and something must be done to encourage these young people who say at the top of their lists for not returning to Jersey is the cost of housing. I want to be able to have in place for this Assembly before the end of the year a policy which will include policies to encourage young people who want to return to be able to afford and purchase a home, whether it be shared equity, home ownership scheme or otherwise. Those policies have to be in place. But I am, like the Deputy of St. John, very, very satisfied as a Member of the Council of Ministers having a very great social conscience. I have got as much social conscience as any Member of this Assembly. I sit on Age Concern and on Senior Citizens. I was Chairman of the Management Committee of Gorey youth club for 12 years. I have got a great social conscience. I deal with people on a daily basis in relation to all sorts of issues and problems so I know where I am coming from and I can assure this Assembly today, Sir, that the Council of Ministers have given me and are giving me - particularly the Chief Minister - all the support they can to get these plans through for this Assembly to work on. I am getting huge support from all the Ministers and in particular the Chief Minister. There has been a huge emphasis in this plan on producing, as I say, policies that are going to come out of this particular plan that will be good for the ordinary people of this Island. So, I urge Members to give it a chance and to support it wholeheartedly and I promise you that in my part, Sir, through the Chair, I will do all I can to bring forward some new policies to this Assembly. I will urge Members that, once they have seen the drafts or otherwise of these policies, then they must come back to me because I am also very, very keen that if there are

any issues that Members find are concerning them that I am very happy and will be very happy to put them into the part of the plan that I will be producing to the Assembly. Members have a great part to play in all the policies and all the issues that we have in the Strategic Plan. Within my part I want Members to work with me; I want to work with Members and if they have any issues I am very happy to take them on board. Thank you, Sir.

3.1.12 Deputy G.W.J. de Faye of St. Helier (Minister for Transport and Technical Services):

Sir, I was very encouraged to hear some positive and enthusiastic comments from the Deputy of St. John who, obviously, is a new Member to the House and just prior to that some practical remarks from my Assistant Minister because, frankly, up to that time I had had to sit and endure well over an hour of huffing and puffing and gloom and doom-mongery and despondency and I was really beginning to tire of it all. Because I think this is an excellent way forward; I am positive; I am optimistic about the future, not pessimistic. I think that we have had a week of excellent debate and let us not forget this is not being imposed on anybody by the Council of Ministers. Every Member of the House has had an opportunity to put in their views via amendments and, my goodness, what a lot of amendments there were. But I have to say when I hear these odd comments, and particularly one from Deputy Gerard Baudains about how the Council of Ministers appears to be operating as some political party because various Members were detailed to get up and speak, I really can assure the Deputy that we are not some bunch of Apparachniks operating under a rigid regime structure by any stretch of the imagination. Ministers got up and spoke on subjects within the Strategic Plan that were relevant to them and I have to say to the Deputy that what he was watching was not party politics or rigid instructions; the Deputy was watching teamwork and that is, I think, one of the encouraging new features of the Council of Ministers within my experience of having worked on it over a short time. Teamwork exists and there is nothing wrong with teamwork; and the silo mentality is being broken down because of the regularity of meetings and the extent of the discussions. So, I have to say that this Strategic Plan for my money is a huge turnaround and an enormous advance on the first Strategic Plan which I really was wholly critical of and extremely disappointed with. The first Strategic Plan, as more veteran Members will recall, I severely criticised as being pink blancmange or, in fact, I think even white. I thought it was so lacking in colour. Blancmange, the result of a public relations exercise called Imagine Jersey all condensed down - a sort of a melange of people's ideas that if you twiddle it around enough you got out something that roughly appealed to everybody and then it was all pushed into a thing called a Strategic Plan that was quite distinct in the fact that it had absolutely no strategies in it whatsoever. It said: "Here is everything we would like" and then did not tell you how to get there. Now, this new Strategic Plan - the first Strategic Plan under ministerial government - I think is an enormous stride forward because here we are and there may be complaints from some quarters about strategies have not been finalised or strategies have been developed, but at least there are strategies indicated in there. At least we are getting now to see an idea of how we will take things forward and that policies are being orchestrated in a coherent way. Because let us not forget this is a living document. I think some Members are getting a bit too concerned about: "Oh, yes, once we put our tick on this one, that is it for a very long time." No, not a bit of it. The Strategic Plan is a living document that will be constantly refined, constantly altered and I think is a very exciting concept in government, because how many governments can operate with what is effectively a condensed version of a whole number of various individuals' manifestos? Actually this has been billed as the manifesto for the Council of Ministers but it has had input now from all areas of the House and it should be a document that we can all feel we can sign up to, not because it ties us down. It seems that Members really have not made their minds up on this

yet as to whether you do want to be tied down or not and we will, on the Council of Ministers, I am sure struggle with what exactly does it mean with having everything decided in principle. Because I know what a decision in principle on a planning application means but I am assuming that Members may have a slightly different view on what an approval in principle of the Strategic Plan may mean. But that is, obviously, going to be subject to discussion and debate. But here we now have something that I think we should be quite excited and positive about. This is a vindication, I believe, of the value of Jersey's unique consensual approach to government and why we do not want political parties, Deputy Southern, who again was leading the doom-mongering on the financial aspects with his unique Robin Hood approach to economy: "Let us rob the rich and give to the poor." Well, it is an intriguing concept but I am afraid if we start robbing the rich in Jersey we will very soon run out of 1(1)(k)s who make a very extensive donation to our funds and if we keep knocking the financial services business we will lose them and, if my recollection is right, Senator Syvret estimates that the financial services business may well contribute roughly 90 per cent to our economy if you include additional spending as well as taxation. So, let us be clear on which side our bread is buttered before we start taking hard lines on the economic side of things. I still stand by my definition of the JDA (Jersey Democratic Alliance) in the last Senatorial hustings. I had thought we had seen them off and then like a phoenix arising from the ashes here they come back again. But fortunately none of those lunatic principles are contained in the new Strategic Plan so there is some hope of going forward into the future and let us look at what the future holds. Not just committing the Council of Ministers and our government to the existing priorities, let us think about what an awful lot of work has already been done - and there are strategies in hand, not least of which is the Transport and Travel Strategy that I am currently working on as soon as I can get the bulk of the Solid Waste Strategy sorted out - but also exciting new priorities and that is what they are. We have determined, as a group, as a House now, priorities: regeneration of St. Helier and its waterfront, delivering a new town park, tackling the problem of early years childcare and in particular, in my own area, maintaining and improving structure including the road network. Well, only in a matter of weeks does my department begin a massive new project running all the way from Queen's Road up to the Union Inn, a major refurbishment of one of our key arterial routes into town that has not been attended to for something like 20 years. Now, this is good news and this is part of what the Strategic Plan is bringing to us. So, let us be positive. Let us not worry that this is just the first go; there are going to be plenty of opportunities, if Members really do not like bits of this, to have another go later on. The only thing I really would plead and that is that - and I have to say I have never really had a great opinion of decisions produced by the Privileges and Procedures Committee over the last few years - one of the knots that I think everyone would agree is the time limit to produce the strategic document in the first place was pretty tight and it put everybody under a considerable amount of pressure and I do not just mean the Council of Ministers. I mean the civil servants who had to service the document, who have worked fantastically hard to get it out in order that Members and the Scrutiny Panels can then have a look at it and, of course, they subsequently found themselves under similar time constraints in order to get this all done. So, I think if there is one lesson to be learnt from phase one of the new world of Strategic Plans, it is that perhaps a little more time should be allowed before we have these particular set deadlines. But, Sir, I want to simply end by saying we must be positive about this. This is an optimistic document. This is a new and interesting approach to government that Jersey, perhaps typical of its own independent, and perhaps I should say, in its own peculiar approach to life and all its rich trappings, has taken on board. I think this is a very encouraging start and I would ask Members to support it and thereby show their encouragement for the Strategic Plan as well.

3.1.13 Deputy S. Power of St. Brelade:

I do not know what I am missing in this Strategic Plan but it certainly does not enthuse me. Last week I sat through the debate on the amendments to the Strategic Plan and it was in a growing state of numbness and helplessness. Some of the numbness was because of the soporific, sleep-inducing qualities of some of the speeches. I struggled with those. Members will have noted that my name was not associated on any of the amendments to the plan, although I did speak briefly on Deputy Scott Warren's amendment 12 and I still have strong views on third party appeals. My view is that amending the Strategic Plan was, in a way, endorsing the Strategic Plan and I did not want to get involved in that. I also found myself being irritated by the many times I tried to read the Strategic Plan and I am not one that gets irritated easily. But I did reread it and read it and reread it and I got irritated many times and one of the things that irritates me is I believe it is a wish list. It is a vision statement; it is a mission statement; it is a Strategic Plan. But an awful lot of it contains political language and, if I can quote from George Orwell, *Politics and the English language - Shooting an Elephant*. He wrote this in 1950: "Political language, and with all the variations it is true of all political parties from Conservatives to Anarchists, is designed to make lies sound truthful and to give an appearance of solidarity to pure wind." That is what I believe this Strategic Plan is trying to do. It is often said that the devil is in the detail; I believe, Sir, that with this Strategic Plan the devil is in the lack of detail. This is in principle a blank canvas that will oft be repeated to us in the months and in the years to come with the words of "was included in the Strategic Plan" or "it was part of the Strategic Plan." I would like to take a few minutes now to explain why I am going to oppose this plan. The main objective of the plan is its fiscal strategy, 6.11 and 6.12, to zero tax corporate Jersey and to create a deficit and to tax indirectly the living daylight out of middle Jersey. Who are middle Jersey? Middle Jersey are those law-abiding, tax-paying, Conservative voters. It is a soft target. For the first time last week, Sir, we heard mention of a possible higher rate of GST. Senator Syvret said that we could be looking at a rate of 4½ per cent if there were exemptions. I would like to know why we are exempting corporate Jersey. I asked this question last year before I became a States Member. Why is it that every business in Jersey, every shop in King Street and Queen Street, is suddenly to be exempted at the end of 2008? Why are we writing off these funds to States Treasury? What is the estimate of the loss of revenue from Jersey retail. At St. Paul's last year Senator Le Sueur and Senator Walker answered me. When I asked this question they said that they estimate the loss to be about £25 million. Sir, I believe that the loss is closer to £40 million and this comes from people I have spoken to, one of them being a non-States Member of PAC and 2 accountants in the retail sector. Who asked for this? Was there a lobby? Did the Chamber of Commerce lobby? Did the Institute of Directors (IOD) lobby? Well, we did have 9 angry men some years ago and one of them did gain power. In the Economic Growth Plan last year £2.8 million has been made available for economic strategies. Of that £1.2 million is to be made available to the finance industry. So, we are ploughing 40 per cent of our economic strategy funds back into the finance industry and I have a fundamental problem with that and I think that should have been amended in the Strategic Plan. In the Strategic Plan where is the provision for light industry? Where is the provision for small business and where is the provision for increasing warehousing? Jersey needs more commercial industry to diversify its economy. We need another Rue des Prés. Where is that provision to diversify and to grow our economy? In education, Sir, I believe that the Strategic Plan does not go far enough. As an example, I think we should be retaining JCG. We are an Island nation with some of the greatest tides on this planet; as such, those tides can be a source of energy. I would like to have seen somewhere in the Strategic Plan references to working with third level institutes, such as Woods Hole in Massachusetts or some of great centres of marine studies in the US, in France, in Spain, perhaps even Poland and Portugal. Channel Islanders will be aware that

there were centres of French marine studies in Jersey many, many years ago and I would have thought that we could have used JCG as perhaps a marine college for marine biology, marine zoology or for marine energy and work with those centres of learning. We have a natural resource here that has not been referenced in the Strategic Plan. In migration we are hoping to allow up to 500 persons a year to come to the Island with their families. My observation, having lived here for 23 years, is the Island's infrastructure is on overload now and we are not dealing to work with that overload. I have talked to many people who estimate that the population of the Island is now probably over 90,000 and heading towards 100,000 and I am wondering are we planning for a population of 120,000 or a figure in excess of that. Is that the reason we need perhaps this great big incinerator that has been talked about? Is that the reason for the rush? Is that the reason for the urgency? On transport I would have liked to have seen more detail in the Strategic Plan. I am keen to see Deputy de Faye's Transport Strategy and I am keen to see a reward for residents who buy cars that do 50 and 60 mpg. I am keen to see mums and commuters drive cars that do 50 mpg and I am keen to see cars that do 10 mpg pay a much higher annual flat rate of tax or is it 6 mpg, Sir, especially E Types. I would like to have seen a suggestion in the plan that we stagger school opening times to reduce congestion in the mornings. Can we get more people on to mopeds and on to bikes? I would like to see an integrated Transport Ministry where the Minister for Transport deals with the airport, the harbour, cars, car parking, on Island transport, public transport, more road maintenance, design and repair - joined up government. 20 miles east and 26 miles south of Jersey lies Normandy and Brittany. How much reference do we find to Normandy and Brittany in the plan? So, Jersey is very much like a sailing ship. In my view it has changed direction and it is heading for reefs and those reefs are GST and the Zero 10 reef and I am very worried. I urge Members to very seriously consider their position on this Strategic Plan and to give it some thought before they vote. In my case I will be voting against the plan. Finally, Sir, I just want to pick out 4 of the 5 vision statements that were in the plan. First thing I would like to say is that people living here enjoy a good standard of living based on a strong and prosperous economy. Wrong. There are many people living here who struggle on a daily and on a weekly basis. We are an inclusive society where everyone has equality of opportunity and access to the services they need. Wrong. We discriminate because of our housing laws and you try telling that to a young Jersey man who has a manual job and knows that he may have to save a large 5 figure sum before he can even get near a house and marry his girlfriend. Tell that to someone who does not have housing qualifications. Tell that to an elderly member of our community who are worried about GST and all the indirect taxes that are being discussed in this Chamber and bounce off the walls and into the media. Our environment sustains a sense of well-being. Well, does it? Can you eat it? If you are at or near the bottom of the socio-economic stream, no matter how nice our environment is, it will not sustain a sense of well-being. Government promotes self-sufficiency and enables enterprise. Does it? Could it be argued that the government does not practice what it preaches? Total public sector employment in Jersey has leapt from 5,800 people in 1995 to nearly 7,000 in 2005. A full 1,000 extra people are in our public service in the last 10 years. I would like to finish by saying that there are 4 other areas of the Strategic Plan that bother me. The plan is not based on cost cutting; £20 million of efficiency savings by the end of 2009 will not reduce budget deficits but spend in other departments. The plan gives no figures whatsoever on administration and other costs of implementing GST, Zero 10, other taxation; nor does it give any idea of the costs of all the other things which the plan seeks to do. In the resource statement in order to have a sound economy the anti-inflation policy is to keep the retail price index at or below 2.5 per cent; yet we are to bring in a 3 per cent GST at the end of 2008 which will nullify that policy. The cost to the average household will be over £800 per annum, according to the Crown agents. There have been no transfers since 2001 and no

expectation of transfers to the Strategic Reserve up to 2011 and it is my view that the intention is to bolster this by selling States-owned utilities - Jersey Telecoms, Jersey Electricity and Jersey New Water. My view is that these public utilities have served us well over the years and if they are sold or privatised we can expect higher charges to pay for acquisition, directors, shareholders - some of them foreign - and create a disservice to Jersey people. Sir, I urge Members to oppose the Strategic Plan. Thank you.

3.1.14 Deputy R.C. Duhamel:

Many of the Members on Scrutiny got together with the other non-executive Members who are not on Scrutiny and sat down at a number of meetings to determine what they should do about the Strategic Plan. The opinions varied from doing nothing and just voting against it to trying to amend it into a shape or form, notwithstanding the fact that there was no guarantee and those amendments might well be rejected by the House. Eventually a decision was taken that we would go for one particular amendment which seemed to represent the minimum bargaining points, so to speak, within which many Members could perhaps be reassured that the Strategic Plan would be presented in a form that could guarantee their acceptance of it. Unfortunately, the amendment 18 that was brought forward, although some parts were successful: the first part in highlighting the fact that it is in principle and it is not binding on the majority of Members of this House and it underlines the principle that most of the aspirations within the plan are exactly that. It is a wish list and things will be put together on a one-year basis. Unfortunately, the other amendments in terms of what should happen in order to determine the priority setting, as referred to by Deputy Southern and others this morning, did not find favour with the House. Nor did the amendment 3 which was to set the whole framework into a proper long term planning document. Make no mistake; this is not a 5-year plan; this is not a 3-year plan; this is a one-year wish list and there is a huge difference. My biggest reservation, Sir, is that we have missed an opportunity to begin to strike a way forward which unites both sides of the House and they are 2 sides. There is the Scrutiny and there is the Executive. But we have lost the opportunity, Sir, as I say, to strike forward in a way that unites the House in a way that can be productive for all Islanders. So, how do we deal with this particular endorsement? Well, I have got huge reservations, Sir, because again my amendment number 8, which I successfully introduced into the plan, ties itself into putting or re-establishing the Long Term Sustainability Plan with its emphasis on sustainability and quality of life issues within the existing document. But what it does not do, Sir, and this is part of my reservations and the difficulties I am having in determining whether or not overall I can support the Strategic Plan or not is that, having established or re-established underlying principles and having introduced them into the section which states quite clearly that they will be priorities of this House, I still have absolutely no idea of the level that those priorities will be. It might well be, Sir, that, because this is not a 5-year plan and this House only sits for 3 years, that they drop off year one, they drop off year 2 and they drop off year 3. Year 4 we reconvene the House with a different set of Members and because they have not been established right at the top of the pecking order, which I think is their rightful place, it might well be that a new House when it convenes would decide that perhaps they could remain off the list and at a very low level of priority for ever. Now, indeed, if that is the case, Sir, what it means is that we have lost the very essence of having a long term Strategic Plan that the Dean was referring to. He hinted that we have got 2 fundamentally different and opposing directions of government. Is it a light touch government, which indeed was endorsed by this House in previous States debates, or indeed, is it that the heavy hand of government should be designed to get heavier which appears to me the way that things are going? As I say, Sir, I would have liked to have seen that sustainability and quality of life issues which, for me,

represent along with the Dean the wholesomeness in his definition of the word “Shalom”, as the embodiment of what we wanted to do for the government, for the Island and for the world. There are 3 levels at which we respond and those are the local level, the slightly higher level for the Island and what we do for the planet. We cannot shirk our responsibilities in any of these respects but it strikes me, Sir, that, in not establishing sustainability and quality of life as the overarching priorities within which everything else must fit, we are missing a trick. I said, Sir, that without the sustainability and quality of life issues as being paramount then the heart and soul of the particular Strategic Plan would be missing and I stand by that point. It also strikes me, Sir, that I am bitterly disappointed that we have not established a long term aspiration to put aside more monies for a rainy day. Over the last number of years we have put less and less aside, if at all. In fact, we have taken some monies out of our rainy day fund and in moving towards the underlying philosophy of this plan, which does really appear to be tax and spend - tax more and spend more - we are running down the rainy day fund as I outlined in a previous speech, Sir, to the extent that the monies contained within that fund will not be sufficient to offset the running costs of this House and this Chamber and the States as a whole for the year for which the monies were previously set aside. The percentage coverage, so to speak, is of the order of 90 per cent at the moment and if we project forward and things come to pass in the way that the Council of Ministers are hoping then that percentage will reduce. What is the point of spending money if, indeed, we find ourselves in the future that we were caught with our trousers down, so to speak, when something which requires a huge investment, for which we have been saving, can only be met by mortgaging ourselves and the future and our children’s future. Now, what type of things might that be? Well, I have no crystal ball but we are all members of this planet and I did pay some reference to the fact of global warming and climate change. These are international and worldwide responsibilities; things are happening; the science and the scrutiny and the evidence is there for everyone to see. Indeed, Sir, it was referred to as I mentioned by Dr. Rondel in a report that he brought to the House many years ago where he showed categorically that, should sea levels rise - not to the levels that are being suggested at the moment but a lot less - then huge areas of Jersey would be inundated potentially with sea water. Now, we can stand back and we can say: “Well, fine. It is not going to happen in my lifetime. It might not happen in my children’s lifetime.” But the whole point, Sir, is that if it is going to happen then these things should be addressed, planning should take place, we should be putting money aside to actually account for that eventuality or, indeed, be setting out our policies in such a way which might contribute to the solving of that particular problem. This is where sustainability and quality of life has to come to the fore. If we do not see how this Island and this government behaves in a worldwide context, then we are burying our heads in the sand like the proverbial ostrich. We are saying we do not mind; we are okay for the time being. We have got enough money to buy our E Type Jags, as some Members of the House have, to run round and to proclaim as loudly as we can and proudly justify, or try to justify, that we are happy with 10 mpg. It is short-sighted, Sir, and fundamentally this plan was an opportunity for this House to find a new way forward which did exactly what it was trying to set out to do; plan for the future in a way that gives a better quality of life for all the people in the Island, ties ourselves into the responsibilities of the Island and the Bailiwick and the world in other ways. I do not think it does it, Sir, and this tiny bit is missing. We are going to be putting aside no monies if we follow the principles of this particular plan, albeit it is only on a one-year basis, for putting monies aside for the rainy day. I think this is foolhardiness, Sir, of the first order. To sum up, Sir, this Plan really is not a long term Plan; it is a wish list. It is going to still be run on a one-year basis. We do not know what the priorities are. We are not buying into any of the higher level priorities and goals and ideals which will not only look after our small patch of the world but the rest of the world put together. It is short-sighted. On that basis, Sir, unless I can

be assured - and I am not sure at this late hour that I can be - by the Council of Ministers that indeed all the things that they have embodied in the plan are not as they have suggested, then I see no other way, Sir, than to reject the plan altogether, notwithstanding the small amendments that might well have been useful in order to try and achieve a betterment in the long term direction. Thank you, Sir.

3.1.15 Deputy J. Gallichan of St. Mary:

So the Strategic Plan is a road map? Well, certainly, as amended, it gives this Assembly the chance to endorse the destination, the place at which the Island wishes to arrive in 2011. But the actual route to be taken is still up for choice. That is the tricky part. But it is up to this Assembly as a whole to finally make that choice as details of the policies are brought back to the House for debate in future. I have had some criticism for being too trusting of the original plan, for accepting the content in the context of the resource statement. I have been told on more than one occasion by more than one person that, as a new Member, I was naïve and that, once the plan was adopted in principle, that would be used against me in future to advance new policy without reference back to this House. Now, I thought that I had heard from the lips of the Chief Minister himself that this Assembly was supreme; that the detail of the initiatives would be brought back to the House for debate and approval. But I was told by some that this was smoke and mirrors. Well, just in case I was wrong and just in case my naivete is real and not imagined, I asked the Chief Minister to imagine that the laws of physics relating to the passage of light in a straight line have been temporarily suspended and, through the Chair, to look me directly in the eye and reaffirm one more time, in front of witnesses, his support for and belief in the supremacy of this House. So, we get to choose the fine detail of the route to take. That is why I was concerned that, in amending the plan, we might put in too much detail at too early a stage and that, by being too restrictive in the strategic initiatives, we would effectively close off some avenues of advancement. It seems to me that sometimes in taking a back road or following a diversion you manage to still arrive at your destination, perhaps a little later than planned but having discovered some previously unknown but valuable features along the way. To demand that your route is rigidly determined before leaving home can mean that you deny yourself the opportunity to visit interesting and important places along the way. As part of the Corporate Affairs Scrutiny Panel, I put my name to amendments which I believed were prudent and which strengthened the financial security of the Island in the immediate future. The House decided which elements were acceptable and which to reject. Now, we have to move forward. I no longer consider myself a new Member. I am a fully fledged Member of this Assembly and in the past 7 months, while I have been learning on my feet, I have been amazed at the reluctance of this House to move on, to take decisions and to stick with them. We have all had the chance to amend this plan. Whether the amendments were accepted was a matter for the House. Now, we all have a great deal of work to do. Without an indication of where we want to go we are effectively stuck at the side of the road in neutral. I hope that this plan will be adopted today so that we can at least get into first gear and start the very challenging business of trying to achieve the aims of this plan with the initiatives of the Executive being balanced and, yes, at times challenged but ultimately strengthened by the ongoing involvement of Scrutiny. Thank you, Sir. **[Approbation]**

3.1.16 Senator P.F. Routier:

Thank you for that very stirring speech from the Deputy of St. Mary's. Welcome from a new Member, tremendous stuff. Some of the comments which have been made this morning, I believe, beggar belief because there are some Members who are considering not supporting

this plan. Well, what will that leave us with? It will leave us with a rudderless States going absolutely nowhere. It would be appalling. Members have had the opportunity during the 3 days of debate to help shape this plan. Those Members who have been successful in putting amendments, and I have heard them today, some of them, saying they are not going to support the plan. But they have amended it to where we are today so I really find that very difficult to get my head around. I think what we all want to do is to have a plan which we can all get behind and I believe that what we have achieved so far in getting to where we are today with the amendments is something that we should be able to really get behind as a whole House. Deputy Syvret was sharing some of the concerns that I have with regard to some of the social issues, with regard to young people finding it difficult to get employment. In some minds they may have some lack of skills and there must be a mechanism in place to help people who need to have assistance in getting those skills. This Plan will help achieve that. It will give us the impetus to get on and do that. Also, with regard to the concerns which the Deputy had with regard to income support and those people who perhaps, more than financial support, need practical help to help them to look after their finances. Well, the income support system will assist people in achieving financial independence and not only through financial assistance but also through the practical matters of sitting down with people and making sure that they are able to budget for themselves with assistance. I will go back to the point about this possibly voting against the plan as we have it today. As I said, I find it very difficult to get my head around that. I mean Members who have been pushing for various things, for instance, things to do with the environment have changed the plan to ensure that environment is higher up the list and there have been other amendments like that. I mean, if any Member has an issue which they see in the plan which they would like to see achieved, whether to do with social issues or infrastructure or the youth which has got a specific area by itself. If we do not approve this plan, if you vote against it we are not going to achieve those things. So, I really do not see the point in making an in principle “I’m not going to vote for this because, you know, this is not the way I see the whole plan.” But if you vote against it completely, well, where are we then? We have nothing. Even as a Minister, I know there are some things that could be better in the plan but we know that this is a first start. This is a first attempt of the House to get our heads around developing a plan and we will do better next time. I urge Members please do not, on principle, say: “Oh, no, I can’t vote for it because there is some little bit which I do not like.” There is enough in the plan for it to be successful; successful for States, successful for Jersey and we should get fully behind it and support it.

3.1.17 Senator J.L. Perchard:

I had not planned to speak on the Strategic Plan and I suspect, had we concluded the debate last week, not many of us would have. I am surprised that this debate has appeared to gather such momentum this morning and I have to admit to being surprised by some Members’ tactics with regards to the whole Strategic Plan debate. The draft Strategic Plan was produced by the Council of Ministers on time as required by the States of Jersey Law. They lodged it, allowing Members ample opportunity to propose amendments, amendments on specific detail or amendments on major structural parts of the plan. It, in fact, would be possible for Members if they were so inclined to propose an alternative Strategic Plan. We have the opportunity here, and particularly last week, to mould the plan for 5 years and I feel if Members did not take up this opportunity to bring forward amendments - detailed amendments, structural amendments - they probably have failed in my view in their responsibility to deliver a plan for government. This government cannot, as Senator Routier said, be rudderless; it needs a plan. We have had our chance. I believe, Sir, that Members who vote against this really have missed the boat; they really should have set about this 3, 4, 5, 6

weeks ago, bringing amendments to the plan and giving opportunity to this House to change the policy as proposed by the Council of Ministers. You have missed your chance, Members who vote against this. Sir, with that, I urge us to conclude and get on with the business of running government.

3.1.18 Senator P.F.C. Ozouf:

Very briefly, Sir, I was not going to speak either because I thought that we had had a - and I do not think I have ever said that in this Assembly in the 6 years that I have been here - good set of debates last week. I think that I was one of a number of Ministers who encouraged people to come forward with amendments and I think that we had had a number of good debates on amendments. But during the course of this morning I was getting, and have been getting, increasingly depressed from listening to a number of interventions. I started off by being depressed by Deputy Southern, although I suppose I always will be. Deputy Duhamel and Deputy Power, all Members of the Scrutiny Panels, who are supposed to be operating on the basis of Scrutiny. I was cheered up significantly when I heard the Deputy of St. Mary and, indeed, Senator Perchard, to their great credit, who recognised the importance of amendments and who were part of some amendments, being on Scrutiny Panels, and who have had an argument, had a good debate and now are willing to support the plan as amended. I would just say to those Members of Scrutiny who are supposed to be operating on evidence based and who have been basically putting lashings of cold water on the Strategic Plan, I would ask them to consider the evidence of where we are in terms of the economy; where we are in terms of confidence of Jersey in July 2006 compared to where we were a year ago or 24 months ago. Things have, to anybody's analysis, got an awful lot better and I defy anybody to say that there is not a resurgence - and an important real resurgence - of confidence in a number of industries. This resurgence of confidence has not happened by accident. It has happened because, in my view, this Assembly made some tough decisions about some important issues: migration, economic growth, but most importantly the fiscal strategy. But also I believe the markets and the business community has taken confidence because this Assembly has put in place a Council of Ministers who are working together on the basis of co-operative, independent individuals, but on the basis of working together for the interests of the Island. It is important that this Assembly sends out a message that they are confident in their Council of Ministers, that they are confident in the Strategic Plan to carry on the work of the last few months. I say to the Deputy of St. Ouen - who I know that from St. Ouen they are made out of tough stuff and I know that he is regarded by some as being a fairly stubborn individual - we are on the same side in respect of spending. He, I understand, is going to be voting against the plan. He, I thought, has worked with a number of Members, put forward amendments and has ensured that the plan is stronger as a result of the plans. He was one of those Members - perhaps like I, perhaps like the Chamber of Commerce commentators - that was concerned about whether or not we could be affording an increase in public expenditure and thankfully, based upon the results of the latest estimate that we have seen in the last few months, some of the things that some of us thought which was that the confidence would be translating into higher levels of taxation in future would come true. So, the Deputy of St. Ouen should be rejoicing with the Council of Ministers on the basis of the estimates. He should be rejoicing in the resurgence of confidence that we are seeing and he should be supporting the Strategic Plan because there are people on the Council of Ministers - and the Council of Ministers are united on this - and there are other Members of the Assembly, who are tough on spending and do not want to see inefficiency, who are going to be supporting this plan. There is a disconnect between, I think, his view that you should vote against this plan and what other people, who are just as tough on expenditure as he is, are. I would ask him to

reconsider whether or not he really wants to send out a message that this is a plan which is not worthy of support by those more prudent Members of the Assembly who do not want to see an explosion in public expenditure, et cetera. I really do not want to say much more than that but I would say also to the Deputy of St. Ouen and those other people who were worried about expenditure that expenditure is also being used for the economy. The Economic Growth - I am saying the Economic Growth Department. That is probably a Freudian slip. **[Laughter]**. The Economic Development Department is a recipient of resources in this plan and indeed resources that this Assembly has given, whether that be money into the TDF (Tourism Development Fund), whether that be money into the Economic Growth Plan. I would encourage him most carefully to consider to support the Economic Development Department with these additional resources and send out the message that we are confident about Jersey and confident in Jersey's future. If he has got anything to say about what we have forgotten in the Strategic Plan he will have ample opportunity in the next couple of years in order to do so. I think this plan is stronger as a result of the amendments and I think it is worthy of support from all of those more cautious Members of this Assembly.

3.1.19 Deputy P.N. Troy of St. Brelade:

Sir, there are too many doom and gloom merchants in this Chamber and the Strategic Plan, of course, is a very positive document which will have a very significant impact on Island life and it does tie in with our future budget forecasting to present priorities and goals for action. Each department now has targets to reach over the next 5 years and the Chief Minister has previously said that Ministers will stand or fall on their record of achievement. This Strategic Plan will act as a benchmark for future performance. I welcome it and I will approve it. As said, the amendments will add to the credibility of the plan. So, yes, Sir, yes, to our Strategic Plan.

3.1.20 Deputy J.G. Reed of St. Ouen:

I was not planning on speaking but **[Laughter]** after being certainly encouraged by Senator Ozouf I feel I really do need to make a number of responses. First of all, I would ask him how can we plan on increasing public spending when we have yet to finalise the details of existing strategies, namely the fiscal strategy, GST, 20 means 20, the income support scheme, let alone the solid waste strategy, integrated travel and transport plans, criminal justice policy and so on. It is also interesting to note that when you look at the Strategic Plan suddenly we have got a new priority, which I always thought was an existing and old priority, of maintaining and improving our Island's infrastructure including roads, drains and the like. I must again point out the fact that these are very underfunded and require large sums of money which do not come from a slightly revised new financial forecast. These capital projects need huge sums of money being spent and it seems as though there is nowhere in this Strategic Plan that these have been identified. No one included in this Strategic Plan has identified and provided answers to address those fundamental questions and yet our Council of Ministers are going: "Do not worry. Things are better. Feel the confidence. Here we go and let us spend a whole range of new money on new initiatives." Is this the road map I want to follow? No, sorry. The road map I want to follow is that the Council of Ministers tells me: "Yes, we recognise the issues that need to be addressed and this is what we are going to do to address them." This Strategic Plan has nothing of the sort. It is a whole load of new strategies, new money, even confirmed by the Council of Ministers that increased spending will carry on and yet, as I say, we have not addressed the issues of extra tax. So, I ask what message does the plan convey to the public of this Island? I would suggest these are some of the messages - they are not all because I do hasten to add that there are parts of the Strategic Plan that are

worthwhile - but these are some of the less worthwhile parts. Departments unable to deliver efficiencies as promised - no reductions in overall manpower levels. All £20 million savings to be spent, not saved. Property will be resold to help pay for new ongoing revenue expenditure. Financial prudence is a thing of the past. New taxes will be raised to pay for extra services and initiatives; Island residents and businesses to pay. States departments continue to grow while uncertainty exists over the introduction of GST and other new taxes. Those are the sort of messages, or some of the messages, that are coming out of this Strategic Plan and perhaps, more importantly, better, simpler, cheaper has become live now, pay later. At a time when the Council of Ministers, as I have said before, could have made a clear statement that their intention was to continue to save and not spend, they have seemingly done just the opposite, although they have cloaked it in this: "Ah, well, things are actually improving a little bit." If they are then we do not need to increase the taxes as much as we are planning on doing. Has anyone considered that option? That is an option that needs to be considered and will obviously be considered at the right time. So, where is the commitment to minimise the effects of these new taxes? All I read in the Strategic Plan is looking at reviewing parking charges and various other initiatives to extract money out of the residents of this Island. I am not saying that one should not have a vision as we subscribed to one in last year's Strategic Plan, which I supported I hasten to add. The problem I have is that any vision needs to be based in fact and recognises the current situation and it takes you on from that point. This Strategic Plan avoids the important issues. It avoids the responsibilities that this States Assembly and the Council of Ministers have signed up to of controlling spending, managing the financial circumstances of the States until such time as we know and we are certain that the taxes that we implement are effective and also that the income support that we provide meets the demands of those less fortunate than ourselves. Where are the issues on the poverty aspects? I have forgotten the claim that we made or the strap line, reduction in poverty on the Island or addressing poverty. Where are those sorts of words? I see very little, very little. So, for one, as I say, I cannot support this plan because it is totally contrary to what I have supported and agreed in this House and firmly believe that it is the wrong way forward.

3.1.21 Senator B.E. Shenton:

Sir, I was not going to speak either but **[Laughter]** Senator Ozouf always makes me think of standing up. A couple of observations: Senator Le Main has given his assurance that (j) Cats will never be given to unskilled jobs, so I take that to mean that we will never have (j) Cat politicians. **[Laughter]** The Strategic Plan is a visionary document; it is a road map for the future and I believe its formulation has been quite an achievement. I would not have supported the original plan but I will support the amended plan. We are an Assembly of 53 independent Members and may I just remind the Ministers that they too were elected as independent Members. On more than one occasion I did feel that they put their own principles aside in order to vote for the Party Whip. If an individual is too weak to decide how to vote you must start to question whether they have ministerial abilities. My only real observation is that you do not really need collective responsibility if you have the people behind you and you do what is right.

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

Sir, this is an aspirational document. It is not an attempt to trick Members into signing up to policies without proper debate. The plan is a document listing good things that if implemented will greatly improve the Island for the benefit of everyone. Much of the debate has centred on a perception that if a detailed objective was missing there was, therefore, some underlying intention on the part of the Council of Ministers to leave out issues such as important

environmental objectives. I can assure Members that the objective of the plan is to benefit everyone; to create a better society and to balance economic, social and environmental objectives and obligations. We have all agreed amendments, many of which are worthy and are very detailed in their intention. There could be many more detailed additions, each one worthy in itself. However, this is not necessary as this is a plan of first principles. Most of the detailed debate will be part of the Business Plan or will be debated as other policies are brought forward. No one document will solve every problem and this document will be no exception, but it will deliver the building blocks of a better Jersey. It was never intended that a Strategic Plan would deliver all the answers, but it is more detailed than most comparative government Strategic Plans. I believe it will advance Jersey for the benefit of everyone and I urge Members to vote in its favour.

3.1.23 Senator S. Syvret:

I listened with interest to the speech made by Senator Shenton and I am very pleased that he, having initially had doubts about the plan, is now going to support it in its amended form. I think that is absolutely the right decision. He mentioned possibly Council of Ministers following the party whip, as it were. Well, I would just remind him I voted for, in fact, his winter fuel allowance for pensioners counter to the views of most of my ministerial colleagues. But there is no problem in that because our working arrangements are that we are allowed to disagree on certain matters - matters of principle. But the fact remains that we have a very diverse, politically speaking, Council of Ministers. Who could have imagined a year or 2 years ago that people like myself would be allied with Senator Ozouf in agreement on this plan? Senator Kinnard, with Members like Senator Walker? Our political views are very, very different; yet, we have worked hard to come together with compromise and goodwill to do the best that we thought we could do within the very limited timeframe available. I will be the first to admit that the Strategic Plan is not perfect, but with hindsight the fact is we did not have sufficient time really to put into it. We were driven according to the timeframe laid down in the States of Jersey Law. So, I think for a first attempt in a short period of time we have done pretty well, especially to get the degree of agreement and co-operative working that we have achieved given the diversity of political views that you find on the Benches of the Council of Ministers. I think it would be really quite tragic if that positive working - if that new beginning of co-operative working politically - were to be torpedoed and, effectively, destroyed in its infancy by any rejection of this plan were such an extreme scenario to occur. The fact is we have to work together, not just on the Council of Ministers but the Scrutiny and indeed all Members of this Assembly, to now refine the visions that are in the Strategic Plan and to work towards those other debates which will be key in this Assembly, such as the Business Plan, such as the Budget. It simply is not correct for some Members to suggest as they have that to vote for this plan is to give carte blanche for massive spending programmes and so on. The final decision on those issues remains with the States Assembly in the Business Plan and in the Budget. But I think we really have to get behind the plan now and work together in a positive and co-operative way and begin refining the set of work over the coming months and, hopefully, we will make the new system of government work better and perform better for the Island of Jersey. But we do have to, I think, be co-operative and realise that this is early days.

3.1.24 The Connétable of Grouville:

In view of the fact that this plan has now been debated and also the amendments have been pushed through very hard and also the fact that every single item in this plan will eventually have to be debated again in this House, can I please ask that the question now be put?

The Greffier of the States (in the Chair):

I am afraid you cannot, Connétable because under the new Standing Orders there is a requirement to give 30 minutes notice of your intention. You wish to give notice then. Yes, at 12.30 p.m. you can make that proposition.

3.1.25 Deputy R.G. Le Hérissier:

I think it was Henry Kissinger who said that power is the ultimate aphrodisiac and we have certainly seen that in play today. I have to put my cards on the table and will no doubt disappoint the few people who listen to me in that I do approve of the plan. Not in its detail, but I approve of the concept of planning. We have been a disorganised, fragmented government. I have always believed we need to come together a lot more and I do believe it has a lot of imperfections. It certainly misses, as Deputy Duhamel said, the environmental side. Not because I can see Senator Walker is going to get up and blow a fuse and list energy policies and hundreds of policies which has been the standard answer to every question that has arisen, but it is more about the nature of the thinking behind the environment which is the issue. I am very pleased that the social aspect has come forward; I want to see issues, Sir, like the care of the elderly really move up. I know there is work being done, but I want to see real determined systematic work. We are about to miss, as Senator Le Main knows from his own involvement and as a possessor of a bus pass, one of the major social issues unless we really put our skates on. So, I am very pleased to see that side. What does worry me, Sir, and I would like to throw a caveat having joined the ultimate aphrodisiac club, so to speak, what does worry me is this complete misapprehension of the role of Scrutiny. There is still this feeling that Scrutiny is about being nice to people and the friend out of the critical friend has always emphasised it is being nice to people and I really do not think the Executive, having heard these remarkable speeches of self-congratulation and self-promotion from the like of the Minister of Transport and the Minister for Economic Growth and Development, having heard those wonderful speeches of self-congratulation, I do not think they have really grasped, Sir, that there will be times when Scrutiny will come up, with the best of intentions - and the best researched of intentions - with some hard and what could be interpreted as critical comments. It will come up with different views about how things should have been done and people are really going to have to get used to standing back and saying: "Yes, maybe we should have done things differently. Maybe we should have thought of things differently" rather than rushing in and saying: "On 10th April 1964 you did this. Therefore, for ever more you must agree with the way I am doing things" or whatever; one of those kinds of tactics. I do not think the Executive, Sir, have yet come to terms with the fact that they are in a different world. I do admire their teamwork and undoubtedly, as Deputy de Faye alluded to, they have got their PR machine in much better operation than we are. Look, they are into constructive leaking; they are really learning now **[Laughter]**. Of that there is no doubt. The Minister of the Treasury: not only did he prove to be a magician last week, Sir, but he did it with a straight face **[Laughter]**. That showed remarkable powers of persuasion and acting which we had not thought possible. They are really getting their act together; there is no doubt we in Scrutiny have to. But I think they have to realise this kind of: "Oh, you did not agree with me" or "On 10th April 1964 you said this, so therefore, you must agree with me ever more" thinking really has to move on. They have to realise it moves on. But I do want to see planning, I do want to see people getting together and, yes, it may be a lowest common denominator exercise because of the different politics represented, although I do see certain people getting attracted by ambition and power as has been the trend over civilisation over many hundreds of years. So, from that point of view, Sir, I will support the plan.

3.1.26 Connétable A.S. Crowcroft of St. Helier:

I was not going to speak either. But I would like a little bit of what Deputy Le Hérissier has got and what he calls an aphrodisiac. I could do with a bit of an aphrodisiac this morning. I think he is entirely wrong about the environment in what he says and my view of the Strategic Plan is it was not bad before but it is much, much better now. I particularly take issue with his comments about the environment because I put a fair bit of work into my efforts to get the environment right up the agenda again and, indeed, there is now a new commitment which shows economic and environmental success can be delivered together for Jersey. I think that is really important and I am very pleased with that progress. So, again, there are important things like an air quality strategy for Jersey. It is in there now as a target that we are going to have to deliver on and, as other speakers have said, the whole nuclear issue as well is up there. So, I am very pleased with that. The other thing that I am very pleased about - and I referred to this in one of the reports accompanying my amendment on the environment and I referred to it yesterday when we had the first of our Urban Task Force regeneration workshops - for the first time probably in recent history, possibly ever, the States have a Strategic Plan which identifies the importance of St. Helier and getting it right in St. Helier, the importance it has for the Island as a whole. I think that is very welcome and I congratulated the Council of Ministers at the time and I congratulate them again. St. Helier really is crucial to the economic success of the Island; it is crucial if we are to attract new tourists to see St. Helier as a short break holiday that can rival other cities in Europe, particularly if we can get some more attractive fares here, because I know we already have some pretty cheap fares. I think it is also crucial because, as we know, a third of the Island's residents live in the town and they deserve a quality of life which I believe the Strategic Plan is going to help deliver. So, I shall certainly be supporting it in its amended form today.

3.1.27 Deputy S.C. Ferguson:

I am glad we are not specifically voting on the resource section of the Strategic Report. Despite the Chief Minister's dismissal of my criticism of the improving economic forecast, as he well knows no businessman in his right mind would forecast on the basis of 6 months performance of a small sector in the economy. Any forecast depends greatly on the assumptions and accuracy of the estimates. I would hope that the Council of Ministers remember that economies are like super tankers - quick to sink and slow to turn. From the debate last week it does seem that the minute the *soit dissant* (shall we say) Captain of the Titanic looks optimistic the perennial shroud-wavers jump in. Have they forgotten that they have to continue to seek efficiencies? Part B of the proposition requires projected manpower and financial consequences of the initiatives in the Business Plan and I will be looking forward to these. What I will be watching for in the Business Plan is some evidence that the shroud-wavers will not be given carte blanche and our economic improvements will not be spent before they are made. I would comment on the comments of the Assistant Minister for Economic and Sport and Culture and the Housing Minister. You know, Education, Sport and Culture, yes, I usually spell it ESK. **[Laughter]**. Kulture with a capital K. I do wonder, as they talk of captains of industry, how many captains of industry have got degrees in media studies and, if our students have degrees in media studies, what jobs can they come back to. Frankly, I am of the opinion that, as Senator Cohen has already said, we consider this as a high level aspiration list and concentrate on the Business Plan wherein I think we will have some useful amendments to make.

3.1.28 Deputy A. Breckon of St. Saviour:

I would like to start by perhaps reminding Senator Routier about a plan that the States did agree not that long ago. That is the Strategic Plan for 2005-2010, so, in other words, we are not starting from scratch. We do, in fact, have something in place or we are supposed to have something in place and if I may just remind the Senator, Sir, this was agreed in June 2004 and it said: "Now that the plan has been agreed by the States it is intended that States Committees will be asked to demonstrate how they will deliver it." There is a series of action points under there and that takes you up to: "Resource requirements will be linked to the States Resource Plan. The first stage of this will be the 2006 Resource Plan produced in 2005, which will be known as the States Business Plan, in preparation for the introduction of ministerial government." So that is the link to where we are and that is in place and, obviously, Members should be aware of that. I did not bring forward any amendments; I had a difficulty in doing that. I read the plan with some degree of surprise I should say and then I read it again and I still thought it was a bit foggy. It was to me anyway. I wondered how I could amend it and we have had some debates last week about what was in a word - some of the things I could not quite understand, being of a simple mind, of why somebody was insistent on a particular word being used as opposed to another one. The other problem I had with an amendment is if you put forward an amendment it looks like that is the only part you have a problem with and the rest looks okay. So again I had a problem in that particular area. For me that was for a number of reasons because we did have a number of policies and strategies laid down at the end of last year which were never, never debated. In fact, some of them have been withdrawn and I know Senator Kinnard was virtually pleading to get the Criminal Justice Strategy debated and it did not happen and has now been withdrawn. The Water Resources Law again, many people outside have an opinion on that and there was a meeting 3 weeks ago at the RJA & HS about that. There were some opinions about that, so that is still bubbling away, as it were. We had a Transport Strategy which was down for a debate which was not; and we also had the possibility of having a Housing agency. Along with that we have the Income Support in development so I think if some Members feel in limbo and were looking for some lead, then perhaps this document was it. But for me it is not and I think that is for me where the problem is. Because if we had been debating some of these issues as individual items then we would have seen some of the checks and balances I think as we would have gone along in formulation of policy, but I think this is too wide and too vague. The Chief Minister mentioned in his speech, about 4 clean shirts ago, about a high quality debate and that maybe is debatable in itself. What he said was: "Deliver on it, we will" and I would say: "Well, deliver on what exactly?" Because for me some of this is still a bit foggy. Other Members have mentioned as well and the Chief Minister said the process may not be perfect and I think there is general agreement on that. There was a bit of a hurry up to do this and I think as a result of that we have seen something which is more than imperfect in my opinion. The Chief Minister also said the plan is achievable and affordable, but again that is not quantified at this stage. So, I did ask some time ago in questions about this, I think it was 15th June, the Council of Ministers said they had had some business planning information before them, but again this is yet to surface and for me that is a difficulty at the moment. But again, going through the plan itself, some of the buzz phrases, as it were, are old hat really because we have said them before. We talk about economic and environmental success, but some of the things in there are talking about reduction in consumption. Well, where is the encouragement to do that? Are we going to tax that out of the system with carrier bags and packaging and charging people more to dump rubbish? How are we going to do that? Again, there is no substance to some of these things about greenhouse gases. Are you going to give people money for using less fuel? How do you actually do that? They are all very laudable intentions but again how do you do it? When we look at economic growth and it is through improved productivity, how exactly is that going to be policed, measured? There is talk about a total

workforce at the growth of less than 1 per cent per annum. Well, I will tell you what I have noticed recently and that is a lot of white vans off the boat. That is a sign for me that the construction industry is overheating and I would ask Members to keep your eyes open when you are walking round and you will see them. That is a sign for me of overheating because building and construction is a good barometer of how the economy is doing and I will come to that in a moment. But I think we need to be careful about that and again, if we are looking at economic growth, I think we need to be careful about the (j) category provision and making it employer-driven. I think that could put employees in an invidious position. I have been asking a few questions recently because there are things mentioned in there about the workforce and the skills and development, aging population and things like that. I have sought of the public sector and I have made an inquiry of Social Security and also of the Statistics Unit and asked what I thought was a fairly simple question: how old are the workforce in age groups, 16-25, 26-34, and I have to tell Members nobody can tell me. Now, if we are talking about an aging population and supporting it, I would have thought somebody would have been able to and I think we need to take that into manpower figures and have a look at the workforce and see who is working, what age group, what gender and do some more detailed analysis with that because I think it is very important if we are to move on. Also mentioned in here is low inflation is sustained. Well, I would say there are 2 elements to inflation: one is external which is oil, which is now linked to energy which could be nuclear energy, which are jumping on the bandwagon because of pricing, and interest rates. I would say we can do little about that and both look like going up again in the foreseeable future. Internally, we can do certain things and we have had strategies and policies in the past and sometimes it is not always clear what they are because somebody says: "Well, we must do something different" which means: "We are going to charge more. We have never done something for years." What really worries me - and I have picked it up again recently - is property price inflation. That is on the move again and that will spread through and will lead to an own goal in our internal inflation. But there is another side to that which perhaps will cool it down a bit. We have also heard talk about the potential of the Island's workforces maximised. Well, for years, and I am sure the Minister of Social Security knows this quite well, there has been a problem with a number of under 25s registered as unemployed. I say registered because some are not. Deputy Le Hérissier mentioned that and I think that is an area where we really need to invest because if we can help these young people now then we will help them and set them up for their lives. In the past the States had sponsored training schemes where we took on young people and trained them surplus to our own requirements and I think it is perhaps time to be doing something like this again. Again, there is talk about the economy being diversified and developed and again I think we need some caution here because we do not want to overheat. As I said before, the construction industry is a good barometer and if Members go to the weighbridge and walk to the Grand on every corner they will see steel frames rising from the basements and that is really where some of our costs and our inflation -- apparently, somebody said to me the other day there are not many States contracts, big schemes, out at the moment but perhaps that is just as well if we have to compete with that because that looks as if it is fairly hot at the moment. Under the same banner of diversifying the economy there is talk about implementing the rural economy strategy and I think this needs some further scrutiny. Somebody needs to look at this again to find out where we are with some of this. It was not many weeks ago there was somebody involved in glasshouse production said: "Nobody cares about me." There has been talk about golf courses and doing other things but, again, I have not seen anything that develops in a positive way any of this. There is also talk about making the economy more competitive and I think the JCRA (Jersey Competition Regulatory Authority) are coming through now. They have a lot of work and I think expectations were raised, I think, but they are very professional in what they do and I think

the benefits of that will come through and people like Senator Ozouf and former Deputy Voisin are to be commended for the work they had done in the early stages of that. I think what we need with that we do need some consumer protection as well. I think that is lacking in a number of areas and I think for the economy to be competitive then people have to be confident about it as well, so I think that is something that we can do. There is a mention in this document about they seek to enhance the role of the Consumer Council and I should declare an interest because I am the Chairman of that and this is not the first time that has appeared in a document. It was in the Economic Growth and it was in something else. I cannot remember what but our budget is equivalent to the employment of 2 secretaries in the public sector, probably not even equivalent to that, so we are fairly limited in what we can do and the terms of reference go back to 1995 and they are under review. But what I am going to do is just float something with Members because I will be coming back and I would seek your support in the future on that because I think we have got to a stage now where there is so much on the agenda that we really do need to look at this carefully. What I am suggesting - and we are working up a paper at the moment - is that we split this down so that we have utilities. Members will remember if you look at the profit per employee, utilities were fairly high on the list. I think it is 34,000 behind finance. We did not have fulfilment in there at the time and there was a suspicion - not maybe a suspicion - that perhaps in their situations there was a need to look at them with a bit more care than anybody had done in the past. Again, that is an area I think we should do. Also communications, we have Postal, Telecoms and even the media where perhaps a group should be set up under the Consumer Council to look at that and the same with perhaps price watch with Goods and Services and, again, travel and transport. There are things on and off Island that perhaps need looking at in greater detail and even law and regulations of things like estate agents and things like that. So, there is a massive agenda there and at the moment we are not really resourced to do any of it so, as I say, I will be coming back in the future to look at that because it is okay in a phrase but you need to move on and to make it happen. Also, on the same lines, we talk about the flourishing finance industry, but I was disappointed to see R51/2006 recently from the Economic Development Minister about the needs of an ombudsman. I think it was disappointing, bearing in mind the discussion we had in this House, and some of the, perhaps, promises that were given. I mean that document was an absolute damp squib and again I am looking at that in some detail and, if necessary, I will come back to the House. I also have a problem with phrases like: "Enjoy a good quality of life." Well, to some people that means, you know, just a better home to live in. To other people it means having a yacht. So it is one extreme to the other, but again we need to give that some focus. Again, we are addressing things about an aging population but, again, it needs monitoring because I am always hearing about people who are retiring and leaving the Island to go and live somewhere else, so who has got the handle on that? I know we have got a population office and with the statistics they need to start somewhere but, again, I am not sure that we have got the handle on it just yet. Again, about health and well-being - and we talk about positive performance against population level indicators - I am not sure that we have got that right at the moment, and I would seek some assurances through Ministers in the future on some of the issues contained there. With Health and Social Services we talk about consistently high standards but in some of the other part of this document they talk about regulatory services and being impartial and efficiently delivered. I think with some of these areas there needs to be a dispute process where if people have a complaint about not just health, but other things, they can go to somebody who were not the people who decided it in the first place. There needs to be that independent arena and that was one of the recommendations of Clothier and we still have never got anywhere near that whatsoever. It has conveniently been dropped. Again, with full unemployment and the skill thing, there is a possibility of overheating there with skilling. This has been on the agenda for as long as

anybody can remember and, you know, how do you measure that? Again, it is a changing economy and it is difficult to do, but I have never seen anything that has really convinced me that we are doing all the right things. Others have mentioned the early years strategy, this was in 2006, but, again, that has been something that has been on the agenda for a very, very long time. I was slightly amused when I looked about having increased participation in sport. Are we going to compel people to do this? How do you do that? I mean, you can get on your bike, or whatever, but I do not really know how you can measure that. It does also mention about securing the future of sports and leisure at Fort Regent. I should declare an interest there because there are a lot of health referrals, and I had to go there for exercise and it is surprising. Members should go and have a look and see how well that facility is used for people who are recovering from various aches and pains, and I include myself among them. Again, about achievables, when I looked at the Island-wide transport systems and policies, it was how do you achieve this? I mean, are we going to tax people; are we going to stop people; are we going to have Ken Livingstone's type charge for people coming into town; about sharing trips made by private car? What are we going to do, stop one person and send them home again? I mean, how do you do this? It is good to see the increase in bus passengers; that perhaps one thing is meeting the other there. Again, in levels of car occupancy; reduced road congestion, well, we can do that if we dig them up. You know, people stay home or go somewhere else, or wherever else you put them. A safer road network. Again, how are these things achievable and measurable? I was interested about the improved cycle and pedestrian network. I noticed the other day that we had given money to the Parish of St. Helier for the cycle network, and they had put green markings on the road, and the other day, somebody was paving over one. So, I thought: "Well, that is money well spent." I think that was the Tourism Development Fund that did that, so there are probably 2 gone so far. They appeared overnight, many Members will remember, and now they have been covered up over another night. That is it. That is rickshaw ones, yes. Again, there was talk in here about inward migration, and it talks about the Island's needs, but it must be needs and not greeds and, again, we must be cautious and monitor that. I was interested in basic rights and equal opportunities, and then, I think there was a headline recently about no protection for pregnant women. So, I think we have some work to do there as people will remember redundancy and insolvency; they will remember Queen's Valley. We still have not done anything effective, and that is a long, long time ago. I think that is a failing, as is the transfer of undertakings under what is called the TUPE Regulations. Again, there are some laudable points under a safe community protected against crime and disorder, but, again, it is about high levels of public confidence. Well, how are we measuring that, and is that independent, and, again, are the same benchmarks used for producing the statistics? Something that was mentioned in there, and it is something that I was a member of a while ago, was a shadow police authority and I am not sure what has happened to that, but I think there is probably a role for that in the future. The benefit system is mentioned; about an integrated system of benefits, about health and residents. But, again, we need to get there and that is still in the development, that policy. So, again, we cannot really agree until we know what it is, and I think everybody agrees really to protect and support vulnerable people, but the question is, how do we do that? The old chestnut is there about a good standard of affordable accommodation for all. Now, that is still a problem, and as I mentioned before, quality of life to some people is just a decent place to live, and we talk in the bullet points about stable housing market and prices, but, again, how do we do that, because supply and demand are apparently still out of kilter. Again, it is a question there of what happened to the States' arms-length management housing agency and it appears to have disappeared; it has been withdrawn. Now funding has come from somewhere else, so the question is where is that going to fit into the bigger plan? It is good that things are being refurbished and are well

overdue. Again, about a working countryside: what is a working countryside? Is it golf courses; is it leisure facilities, or is it we seem to be the one crop now in agriculture. I had a sort of wry smile when I saw a vibrant town and waterfront for St. Helier and the bullet point said: "Preparation of St. Helier waterfront." Well, if we agree to that, what exactly are we agreeing to: anything or everything? I am not sure. I think the St. Helier Development and Region Relation Strategy came as an afterthought with a waterfront, because if there is a mass exodus then what happens to the town? I think that is following on now but, as I say, I think it was an afterthought, and we are talking about a published updated planning guidance for the waterfront, and to support and encourage the Waterfront Enterprise Board. Interesting. Again, an energy policy needs a great deal of focus and clean air, water, et cetera, again needs ongoing monitoring and publicising; if we have results from surveys then we should publicise the stuff and not keep it to ourselves. The Natural and Built Heritage: I am not sure how you monitor this. I think some of that is not a science; it is a matter of somebody's taste, I think, some of it. With the waste systems, I think with some of the processes in place, we are really getting there on some of that, and there has been some achievement there. With the Island Plan I supported the amendment of Deputy Scott Warren and, of course, well maintained public places is what our visitors see and are very, very welcome. With income and expenditure, the domestic economy and the inflation I have already mentioned, but I think a goods and services tax is inflationary. People do have a fear of 20/20. We are attacking middle Jersey there, and the same with increases and charges for higher and university education. People are really concerned about some of those issues. With our own strategic resources, I think that is important. Long term supply of energy is mentioned. Short and long term and the recognition of a strategic importance of all the utilities, and I think we have to do that before we consider flogging the family silver. We talk about the strategic importance of harbours and airport, and there is a bullet point that is indicated by affordable cost of travel for residents and visitors alike. The question is: what is affordable? For some people it is; for many others, it is not, especially families on low income. One thing that I was pleased to see, and then questioned, was a property plan, and something it brought back to me was a debate we had in 2005 when we agreed to have new tourism offices. I must confess, I did vote against it at the time because I thought a 21 year lease starting at £109,000 per annum - and if you roll up the cost of that over that time - it was going to cost about £3 million. Well, in my view, the case was never made; it was never proven, and I have considered rescinding that particular thing. Then I got a copy of what that would involve, and apparently, although it is never too late, it would be costly to walk away from that because to do so initially would cost us £300,000 without us ever moving in there, and that is not a fixed penalty. Then the developer would begin legal action and then that could amount to a lot more, so it looks like we are stuck with that particular thing. To me, that is not joined up thinking because if we have a property plan and it is all singing, all dancing, then we should not have taken that on at all. We have identified properties that we do not need; under-utilised, and people are moving around, and to me that is a particular shackle around our neck that we could have done without. I must say, Sir, I have probably spoken longer than I should, but having said that I have done a short tour through that and I can go on **[Laughter]** but the reason I have done that is because I think with respect to new Members, we have never had a debate or an argument in this House since they came in. Part of that is because things have been withdrawn and, for me, this is very important. I mean, one of the old tricks is in 6 months' time somebody will say: "Yes, we have already agreed that." Have we? "Yes, on page 17, paragraph (c), sub-section (4), it says that, and that is what it means." Does it? It is not my understanding of what it means but somebody, believe you me, will say that because I have heard it so many times before. So, although we say it is in principle, what must happen is policies must come back. They must come back because that is where the debate is and it

really worried me about this. I know there have been time constraints in other things but this came forward really, and it was a bit woolly, and I was concerned - and I still have that concern - agreeing with it, because when it comes back, you say: "Yes." You know you have accepted that because that is what it said. You did not say anything at the time, and that is why I think somebody said: "Well, we chucked all this up the last 3 days; I am surprised the Members have got anything to say." But what we did do is we did not have a preamble debate because we went straight into amendments. I asked - I will tell him now, I was going to tell him before - when I raised the question about whether the Chief Minister would lead the debate again this morning because for me he never really punched above his weight for the actual plan to start with. I know he has got another chance in summing up, but for me he never convinced me from the start that I should sign up to this and we were going to go boldly on as we have never done before. Of course, I may be a bit cynical for some of that because I have seen a lot of this before, and we are back where we were. So, having said that - and I will beg forgiveness for speaking so long, but not that long - I am disappointed really that some Members have not taken the opportunity to say what they like about whatever they like because this is it, and you have not had it to date, and you will not get it next week. So, with that, Sir, I will sit down.

3.1.29 The Connétable of Grouville:

The required period of notice having expired, may I propose that the question now be put? Thank you.

3.1.30 The Greffier of the States (in the Chair):

Effectively, under the new Standing Orders, you are proposing that the debate be closed and the proposition be put to the vote. Yes, a slight change in terminology. Is that proposition seconded? **[Seconded]** Yes, it is a matter for Members, I have no reason to disallow the proposition - I perhaps should tell Members I do have other Members waiting to speak, but clearly it is a matter for Members if they wish to close a debate at this stage. Standing Orders require the proposition to be put without debate, and therefore the Greffier will open the voting for or against the proposal that the debate be closed. Have all Members wishing to vote cast their votes? I will ask the Greffier to close the voting. The proposition has been rejected; 22 votes were cast in favour; 23 votes against. **[Members: Oh!]**

POUR: 22	CONTRE: 23	ABSTAIN: 0
Senator P.F.C. Ozouf	Senator S. Syvret	
Senator B.E. Shenton	Senator L. Norman	
Senator F.E. Cohen	Senator F.H. Walker	
Connétable of St. Martin	Senator W. Kinnard	
Connétable of St. Saviour	Senator T.A. Le Sueur	
Connétable of St. Mary	Senator M.E. Vibert	
Connétable of St. Clement	Senator T.J. Le Main	
Connétable of Trinity	Senator J.L. Perchard	
Connétable of St. Lawrence	Connétable of St. Ouen	
Connétable of Grouville	Connétable of St. Helier	
Connétable of St. John	Deputy R.C. Duhamel (S)	
Connétable of St. Brelade	Deputy A. Breckon (S)	
Deputy R.G. Le Hérissier (S)	Deputy J.J. Huet (H)	
Deputy J.B. Fox (H)	Deputy of St. Martin	

Deputy P.J.D. Ryan (H)	Deputy P.N. Troy (B)		
Deputy of St. Peter	Deputy C.J. Scott Warren (S)		
Deputy J.A. Hilton (H)	Deputy G.P. Southern (H)		
Deputy J.A.N. Le Fondré (L)	Deputy S.C. Ferguson (B)		
Deputy of Trinity	Deputy of St. Ouen		
Deputy S.S.P.A. Power (B)	Deputy of Grouville		
Deputy A.J.H. Maclean (H)	Deputy G.W.J. de Faye (H)		
Deputy I.J. Gorst (C)	Deputy D.W. Mezbourian (L)		
	Deputy of St. Mary		

3.1.31 Deputy F.J. Hill of St. Martin:

I will not keep Members long, but I would just like to make a few observations as a critical friend [Laughter]. I think most of us have found the whole concept of the Strategic Plan one of interest because it is something new, and it has been mentioned earlier. I think what we have got to do is to learn from some of the lessons that we have had, how we got to this particular stage. I think what is very important, maybe, is we have got to see if we can get Scrutiny and Executive working a lot closer together at a lot earlier stage. I think that is probably one of the little lessons that I hope we will take back with us. If we think about it - not that I want to be too critical of the Chief Minister - but we have got to bear in mind this was always the Council of Ministers' plan and what they had to do was to see how they were going to sell it, and to use the Housing Minister's phraseology: who were the clients? The clients really were the rest of the House. I think that we have got to look to see how we can get them involved that much earlier. We did go through the draft, those of us who did attend the meeting at St. Paul's, and I think quite a number of issues came out, and there is the usual meetings we have where the various discussions are held, but really that is where I think we started to go wrong because we had that area we did not really know who was going to do what, and how we were going to do it. Maybe if we were going to do it again, maybe consideration should be given that it would be the responsibility of the Ministers themselves to address the areas of concerns with the Scrutiny Panels rather than waiting maybe for the Scrutiny Panels to come back to the Ministers. I am just saying that as a critical friend as some way that we may be able to look to a way we can deal with it in the future because what did happen was, I know, our particular panel went away and we divided our areas into 6. We have 5 particular Ministries within our remit, but we also had the Chief Minister's. We were really a little bit uncertain how we should do it, and there was this gap when nothing seemed to happen. I remember approaching the Chief Minister and saying: "Well, possibly we might have to look for 2 weeks extra, or delay it for 2 weeks, so we can get the work to come into being." I think, again, through the good officers of both the scrutiny panels and those particular ministries, we did get these very rushed and harrowed meetings, and I think we will get consensus in it. I think the Ministers, in general, felt that the exercise they did with our particular panel was very useful. We did discuss a number of issues but, at the end of the day, we agreed on most of them, and those we did not agree on really were not worth fighting about. So, I think that is an area that we have got to learn from and maybe improve. I think, also, what it did lead to was a great rush to get all the amendments through, and I would like to particularly pay tribute to the scrutiny officers who did a lot of work getting it together, the department officers getting it together, the Greffe, without a doubt, particularly the Greens, Reds and Blues. Well done. Of course, the Minister's Department who had to bring it all together, so well done to all those people. For my part, I think - as indeed most plans are - they are good in parts and bad in others, but we have got to agree that there is probably more good than there are bad, and I will be giving my support. But what I will also have is that little

caveat: it has got to come back. So, be prepared that maybe Scrutiny will be looking at it as a critical friend. Thank you.

LUNCH ADJOURNMENT

3.1.32 Senator M.E. Vibert of St. Brelade (Minister for Education, Sport and Culture):

We have been speaking for some time on this; I shall try to keep my comments brief. I am very disappointed to hear some Members suggesting they will vote against the plan and it seems to me that the reasons need examining, and they need to examine them themselves. I think we may be getting away from what the plan is. It is vision; not detail. That comes in the Business Plan. There is no suggestion that this is the answer to everything. In fact, when Deputy Breckon was speaking, Sir, and ranging far and wide, I was trying to think of literary analogies. I thought of James Joyce and stream of consciousness, but I came up with *The Hitchhiker's Guide to the Galaxy*. It seemed that Deputy Breckon wanted us to put 42 on the front of our strategic vision; *The Answer to Life, the Universe and Everything*, because he seemed to want details on everything, and every possible way forward on everything. It is just not possible. It is not what the Strategic Plan is about. One thing I want to stress, Sir, is this is no longer the Council of Ministers' Strategic Plan; it is the States' Strategic Plan, once it is adopted. It is the States' Strategic Plan that is being debated, and had lots of amendments debated and accepted. I think the area to look at is the new page 5. This is about a corporate vision; our joint vision. Our vision is that Jersey has a unique and recognised identity. People living here enjoy a good standard of living based on a strong environmentally sustainable and prosperous economy. We are an inclusive society where everyone has equality of opportunity and access to the services they need, and the environment sustains a sense of well being. Government promotes self-sufficiency and enables enterprise. This Strategic Plan sets out the road map to achieve these objectives. Yes, if you do not agree with those objectives; if you do not agree that we should have an environmentally sustainable and prosperous economy; you do not believe we should be an inclusive society; the equality of opportunity accesses the services that people need, then perhaps you vote against. If you do believe of those things, and you have taken part in the debate over 3 days last week, then I believe it would be an absolute dereliction of duty to vote against the plan. You had an opportunity to amend it, you had an opportunity to discuss it; it is a strategic road map. I really think that unless people disagree with that vision, they should support the plan because it becomes the States' plan. I know it may be very hard for some people who have spoken against to agree with anything that is brought forward by the Council of Ministers, but I do not think that is a reason for voting against it. I think it should be positive and constructive. It should be a shared vision of all States Members, and I think it is a good vision; a vision that has been improved because of the amendments, and because of the constructive criticism we had of the plan. The Council of Ministers accepted as many amendments as possible. Again, I was so impressed with the way the Social Affairs Scrutiny Panel worked because they discussed possible amendments with us, and we worked a way through together and made the plan so much better from that. I wish that had continued through all the Scrutiny Panels; in fact through all the amendments, but I know time was tight. Every amendment put forward has been debated and decided by the States. The States have made that decision; Members should accept it, and should now support the plan because it is a plan for all States Members; for the whole Island. I do not think we would like to see opposition just for opposition's sake. Vote what is in the best interests of the Island, and that is to have an agreed vision for the future. I think, Sir, it would be excellent for the Island if we had a Strategic Plan we all supported because, as I said, that Strategic Plan is a vision, and there is a road map in here to achieve it; a road map that will be

updated every year, and there will be an opportunity for States Members to change any of the ways we are going, or to attempt to, through the States, but then I hope all States Members share that vision I read out, and that they all support the Strategic Plan, Sir.

3.1.33 Deputy D.W. Mezbourian of St. Lawrence:

I will exercise my right to speak. I have read the draft Strategic Plan, read it, and reread it. I have been frustrated by it, and confused about it. I have had discussions with the public, with Scrutiny, and with the Executive. I have had arguments about it. I have been party to proposed amendments; some accepted by the Council of Ministers; some not accepted by them. I have voted upon all amendments; some for and some against, always after due consideration, I make up my own mind. This plan, as amended, has room for much improvement. However, policies will be brought forward from this in the future. That will be the time to discuss and to debate in detail. The House has agreed that this is in principle. On that principle I will, this afternoon, vote in favour. Thank you, Sir.

3.1.34 Senator F.H. Walker (Chief Minister):

Can I start off by expressing my gratitude to all Members who have spoken both last week and today. They have all made valid contributions; some of which, of course, the Council of Ministers agrees with; some of which we do not. Everyone has - as Deputy Mezbourian just said - the right to speak; most Members have exercised their right to speak, and I think that is entirely as it should be. If we cannot have a long and full - and, at times not divided but subjected opposition, if you like - debate on the Strategic Plan, then when can we? I think it is absolutely right that we have taken very nearly 4 days to debate such an important document in the progress and the future of Jersey. Sir, to an extent, Deputy Hill, the Deputy of St. Martin, stole my thunder, but nevertheless I would like, at this stage, to thank - and warmly thank - on behalf of the Council of Ministers and I am sure the States as a whole, all the officers of not only the Chief Minister's Department, who I can assure Members have pulled out all the stops in recent weeks and months to get the documentation to us. Not only them, but officers in all departments who have contributed so readily and so effectively to the plan, and not least, Sir, the Greffe, who have, frankly, performed miracles in the last couple of weeks I would like to express, and obviously the House agrees, which I am pleased with, my thanks to all of those people. Turning to the debate itself, I am grateful to Deputy Le Claire, being the first speaker, for his support and I am grateful to him for saying that he thought we had - the Council of Ministers - the right approach to life. Also, very grateful to the Dean because, as he pointed out, we do need to highlight those areas where Jersey falls short, and I hope that in many respects the Strategic Plan has done that, and certainly he feels it is a step in the right direction. I think though the most noteworthy part of his speech was the balance he struck between rights of the individual on the one hand, and responsibility on the other because I could not agree with him more; we need to strike the right balance in that respect. I hope, again, that with the vision the Council of Ministers have of the social needs of Jersey that we will do that, but we do expect the public to contribute, as well as assume their rights. I think he made a meaningful speech in that respect. Deputy Scott Warren said that the amendments improved the plan, and I absolutely agree. I will come on to amendments a little bit later. She said that the plan now strikes, in her view, the proper balance. She also made, again, I think, a very meaningful point that the difficult part lies ahead, and it does. The difficult part now is implementing the plan and making it happen. The Council of Ministers does have an absolute commitment to do that. It will not be easy; it is an ambitious plan, but we do have an absolute commitment to deliver on the commitments that are included in the plan. For the avoidance of doubt, Senator Shenton successfully proposed an amendment on

winter fuel payments. The Council of Ministers absolutely accepts the wishes of the House in that respect, and we have already taken steps - I do not know what the final solution will be - now to deal with that successful amendment because we are committed, because the States have taken a decision, to taking that forward. So, that will be coming back to the States in due course. Deputy Scott Warren finished by saying: "We need to protect, nurture, and enhance the unique nature of Jersey." I could not agree more and that, I hope, is what the plan does. It was good to see that Deputy Southern had reverted to form today because I must admit I was getting seriously concerned about his ability to agree with the Council of Ministers last week, but he was very much true to form today, but basically - and he and Deputy Power, I think, share the same issue here - he was speaking against both the fiscal strategy and the migration policy, both of which were decisions of the States which the Council of Ministers therefore are committed to following. We have no choice. The States have taken a decision, and we all have to accept the supremacy of the States in that respect - more in a minute, Deputy of St. Mary - and we have to work to the decisions of this House. He and others have referred to the year at a time scenario. Again, I will come on to that towards the end of my summing up, because I think it raises some interesting issues, but it is, of course, what virtually all governments do. Now, the Isle of Man has been mentioned. The Isle of Man, we are told, has a 3 year business plan. It does. Well, at least the Council of Ministers of the Isle of Man has a 3 year business plan. Their 3 year business plan goes nowhere near the House of Keys. It is not an Isle of Man - therefore government - business plan in its entirety; it is a plan of their Council of Ministers. Now, at no point, I am sure, is anyone suggesting that that is the model we should follow in Jersey; I sincerely hope not, but if Members want a 3 year business plan then, of course, we can have a 3 year business plan, but what the Council of Ministers has done is adhere exactly to what we were told to do by the States when the States approved the States of Jersey Law. We have adhered to it exactly, but if Members want change, of course, that is Members' right. Senator Shenton's proposition to review the workings of ministerial government a few months down the line is a great opportunity to affect that change if Members feel it is appropriate. Deputy Southern went on to say that under the plan citizens are going to be penalised under the fiscal strategy. Yes, but we are giving a lot back, particularly to the less well off and the underprivileged. I say, we, the Council of Ministers want, with the States' approval, to give a lot back. That was the whole basis of the philosophical debate we had, and the philosophical divide we had last week. We want to give a lot back to those who are less well off. Of course, Deputy Southern trotted out the old line about poorest versus richest. Well, the richest people in Jersey do not pay tax anyway, and when GST is introduced which, of course, will affect everyone, the whole purpose of low income support, or one of the main purposes of income support, is to protect the less well off. Now, that is what Members agreed. I am sorry, Geoff, you are not giving way. That is what Members agreed in the fiscal strategy, and that is exactly where we are at. You did say, Deputy Southern, that we take from the poor and give to the rich; it is just fundamentally 180 degrees wrong and untrue. **[Interruption]** Sir, the Deputy also said that support of the Council of Ministers was not willingly given to the amendments, and yet the Council of Ministers agreed to the majority of amendments; quite willingly agreed to the majority. He asked if the amendments had changed the will of the Council of Ministers. No. He questioned whether they have and, no, they have not. What they have done is reinforced it because the amendments improve the plan. Let there be no doubt about that, and it has reinforced our determination to deliver on the social agenda, particularly - not exclusively, but particularly - the social agenda that was in the plan in the first place. All I can say about Deputy Southern's view of economics is that he simply does not understand that a healthy economy is essential for everyone in Jersey. It creates the jobs we need, it pays the wages we need, it pays the taxes we need to give the benefits and the social services back to the people Deputy Southern says

he is out to protect. Sir, the Deputy cannot have a weak economy and achieve those objectives. It is an absolute impossibility in whichever way you look at it. One day; one day, he might realise. Deputy Fox made the point, and he is absolutely right - which I and all other Ministers would willingly accept - that the plan is not perfect. But he said: "We do need to move forward and we need to improve" and I could not agree more. That is exactly what we will be looking to do. He particularly referred to the need for skills development in Jersey and the emphasis on youth and, again, the Council of Ministers could not agree more. We do need - a point made by Deputy Huet as well - to do more on skills. There is no doubt about it, we do need to do a lot more on training our young local people and giving them the skills they need to go on to worthwhile careers. That, of course, is very much at the heart of the plan. Deputy Baudains, I am sad, is not in the House, so I will not dwell on his speech for long, just to say I found it incredibly depressing and unbelievably sad; full of negativity, no positive thoughts of any sort whatsoever. All I would say is the Deputy has been predicting gloom and doom ever since he has been in this House **[Laughter]** and it has not arrived yet. The doom and gloom the Deputy has been forecasting has not arrived yet, and now he is forecasting yet more disaster. I have news for him: that will not arrive in the future under this plan either. So, Deputy Huet said she had some sympathy with Deputy Southern on migration, and only on migration I am pleased to say, and she went on to emphasise the skills need as well and said: "Let us not be negative" and I could not agree more. I would like to thank Senator Norman for his support **[Laughter]** or did I mishear him? He said: "It is not a Strategic Plan." Why is it not a Strategic Plan in his eyes? "Because it has nothing new." Well, that is not what other speakers were saying. Yes, it does build extensively on the existing current States' decisions, as it must, but there is a lot of new thinking and new policy in it as well, but his main criticism was Council of Ministers had not developed our policies. He mentioned childcare; he mentioned the prison; he mentioned other things. Does he really expect the Council of Ministers to have fully developed policies on all those things; care of the elderly, childcare, prison, housing, benefits, et cetera, et cetera, in 3 months? Please. Any Strategic Plan - any Strategic Plan produced by a business or a government - has plans in development, as it must, but what it shows is where we want to get. It does not give all the details of how we are going to get there. No, of course, it does not, and it cannot, but it shows where we want to get and the detail, as other speakers have said, comes later. It is quite impossible - I see the Senator shaking his head - to have developed all those strategies to the level of detail he would require in the time given. It is just impossible. He said, for example, there was no strategy on the prison. Well, there is. The strategy for the prison is included, and was included, in the previous criminal justice policy, which this House agreed not to debate at the time. It is all there, and the Council of Ministers fully support the criminal justice policy, and with it a strategy for the prison. I recommend it as good reading to the Senator. So, it is an ongoing commitment for the Council of Ministers despite what he said. The Deputy of St. John; a good positive speech, thank you, Deputy. "Get on with it" he said, "and hold the Council of Ministers to account to how successfully, or otherwise, we deliver on the plan on behalf of the States" and absolutely as it should be. Senator Le Main concentrated, quite rightly, on the housing side of things, and made the point - the very, very important point - that the vast majority of (j) category employees in Jersey are doctors, nurses or teachers. The vast majority. Exactly the sort of people we need to keep the community well educated and healthy. He also made the vital point that the change of policy in J categories is essential if we are going to provide continuity. Every Member must have come across the situation where just as a (j) category employee is getting really, really valuable, when they really understand Jersey and the part they can play in it, they have to move on, and we have to start all over again. It just does not make sense. It is not in the best interests of the Island at all. Deputy de Faye talked about teamwork, and he is absolutely right. This is not party politics; this is all

about teamwork. As Senator Syvret also said: "A group of 10 individuals who have very diverse views, coming together with a common vision of Jersey, and signing up to it entirely voluntarily, entirely because they want to, because they unanimously support where this document, where the vision, will take Jersey in the future." He also made the point that it is a living document which requires constant refinement and constant change and he is absolutely right; that is exactly as it has to be. Deputy Power, his main problem was not so much, I do not think, with the Strategic Plan, his problem was with previous decisions of the States. He obviously totally rejects the fiscal strategy; totally rejects that, and also rejects the migration strategy, and simply does not understand what the Zero 10 policy is all about, and yet the States of the day approved that, I think. I forget the exact majority. I think it was only 4 people who voted against. I think if he wants to expand the economy, as he suggests he does, then he should look again at the fiscal strategy and the reasons behind it because the entire thinking behind the fiscal strategy was to support the economy, was to support jobs, was to support and ultimately increase tax revenues, and make sure that Jersey remains competitive against other jurisdictions to whom we should so easily lose business if we were not introducing the fiscal strategy. I found it really strange that he feels that we should spend less and yet support the poor more. I am quite confused by that. I am also confused by the fact that this very morning I received an email from the Deputy telling me that he supported the Council of Ministers' vision for the future. So, I am totally confused by the Deputy's position on this because it seems impossible to me that he can support the Council of Ministers' vision of the future, and then make the speech he made this morning, but that is a matter for him. Deputy Duhamel talks about the plan being "aspirations". I think he used the words "a wish list" and talked about quality of life and sustainability, and both those things are very important elements behind the plan, without any doubt at all. He also spoke about the fact that no additional money has been set aside for the rainy day. I agree with that; we should be putting more money aside. I agree with that, and we have, of course, agreed to do so with a consolidation fund. We have absolutely agreed to do that; that is one of its purposes, but what the Council of Ministers wants to do is strike the right balance - and we think we have - between spending, saving and services to the public, particularly the less well off. We share the Deputy's view, Sir, that we should be looking for the quality of life of all people in Jersey, and, again, I maintain that is what the plan does. The Deputy of St. Mary made what Senator Routier described as a stirring speech, and I agree. She said it was a road map and this is the chance to arrive at that destination. Maybe it is about how we get there, but this is the chance to arrive at that destination. She made the point, quite rightly, that the priorities will be coming back to the States for the States, and the States alone, to take decision. The Deputy asked me, Sir, if I could look her in the eyes and say that I believe in the supremacy of the House. Sir, I can look her in the eyes, and say I do believe in the supremacy of the House as I have repeatedly said through this debate. She said at the end: "It is time to move forward" and she is absolutely right. Senator Routier picked up that theme and said: "Come on, let us get on with it" and said he could not understand those who say they are going to vote against the plan because what is their vision for the future? Where do they want to see Jersey go? Well, we do not know. All they have done is criticise the vision of the Council of Ministers, but they have no alternative to offer. What a negative, rudderless, leaderless type of decision that would be. Senator Perchard, to his enormous credit, having been a vociferous opponent of the spending aspects of the plan, threw in his full weight behind the plan, and he said: "Everyone had opportunities to bring amendments and could have proposed an alternative plan if they had wished" and he is absolutely right. Senator Ozouf said: "We need to send out a message of confidence" and we absolutely do. The only way we can do that is by supporting this vision of the future. Deputy Troy said: "Too many doom and gloom people in the House." Well, I can only, sadly, agree. He too suggests that we should get on with it; that there will be - and

are - priorities for action, and made the very important point: the Council of Ministers will stand or fall on how it delivers the objective of this plan; absolutely right. Now the Deputy of St. Ouen basically repeated the arguments he made in his unsuccessful amendments last week, which were voted out overwhelmingly by the House, but also confused me when he said that our objectives should be to reduce poverty and cut expenditure. I honestly do not know how you do both those things at the same time. I just do not see how you can reconcile those 2, to me, conflicting agenda items. Senator Shenton, and, again, I am grateful to him for his support, said: "It is a visionary plan" and referred to the fact that he hoped it was arrived at by Ministers thinking freely, Ministers acting as individuals and it was not just collective responsibility. I think Senator Syvret fully answered that point when he spoke. Senator Cohen, said, quite rightly: "The plan does not solve all the problems. It does not come up with all the answers, but it is a building block." I would prefer to call it a foundation, basically, on which we can all build for a better future. Senator Syvret - I have already referred to his comments on the way the Council of Ministers worked together - also made the point that it is not perfect, but it is a first attempt - a pretty good first attempt - and what Members need to do is get behind the Council of Ministers now, get behind this plan, help us refine it, hold us to account, come up with the specifics, agree the specific priorities and objectives, and just take the whole process forward as was always envisaged. I am grateful to Deputy Le Hérisier for his support and he says - quite right - the whole debate should be about the nature of the thinking in the plan, and that is absolutely right. If the Members look at the nature of the thinking, the overall direction that the Council of Ministers would like to go in, that is absolutely, I think, the right approach. He said he was very pleased by the concentration on social issues, which I would agree. He mentioned Scrutiny, and I think I will just dwell on this for a second. He said he felt that the Council of Ministers thought Scrutiny should be "nice to people". In other words, he meant nice to Ministers, I think. We do not think that at all. We do not think that all, Deputy. Sir, what we think, and what we believe, is that Scrutiny needs to be evidence-based, but it needs to be a critical - and I would emphasise the word "critical" - friend. We are very happy with that. Not a roll over friend, but a critical friend, and there is a very big difference between being a critical friend and being an out and out opponent. Both sides of the fence, if that is the right way of describing it, the Council of Ministers and Scrutiny, can and should, and will, no doubt, improve. It is very early days at this point, and what we need to do is work together to get the system right. Not throw the whole thing out, but work together to get the system right. I believe we have got a very strong base for it. I do believe - I know I would, would I not - that ministerial government is working, it should be improved, it should be refined, and Scrutiny is a part of that process. We need to work together to get it right, and I have no doubt that we will. The Isle of Man, incidentally, are now 18 years into ministerial government and they are still refining it. I have no doubt we will be in exactly the same position. I was grateful too, and with a little surprise, for the support of the Connétable of St. Helier, and I agree with his points that the plan is better as a result of the amendments. We did, I would say, accept most of the Connétable's amendments; there were only those that we felt that we could not accept that the Council of Ministers opposed, but that was voted on last week. Deputy Ferguson said that no businessman in his right mind would base his spending plans on 6 monthly forecasts. Well, I ran a business for a long time, and the group I was running did base our financial planning on 6 monthly or annual forecasts. I do not know any business that does not do that. I do not know any government that does not do that. You have to look at trends. Trends are what the future tells you, but at the same time, you have to have the courage to invest, to make that future happen, and that, again, is what the Council of Ministers is recommending. Can I say, that in my view, the improved forecasts before the States are still conservative. Deputy Breckon ran through a range of concerns about the plan, in fact a very considerable range of concerns about the plan, and I think it mainly

boils down to the details, and the details will follow. I accept that it is up to the Council of Ministers to convince the Deputy, and other Members, that we are on the right track, that we have got our priorities right when it comes down to the detail, and that they are worthy of support. That is our job basically. The Deputy of St. Martin made some observations as a critical friend. Absolutely accepted, Deputy, and I am grateful. He said that lessons are to be learnt, and I think I have already referred to that. Can I just say that under the Deputy - although very late in the day - we, the Council of Ministers and the Social Affairs Scrutiny Panel, did work very well together. As the Deputy said we came to agreement on most points and those points that we did not agree on really were not too worth worrying about. He urged the Council of Ministers to be proactive with Scrutiny; not wait for Scrutiny to come to us but to go to Scrutiny, and that is a point that I would willingly and readily accept. Senator Vibert made, I think, a very valid point, that if this document is agreed it becomes the States' Strategic Plan; it is no longer the Council of Ministers' Strategic Plan, it is the States' Strategic Plan, and therefore it is the States' vision of the future. That vision is very clearly spelt out on page 5, and the Senator read that out to us. Now, if Members have reread that, or they listened to what the Senator was saying, they really need to ask themselves: are they really going to vote against that vision of the future for Jersey? Are they really? Are they going against all those elements; that vision for the future? If they are they may well have some explaining to do, I would suggest, to the public and to the electorate. I would say if you do not agree with those principles, that vision, vote against the plan; but if you do agree with that vision, then you should vote for it. Finally, Deputy Mezbourian did make some very valid points about the plan needing improvement but, again, said: "It is a plan in principle" and therefore she would support it, and I am grateful. So, I would like to thank, and warmly thank, all those who proposed amendments. They have, as I have already said, improved the plan. Of that there is no doubt. Some speakers have suggested the Council of Ministers should have got it better in the first place. Well, maybe that is true but, in the time allowed, I think we did a pretty good job and surely this is what this Assembly is all about. Surely, one of the strengths of this Assembly is the ability Members have to lodge amendments, have them debated and, in many cases, get them accepted. So, many, many Members in the House, indeed, every Member in the way in which they voted, has played an important part in the finalisation of the plan; in the final document, which is what is before us today. The main criticisms have been "it is a wish list". Well, let us wait and see. If it is a wish list, it will not be delivered. If it is not a wish list, if, as the Council of Ministers are adamant, it is a series of objectives to achieve our vision, then it will be delivered and the Council of Ministers is committed to delivering on it. We will be held accountable for it. We will be measured against it. There will be a performance plan that will be published shortly for Members which will show how - well, it would have been the Policy and Resources Committee and partially the Council of Ministers - we performed against the objectives of the last Strategic Plan. That will be an annual event. There will be a very clear report back to the States, and to the public, on what we have achieved, what we have not achieved, and so on. The Council of Ministers, each one of us, individually and collectively if the House so wish, will be held accountable for whether or not we have delivered successfully. Of course, all the priorities will be agreed - unless the House changes its mind, changes its structure - on an annual basis. The process, in that respect, has been also criticised, but as I have said already, it is up to the States if they wish - I would suggest on the back of Senator Shenton's proposed review - to change the process if they wish. It has also been suggested that it does not really matter which way the States vote on this; it does not make any difference. Well, I think that fundamentally misunderstands what we have debated in the 4-day period of the debate. We have had one very clear and fundamental philosophical debate which is: do we focus on saving money, putting it aside, or do we focus on managing our finances and spending a little more on the

infrastructure and poor Social Services? The House answered that question resoundingly. Now, it makes a huge difference to everyone in Jersey, that decision, if the plan itself is accepted. That decision will make an enormous difference to everyone in Jersey, but particularly the less well off, the people who are in unsatisfactory housing, or whatever it may be. The importance the Council of Ministers has attached to delivering on that social agenda is, I think, borne out by the fact that we have established a Social Policy Strategy Group which includes all the Ministers with a social part in their brief, which has already met on a number of occasions, and which is coming forward for the first time, I think, ever with a truly joined up social policy for Jersey. That is proactive work already to back up the words in the plan. So, Members have an absolute right to doubt what is in the plan, to doubt, if they will, the vision, the thinking of the objectives of the Council of Ministers; an absolute right to do that. I think that has been clearly demonstrated during the debate, but voting against this plan, as Senator Routier said, is absolutely unbelievable because what are Members who vote against us then voting for? What future are they saying to the people of Jersey lies in front of them? Well, basically, they are not. They have no vision, no direction, they will be sending out a message of no confidence and no leadership. I just cannot see how that is in any way a positive message to send out to the public of Jersey. As a number of speakers have said, it is time to move on. It is time to grasp the nettle, take a positive view of what Jersey can be like, put the negativity aside, be prepared to show leadership, and grab the future. A future which - if the plan is approved, I believe, and the Council of Ministers believe - will be a strong Jersey, a confident Jersey and a compassionate Jersey. That is, essentially, the vision we have. So show courage, show conviction, and show faith in the future, which is exactly what the people want. The people want leadership from this House; they want to be encouraged by this House; they want to gain confidence as a result of what this House does. We have that opportunity today; do not spurn it by voting against and voting for a totally aimless future, which is exactly what the people of Jersey do not want. Sir, we can provide an Island which the people of Jersey are genuinely proud of if we support this plan and the Council of Ministers, as it will, follows up by delivering honesty. That is what the people want; that is what we should deliver. I urge Members to support the Strategic Plan as an enacted.

Deputy G.P. Southern:

While I am on my feet, may I also ask for a point of clarification - I hope it is a helpful one - from Senator Walker? Does he really want Hansard to say that the wealthiest on this Island pay no tax, because that is what he said? I think you meant the poorest on this Island pay no tax.

Senator F.H. Walker:

Maybe I should have given way to the Deputy after all, because I am grateful to him for making that point and, no, I do not want Hansard to say that the wealthiest pay no tax because, of course, that is entirely wrong. He is quite right; I did mean to say the poorest pay no tax and I maintain that point.

The Deputy Bailiff:

Very well. So, the Appel is called for and I invite Members to return to their seats and the Greffier will now open the voting. Have all Members had an opportunity of voting? The Greffier will close the voting. The proposition is adopted; 40 votes pour and 5 votes contre and one abstention.

POUR: 40
Senator S. Syvret

CONTRE: 5
Senator L. Norman

ABSTAIN: 1
Deputy R.C. Duhamel (S)

Senator F.H. Walker	Deputy A. Breckon (S)
Senator W. Kinnard	Deputy G.P. Southern (H)
Senator T.A. Le Sueur	Deputy of St. Ouen
Senator P.F. Routier	Deputy S.S.P.A. Power (B)
Senator M.E. Vibert	
Senator P.F.C. Ozouf	
Senator T.J. Le Main	
Senator B.E. Shenton	
Senator F.E. Cohen	
Senator J.L. Perchard	
Connétable of St. Martin	
Connétable of St. Ouen	
Connétable of St. Mary	
Connétable of St. Clement	
Connétable of St. Helier	
Connétable of Trinity	
Connétable of St. Lawrence	
Connétable of Grouville	
Connétable of St. John	
Connétable of St. Brelade	
Deputy J.J. Huet (H)	
Deputy of St. Martin	
Deputy P.N. Troy (B)	
Deputy C.J. Scott Warren (S)	
Deputy R.G. Le Hérissier (S)	
Deputy J.B. Fox (H)	
Deputy S.C. Ferguson (B)	
Deputy P.J.D. Ryan (H)	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy G.W.J. de Faye (H)	
Deputy P.V.F. Le Claire (H)	
Deputy J.A.N. Le Fondré (L)	
Deputy D.W. Mezbourian (L)	
Deputy of Trinity	
Deputy A.J.H. Maclean (H)	
Deputy of St. John	
Deputy I.J. Gorst (C)	
Deputy of St. Mary	

Senator F.H. Walker:

May I, with your agreement, just thank Members again for a, generally speaking, very constructive and positive debate, and thank them sincerely for their show of faith in the Council of Ministers by that last vote. I promise them again that I now accept, as do all Ministers, it is up to us to return that faith by delivering on the objectives that the House have signed up to do. **[Interruption]**

3.2 Solid Waste Strategy – locations for proposed facilities (P.45/2006)

3.2.1 The Deputy Bailiff:

Very well. The next matter before the Assembly is the Solid Waste Strategy Location for Proposed Facilities P.45/2006, lodged by the Minister for Transport and Technical Services. Minister, do I understand that you are withdrawing paragraph (b) of your proposition?

3.2.2 Deputy G.W.J. de Faye:

That is correct, Sir, yes. I will address that briefly. I just simply remind Members of Deputy Le Claire's personal statement when he said he would be establishing a working party to explore fully the opportunities for composting to be undertaken either wholly by, or in partnership, with the private sector. The working party will include local residents, rural economy businesses, and States Members. I understand some 10 States Members are linked to that working party, and I think it is only proper that they be given time and opportunity to do what work they wish to in order that the information comes back to Members. So, in order to facilitate that, I am formally withdrawing Part B of the proposition, Sir.

The Deputy Bailiff:

Very well. I will ask the Greffier simply to read out paragraph (a) of the proposition.

The Greffier of the States:

The States are asked to decide whether they are of the opinion (a) to agree that the proposed energy from waste plant to replace the existing Bellozanne Plant should be located at La Collette 2 reclamation site immediately to the south of the Jersey Electricity Company power station shown as area 1 on the attached plan, drawing number 10180/S002, subject to an environmental impact assessment and planning approval.

Deputy G.W.J. de Faye:

I think the first thing to say before I start in any detail is that I wish to give my own personal commendation to all the work put into the waste strategy by the former President of the Environment and Public Service Committee, Senator Philip Ozouf. Quite frankly, without his vision, drive and determination to deal with a problem with the existing incinerator at Bellozanne Valley, things simply would not have moved forward. Certainly, I feel that on behalf of all those people whose lives are currently being blighted by the emissions of dioxins and furans pouring out of the Bellozanne incinerator, and whose lives may be blighted by the potential failure of that plant at any time in the future, they all owe a debt of gratitude to Senator Ozouf and the way he has managed to galvanise thinking on this, and draw together a waste strategy which has already been approved by the House and which, in effect, I am simply putting the final touches to. Having said that, I realise that Members are perhaps a little shell shocked after some 3½ days debating the Strategic Plan, and I know that there has been an awful lot of information given to Members on the subject of waste in one form or another. You have seen waste strategies; you have had presentations galore, quite frankly; some of you had tours of the Bellozanne incinerator plant. In fact, I know one intrepid Deputy, who should be named for his bravery, Deputy Le Fondre, climbed into one of the boilers to get a firsthand look at all the damage that is being progressively wreaked in there. You have also seen no end of round ups on alternative technologies and a number of various assessments. So, quite frankly, I think that it is probably in everybody's best interests if I try to do my best to keep things short, rather than give everyone an extended lecture on facts what I suspect many Members already know nearly as intimately as I do. In the spirit of co-operation - and may I say how useful it has been to have the assistance of the Chairman of the Environment Scrutiny Panel, Deputy Duhamel, to coordinate and agree to take on the co-ordination of the working party with Deputy Le Claire - and in the spirit of scrutiny, I also

wish to give notice to Deputy Duhamel that after an enormous amount of heart-searching, consideration and deliberation, I am prepared to accept his amendment (1) to the proposition. Primarily, as may be obvious to Members, it is probably largely because it appears that neither Deputy Duhamel or I disagree over where the location of a new EFW (Energy from Waste) plant should be, and that is at La Collette 2. There are obviously a number of issues that Members may wish to deliberate upon, but the key element of this debate is where should a new waste plant go? I would remind Members that consequent upon the waste strategy this is not the last of the deliberations you will have to make. Because in due course my department will bring forward a recommendation for precisely what type of plant ought to go wherever it is going and then subsequent to that, any process obviously is required to go through the normal planning process procedure. So, there are a number of future opportunities for Members to express their views as this process continues. But, today I want to focus on 2 areas of the Island: Bellozanne and La Collette. First of all, the costs and why did suddenly La Collette come into the thinking when the waste strategy had indicated that Bellozanne was the favoured site? Well, that was, of course, largely due to Deputy Ben Fox's successful amendment to ask the then Environment and Public Services Committee and Department to take another, perhaps a more detailed, look at the La Collette reclamation site which had originally been ruled out because of what was perceived to be the very expensive costs of the groundworks. The groundworks were expensive because although we call it "reclaimed land" the land is, in fact, subject to tidal movement which can create enormous difficulty in terms of building construction. So, it had been perceived in the early stages of the researches, that very expensive groundworks - totalling, from memory, some £13 million - will be required simply in order to create the foundations to build any plant on and that, in the initial views, ruled out La Collette. However, the detailed study went far back enough to bring up aerial photographs of the reclamation site before the works of reclamation had begun and it did become very obvious that very close to the existing Jersey Electricity Company power station there was, in fact, a large reef of rocks, and that opened up the possibility of being used as a foundation base, thus potentially saving in the order of over £10 million on foundations. As a consequence of that, the relative costs between building at Bellozanne and La Collette effectively balanced out and currently the site for an EFW plant at La Collette 2 would be, in effect, £1 million cheaper than building it at Bellozanne. But, in the overall gross terms of the project, £1 million is not an enormous figure; it is in the order of about one to 1½ per cent of the total costs. So, while you might want to put a tick in the margin for La Collette, it would be on that basis a relatively small tick. However, I think that, as Members were beginning to perceive, the advantage of building at La Collette is not simply about the initial construction costs; it is also linked to the ongoing advantages that may develop from that site. Now, I would like to move on to the question of air quality and emissions. Now, there has been an awful lot said about this - I do not know if Members have with them the brochure the Transport and Technical Services issued from the Consultants, Fitchner - but there were some very useful diagrams in here showing how, over a 5 year period, we can plot where the emissions were falling. I think, perhaps, one of the interesting features, as it were, where we are now and where we are going to is that if you were to look at a whole map of the Island -- and I think many Members are now aware that these graphs are divided up into units called femtograms per cubic metre, which is the way emissions are measured; a femtogram being one thousand million millionth of a gram, and a cubic metre being quite a large amount of space. If you were to draw the line to determine which parts of the Island fell into the, effectively, lowest element on the scale, being 0.1 femtogram per cubic metre, only the Parish of St. Ouen would be, effectively, in the clear [**Members: Oh!**] which may explain a lot about the Deputy of St. Ouen, it has to be said. But even then the Parish of St. Ouen, from time to time, is getting emissions from the Bellozanne incinerator to the tune of around 0.1

femtograms. Now, clearly, the dramatic difference occurs when a new plant goes into operation because the emissions are cut dramatically from day one and many Members will have seen the dramatic difference between the chart that showed where the existing emissions fall and the new charts - I do not know if any Members close to me can see this - the tiny little circles that remain once a new plant has gone into operation. Bear in mind, these are the 0.1 femtogram levels, the absolutely bottom of the scale, and a level, I am sure, will keep us well within the directives for a very long time to come. So, in effect, the emissions story is a powerful one now because it is happening, and it is one of the powerful reasons why we want to bring the Bellozanne incinerator's operations to an end as soon as possible because it is an environmental pollutant. The advantage to me that is clear in relation to locating a new plant at La Collette, even though the emission levels we are talking about are minimal and virtually off the measurable scale, I think the factor that strikes me is of how much of the area for future emissions at La Collette fall over the sea. I say that for one very good reason: this plant will operate for 20 to 25, perhaps, 30 years. Now, we all have our views on housing development and protection of Greenfield sites, but if it was Bellozanne, all the emissions, even though they are a fraction of what they are now, would still fall on land space. Who is to say what might be in that land space in 25 to 30 years' time. Right now, there is probably several open fields. In the future it may be densely packed residential accommodation. The advantage of locating to La Collette is that there is a very low chance that we will be building residential accommodation about a half mile out to sea in a Ramsar site. Where those emissions are falling into the sea, they will continue falling into the sea for a very long time, and are unlikely to disturb anyone. Now, there is a difference between the sites in terms of the construction. Bellozanne is a workable site but it will require groundworks to make the small valley, that is the projected potential site, larger to accommodate an energy from waste plant. However, it has to be said that there would be limitations on to how that plant could be extended into the future, and there will also be problems transferring large elements of the construction material up through First Tower to Bellozanne. It is difficult to access; it is a narrow valley. The simple fact is that down at the reclamation site at La Collette 2 there is bags of room for a constructor to spread out. Indeed, it is envisaged that a full construction site will exist alongside where the building works will take place. This will allow a greater speed and efficiency of construction; bulkier items can be brought in direct from the harbour and, similarly, very large items can be dealt with on site. Construction also involves, from time to time, shifting other things around. It is what is called the enabling works. Again, there are problems with Bellozanne because one would be obliged to shift the location of the existing bulky waste facility. There are no such problems down at La Collette; again it is a tick in the box for the La Collette site because there is little enabling works provided. In due course, and I think as I use the phrase again of an energy from waste plant, it is worth noting that only this week Mr. Keith Shaw, an eminent town planner who has just concluded his report on the riverside energy from a waste terminal at Bexley, has remarked that energy from waste plants should have their own level within the waste hierarchy, which I am sure is familiar to Members. It is that triangle. I think it is a useful and interesting point that a man of his academic distinction and eminence makes in that, as you have the minimised prevalence and so on, beneath reuse and recycle there is clearly a potential for energy from waste because it is not far removed from the advantages you have from reuse and recycling. You are creating electricity from waste. It is not simply being burnt; it is being reused, in effect, by creating electricity. The electrical connection is another important feature. A new plant at Bellozanne would require a very expensive new cable to be laid to ensure that any electrical generation was plugged into the existing grid. By contrast, it does not really need me to tell Members this because it is so blazingly obvious: if the plant is built a matter of 20 yards from the JEC (Jersey Electricity Company) power station, the question of an electrical connection to the

JEC is, in fact, a very easy and simple one. Again, it is another tick in the box for the La Collette site. It is also worth reflecting that there are many potential advantages to a site alongside the Jersey Electricity power station; that is something, of course, that is not relevant at all to a EFW plant in Bellozanne Valley. However, what are the potential advantages of a site alongside the JEC power station? The, perhaps, most obvious one is the dual use of the chimney. That means that the Island will have one less large chimney to deal with because, ultimately, the Bellozanne chimney would be dismantled and demolished, and why not? I, certainly, as a Jerseyman, always think that we should make best use of space and facilities, and there is an existing facility, a magnificent chimney, built, incidentally - I should declare an interest - by Charles Le Quesne Limited, my grandfather. It is probably one of the most attractive **[Laughter]** chimneys I have ever seen and climbed to the top of. Perhaps people will regret that I did not stand nearer the edge in the high wind, but I have survived the experience. Reuse of a chimney; a jolly good idea, the sort of thing that any Jerseyman, and woman for that matter, would approve of. There are also advantages in terms of the cooling systems because of the ability to use sea water. Well, obviously, it is quite close by. There is potential for joint sharing of oil tanks with the JEC and also workshops, and I confidently predict that if discussions go well, I think there are other efficiency savings to be made in the pipeline. Those are going to be important because efficiency savings are not built into the one-off costs. These are year-on-year gains, effectively, to the taxpayer by making things cheaper and more efficient to run. Noise is a potential problem from a large industrial plant and strangely, in fact, La Collette has advantages here. I do not know how many Members realise this, but if you were bored of an afternoon and wanted to take a circle of, say, a 500 metre radius to see how many places in the Island you could pop it down and not come across somebody's residence, you would find it quite an interesting exercise. You would be pretty successful in places out of St. Ouen or on our north coast, but you would also, at the same time, find you were popping your circle down into places of outstanding natural beauty or sites of scientific interest. There is, I understand, one spot somewhere not far from Grouville Mill where you could probably pop your circle down, but the most obvious spot is, in fact, on La Collette 2. Out at La Collette, and if you have not been there, do visit one day - I know staff from Transport and Technical Services would only be too delighted to give any States' Member a warm welcome - but out there you are about as far away from any residence in Jersey as you can get. It is a surprisingly long distance away from the rest of Jersey. That is why noise coming from the plant is a bit more of a problem at Bellozanne than it is out at La Collette, not that one anticipates a tremendous amount of noise because this will be a modern plant, 25 years, or even 30 years, newer than the one we have at the moment and, of course, noise is one of those things that are considered by the architects and builders. Nevertheless, it does, again, constitute another tick in the box for La Collette 2. There are perhaps 3 other major issues in terms of location that I wish to deal with. They are the visual impact, and I think the question of traffic. As they used to say in the old TV game series, Jeux Sans Frontiere, I will then play my joker and talk about Guernsey. **[Laughter]** But let us first deal with the visual impact. There is no question that Bellozanne wins hands down. There is no visual impact whatsoever other than a chimney sticking up over the horizon for most people who live within viewing distance of that because, of course, the plant would be hidden down inside a large hole cut into the valley. But, I think, perhaps somewhat to the surprise of those of us that have been involved in the presentations, the response to what the plant will look like, and its potential size, has not been as dramatic, I think, as everybody expected. It may be that States Members have an eye for getting as much bang for their bucks as they can, and more power to that. I have certainly been intrigued to discover that most States Members who have seen the various alternatives have tended to plump for the biggest plant they could find out of the line up. The word to say, of course, straight away is that none of the designs

that any of the people have seen so far are the final design, or necessarily bear any great resemblance to what it will turn out as. Although I am not deliberately currying favour with the Minister of Planning and Environment, I have undertaken - and I think responsibly so - to ensure that designs are passed by the new architectural supremo, the Hopkins Group. I have also been very encouraged with discussions of concerned representatives of the hotel and guesthouse industry, and also hotel owners who have properties in the Havre des Pas area. They have not expressed dramatic concerns about the visual impact of any industrial area. I think, like many people, they recognise that La Collette 1 and La Collette 2 is an industrial zone. After all, let us face it, there is one very dramatic building of visual impact down there already and that is the JEC Power Station and its chimney. It is also the site of very large warehouses, among other things, but I think it is because the plans originally laid out many years ago deal with the fact that La Collette was going to be an industrial zone. Of course the real interest has in fact lain effectively with the building of the greening of the hills that will slowly emerge on the east side of the whole zone, which in due course will be treed and filled with vegetation and I think will do an enormous amount to mitigate the visual impact. Nevertheless there can be no argument whatsoever that the advantage in that particular respect lies with Bellozanne because the visual impact would obviously be much less. The traffic is an issue but not an important one in terms of volume. The concern in the real sense, and it is one that I think more and more people are beginning to understand, is emissions coming from vehicle exhaust and it would be very ironic if we built an incinerator or EFW (Energy for Waste) Plant down at Bellozanne with virtually zero emissions and still ensured that the residential population living down there in a number of both States housing and private developments continued to be subjected to the endless vehicle movements that will be accessing that plant. Because the reality would be that the exhaust emissions from the 500 or so vehicles that have to go to Bellozanne on a daily basis would be far, far worse than anything that a new plant itself was putting out. That is, I think, one of the key questions to ponder in this debate. It is unfortunate that a series of planning decisions over the years have contrived to ensure that First Tower has become a densely populated area and has ensured that a substantial number of people have been subjected, not only to the deeply unpleasant aromas that occasionally emanate from the sewerage works, but also have been subjected more than most, to the existing Bellozanne Plant. It is the traffic emissions that is one of the big problems as well as the number of heavy vehicle movements passing close by a place like First Tower School. Just in terms of probability that of course poses a serious risk to children. Well, there are no schools down at La Collette 2 but what of the traffic impact? Realistically it will be very, very little. Department assessments show a marginal impact on the current peak time congestion and the reason for that is that most of the deliveries to Bellozanne occur outside peak time. I am sure Members will be aware that collections for waste and rubbish tend to occur early in the morning and that those that do it work around peak time traffic, quite deliberately, and then they will tend to go off to dispose of the waste at times that normally pan out between about 10.00 a.m. and 2.00 p.m. That just happens to coincide with the very lowest levels of traffic that would be using the areas on the way to La Collette such as the underpass, so I believe that the traffic problem really is not a great one and the primary concern that we should have is to ensure that heavy traffic is diverted away from a residential area and goes appropriately to a commercial and industrial area. Finally, Guernsey; we simply do not know, and I should stress this straight away, what exactly Guernsey are going to do with their rubbish but there is no question that in the early years of operation of a new EFW plant that of course has not even started to be built yet, so we are talking probably 3 to 4 years down the line, but in the early years because of the way these things are set up the plant will have spare capacity and there is a likelihood, not to say a probability, that that spare capacity would coincide with a period of time when Guernsey's authorities would be facing their most

difficult problems in terms of how they get rid of their rubbish. At the moment they use landfill and their landfill is running out. They are looking at shipping to France but it is not by any means clear as to how successful those negotiations are going to be and it may be that our sister Island might find itself in a bit of a pickle. It would be possible for Jersey to help out but, I hasten to add, not as a freebie. There would clearly be charges made and if Guernsey did use our spare capacity it would open the opportunity to mitigate the original costs of Jersey's EFW plants to the tune of several millions of pounds. The top estimate is £20 million. That type of potential injection of cash into an existing project is clearly one not to be sniffed at and I suspect it will be something we will be discussing with our Guernsey counterparts in the ensuing few years but I would only ask you to mark that down as a half point because it is by no means a certainty. Nevertheless, it has to be said, it is only really a realistic proposition if the EFW plant is sited at La Collette because I do not think it would be acceptable to be using the very heavy trucks that would be involved in that type of operation to be driving from the docks all the way down to Bellozanne. I am not at all sure that would be an acceptable position. So, there are all the key areas of issue in this decision that the States has to weigh up today about where to site a new EFW Plant. I hope we manage to make this decision today because it still remains open for any Member to want to delay this process and I would seriously urge against that. It just simply means that the Bellozanne Plant continues to pollute and we take longer and longer to make our minds up. I do not really know how much more information States Members need. I certainly feel I have enough to make up my own mind and I would say simply this; a waste strategy was considered by environment - in fact I do not think it even had the same name in those days - but it was considered in 2000. If we had made a decision to go for a mass burn incinerator at that time, the entire project would have cost roughly £62 million. We decided not to, probably with the best of intentions. Members felt that we should do more recycling and look into alternative technologies. Be that as it may, the advantage of hindsight is a wonderful thing. Nevertheless here we are, 5 years or so later, and the cost of doing virtually the same thing is now in the order of £84 million and that is because of a number of factors; the companies that make EFW plants have either merged or gone out of business, the emergence of China as a prosperous economy has put the price of steel up; anyway, the long and short of it is that these pieces of kit have got fantastically more expensive and the pressure is not going to let up because thanks to the EU directive on landfill which is going to start penalising nations with fierce fines from 2010 onwards carrying on with landfill, EFW plants and incinerators in particular have become very popular technology right across Europe. Everybody is going to be wanting to buy one soon. So, we do not have much time to hang about because things could go horribly wrong. The price could go up, almost certainly has done, and worst of all the contractor, our favourite contractor may suddenly turn around and say: "I am afraid we have had so many orders we cannot fulfil the times that you want this constructed." As a rough rule of thumb I worked out every 3 months of prevarication is costing another £1 million - £4 million every year we hang around to make a decision and let us not forget, even if we decide where to put it we still have not finalised the decision. But I do urge Members to take this point very seriously indeed. We simply cannot carry on waiting for some alternative to happen. We have to make our minds up.

The Deputy Bailiff:

Is the proposition seconded? [**Seconded**]

Senator J.L. Perchard:

Sir, can I ask a point of clarification from the Minister? Part (a) of the proposition is to agree that the proposed EFW Plant and it goes on. What does that actually mean? There is not a 'proposed EFW Plant'.

The Deputy Bailiff:

Senator, the Minister has indicated he is going to accept the amendment from Deputy Duhamel which removes those words so I suggest that we need not trouble the Minister on that. Greffier, would you please read paragraph 1 of Deputy Duhamel's amendment.

The Greffier of the States:

In paragraph A for the words "To agree that the proposed Energy from Waste Plant" substitute the words: "To refer to their Act dated 13th July 2005 in which they agreed that the then Environment and Public Services Committee be charged to investigate fully alternative and conventional technologies to provide the final disposal route for the residual waste remaining following the implementation of the systems and facilities agreed for the recycling and composting of waste, and charged the then Committee to recommend a preferred solution for a replacement for the Bellozanne incinerator to the States with an accompanying cost/benefit analysis, environmental and health impact assessment no later than December 2008; and to agree that any such technologies for the final disposal route for the residual waste."

3.2.3 Deputy R.C. Duhamel:

For the benefit of those Members who were not in the House I will be very brief in giving you a quick resume of why we are where we are and perhaps as we know from the phrase, we all want to be somewhere else. Last year the Shadow Scrutiny Panel did a huge body of work to review the Waste Management strategy that was coming forward from the then Environment and Public Services Committee. Part and parcel of what was being promoted at that time was to implement a replacement of the Bellozanne incinerator with a modern EFW facility and this was going to be subject to an environmental and health impact assessment and planning approval to enable it to be commissioned in 2009 and procured according to section 5.4 of another attached report. The Scrutiny Panel at the time thought that that was wrong on several counts; one that insufficient work had been done on alternatives and the emphasis was not really being placed on waste minimisation which has a significant affect on (a) the sizing of the problem or scaling of the problem, and (b) the type of equipment that is required to deal with it. Those 2 things indeed, Sir, have a knock-on effect as to where, having made the decision on the sizing of the problem, the type of equipment, where you are going to put it. So, an amendment was hatched to strike out those words which would have had the States last year decide that we were going to have an EFW Plant and to substitute a slightly different situation. That situation, as read out by the Greffier was to first of all investigate fully alternative and conventional technologies because, as I said, Sir, there is more than one way of cracking a nut: "To provide the final disposal route for the residual waste remaining following the implementation of systems and facilities as set out in previous paragraphs." For those Members who do not have the record of 13th July 2005, those previous paragraphs were: "The States provide a recycling centre for the reception and recycling of paper, aluminium, glass, plastic and significantly other materials before the end of 2006." That was A(i). A(ii) was that: "The committee be charged to provide a modern composting facility for recycling of garden and green waste by 2007." A(iii) referred to: "The Connétables being charged to work with the committee to introduce a pilot scheme for a co-ordinated collection system of recyclables." and those recyclables would include, but it was not an extensive list,

paper, aluminium, glass, and plastic. Quite clearly, Sir, the intention on behalf of the Shadow Scrutiny Panel at the time, was that should the Island take out as much of the waste as possible and go for advanced recycling techniques, as indeed the strategy was purporting to do, then that would give the committee an opportunity to find themselves in a position whereby perhaps an alternative way of disposing of that fraction of the waste streams which remained after taking out all the waste streams that had some value, in terms of recycling, to be considered. So, the States then decided that they would be in a position of not conferring a delegated responsibility to the department to go away and procure a particular piece of kit for a particular price and to put it in a particular place and then to come back to this House for a rubber stamping. But in actual fact to come forward to the House first with a presentation of what they would like to do, no later than December 2008, with an accompanying cost benefit analysis so that States Members would be able to ascertain the costs of the equipment and the benefit in terms of the type of kit that had been chosen over and above any others and an environment impact assessment and a health impact assessment and that is where we were, Sir. When the Transport and Technical Services department decided to put forward their proposition P.45/2006 they unfortunately did not refer to the previous States decision. According to the practice of this House, Sir, any decision, and this is important, that the House takes which has an ongoing effect and consequently other propositions brought to the House must refer to those previous decisions. The way that P45/2006 was written it indicated, wrongly in my view, that the States had proposed or rather it had been proposed that particular equipment i.e. an EFW Plant at a previous date. Quite clearly, Sir, that was out of line with the existing Standing Orders and the way we run this business in this House. So, the nature of the amendment which has been accepted is quite simply to re-establish the normal workings and procedures of this House and to refer to the States Act of 13th July to the actual agreement that was made on that date. So, the agreement on that date, just to recap, was that we would ask the then Environment and Public Services Committee to investigate fully any alternative and conventional technologies to provide a final disposal route for the residual waste remaining following the implementation of systems and facilities agreed for recycling and composting and furthermore recommend to this House a preferred solution for a replacement of the Bellozanne incinerator with an accompanying cost benefit analysis, environmental and health impact assessment, no later than 2008 and that was it. So, Members should be aware that we sniffed out the decision that would have been taken in July last year, that it was going to be an EFW facility replacement for Bellozanne, when we get around to doing it. It can be anything and it is entirely up to the department what they come back with. The decision is theirs as to when they come back to the House to make a case for whatever equipment they think will adequately deal with the residual waste, once we have taken out as much by minimisation and recycling schemes as possible and indeed, Sir, in the comments from the Transport and Technical Services Minister on page 3 he states that he anticipates on current programmes that the final coming back to the House for a decision will be done by the summer of 2007. Well ahead of the agreed deadline of December 2008 and at that time the report to the States on tenders will include a cost benefit analysis and environmental and health impact assessment, as required by the decision this House took on 13th July 2005. So, quite clearly, Sir, this amendment sets into the normal housekeeping framework the policies and decisions of the House and that is why it has been brought and that is why it has been accepted presumably, because it does exactly that. I do not think I need to say very much more, Sir, other than I make the proposition and I thank the Minister for agreeing to accept it.

The Deputy Bailiff:

Very well. Deputy, I only asked the Greffier to read out paragraph 1. Do you want to take paragraph 2 at the same time?

Deputy R.C. Duhamel:

I would prefer if we put to bed paragraph 1 first.

The Deputy Bailiff:

Is the amendment seconded? [**Seconded**] Anyone wish to speak on the amendment, paragraph 1?

3.2.4 Deputy G.W.J. de Faye:

I just want to express my gratitude to Deputy Duhamel. He is in fact quite right in terms that it was an oversight, I believe, by both myself and the department in terms of the wording of the Transport and Technical Services proposition and it would have been more correct, as is now corrected by this amendment, to have repeated the wording of the original waste strategy proposition as was passed by the States in 2005. I simply say that Energy from Waste, or EFW, has rather tended to become departmental shorthand for what Deputy Duhamel is talking about and I am very pleased that we have now managed to put that right. I am also encouraged that he is satisfied by the remarks I have made in the comments paper about the cost benefit analysis, environment health impact assessment that is still to come and obviously will be linked ultimately to the requirements of any planning considerations. I think Members will have already received an overview of an early environmental impact assessment. To a very large extent it is my view and the view of the department that we have covered most, if not all of this ground already, although obviously it is up to Members to determine whether they feel they have had enough information on this subject or not. I would simply thank the Deputy for his amendment. I would urge Members to vote for A, as amended, and obviously we will have a secondary discussion about the reference to a strategic environmental assessment plan. I think the simple question here is if you feel you have enough information to be able to form your opinion on whether the siting should be at La Collette or Bellozanne. It seems to me clear that Deputy Duhamel favours the La Collette site as well as myself and the department. Those Members who feel they require even more information should devote their minds to the second amendment on the strategic environmental assessment. Thank you, Sir.

Deputy R.C. Duhamel:

Could I have the Appel, Sir?

The Deputy Bailiff:

Does any other Member wish to speak? Very well. You do not wish to reply, Deputy?

Deputy R.C. Duhamel:

Just that we take a vote and ask for the Appel. Thank you.

The Deputy Bailiff:

The Appel is called for therefore on the amendment of Deputy Duhamel. I invite Members to return to the Chamber and the Greffier will open the voting. All Members have had an opportunity of voting. The Greffier will close the voting. The amendment is carried; 42 votes pour and 2 votes contre.

POUR: 42

Senator L. Norman

CONTRE: 2

Senator S. Syvret

ABSTAIN: 0

Senator F.H. Walker
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.H. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Senator W. Kinnard

The Deputy Bailiff:

We will come to the second amendment of Deputy Duhamel and I will ask the Greffier to read out the paragraph.

The Greffier of the States:

2. In paragraph A for the words “environmental impact assessment” substitute the words “a favourable strategic environmental assessment, to be received and endorsed by the States.”

3.2.5 Deputy R.C. Duhamel:

Most of the comments that were put forward by the Minister so far were to the effect of the preliminary work that has been done in determining the key issues that will need to be looked at for a full environmental impact assessment and we have already heard that that document will be submitted at the right time next year in summer 2007 as part of the documents which will enable States Members to make a final decision. However, my paragraph 2 seeks to widen the extent of the research that needs to be undertaken now to assess the impact of placing all such facilities at La Collette and to allow the States to debate these findings in good time. The first point I would like to make, Sir, is exactly that. There is good time to have this work carried out. We have heard from the Minister and it bears repeating that on page 3 of his comments to this House the final debate will take place in summer 2007. At that time we will have the benefit of a full cost benefit analysis, the environmental and the health impact assessments as required by the decision of 13th July 2005. My amendment, Sir, is to seek an additional document which will answer questions which the environmental impact assessment clearly will not answer. The usual environmental impact assessment for those Members who have not had relevant experience of the planning function, or the planning committees, normally addresses the impact and the proposed mitigation of impacts of any developments on humans, flora, that is flowers and plants, fauna, that is animals, soil, water, air, climate, landscape, interaction between any of these, material assets and cultural heritage. Indeed, Sir, in the document prepared by the consultant, some of these issues, have already been addressed in outline. There is a reference, Sir, on page (ii) of that document in the second paragraph stating: "A detailed environmental impact assessment (EIA) is being carried out for the La Collette 2 site. This report summarises the main issues that have been covered, together with the reasons why La Collette 2 is considered the better site. The full EIA will be submitted as part of the planning application." It goes on to highlight the most critical issues which have already been referred to. It goes down to the bottom of that page, Sir, in the final paragraph and it says: "A full planning assessment will be carried out upon submission of the planning application which is not due for a while yet and this report is not intended to pre-empt the planning process. However, to enable the replacement of the old equipment it is to assist." So, what am I asking for? Well, a strategic environmental assessment and sustainability appraisal builds on the concept of an environmental impact assessment but sets the development in a wider framework. It is a relatively new way of looking at things. The European directive came in at the end of 2001. It has been picked up by the UK in assessing many of the developments that are beginning to take place and as I say, Sir, it is a wider appraisal of not just environmental issues but it takes into account social and economic factors as well. In addition it looks at, according to the definition, secondary issues, cumulative issues, so whether or not the development if it is done a little bit now or a little bit later adds up to something that you would not wish to have long term. Synergistic in working with other developments. Short, medium and long term, permanent and temporary, positive and negative effects and enables a structured, balanced approach to decision making. La Collette represents a valuable Island resource and should not be squandered. There are many competing issues for the La Collette land at present. We only heard in this House this morning, Sir, that some Members are of the opinion that there should be yet another industrial site. The one that we have at the moment is going through a planned change, part of which will, if agreed, and it is within the Island Plan, establish a Spine Hill in order to assist the reclamation site in lasting for an extra number of years. That Spine Hill will be of direct use in 2 particular ways; not only will it provide a buffer for any explosions that might take place at the fuel farm, because at the moment we do have the fuel farm open on the east side of the Island and should anything untoward happen there and there was a catastrophic failure of that particular plant,

and accidents do happen, although I would be the last to wish it upon the Island, then a substantial blast action would take place to the east. By building a hill, not only do we extend the lifetime of the reclamation site but we also give the opportunity that should anything untoward happen at the fuel farm then the blast would be contained by the hill. The second issue for building, or recommending within the Island Plan, that we have a Spine Hill was not just on the visual amenities grounds but to provide a landscaped backdrop to Havre des Pas. Havre des Pas, Sir, developed as you know, over a period of time as a seaside resort. It does have the bathing pool which the Island has put monies into in order to upgrade it and keep it in good nick. There is talk at this stage of revitalising our tourism economy, or at least the component that tourism makes to the economy, and part and parcel of those deliberations is perhaps the opportunity that affords itself with a decent landscape backdrop to the regeneration of Havre des Pas. This is why the Spine Hill was conceived so there are, in actual fact, 3 uses. So, as I say, Sir, La Collette represents a valuable Island resource. Why do we need a strategic environmental assessment and sustainability appraisal? This House, Sir, has not yet agreed a mineral strategy. We go back a number of years, Sir, although some reference was made to it within the Island Plan. The mineral strategy as it stands was never brought to this House and discussed and agreed. At the time when it was pooled the Parish of St. Helier and it was the then Connétable Le Brocq raised serious considerations and concerns and I have a letter that he had on file to the planning authorities when we were thinking about debating mineral strategy in the House and I would just like to read a few snippets, Sir. He states: "St. Helier is concerned that this proposition [which was the Jersey Mineral Strategy 2000 to 2001] is an attempt to force the States to make a binding decision in relation to a future event which could have profound and detrimental consequences on the environment of St. Helier and a significant number of its residents and businesses without providing the full information required for a balanced decision to be reached. While the Planning and Environment Committee has focused very sharply on those States objectives relating to the need to conserve the Island's mineral resources and to improve the rural landscape, the Committee has unfortunately fallen into the trap of being so committed to a plan of action which gets rid of the problem relating to the extraction of minerals, that it has almost totally ignored the impact their plan will have on the other areas. The Parish considers that this is strategic cherry picking in the extreme by the very Committee which has been entrusted by the States which has a balanced view on all environmental issues." It goes on to say: "The proposition also appears to ride roughshod over a number of established States policies and agreements." Those agreements were States Environmental Objectives, Pollution Control, Reduction in the Consumption of Non-Renewable Energy, Enhancing the Quality of the Shoreline, Protecting the Marine Environment, Noise, and a whole stack of other things besides. The key issues, Sir, that were raised at this point in time is that the then Connétable was asking for a strategic environmental assessment and sustainability appraisal. He did not in fact use those words because the new form of asking for these things was just being worked out by the EU and the UK. So, as I say, Sir, as yet we have no agreed mineral strategy with the importation of minerals to La Collette. What we have done within the existing Island Plan is to earmark the particular piece of land at La Collette for any future mineral imports, should the States take that decision, but we have not taken it yet and whether we do or not is a material issue for a strategic environmental assessment. There is also talk, Sir, at the moment of a future reclamation site. If indeed the Island does decide to go down the route of an EFW plant which will rely on some form of thermal treatment, i.e. burning, then as part of these burning processes there will be an element of ash. Consequently, at the moment, and it is referred to obliquely within the environmental assessment that the consultants have done. At the moment, the ash that is being produced at the existing Bellozanne plant is polluted. It is contaminated with heavy metals. There are some references in the document that States

Members were given the other day and if we refer to it, under Bellozanne emissions, we have a diagram with the green "Heavy Metal Emissions." Some of these heavy metals which come about by burning waste electrical goods and other things that really should not be in the waste stream because by definition metals do not burn particularly well. In particular cadmium and thallium. If you look at that they are way over the emission limits that have been set by the UN and other places. The reason for these things, Sir, is that we are burning things that should not be in the waste stream. The simple thing to do in order to clean up your act would be to desist from trying to burn those materials. It is quite interesting, Sir, in relation to thallium there was a CIA attempt a number of years ago to get rid of Fidel Castro and thallium, unfortunately, is primarily caused through the burning of electrical circuits as I said, and the plot at the time was to put some of this thallium into Fidel Castro's shoes or socks so that he would lose his hair and his beard. The CIA at the time thought that this was a sensible policy to pursue. Thallium is harmful. It is designated as a heavy metal. It is a poison and that is one of its prime uses. The key issue is that it should not be burnt in the first place and as I say the simple way to clean up that particular emission is to put the waste electrical goods that arrive at Bellozanne in a different place and to send them for recycling by recycling outlets that are becoming more and more readily available, rather than trying to burn them and then clean up the emissions afterwards. Likewise within the ash, the ash is rendered toxic and we are spending prodigious sums of money in having rendered ash toxic by burning things which should not be there and trying to get rid of the toxic ash. Most other engineering facilities that burn, or firmly treat a lot of their waste rubbish, decide to take these materials out and in doing so the ash is rendered harmless that can be made into aggregate blocks which can find a resale value within the building industry. A strategic environment assessment would look at these things in addition. So, I suggest that by following a burning process we will be producing ash, if we take that decision, and that ash will have to be disposed of. The suggestions that have been made at the moment, and they are perhaps somewhat tongue in cheek, is that the Island should be considering to get into future reclamation sites and it has been mooted that a La Collette 3 should be looked at to deal with this particular inert waste. There has also been a suggestion of improved harbour facilities. One of the perennial problems that the Island has because we embarked on a piecemeal approach to the regeneration or improvement of the harbour with several schemes to add progressively to the facilities, is that the Island does not have particularly good deep water berths. There is a deep water berth for some of the oil importing vessels but not generally for cruise liners. Guernsey are better off than we are and suggestions are being seriously looked at as we talk that improved harbour facilities, including deep water berths for cruise liners and other large vessels, might well be something that the Island would wish to consider at La Collette; at the end of La Collette 3 perhaps. We do not know but there should be a plan and planning is really what the strategic environmental assessment and sustainability appraisal does. Looking at the tourism potential of the old port and commercial buildings the Waterfront Enterprise Board has recently been given an extra job of work to do and apparently the East of Albert group has been reconvened, perhaps in a new format with the Waterfront Enterprise Board in tow, or overseeing it, I do not know which is which. But they are looking at the tourism potential of the old port and commercial buildings. What has not been done, Sir, is a proper infrastructural survey to determine whether or not by placing all of your waste facilities down at La Collette, whether or not, Sir, a road infrastructure needs to be created or the existing roadway needs to be improved. 2 such ideas at the moment are the old idea which is to put a road behind the back of commercial buildings and indeed, Sir, the States have already purchased one building down by La Collette in order to allow an easier passage, if that route is taken. We do not know how much it is going to cost. We do not know whether it is feasible. We do not know whether it is just pie in the sky. We do not know whether or not the road

infrastructure in this particular form is required in order to assist the running of the industrial port area which is La Collette 2 at the moment. The other suggestion is that perhaps Green Street can be untrafficked and perhaps the vehicles would prefer to go down that route. It might be a cheaper route and indeed in discussions with the department it has even been suggested that if that were the case, because it was more environmentally acceptable than perhaps looking at the last map in the Transport and Technical Services report, the map was suggesting that there is a bit of a kink that comes around on the east where the proposed plant is suggested and the intention is to iron out that kink with another reclamation site but we do not know about that yet and if you look at the scaled drawings which give you an indication of the element of the Spine Hill which, as I say, Sir, was more extensive previously than is being suggested at the moment. Indeed, Sir, you can see that whereas previously the Spine Hill was going to come from the small tower at La Collette, all the way down to the beach, it now dips substantially in the middle. That might well be for a roadway, I do not know, Sir. It may be just creative accounting, so to speak, on behalf of the people who drew the drawings but it certainly is different to what was intended in the Island Plan in terms of the landscaping that was going to provide the backdrop for the regeneration of Havre des Pas. How do we assess whether La Collette is the best site? I do not know but certainly this issue must be part and parcel of it. We do not have the relevant documentation and it should be added in to the strategic environmental assessment and sustainability appraisal. Likewise, Sir, to put a new road network, should one be required, we have to consider the saying we are where we are. We were going to be looking, although the part 2 or B of the Transport and Technical Services debate has now been pulled, we were looking to locate the Island's composting facilities and indeed the refuse handling plant as well as any EFW or alternative technologies, all on one site. The debate on composting has been deferred and I thank the Minister for that, but that said, it is still up in the air. In terms of traffic movements in another report there are almost 100,000 traffic movements at the moment connected with the bringing of compostable materials to La Collette and a further 1,500 taking those materials back to put on agricultural land. I do not know, Sir, and I do not think any other States Members do at this particular point in time, whether or not we are going to be in a position of having to debate at a later stage centralised composting facilities at La Collette. If we do, then it is certain that the traffic handling will have to be looked at in a greater detail than is perhaps being suggested by the somewhat limited environmental impact assessment that is being done by the consultants. Then we get to increase traffic generation across the town. We do have problems in traffic wagons going into the Bellozanne valley. They are problems. It is a problem area. We know that. But that does not imply that one should automatically take those problems and just put them in a different place. This is what a strategic assessment will look at. It will assess properly the knock-on effects of having traffic generation cutting across not just the La Collette area where any site or facilities will be, but the knock-on effects of the trip generation caused by trip generation for bringing materials into that particular site and indeed taking them out. It gives you a wider picture, a wider view. Then we have the impact on existing and commercial and industrial users like the fuel farm. One of the things, Sir, that annoyed me quite a lot just recently was that in deciding that La Collette was the best place for these facilities, estimates were done as to the cost of the particular site. In dealing with the composting side of it, because I do not think the cost elements have been done for any waste management facilities other than composting at the moment, or if they have I have not seen them. The cost was assessed at £2 per square foot for between a 70 and 80 square foot facility. If you do the arithmetic, 2 x 80,000 is 160,000. The Waterfront Enterprise Board were asked by a number of other Members, Sir, to look into this and to assess, as part of a strategic environmental assessment and sustainability appraisal, the cost elements of assessing the value of that land at £2 per square foot and they have come back and estimated that it should

not be £2 per square foot, it should be nearer to 75; 75 would value that particular site for composting at £6 million. If that is the case, and you can apply exactly the same case - I am not saying that you can because I do not know and this is why some of the work has to be done - if the same valuation can be applied for the area of land that is being referred to for waste handling facilities of the type that is being asked for, then we are talking 3 hectares and 3 hectares would amount to some £24 million cost. We need to know, Sir, and these things are going to be coming back to us in any event because there will be a cost benefit analysis for the Plant. Part and parcel of that must be a proper cost benefit analysis for all the other things that you need to take into account in order to assess --

The Deputy Bailiff:

Deputy, your amendment at the moment is only about a strategic environmental assessment. Perhaps you can confine yourself to that and not the cost benefits.

Deputy R.C. Duhamel:

A strategic environmental assessment looks at social and economic factors so this is an economic factor. Whether or not a particular piece of land is used for waste handling facilities, or whether or not there is a betterment in using that land for port handling facilities, or leisure purposes, or for anything else, or providing a gateway for expensive customers to come in luxury liners to the Island, is something that needs to be assessed and part and parcel of that is to look at how much these things cost, Sir. We cannot escape it. Within the comments made by the Minister, he does not say very much but a strategic economic assessment was carried out for the La Collette 2 area as part of the Island Plan 2002. That may well be right but what it did not do, and Members must be absolutely clear, is that it did not refer to putting aside particular facilities for waste handling plants of the nature that are being discussed. At the time all the work that was done indicated that the best site, and that is what we paid the consultants for, was Bellozanne and it is only since July last year and in fact October of that year that things began to change and the suggestion was made, principally on the back of what was suggested by Deputy Ben Fox, that perhaps alternatives should be looked at in moving some of the facilities from Bellozanne to La Collette. The States at the time also spent some £50,000 in assessing whether or not a joint Channel Island EFW solution would be sensible. I have this document, Sir, and the outcome of the document was that in overall cost terms there was £500,000 in it and the assessment was that under no circumstances was it worthwhile working with the other Channel Islands in doing a joint facility. Some of the other things that bear looking at, Sir, is that again within that document it suggests, contrary to what is being suggested in other reports, and I will read the passage from page 20 of the Jersey Guernsey Feasibility Study of a Joint Channel Island Energy From Waste Solution. It reads: "For this review, it is assumed that a chimney of the same height as the JEC chimney will be installed rather than use the JEC existing chimney. Reusing the JEC existing chimney would potentially have little cost saving as the flues would need to be refurbished and would require a very long flue gas duct with consequent pressure drops and corrosion issues. This could be considered however if the chimney becomes a planning issue. We have heard today, Sir, that if indeed La Collette is favoured over and above Bellozanne then only one chimney will be required and yet this document that was prepared last year says otherwise. Likewise, there was suggestion on page 22: "The reuse of an existing JEC steam turbine has been considered so there is some talk at some stage of perhaps using the turbines that belonged to the JEC would reduce costs even further but it is unlikely to be possible due to the steam conditions which are about 490°C and 60 by absolute and that is out of line with the EFW Plant. So, it is quite clear, Sir, that there are differences of opinion within the benefits that are being suggested within one document and another. Page 5 of the Minister's

comments in relation to this amendment goes on to state: “The designated area was for 2 zones; [this is for La Collette 2 area] one for industrial use and the other is land for recreation. The proposed site for the EFW Plant is predominantly in the land for recreation zone and therefore does not significantly reduce the area of the industrial zone.” That may well be the case, Sir, but it certainly reduces the land for recreation zone because it is in it and that might well be a material factor, but in order to make a specific strategic judgment as to whether it is right to redesignate areas of land that are within the Island Plan for recreation purposes as areas within the new Island Plan revision for industrial purposes, has to be looked at properly. In fact, Sir, it goes further than that because this House normally would expect to be presented with Island Plan changes and the whole thing agreed by the House and that clearly has not yet been done. So, all in all, Sir, it looks as if there is a substantial extra body of work that can be undertaken now well before next year when we had the debate and I feel very strongly, Sir, that it should be done so that the very least that will happen is that all Members of this House, assuming that we are all present next year, will be in a position of being able to assess that material so we can have a far-reaching and proper debate on all of the issues. It is not a case of making the case that this work should not be done, or cannot be done, because we have to make a snap decision now. There is time to do it. No delays to the process will accrue if this work is undertaken. It will be undertaken by the departments that do undertake the work. That will not necessarily be the Transport and Technical Services Department and I would expect that some of this work would be undertaken in conjunction with the Environmental Department. I think there is a case for the strategic environmental assessment and sustainability appraisal and I make the proposition, Sir.

The Deputy Bailiff:

Is the amendment seconded? Does any Member wish to speak on the amendment?

3.2.6 Deputy G.W.J. de Faye:

As I am sure you will appreciate, Sir, while up to now Deputy Duhamel and I have established a level of relative harmony, this is a point in the debate where I am afraid opinions rather dramatically diverge and I think the central theme of what I want to put to Members is just how much information do you want to make a decision? But let us just have a quick look at what Strategic Environmental Assessments (SEA) are. When I first heard of them I simply did not have a clue what on earth it could mean because it sounds as if it could mean just about everything you could think of and that is not far wrong. But they derive from European Union Strategic Environmental Assessment directive of 27th June 2001, which has now been adopted into United Kingdom legislation. SEAs are intended for very large plans or programmes and not specifically one-off projects for specific facilities where normally standard environmental impact assessment is required. Nevertheless the department does try and follow, and in a way strategy indeed, has tried to follow EU directives in really a realistic regard that they probably indicate a best practice and therefore a waste strategy already approved by this House has in fact covered most of the main issues that are raised within a SEA which included adopting a sensible environmental and sustainable balance between recycling, composting and energy recovery and really ensuring that the environment is safeguarded and perhaps to be a little more specific. Looking at the outline in the context and main objectives of a plan, the waste strategy has clearly defined its objectives as well as its interactions with other plans including the Island Plan as well as housing and mineral strategies. It considers the current state of the environment. Indeed, one of the primary issues was the impact of the Bellozanne incinerator. Not only with the atmospheric emissions but also the impact it was having on a residential area; another SEA requirement - environmental

characteristics of areas likely to be affected. Each section of the waste strategy has been key in its approach to selection of management technologies. All the issues have been carefully considered. Indeed, compost odours, a sustainable return of material to land, air quality, ash disposal. Members will already be familiar with all these particular topics. I will not go through the entire list and I hope Members will forgive me if I do not do a blow-by-blow response to all the elements of Deputy Duhamel's last speech. I would just say that in developing the waste strategy we have effectively followed the path of a SEA and it really is of little use, I think, to Members to keep delaying decisions because we are not quite sure whether La Collette 3 will happen or not. We may or may not detraffic calm Green Street. There may be a road perhaps running past the commercial buildings. There could be a deep water berth. No, I am afraid the problem facing us at the moment is that the plant at Bellozanne is just beginning to fall apart and if we do not get on and do something I cannot stand here and tell you that I can deal with the Island's rubbish. My Chief Officer has already given me a warning that he is not sure how long we can carry on in a responsible manner to waste disposal with a Plant that is falling to bits. I have to get on with it. We have to get on with it. It is our responsibility. I so very often wish that Deputy Duhamel was right. It would be great if we could spin out the life of the third stream for another 13 years. If only it was still running at 7½ tonnes per hour capacity but it is not and it probably will not run for another 13 years and even if it did we would have to spend millions of pounds to fix the emissions coming out of the chimney and quite frankly even with the third stream now, 1 and 2 just hopping along as best they can, I am still being obliged to pack up waste and cart it off to La Collette and store it in huge pits because we just do not have the capacity now to deal with what we have. So, the possibility of having to wait for more studies, more analysis when the problem is staring us all in the face and as far as I am concerned I am satisfied that this House has already made up its mind pretty succinctly on where it wants to go, I just want to be getting on with it. I am sure Members have already seen the consultants' summary of key environmental impact assessment related issues, 23 pages. I thought it summed everything up that anyone would need to know. I simply conclude by referring interestingly to a section of the report the Secretary of State of Trade and Industry by a gentleman I have previously mentioned, Mr. Keith Smith, the inspector appointed by the Secretary of State who was looking into the Riverside Resource Recovery Limited. This is the EFW Power Station that will be built in Bexley and this is what he has to say about Bexley Council and the Mayor of London wanting to insist that there should be a SEA on the project. He rejects that out of hand simply saying: "This would introduce considerable delay and uncertainty against a background of continuing need for urgent provision of strategic waste management facilities in London." I simply say to Members exactly the same applies here in Jersey and I ask you to vote against this amendment on the grounds that we have the information, we know what we ought to do and I believe we already know where this EFW Plant should go.

3.2.7 The Deputy of St. John:

The CIA clearly have not followed instructions and the Deputy does not have thallium in his shoes. Perhaps the Minister for Health could provide us with some Valium and Prozac to get us through the rest of what he might say. I am confused here a little bit, Sir, because it is a very simple amendment being requested but it would appear that Deputy Duhamel would only favour this amendment for his own needs again in that he does not want to accept any kind of assessment that he does not agree with. That is the way it is worded to me. I see absolutely no need for this amendment whatsoever and I do hope that people will vote against it and support Deputy de Faye on the basis that we need to simply get on with this, not procrastinate any further at all. We are criticised and accused often by the public for

procrastination. We need to get on with this, the public know that, it has been clearly stated by Deputy de Faye today that we should do so and I would urge Members to vote against the amendment and simply get on with this and not accept Deputy Duhamel's suggested amendment. Thank you, Sir.

3.2.8 Senator P.F.C. Ozouf (Minister for Economic Development):

All I would say to Deputy Duhamel is that there has been years of debate and discussion concerning the waste strategy. Last year the Committee that I was in charge of took this issue by the scruff of the neck. We did a phenomenal amount of work, a phenomenal amount of research and brought to this Assembly a document which was approved with some amendments. While we did that, and before we did that, we also had 2 Scrutiny Reviews which I have the reviews, and I think Deputy Duhamel was involved in this. When the previous Committee gave the Scrutiny Panel the information on which to do their Scrutiny Review, I think that it is a fair assumption to say that you could probably put the lever arch files and the research material from where you, Sir, are sitting up to the top of the fluorescent light. There has been a huge amount of information, a huge amount of research done. I know what Deputy Duhamel's view of waste is, it was once again explained in the JEP a few days ago. Put the decision off, run the third stream. I say to Deputy Duhamel, that is irresponsible. It was irresponsible to say that 2 years ago, it was irresponsible to say it a month ago and it is irresponsible to suggest to this Assembly that any more information, or any more delay is required. Planning will do their job and they will do a proper job in relation to all of their requirements of environmental impact assessment, et cetera, and they are this Assembly's delegated individuals to make that decision. We will also have an opportunity to finally decide on the final technology and on the final decision after a tender has been made. So, the final decision will be this Assembly's. Those are the safeguards that are in place to ensure that the right decision is made. Let us get on with it and let us not be deluded by Deputy Duhamel suggesting that there is yet more information required.

3.2.9 Deputy J.B. Fox (Assistant Minister for Education, Sport and Culture):

Just a point of clarification. Deputy Duhamel referred to the joint plant with Guernsey and the question of the flues and the chimneys and said there were 2 different references to each document. In fact, the reason being is that originally when the discussions of the joint plant with Guernsey the proposed siting of the plant would have been on the abattoir site which now exists where in fact now the proposal has moved around to a shorter distance so you would not need a long duct, you would just have a short duct and therefore the 2 things are completely different. Just to clarify the point. Thank you, Sir.

3.2.10 Deputy P.V.F. Le Claire:

The House is obviously master of its own destiny and the decision to support Deputy Duhamel's amendment today or not will be made by Members according, probably, to their minds having been made up in relation to a number of issues but I do think it is important that we do bear in mind that during these amendments sometimes something is said that is of significance. It may not necessarily sway the vote but it should be considered in the overall text of the debate and in that regard, Sir, I would like to make this part a notable inclusion for that record. In relation to the suggestion that the EFW Plant be located at La Collette and should that EFW Plant be determined to be an incinerator, as has been suggested in the environment impact assessment provided by Babbie Fichtner then there will be an impact in relation to the Ramsar site that has been designated by the States of Jersey to the Bailiff to the

UK government in respect of our duties under the Ramsar Convention. The States have agreed and charged their Committees of the States with administrative responsibilities for taking place in these areas. They are to conduct their activities in that area in compliance with the conservation principles of the Ramsar Convention as outlined in the report of the Planning and Environment Committee. Ramsar, for those Members and members of the public who are not aware, is a convention that recognises the importance of international wetlands and as an international convention which we have signed up to it is something of significance in Jersey making its overtures known on the international stage. Over 130 countries have signed up to this and there are very few, I believe 17, areas in the world where these areas exist. By signing the convention, which we did do, the Island has already made a commitment to the international committee to ensure that our wetland areas are managed wisely. With the proposal to put a Plant of EFW at La Collette one may look back at the cost savings that could have been sustained had the decision been made in 2000, when I was on the Public Services Committee, but it was never considered at the time for La Collette. So, the cost savings argument really falls by the wayside. It has only been in the last 6 months or so that we have been introduced the argument that we could join up the technology of the JEC facility and in joining up the JEC facility technologies identified in the EIA provided to States Members, the Babbie Fichtner report states that the existing habitat at Bellozanne in the La Collette 2 reclamation area is considered unexceptional or in places non-existent so the environmental impact is negligible at either site. I am certainly quite sure that the international community is not going to buy for one minute that as a description of a Ramsar site but if it was then it would want to know whether or not facilities being used at that location, which have been identified within this environment impact assessment is not to be considered at this stage the facilities which are outside the selection factor. While not being part of the EIA there are several other key factors in the selection of the site; use of JEC facilities, potential existing to share JEC facilities. This would also lead to cost savings at La Collette but these cannot be quantified until commercial terms are agreed. If we have a plant that is being cooled and significantly reducing the costs of the operation of that plant by sea water and that seawater is being put back into a Ramsar site, albeit that it is only operating at 8 per cent of the cooling design structure of that facility, it is something that we have an international obligation to communicate. In fact, the Committees of the States in signing up this principle, signed up to an international convention that it would report its changes to the areas, if there were any, to the body in the United Nations that was responsible for it. It is an international obligation that we have signed up to and under Article 60 of the Island Planning (Jersey) Law 1964, it said that this ensured that any development proposals that may threaten or cause significant damage to the environment is subject to a full EIA process to EU standards. This ensures that any decisions are taken in the knowledge of the potential risks to the environment and that all possible measures are taken to ensure that such risks are prevented, reduced or mitigated against. This policy applies to potential developments out to the territorial limit. It can be argued that the right of our needs to extend into the Ramsar site are such that it would mitigate the necessity to do so but it does not get around the fact that we have an obligation in terms of this international agreement to communicate that fact. The Ramsar designation is essentially international recognition that part of Jersey's coastline is of international importance and an acknowledgment by the Island of our responsibilities for sound, forward thinking environmental management of our most precious natural resource. This recognition provides a positive focus point for our new education of tourism and environmental monitoring initiatives. One scenario has received international recognition. There would be potential for external scrutiny of such proposals and it is on external scrutiny of such proposals that I wanted to make this speech today because those external scrutinies of these proposals which we have signed up to ensure that the terms of the convention are being met.

In this way the designation provides a valuable filter to help protect some of our most important natural resources. So, we just did not sign up to this on the grounds that we thought it would be something good to put in our cap and be a nice feather to strut on the international stage. We agreed to the conditions within the agreement and the contracting parties to that agreement which Jersey is one shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the list has changed, is changing, or is likely to change as a result of technological developments, pollution or other human interference. Information on such changes shall be passed, without delay, to the organisation or government responsible for the continuing bureau duties specified in Article 8. That is from Article 3.2. The bureau referred to -

The Deputy Bailiff:

Deputy, you are taking us through the Island's obligations under the Ramsar Convention but I must ask you to relate this to the particular amendment which is that there should be a SEA.

Deputy P.V.F. Le Claire:

The amendment, Sir, strengthens, in my view, the outline for an environmental assessment as placed within the proposition by the Transport and Technical Services Committee. An environmental assessment can be many things; it can be preconditional, conditional and after the event as with the health impact assessment, Sir. This international obligation we have requires us to make sure that any operation or extension or plans to do anything near this area must be communicated and a full EIA to EU standards must occur, Sir. So, there is an argument that strengthening this environmental assessment to take on board our international obligations would fall under the umbrella of what Deputy Duhamel is asking us to do, which in my view is what we are obliged to do anyway, Sir.

The Deputy Bailiff:

That is the point you are making. I understand.

Deputy P.V.F. Le Claire:

I am very nearly finished, Sir. I would beg Members to stay with me. I beg their indulgence while I finish the point. The point is that we need to communicate this to the international bureau in respect of Article 8 and paragraph 1. We need to have the new Ministers who are responsible for these areas because the Committees of the States signed up to it. So, no doubt when their responsibilities were transferred over to the Ministers, they are culpable in respect of responsibilities. They have a duty internationally and locally in respect of these areas and they are required within the agreement, an international obligation, to inform this party who shall convene and communicate it to all of its members. Once it has received the information it shall convene a meeting and let all of its members know. It says in here, under Article 6: "The Bureau referred to in Article 8.1 shall convene ordinary meetings of the conference of the contracting parties at intervals of not more than 3 years." So, if we are going to, as it has strongly been suggested, look for a location adjacent to our Ramsar site, and if that project is going to take 3 or 4 years to complete, then it is now that Ministers and Members be quite aware of the fact that we need to communicate on the international stage the fact that we intend to do this, if we agree this today, because in agreeing to change this designation, and it has been spoken about, in moving into this Ramsar site we have an international obligation to inform this governing bureau so that it can inform its members and as required under the obligations that we signed up to, it will issue its considered report to us upon what it thinks we are doing. It is a requirement. It is our requirement. We have signed up to it. We can either vote and support Deputy Duhamel, or we do not support Deputy Duhamel, but I personally

believe that we have a requirement to insist that it is not just an environmental impact assessment but it is an environmental impact assessment to the standards required to the EU standards and those have been pointed out as the kind that would be accepted if Deputy Duhamel's proposition would be accepted today. Nevertheless, if it is not, I am hoping that I have managed to reach some of the ears that are needing to be reached today in considering these matters before we go too far down the line. These parties do not meet every year. They do not meet every 2 years but they do need to be informed if we are going to stretch into these areas. From my own personal view, not explaining the international agreements that we have signed up to, I am yet to be convinced that what we are being strongly urged to support is a thing that we should be concentrating our minds on. I think it would have been better to have had a debate today, yesterday, or the day before, on what we are putting into the waste incinerator at the moment and how we can divert the types of material that are emitting the poisons and furans and dioxins that are emanating into our society today. Surely it would be a wiser use of money to stop those entering the fiery furnace today than having to try to sort them out over the next few years. Nevertheless I still think we should and I believe the Ministers have an obligation to protect us to make sure that those substances and those things that are going into that furnace that are breaking down are diverted.

3.2.11 Senator S. Syvret (Minister for Health and Social Services):

Thank you, Sir. I have to say a few things on this subject quite obviously. I will deal first of all with some of the remarks just made by Deputy Le Claire. The fact is the Ramsar site extends up to the boundary wall of the land reclamation site so developments on the land reclamation site have no bearing or relevance whatsoever to the Ramsar Convention, end of story.

Deputy P.V.F. Le Claire:

So, on a point of order, it is adjacent to a Ramsar site and we are looking to extend into the Ramsar area?

Senator S. Syvret:

No, we are not looking to extend into the Ramsar area.

Deputy P.V.F. Le Claire:

On a point of clarification, Sir, it has been suggested by the Transport and Technical Services -

Senator S. Syvret:

I am not giving way to the Deputy, Sir. There has been a variety of other land reclamation sites suggested around the Island including deep water berths and La Collette 3 and so on. These have been suggested at various times but no such scheme is on the table at the moment. The fact is we have to make a decision about replacing the Island's waste disposal system and we have to make that decision because we have been operating the Bellozanne incinerator 12 years longer than it should have been operating. In any European Union member country the plant would have been shut down by law and anyone attempting to continue to operate it would have been prosecuted. That is the fact. Members will know because I sent them a couple of documents a couple of weeks ago via email that looked at the emissions from the Bellozanne incinerator and they are appalling by modern standards. One report estimated -- and I have it here, it showed fallout patterns of a variety of pollutants. Here is one; arsenic, micrograms per cubic metre, nickel, micrograms per cubic metre, dioxins, micrograms per

cubic metre, cadmium and on these pictures there is a black dot in the centre which represents the Bellozanne incinerator stamp. All around this area where these fallouts are landing are housing estates and schools. Haute Vallée, Mont à l'Abbé, et cetera. Indeed Haute Vallée school is right in the area of the very, very worst pollution there. If you look at the report that was sent out a little while ago on the proposed EFW Plant you can see on this graph here, the page is not numbered unfortunately, but it shows the percentage of the European Union directive on daily average emissions and the Bellozanne plant is exceeding in dioxins and furans by 7,000 per cent. 7,000 per cent the current EU limit. Hydrochloric acid emissions over 6,000 per cent current EU limit. Similar remarks could be made about cadmium, thallium, heavy metal emissions, noxious emissions, sulphur dioxide emissions and particular emissions. Some may argue that the flue gases and indeed the ash that comes from the incinerator could be cleaned up significantly if the mix of waste going into the incinerator was better sorted. Yes, that is true to an extent, but the fact is you have to be realistic about what it is people are prepared to do. We have had a battery collection scheme in place for at least the last 15 years. How many people actually use that by taking their old batteries back to shops? Most people just throw them in the dustbin. So, the idea that we are suddenly, just by a policy decision, going to suddenly get everyone in a very disciplined and responsible way not to throw their broken old transistor radios or failed TV sets into the dustbin, I just do not think it is going to happen. But even if it did happen, even if we were able to improve the mix of the waste going into Bellozanne the fact remains it would still be polluting, perhaps not to the extent I just quoted but it would still be filthy. Deputy Duhamel is shaking his head there. I would like him to explain what science, what peer reviewed science he has to suggest that the third stream of the Bellozanne incinerator, which is the one he believes we could carry on running, is going to be capable of meeting these EU limits. I do not believe he has any peer reviewed science to that effect. The fact remains we have to make a decision on this. It is absolutely disgraceful that we are still relying on the Bellozanne incinerator, given the foul and noxious pollution it is pumping out. Twelve years ago this would have been shut down by law in any European Union country and here we are, a pretty rich community by comparison, still dithering and messing around as to what we are going to do about it. There are other environmental health considerations which are strongly held by the health protection unit. The fact remains that where the Bellozanne incinerator is at present is in the middle of a highly developed, highly densely populated area. There are hundreds and hundreds of housing units of different types around that area. There are schools, there is First Tower school. There is all kinds of population density there now that was not there 20 or 30 years ago and one of the huge problems of seeking to continue to run that area as a major industrial site is the fact that you have hundreds and hundreds of polluting, noisy, filthy, heavy vehicle movements each week up and down to the Bellozanne plant, straight through the middle of school areas, housing estate --

The Deputy Bailiff:

Senator, I must bring you back to the amendment as well. This is simply whether there should be a SEA. I appreciate you are laying the ground but I think you have to confine the debate to that matter rather than whether there should be a move, in due course, to La Collette which is the principal debate.

Senator S. Syvret:

I think this has to be touched on because the Deputy did make a reference to all of these kinds of issues in his opening speech and really what this is all about is trying to delay yet again and thwart the States and the public interests from making a final decision on this issue. The fact is La Collette is an industrial complex. It is an industrial site and as Deputy de Faye said

earlier, it is about as far away from houses and population in Jersey as you can get down there. It is therefore the best place to put an industrial site. Deputy Duhamel wants all of this additional information to be produced which he suggests comes under his rather woolly and vague phrase used in his amendment. The fact is the vast majority of the information he claims to seek exists already. It has been done in a variety of different forms and formats, different projects, different reports produced over the years. As Senator Ozouf said earlier there is a great big pile of it. Most of this information exists already and that part of the information that does not exist already, that small portion of it, could be derived and produced comparatively quickly without seeking to delay this decision yet further. The fact remains that I have been a member of the Waste Strategy Steering Group for about 4 or 5 years and at various stages Deputy Duhamel has been a member of that group, or has been a guest of that group to participate in discussions. I do not like incineration. I wish we did not produce so much waste and rubbish. I really wish we could reduce, reuse and recycle to a huge extent but I am a realist and I know that we have to have a reliable, proven technology means of disposing of the Island's waste. We have to have that. That is why none of the alternatives that have been mooted have been particularly convincing and Deputy Duhamel himself has had 4 years at this to produce the goods. He has had 4 years to produce the goods on this subject and still, even today, we have had nothing but further obfuscation and arguing for delay and it just will not wash any more. It is time for a decision and we have to make the decision on this and stop looking at excuses to delay the whole process. As I said, I have been involved in this waste disposal strategy group for some 4 years now and notwithstanding the work of that group looking at possible alternative means of disposing of the Island's waste nobody, not Deputy Duhamel, nor anybody else has been able to produce a convincing, viable alternative. That is why we have to move and I will just finish, Sir, on the point made by Deputy de Faye because it is a point that bears repeating and Members of this Assembly need to reflect upon this very carefully. The Bellozanne incinerator, regardless of its pollution, is on the verge of breaking down. It is on the verge of complete and total failure. Thirteen years? It might not run for another 13 weeks. We just do not know. It already is not coping with the waste stream going into it. Waste is being bailed, stacked high, we saw the fire the other week at Bellozanne valley, excess waste now which there is no room left for in Bellozanne valley is now being bailed and stockpiled down at La Collette. If the incinerator breaks completely, which it quite easily could do, we are eventually going to run out of space to put all this bailed waste. So, what in the event of a complete incinerator breakdown, is the Island going to do with thousands and thousands of tons of rotting, festering putrescible waste? What is that going to do for public health and safety? What is that going to do for the reputation of the Island? Nothing good, that is for sure. It is time to get on with this. We must reject this amendment. The work is there for any Member of the Assembly who wants to go to the department and read all the files. Let us just get on with it and reject this amendment.

3.2.12 Deputy G.P. Southern:

We are encouraged to just get on with it by the Deputy of St. John. I remind people that we have a serious decision to make. A decision which will fill the years to come and it is a serious decision. Let us get it right. Let us get on with it is one way of putting it. Let us get it right. I remember in the past when we have finally got on with it and what did we see? We saw the massive cavern at the airport. The cavern in St. Helier. The steam clock, the upturned boat, the cinema block which I call Stalag Luft 2. We got on with it. That is what we did. Taking a short term decision instead of a long term decision. It is not short term. It would be nice, and I would love, to be able to hand on heart sit down and say just let this go ahead. Why? Because the lorries currently going to the EFW Plant, otherwise known as the

incinerator, drive right past my front door day in and day out. I would love to be able to say, hand on heart: "I represent No. 2, I live in No. 3, let the EFW Plant be in No. 1." Problem solved for me. My neighbours would be happy. I am perfectly content but I will not do that and I do not think we should do that just on a whim and it would be on a whim. I am reminded by the speech from the Minister of Health. Perhaps he protesteth too much. He uses emotive terms, just another attempt to delay by Deputy Duhamel. He brings out the word "excuses" and "obfuscation" dear oh dear, how long is it since the Minister himself was being accused with exactly these sorts of words when he tried to defend the environment against major change in the past? Not very long at all. But now we have a different tune from that singer. I want to focus briefly on 2 points that give me concern. The first one is this filthy thing that I can see outside my back garden and yet I look at the diagrams and I see figures for dioxins of the order of 16 to 20 femtograms per cubic metre. A femtogram, a million billionth of a gram and I see on there that this level of the order of 20 femtograms is the level that would normally be measured in a rural area of the UK so is not seen as a large cause for concern. Okay, so that example of one of the pollutants, in my back yard, and I certainly do not want it there, is at the level that would be found in rural areas of the UK and in terms of siting we are then told we would get down to 1.0 femtograms with the new chimney, wherever it is placed. So, in terms of pollution, wherever it is placed, and the debate is to be had, at La Collette or Bellozanne, pollution goes anywhere which focuses me on the issue that I raised at the meeting I went to a little over a fortnight ago with the Transport and Technical Services Department about traffic because the issue, I know, is traffic coming past my front door day in and day out, flaming big lorries all day long. What is the traffic impact on the La Collette site? What are the possibilities? "Oh, that is being studied" and I said: "Well, hang on, that is being studied, is it? You are not surely going to throw some figures about traffic density and problems with the roads there at me within a short space of debating this issue, are you?" Yet, low and behold, here I have it, 20 odd sides of fairly dense text for me to study, one of which is a page on the traffic dated 20th June. I do not know about you but I was fairly busy on 20th and 21st of June. I did not get time to even open this, more or less, until the weekend. So, I am seeing the figures there and it says 2-way annual average daily traffic flows of 900 vehicles to La Collette. The context is? What does that mean? Forty refuse collection vehicles and 70 miscellaneous vehicles per day with litter out to the EFW bunker which will result in about a 4 per cent - is it 4 per cent? Yes, 4 per cent increase in the traffic at peak time and a 14 per cent increase in traffic in non-peak time. What does that mean? That 4 per cent sounds easy, does it not? But I know what numbers can do. If that 4 per cent is the difference between the traffic, by and large, at peak time flows smoothly, or it is the straw that breaks the camel's back, it is that 4 per cent extra that means it starts backing up then perhaps you have a problem. But I have no way to question that at this time, and say: "Well, what does that mean?" and examine what the figures mean, because I have not been given that time. Just touching on one point, in that presentation by Transport and Technical Services it was clearly stated that - it was suggested that we could, might expand into the Ramsar site. Deputy Le Claire is absolute correct. There was talk of making a little more space there in order to make the building a little less obvious, and the building easier. Finally, I point down to the title. The title on this document presented, as I say on 20th June: "Summary of Key Environmental Impact Assessment related issues". Not detailed analysis of those issues, a first stab at the issues. As both sides say, there is still further detailed work to be done. It is perfectly possible that that could take place using a strategic environmental impact analysis. It is perfectly possible, it should be happening, rather than let us get on with it and make a mistake, which we are going to have to live with for the next 30 years, let us get it right, and make sure we have it right. It is not a great delay. Let us get it right.

3.2.13 Deputy J.J. Huet:

Well, it certainly seems to be working, Sir. This amendment appears to be doing one thing and one thing only, to introduce even more delay. You know, for us to replace Bellozanne, which is pumping gases out - which the Minister has told us - and I do not think anybody here realises how often it breaks down. It breaks down on a regular basis. The average person is not concerned with rubbish so they do not take too much notice of it, but those boys do a fantastic job. It is always breaking down and we cannot guarantee it. You know, Sir, when the waste strategy was debated here in 2005 in July, Deputy Duhamel, fair enough, he lodged several amendments and they were accepted, and one of them, he asked the Minister to recommend a preferred solution for a replacement for the Bellozanne incinerator, with an accompanying cost benefit, environmental and health impact assessment. Now, this is precisely what the Minister will be doing when the States are asked to approve the tender for the new facility next year. But it is like going out to tender to ask the builder to build me a house, but I cannot tell him where it is going to be built. A bit ridiculous. Why has the Deputy now, at this moment, decided to introduce something different? Why did he not ask for the strategic environment assessment at the time of the original waste strategy? They are not new. They had been used for some time in other countries. This Assembly has already considered a lot of the information requested by the Deputy in his report, when it appeared in the Island Plan. This amendment, I personally think, seeks solely to add more delay to the process, and it is important that the Assembly has all the information. You know, detailed briefings, a lot of you have been up and seen them and we have told you what it consists of for the last 2 weeks, and we have said that drawings and outline plans have been supplied showing the size and the scale and the location. Members have been provided with a summary of the environment and other factors such as disruption during the construction period, access to the docks and the options of selling any spare capacity to Guernsey in the early years has also been considered. But are we saying that all this information is not enough to make a decision today, and what we are saying is we want to know where it is going to be, the location? I would say, Sir, we have to have all that information. Do not forget the location is still subject to full planning, but we have to take this first decision. I can only say that I do not think this amendment should be supported, because if the Deputy had really wanted this information he should have asked for it a long time ago when the waste strategy was being reviewed. Sir, it is extremely disappointing that the Environment Scrutiny Panel did not come and see us. In the end we asked them to come and see us to discuss any issues that they might have, and it is only recently - right at the very last moment, now - that the requirement for a strategic environment assessment has been raised. I have to say: why now? I urge Members to reject this because it is only to delay. Thank you, Sir.

3.2.14 Deputy C.J. Scott Warren:

Well, as expressed by the Minister of Health, I also do not want to see the replacement of the energy from waste plant delayed. Health reasons, as he has said in great detail, make the hourly disposal of the present incinerator paramount. I do believe there are still, however, unaddressed issues. The mineral strategy was on the agenda when I was a member of the Public Services Committee in about the year 2000 and it raised more questions on that Committee than were answered. So, I believe that seeing the whole picture for the current and future Island considerations would be beneficial, that is with the caveat that these considerations must not hold up the Bellozanne replacement proposals. It does appear, Sir, that this report will not hold up that decision, which the Minister for Transport and Technical Services has said will come to the House in summer 2007. It will in fact, hopefully, give more

information and enhance that decision next summer. Therefore, I am going to support the strategic and environmental assessment. Thank you.

3.2.15 The Connétable of St. Helier:

I think the last speaker has drawn our attention back to the words of the amendment in a very helpful way, and I have been struggling with this whether to blow my major speech on this subject now, or to wait for the proposition proper when the amendments have been dealt with. If we look at Deputy Duhamel's amendment he appears to be adding one word, or 2 if you count favourable, but he seems to be adding the word "strategic" to what has already been accepted by the Minister that there will be an environmental assessment done on the project. If it is true, as many Members have argued in this debate, that the information is already there, then what is the problem with the Minister accepting the amendment? Surely, that would be the obvious thing to do to say: "Yes, it can be as strategic as you like, it can be far reaching, it can be deep ranging, it can have belts and braces, it can have anything you want on it." It will be a really good environmental assessment and why should it not be? Other parts of Europe, before they implement incinerators, they sure go to town on consultation and on strategic, environmental assessments, and traffic impact studies, and they throw everything at it and they get it right. So, I am a bit confused. If, as I say, all that information is there, then why does the Minister not simply accept the amendment? Deputy Duhamel will feel that his long speech has been worthwhile. Some speakers, such as Senator Ozouf who accused him of being irresponsible for asking the environmental assessment to be strategic, I am sorry, I am lost there, and I hope the Senator will explain to me afterwards why it is irresponsible to want a strategic assessment done. As I say, why does the Minister not accept this amendment and we can get on to the main subject of the debate, which is the one I think which many of us really want to speak about?

3.2.16 Deputy S. Power:

Very briefly, I seek clarification really from the Minister on one area. In 2004 this Assembly passed the UN Convention on Wetlands of International Importance, which was designation of offshore reefs. I would like to ask the Minister, as this EFW plant is proposed to be cooled by sea water, there is a reference in Policy M1 which is marine protection: "The sustainable use of the Island's marine environment will be ensured by the marine protection zone" and my question is related to this discussion on environmental impact assessment. "The marine protection zone extending from mean high water to the territory limits as designated on the Island and town proposal maps. Within this zone there is a presumption against all developments except those which are essential for navigation, access to water, fish and fish farming, and coastal defence. Where permitted, developments should not materially harm the amenities, character or ecological balance of the area because of its construction, disturbance, siting scale, form, appearance, material, noise and emissions" and that includes hot water. Policy G5: "Under Article 6 of the Island Planning (Jersey) Law 1964 this ensures that any development proposals that may threaten or cause significant damage to the environment is subject to a full EIA process to EU standards. This ensures that any decisions are taken in the knowledge of the potential risks to the environment and that all possible measures are taken to ensure that such risks are prevented, reduced or mitigated. The policy applies to potential developments to the territorial limit." So, I seek clarification as to where the cooling discharge water pipe is, and finally, before the Minister leaps to answer, just a few short comments on what the Minister for Health said relating to what comes out of the flue at Bellozane. What comes out of the flue of the chimney at Bellozane is a direct correlation of what we put into it. We all know that we burn all our old tyres. We all know that we burn all our old televisions,

monitors, hi-fi systems, computers and so on. We know that we burn a lot of plastic and the sum and composite of all these parts are to do with what the Senator referred to as toxins in the immediate area around Bellozane - the concentrations of those toxins - and to a large extent, on the Island. If the discharges from the chimney are as bad as the Minister for Health was saying, then why does he not use his executive powers to close it?

3.2.17 Deputy G.W.J de Faye:

I am happy to answer that question, Sir, because the environmental health impact of such an incinerator would be immensely worse. I am happy to make a couple of brief points for clarification. Firstly, of course, I think as Members have understood, the reclamation site is not part of the Ramsar designated area. However, when the area was designated as a Ramsar site, special arrangements were made with the JEC at that time, such that their sea water cooling system would be allowed to have a full flow operational use, and it will be as part of that. The EFW plant takes up a very small percentage of what that sea water flow operation would be. I do not believe that the JEC are using anything like the capacity to which they are entitled to use, as has been cleared within the Ramsar designation.

3.2.18 Deputy J.A.N. Le Fondré:

I shall try and be as quick as possible and I was not going to speak until a couple of the more recent comments. Sir, on the fact it, this second amendment is only a change of - I make it 3 words - but I could be miscounting them, to the existing proposition, and as Connétable Crowcroft says, why should it not be accepted? Surely the impact cannot be that critical? Now, this is a very seductive and persuasive argument and continues along the theme of the States wanting all of the information before it can properly make a decision. Ordinarily, I would support this approach because in theory it should ensure we always have the full information in order to make that informed decision. However, in this case I believe we have reached the point that we are very close to running out of time, if we have not already done so. This matter has been going on for quite some time. It is over 5 years, I understand, since the first waste strategy was accepted by the then Public Services Committee in 2000, and in this regard I would note that we have given an undertaking, as I understand it, to the UK Government and have therefore committed that we were conforming to EU directives on emissions by 2010 and - if you do not need reminding - it is 2006 now. This is the difficulty: we need to get tenders out to allow a recommended contractor and price to be brought back to this House for approval so that we can start building soon. The first stage of that process is agreeing the final location of the plant so that tenders can be sought. In this instance, and to my mind, the risk of again delaying this decision far outweighs any benefits of reconsidering all of the technologies and processes yet again, which would be the result of requiring a strategic environmental assessment. Within the context of this debate I fully admit, I know very little about waste, its usage and its disposal. So, let us talk about what I do know. TTS, as I will call it, is the department that built an advanced sewage disposal system in terms of nitrate removal and also UV sterilisation before the water gets pumped into Snowden's Bay. It has won plaudits from such groups as Surfers against Sewage, among others. They are into recycling, indeed, recycling is part of the overall waste strategy and we must not lose sight of that. They also run our existing incinerator and have the practical experience - as I found out and as Deputy de Faye alluded to recently, having gone up the chimney almost - of running the incinerator and dealing with this Island's waste. The point is we are an Island that is 9 by 5. We have very little choice of exporting rubbish to our main neighbouring countries and we have to come up with a solution that will meet our requirements for the next 30 years, and one that has to be in operation by 2010. So, their choice is to reclaim and recycle a minimum of

32 per cent of our rubbish - which is, at worst, in line with the average for the UK - and to burn the rest, generating steam, which is then sold back to the JEC to convert to electricity. To me, they are the ones with the experience and they are the ones, in this instance, we should be listening to. In my mind, we do already burn rubbish. A replacement plant will be much more efficient and much cleaner, and therefore it comes down to cost. So, while we will have a significant concern that this was a new revenue stream cost-wise that was being generated, I am rather more relaxed over the capital cost of the plant, given the projected lifespan. It is unfortunate that provision was not made years ago for the replacement of the plant. That is a different matter. So, the call for a strategic environmental assessment is being made at the wrong time. It should have been an amendment to the solid waste strategy, as approved by the States on 13th July 2005, last year. I would note that such people as the Scottish Parliament, indeed, were talking about strategic environmental assessments, which I will abbreviate to SEAs, in June 2004. So, they were in existence at the time of the debate. So, my question is: why did the States not decide to request an SEA then? Instead, they charged the then Committee to investigate alternative and conventional technologies and to report back to the States with a preferred solution, with an accompanying cost benefit analysis, and that is the decision of 13th July 2005. This debate is part of that process. Ultimately, today will be about can we assist with that process and approve the location of the plant, the main point of the debate. This will then enable tenders to be sought, costing to be finalised and the final part of the States' decision to be met, when approval will then be sought from us, for the department's preferred solution. Now, we should all be aware that the investigation into the various technologies has been done. I believe it is over 50 suppliers of various technologies have been considered, and that was stage one of the decision. Within that decision there does not appear to be any mention of the States approving the type of technology prior to its selection by the department. We therefore have to move on to the second part of that decision, which is all about location and things. Now, it will be claimed, and to an extent it is being claimed, that we still require further information. The writers of earlier reports may have had a vested interest in the conclusions they derived. Now, my view is that we are at that point where we need to make a decision, based on the available information. This has been going on for years. It does not seem unreasonable again for an Island 9 by 5 with limited space, limited manpower, will have certain restrictions and we cannot consider every type of technology available. In addition, one of the key considerations is that any technology option is proven and has been operational for several years. It is not unreasonable. Again, we are trying to mitigate the risk of adopting new technology. As a layman and as a new Member, I am pretty well satisfied that now is not the time for an SEA. I believe we are in the position, yet again, of needing to use that wonderful phrase: "To get on and move this project forward." I believe, unlike Deputy Southern, that on balance we have got it right to date. An SEA may well have been desirable at the outset. We no longer have the luxury of time that this will cost us. To quote the Scottish Parliament Information Centre, which is something I hoiked off the internet recently on SEAs: "An SEA is carried out in plans and programmes at a strategic level. It must clearly identify feasible alternative plans." Basically, it is going to take a lot of time. Essentially, if we were going to do this we should have done it a lot earlier, at the initial stage of the process. From the Scottish example, an EIA (environmental impact assessment) is appropriate to this project, it will answer the questions that, for example, Deputy Southern has arisen on, for example, traffic, and it is what is being proposed by the Minister, and indeed is what I believe that Deputy Le Claire is meaning when he refers to and EIA to EU standards. Accordingly, Sir, and you will be pleased to know this is it, I do not consider the proposal for an SEA is an appropriate mechanism at this juncture, as part of the consideration of the location for the replacement of the existing Bellozanne plant.

3.2.19 Senator F.H. Walker (the Chief Minister):

Whatever the logic put forward and whatever the wording used, this is nothing more than another reason for a delay. That is essentially what is at the heart of it. To suggest that the States should be taking a decision on a whim or to suggest that it would be a snap decision is unbelievable, after all the years that have gone into the discussion and the research into this proposal. Let me just quote briefly, Sir, if I may from the report because there have been Members who have said: "Well, why does the Minister not accept the amendment?" One Member, okay. Well, there may be others who are thinking it. Paragraphs 2 and 4 and I am quoting from the report: "Seek to widen the extent of the research that needs to be undertaken to assess the impact of placing all such facilities at La Collette and to allow the States to debate these findings." Widen the extent of the research, as if enough research has not yet been done. Then I will not read the next 2 paragraphs, but they make it very, very clear that this is yet more reason for delay. Carry on doing research eternally but for goodness sake do not take a decision and any of us, if we wanted to, could come up with enough reasons to avoid taking a decision. So, there are 3 paramount factors, which make it abundantly clear that we must get on with this job and take the decision. The costs, as we heard from the Minister earlier in the debate, are escalating at something like £1 million every 3 months. Now, the longer we delay therefore, the longer the waste of money that we are sanctioning. The emissions, we have heard and pollution we have heard from the Health Minister. Critical stuff, we have got to close the current incinerator down and we have to move on. Thirdly, the whole risk that the plant at Bellozanne will break down. So, if those are not enough reasons for this House to get on with it and take a decision, I do not know what reasons Members will ever be satisfied with, and I suspect Deputy Duhamel will never be satisfied that there are enough reasons to go ahead with this decision, because basically, he is intrinsically opposed to it. Sir, the delay is already unacceptable. Further delay would be a scandal.

3.2.20 Connétable K.A. Le Brun of St. Mary:

Quite a dilemma has come upon us because I have heard different stories and we say: "Let us get on with it" which I agree we have to get on with it because there is more and more delay coming in the process. What rather disturbs me as well is that, yes, if we are going to have an incinerator, even a nice brand new incinerator, we are going to have to throw in all the rubbish that we are collecting now into it, so the emissions, as far as I can see, over the next year or 2 that will be coming out will be exactly the same as it is at the present time. You are shaking your head, but on the other hand, unless we are going to go into a lot of recycling at this present time and make sure that it is recycled, as we saw the demonstrations and I asked the question the other day when I had been down to Bellozanne and separated out tyres and separated mattresses, and separated everything else at Bellozanne, what happens to it? It then gets shredded, put into piles and then gets incinerated. That is what happens to it. It does not get recycled. Do not you believe it, it has not been recycled over the last few years - many years - it is then shredded and put into the incinerator for all those nasty emissions to come out. So, we are collecting all these bales that they are making up and collecting that as well, that is going to be put into the new incinerator that we will get. That is the only way we will be able to get rid of it it seems. So, I think we have to bear in mind, and I am not saying that we should not have one, but I think initially, right here and now, everybody should be thinking about the recycling and doing something about the recycling of all these things that we have been putting in. You said over the last 18 years and that, the other day, the TATS (Transport and Technical Services) informed me - we had a presentation - they are now going to be concentrating more on batteries. Why have you not done that before? We have not found anybody that would take all the rubbish, so the easiest way of doing it is just throwing

it into the incinerator. Everything is being incinerated as from now. Deputy of St. John, let us hurry up and get on with it. Why is he bothering to going and getting all the headlines and such like and separating all this recycling and wanting to do a lot more in future as well? We will just put it in the incinerator at the present time, more than likely; so why bother telling us to recycle if all we are going to do is throw it into this nice new incinerator and still get the bad emissions coming out of it for the next 4 or 5 years, until we decide to do something with it. That I think is the issue as well. I certainly do not want to delay and I think it is despicable that we are putting all these into the incinerator, and for the toxins and that to be coming out of it. I think one has to be realistic as well. I am not saying which way I am going to vote at this precise time, but I think that should be pointed out to you. It is easy to say: "Let us just get on with it, let us get a nice new one as well, and let us keeping throwing it into it" because you are still going to have emissions coming out of it for the next few years before things change. So, I think we should concentrate a lot more on recycling and then we will not have to throw things into it then and we could get on with it far, far healthier.

3.2.21 Deputy R.G. Le Hérisier:

We are just coming to the end of the football match, I mean of the debate. Just 2 questions to the Minister, Sir. First of all, where does he get his £1 million every 3 months from; and secondly, following on from the Connétable of St. Mary, have his advisers advised him that if certain items were to be excluded from the waste stream, e.g. plastics, tyres, et cetera, it would have a fundamental impact upon the emissions from the top of the chimney? What research has been done into that?

3.2.22 Deputy R.C. Duhamel:

I think that is possibly right, although I think some Members have strayed from the pure text of the debate, which was likely to happen. If I can pick up on that last point first perhaps, Sir. Certainly from Scrutiny's point of view, it certainly looks like - contrary to what Senator Walker is under the impression of that emission levels are critical, and contrary to what the Health Minister is suggesting - that we are spewing out toxic filth. The figures, and this is one of the difficulties when we start to discuss in this House, pure science, where most Members do not have a scientific background. Deputy Southern drew some points out of the presentation that you have been given. Now, this is a political presentation. The presentation seeks to show by scare mongering tactics, that the whole of the Island is being poisoned and polluted. Now, in order to make it justifiable, we have to have some reference to the science underneath. Now, that science, if Members have taken the trouble to look at it, states that the darks and emissions that are coming out of the chimney at the moment - and we are causing them, this is the point, they are not coming out of the chimney on its own. You have to burn these things; you have to burn unsuitable materials first in order to get unsuitable emissions, right? If we look at the EU directives they are measured in nanograms, in fact as .1 nanograms, and that is going to glaze everybody's eyes. So, we bring it back to something sensible, something that people can relate to. If indeed, and it is referred to in the environmental assessment, that these emissions are negligible; they are 10 times lower than rural England at present. Right, 10 times lower than rural England, and people, as we well know, in rural England are falling over themselves and dying at the moment due to those emissions. They are not and nor are we. We are well below on the existing standard. Now, admittedly, they are measured at ground level, so you say: "Well, hey, is there a difference between what is coming out the top of the chimney and what is coming out of the bottom?" Yes, there is, but due to the siting of the chimney and the fact that there are quite strong air currents most of the pollution blows across the land or out to sea where it is not as much of a

problem. What is the problem we are referring to here? It is 10 times less than southern rural England at the moment. Now, if we look at the EU standards, which is what this is all about, and do the calculations for what is not considered to be a problem, not just by Deputy Duhamel's point of view, but what is mentioned in the current environmental impact key issues document from the consultants that we have paid money to - so, we would assume that they are scientifically trained and they can do the calculations, as I can - if we do it and make a calculation, the new standard is .1 nanogram per cubic metre. If you take 2 femtograms per cubic metre or 20 cubic grams per femtometre that means that we are already clean by southern rural standards. We are between 5,000 times less or 50,000 times less than the EU standard, right? Now, I am not making this up. It is in the text if anybody wants to read it. You can go and ask other scientists if you want to vet it, but those are the figures. So, it really irks me, Sir, when we get politicians doing the political bit, standing up and rattling the sabre and scare mongering the public, which is irresponsible and irresponsibility in the first degree, trying to indicate that our children are being poisoned. People pushing prams are being covered or sprayed in industrial pollutants that are falling down on their prams. They are not. Quite clearly, they are not and for any Member to come to this House and try to make an irrational decision on that basis, they are pulling the wool over people's eyes and it is fundamentally wrong. Deputy Huet referred to the fact: "Why introduce more delay?" and Deputy Le Fondre said the same thing. We are running out of time. Why did Deputy Duhamel not bring this last year on 13th July? Well, had those 2 Members have been listening they would have heard. The consultants that we paid for told us last July that the best place for an incinerator replacement was Bellozane. End of story. We were also told that the best place for a composting plant was probably at La Collette. End of story. Since then we have had several other things happen. We have looked at whether or not, going from what Deputy Fox indicated, there would be merit in moving other facilities down to La Collette and we spent money on that and the outcome was: "No." We then had the then President of the Planning and Environment Committee changing his mind in October, just before the elections, suggesting that rather than have an incinerator replacement at Bellozanne and a composting plant at La Collette it might be better to have the facilities in other places. So, we all were invited to a meeting - and I recall it well - at St. Pauls where we were told: "Yes Warwick Farm was coming into play" and then what? We have the elections, we have the new House, so the information that is passed on from the old House to the new is imperfect. New Members come into the House and they do not have the background that the previous Members had. So, where does that take us? February we get a decision by the Council of Ministers. They suddenly decide: "No, they are not going to use Warwick Farm", based on grounds of cost to buy out houses next door for composting and instead of putting composting at Bellozane, an idea which they flirted with for a short while, they then come forward with the idea: "We'll put everything at La Collette." At that point, the Environment Scrutiny Panel that I chair, Sir, looked at it and said: "Hey, wait a minute. On the basis of what we decided last time the conditions have completely changed. It is not in the Island Plan that we have all our eggs in one basket at La Collette." So, I get annoyed, Sir, when Members of the House come here and say: "Well, why is Deputy Duhamel changing his mind? Why did he not tell us a year ago?" The reason I have changed my mind and brought this important amendment is because the Ministers involved, and that includes the Council of Ministers, have changed the game. They are talking about putting all of the facilities in one place, and then what happens next? Well, we are going to have composting and we are going to have a new plant and we are going to have a refuse handling plant down at La Collette and because the going starts to get tough and arguments start to come out: "Well, hey that might be problematical, because we have 100,000 extra trips for people bringing in composting material to La Collette, we will change the game again, at the very last moment." So, what happens? We get called up to

South Hill to speak to the officers and it is revealed to us: "Well, yeah, Pat, we are going to delete the parts of the proposition that are to do with composting, because we know there is potentially an argument that we are going to have difficulty in sorting out and getting the House to agree with" and then we concentrate on something else. I am in very, very clear mind, Sir, in bringing this particular amendment. It will not delay anything. If people read the report, the comments as I referred to earlier on page 3 from the Minister himself, and the only assumption that I can think of to explain the comments that some Members think that perhaps there is an excuse for the delay is if in fact, those words that are put in as comments do not mean what they say. The comment from the Minister of Transport, in accepting the first part of the amendment states: "That the final decision for a new plant, whatever it is going to be, will be taken next year in 2007." So, how is this particular debate going to delay that decision? It is not happening today. So, do not confuse yourselves that it is happening today because that is not the decision. We are talking about location of facilities. End of story. That debate is something to come on to, but the key issue we are looking at the moment is the amendment that I have brought forward as to whether or not States' Members, when they arrive in summer 2007 to discuss the issue finally, will have their fingers on all the documents and all the questions potentially answered. Now, what have we been told? Well, this is Deputy Duhamel delaying and yet you have the Health Minister telling us he is a realist right? We have to make a decision now. If we do not make a decision now, we are delaying the issue. Anyway, why would Deputy Duhamel want all this information because that is delaying the issues. The information is already there, he told us, and that small part that is not there, could be put together relatively quickly, end of story. If the information that I am calling for by changing one word or 3 words, depending on how you are counting, from environmental impact assessment - which is a limited document which specifically refers just to the plant - to strategic environmental assessment, which refers to the fact of putting all your eggs in one basket, and if by doing so, you end by crushing them or stopping other things happening, or making other things more expensive - and that is the nature of it, Sir - how am I delaying the debate? I am not. All this information, if it is there inherent in the system, and there is a small amount that is not there and it can be put together in a relatively short time, and this is the view point of the Minister of Health, then all I am asking, Sir, is that that be done and the House endorse that we have all the available bits and pieces to answer the questions that we will still have next year; being able to be answered at the right time. Now, is that unreasonable? I do not think it is, Sir. We are going to have an environmental impact assessment. It is not the document on your desks; it is going to be something else. There are other questions that I have referred to as to the long-term strategic plans for Havre des Pas; whether or not it is right to eat into a recreational area and to put it over to industrial uses; where the mineral strategy is coming from; whether or not by putting waste handling facilities in the place that has been suggested at La Collette is detrimental to anything else? We are going to be getting those facts and figures, hopefully, on a small part. I want all the facts and figures on everything; otherwise we will not be in a position to decide properly. I want to be in that position. There will not be a delay, Sir. The work can be done immediately. We have a year. We are in June now. This has been suggested that come summer 2007, which is pretty much a year, if indeed the work is available within the system, it can be put together very, very quickly. I do not think it is unreasonable to ask for this to be done. It is not delaying anything. The debate is still to be had as to whether or not, and this is the next one that the Constable of St. Helier has referred to, long term La Collette is the right site compared to Bellozanne or anywhere else. When we get to discuss the proper issues next year, I think we should have a strategic environmental assessment to call upon, in addition to the cost benefit analysis and the environmental impact assessment, and the health impact assessment which refer to the plant in its own right, and not to the Island-wide issues which are crucially

important. The EIA that we have does not refer to any of the items that I have suggested, and it should do. I make the proposition, Sir, and ask for the appel.

The Greffier of the State (in the Chair):

The appel has been called for. I ask Members to take their seats. So, the vote is for or against the second amendment of Deputy Duhamel concerning the words “Strategic environmental assessment”. The Greffier will open the voting. Will Members who wish to do so cast their votes? I ask the Greffier to close the voting. The amendment has been rejected: 16 votes were cast in favour, 28 votes against, and one Member abstained from voting.

POUR: 16

Senator B.E. Shenton
Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy G.P. Southern (H)
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian (L)
Deputy S.S.P.A. Power (B)
Deputy I.J. Gorst (C)

CONTRE: 28

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy J.J. Huet (H)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy A.J.H. Maclean (H)
Deputy of St. John
Deputy of St. Mary

ABSTAIN: 1

Senator F.H. Walker

ADJOURNMENT

The Greffier of the States (in the Chair):

The Assembly is adjourned until 9.30 a.m. tomorrow.