

Environment Scrutiny Panel

PUBLIC MEETING

Record of Meeting

Date: 13th December 2007.

Meeting Number: **68**

Present	Deputy R.C. Duhamel (Chairman) (RD) Connétable A. S. Crowcroft (SC) (for a time) Deputy P. V. F. Le Claire.(PLC) Deputy C. Scott Warren
Apologies	Connétable K. A. Le Brun of St Mary (KB) (from 10 am)
Absent	
In attendance	Mrs C. Le Quesne Scrutiny Officer Mr M. Robbins Scrutiny Officer

Ref Back	Agenda matter	Action
1.	<p>Minutes</p> <p>The Panel received and approved its Minutes of the meetings of 26th and 27th November and 3rd, 4th and 7th December 2007, subject to minor typographical amendments.</p> <p>RD PLC CSW</p>	
2.	<p>Action Updates</p> <p>The Panel noted a list of action updates from previous meetings.</p> <p>In particular the Panel noted the following outstanding issues -</p> <ul style="list-style-type: none"> • Hill Street Cycle Network - Its consultation response to the Town Cycle Network Project for Hill Street. The draft was agreed and the officer was requested to forward the response to the Parish of St. Helier. • Rezoning of Land Consultation - Its consultation response to the Rezoning of Land for over 55's and first time buyer homes. The draft was agreed and the officer was requested to forward the response to the Planning and Environment Department with an invitation to the Assistant Minister to attend a Panel meeting to discuss some of its concerns relating to the rezoning of land. • The Waterfront - The Waterfront Consultation Document would be considered at the Panel's meeting of 10th January 2008. 	<p>CLQ</p> <p>CLQ</p> <p>CLQ</p>

	<ul style="list-style-type: none"> • Water Quality - A date for responses to the supplementary questions asked of the Transport and Technical Services Department on the 4th December 2007 would be requested. • Judicial Review - That the relevant legislation or advice relating to information about the timescales within which a Judicial Review could be initiated would be provided to the Panel. <p>RD PLC CSW</p>	<p>CLQ</p> <p>MR/CLQ</p>
<p>3.</p>	<p>Matters arising from previous minutes and matters for information</p> <p>The Panel noted the following matters arising from its previous minutes and matters for information -</p> <p>Matters arising -</p> <ul style="list-style-type: none"> • SDUK - Five places to include an officer had been reserved for the Sustainable Development Conference in March 2008 in London. The Panel agreed that one more place should be reserved so that all members could attend the conference; • Jersey Heritage Trust - That documentation relating to concerns raised over a Jersey Heritage Trust consultation document would be circulated to members and a way forward would be agreed at the first Panel meeting of 2008. It was noted that the key area of concern with regard to the issue of applying the archaeological sites policy to applications and the protocols followed in the decision making process; • Energy Policy - That an additional meeting before the start of 2008 should be arranged for the completion of the Panel consultation response to the draft Energy Policy. It was noted that Connétable Crowcroft and Deputy C. Scott Warren would not be available until the next Panel meeting. • Tidal Energy Summit - The attending members' contributions for inclusion into the Tidal Energy Summit report back would be included into the report as soon as they were received. The main technical report provided at the summit would only be referenced in the Panel's report back and would be made available on the Scrutiny website. • Water Quality - Revised UK bathing water directives The United Kingdom had now published its new bathing water directives which followed a joint meeting with Ministers on the 2nd November 2007. The Panel understood that these were already being met and exceeded in Jersey. The Panel requested that confirmation of that level of compliance be sought from the Department of Health Protection to ensure that the Island was in line with the new changes. It was also requested that the Transport and Technical Services Department be asked whether the draft liquid waste strategy 	<p>CLQ</p> <p>CLQ</p> <p>CLQ</p> <p>MR</p> <p>CLQ/MR</p>

	<p>would provide a framework for compliance with the United Kingdom revised bathing water directive. The Panel requested information on whether or not Jersey automatically adopted such directives and whether the same applied to air quality directives adopted in the United Kingdom.</p> <ul style="list-style-type: none"> • Malmo - Panel member reports on attendance at the Sustainable Development Conference in Malmo were awaited; • Hazard and Compost Reports - Both reports were still awaited from the Department of Transport and Technical Services. It was noted that one of the reports had now been released to the Public. <p>RD PLC CSW</p> <p>Matters for information</p> <ul style="list-style-type: none"> • A number of media items were provided to the Panel on the huge rise in shipping which had sparked an emissions alert article, a cycle plan in the UK which had achieved lottery funding in the amount of £50 million and a report from Alistair Darling relating to concerns over the state of the environment. • A call had been made through the local media by the Transport and Technical Services Recycling Section to identify a use for unwanted plastic bottle tops. <p>RD PLC CSW SC</p>	MR
<p>4. (Item 4 - 03/12/07)</p>	<p>Consultation Paper on Branchage, from the Comité des Connétables</p> <p>The Panel recalled that it had previously considered the draft paper and that it had agreed that it should take advice from the relevant professional individuals prior to submitting its comment to the Comité des Connétables.</p> <p>The Panel was therefore pleased to welcome Mr. M. Stentiford, Mr. M. Freeman, Principle Ecologist, Environment Department and Mr. J. Pinel, Countryside Manager, Environment Department to discuss the issues pertaining to proposed changes to the existing branchage rules. The changes would alter the dates of the visites de branchage to accommodate occasional years of exceptional growth, and alter the height to which greenery must be cut from 12 to 14 feet.</p> <p>The Panel and the visiting delegation agreed that the nature of the roads tunnel effect in the greener lanes would be detrimentally affected by requiring higher and wider cutting. It was suggested that such an approach would support a policy to push forward with ever increasing industrial size hedge cutting machines that would remove extensive vegetation growth and cause damage to the fabric of the banks.</p>	MR/CLQ

	<p>It was agreed that consideration should be given to the point at which the existing countryside could not further accommodate the larger vehicles and to the natural history of the island which should not be continually eroded to accommodate those demands.</p> <p>The Panel discussed the regulations surrounding the movement of P30 authorised vehicles and considered that the restrictive approach currently applied and managed by the relevant Connétables should be maintained. It was noted that the Loi sur la Voirie (1914) as amended, controlled the movement of P30's on a trip by trip basis for specific routes and times. The process was administered by the Driver and Vehicle Standards Department and can be restricted where necessary.</p> <p>The Panel decided that it would request information on the number of complaints due to lack of access from P30 drivers or carriers so that it might more clearly understand the basis for the proposed changes. .</p> <p>The Panel agreed that it would not be prepared to support any revision of the existing laws and regulations relating to Branchage.</p> <p>In addition it would recommend that training should be required for any operators of tractor driven mechanical cutting equipment to prevent extensive damage to the annual plant and tree species. The Panel also suggested that some consideration should be given to protecting hedgerows by extending the use of some of the existing legislation such as tree preservation orders.</p> <p>The Panel noted that an effective competition scheme to raise the profile of green lanes at a parochial level was proving successful on a small scale. The scheme initiated by the Environment Department was not administered by La Société Jersiaise. In the longer term the Panel suggested that a lane network linking the green lanes should be included within the proposed revised Island Plan.</p> <p>The officers were requested to outline the Panel's views in response to the consultation and to circulate the draft for approval.</p> <p>PLC RD CSW</p>	
<p>5.</p>	<p>Puffin Update</p> <p>The Panel recalled that it had previously considered concerns expressed relating to the diminishing number of puffins on the North Coast and in particular at Plemont where a housing development was being proposed.</p> <p>The Panel welcomed Mr. M. Stentiford, Mr. M. Freeman Principle Ecologist, Environment Department and Mr. J. Pinel, Countryside Manager, Environment Department to discuss the issues and thanked the visitors for the written submissions which had been provided.</p> <p>The Panel was advised that Puffins produced one chick once a year, and did not breed until the age of five. It noted that the decline in appearance of the breed on the North Coast had been a gradual process. The concern directed due to the proposed development</p>	

	<p>was as a result of the strong association in the area between Plemont and Grève de Lecq to the puffins.</p> <p>It was recognised that the species was on the edge of its natural habitat and whilst every effort should be made to ensure that wildlife was protected and provided with safe habitat it was important to recognise that the protection of species in isolation was not as effective as a holistic approach of protecting wider areas of habitat.</p> <p>The Panel was provided with an outline of the Environmental Impact Assessments that developers were required to provide when developing sites adjacent to sensitive wildlife habitat. It was noted that although this was not the first report provided by the developers to address the issues of concern which had been expressed some statements remained to be verified and evidenced.</p> <p>The Panel was advised of some studies in other jurisdictions which had and were taking place to better understand breeding and life patterns of the puffin and of initiatives to protect them from predators such as cats or rats. In some case the decline had been arrested by controlling rats in small island situations. This was not the case in Jersey.</p> <p>The Panel accepted that the issue was mainly that of habitat protection and that it was becoming more difficult to ensure that when economic and population growth continually placed demands on available land resources.</p> <p>It was accepted that the National Trust and the designation of Sites of Special Interest afforded protection for some areas it was difficult to find funding for habitat protection. The Panel agreed that it would await the follow up report requested of the developers prior to making a comment to the Planning and Environment Minister on the issue.</p> <p>The Panel was advised that as part of a natural environment awareness raising campaign D’Auvergne School would be holding an art exhibition on the 12th and 13th January 2008 at Grève de Lecq Barracks between 2 and 4 pm. The Panel was invited to attend.</p> <p>PLC RD CSW</p>	
<p>6. (Item 1 - 09/11/07)</p>	<p>Air Quality Review</p> <p>The Panel was advised that its consultant was currently developing the technical part of its report and that it would be ready for consideration in first draft towards the end of the month.</p> <p>The transcripts from the review hearings had been circulated to all witnesses for comment and would be uploaded onto the web site in due course.</p> <p>The Panel noted that a submission had now been received from Jersey Gas focusing on LPG vehicles and that Mr. C. Newton, Director of the Environment Department had offered to provide the Panel with additional information in the form of a submission if required. The Panel decided that it would only require the additional information if it were to correct any factual inaccuracies made by the</p>	<p>CLQ</p>

9.	Future meetings – The Panel approved a list of dates for its meetings in 2008 with the first of its fortnightly meetings to be held on the 10th January 2008. RD PLC CSW and SC	
-----------	--	--

Signed

Date:

.....

Chairman
Environment Panel