

STATES OF JERSEY



DRAFT ANNUAL BUSINESS PLAN 2010 (P.117/2009): NINTH AMENDMENT

**Lodged au Greffe on 8th September 2009
by Deputy J.B. Fox of St. Helier**

STATES GREFFE

PAGE 3, PARAGRAPH (d) –

After the words “withdrawn from the consolidated fund”, insert the words –

“except that the following item shall be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ –

		Proposed allocation £'000s
T&TS	Bellozanne Sewage Treatment Works – odour control	1,000

with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £35,587,000”.

DEPUTY J.B. FOX OF ST. HELIER

REPORT

For the benefit of the new Members of the States, I think it would be useful to give a brief résumé which led to a Petition being presented to the States (P.34/2006 – *see Appendix 1*), where 2 residents, Mrs. Judy Beaumont and Mrs. Julie O’Shea, obtained 434 signatures from residents and workers in the Bellozanne and First Tower area expressing their concern about the smells permeating throughout the adjacent residential areas from the Sewage Treatment Works, and that the finances be sought from the States to remove the foul unpleasant smells which caused considerable nuisance in their daily lives.

Subsequently a Proposition was laid before the States (P.34/2006 – Bellozanne Waste Treatment Works: petition), which was adopted by the States on 16th May 2006 on a 50 – 1 vote in favour (*see Appendix 2* – Hansard P.34/2006 – Bellozanne Petition).

At that time it was thought that the finance for completion of these works would not be available until 2012; however, because of the overwhelming decision of the States with its 50 – 1 majority, the Chief Minister, Senator Frank Walker, at the Council of Ministers’ meeting of 25th May 2006, advised that these works were too important and that a solution had to found prior to the original proposed completion date for the benefit of the long-suffering residents. This resulted in the advancement of funds, as can be seen in the extract of the Council of Ministers’ Minutes dated 25th May 2006 as below (*see Appendix 3*).

Extract from 25th May 2006 Council of Ministers’ Minutes – Part A {Capital Programme 2007–2011. 1033/1/162(2)} – *see Appendix 3*

The Council of Ministers, having noted and approved the foregoing, supported a proposal from the Minister for Transport and Technical Services that £3 million (£1.5 million in 2009 and £1.5 million in 2010) should be allocated for the construction of a structure (together with associated engineering works) to enclose the Bellozanne Sewage Treatment Works, for the purpose of minimising the odour produced from the site. The Council noted that the necessary funds would be found from within the Transport and Technical Services existing budgets.

Reports from residents and workers in the St. Helier District 3/4, which covers this Bellozanne and First Tower area, were reporting to me that there appeared to be a halt in the works programme. Upon examining the recently published Draft 2010 Annual Business Plan, there was no financial reference to the continued Works Programme that was originally agreed at the Council of Ministers’ Meeting of 25th May 2006.

The Minister for Transport and Technical Services, Connétable M.K. Jackson of St. Brelade, through his Department, confirmed what the residents feared, and has made the following statement: to clarify the current position –

“Included in the 2009 Business Plan was a capital allocation totalling £1.5 million within the Transport and Technical Services Infrastructure 2010 Vote to Fund Phase II Bellozanne Odour Control.

To meet States Wide funding pressures, during the 2010 Business Planning Process, the Council of Ministers decided to remove the £1.5 million allocation to fund other States Wide Capital priorities. Due to this fact, the

Department will be unable to undertake any significant odour control works without having to defer or not undertake a project with commensurate value.

Transport and Technical Services have recently (2008) spent £500,000 on odour treatment at the Bellozanne Sewage Treatment Works. Whilst these units are not fully optimised there has been a noticeable improvement in odours and less complaints have been received.

Final enhancements will further improve the Units ability to deal with putrid odours. Once this is complete an odour survey is required to determine which other areas of Plant may require covering and odour treatment. It is currently estimated that the cost for these additional works would be approximately £1 million pounds.

We have undoubtedly improved the Sewage Treatment Works smells and believe that when we have optimised the odour control Plant the level of smell will be better than ever.

The additional costs for further enhancement are difficult to ascertain until we undertake the next survey, but feel confident with the £1 million pounds.

Transport and Technical Services Department would propose using this funding to enhance the Sludge Digestion Process, which will also improve health and safety due to the age of the existing Plant, as well as improving site nuisance odours.”

It is estimated that there are some 3,000 households in the Bellozanne and First Tower area, and in order to verify the current situation of the effects of the noxious smells and odours to the residents, I asked the 2 original resident Petitioners, Mrs. Judy Beaumont and Mrs. Julie O’Shea, to give an update; which they did as follows –

“We have been following the progress of the assured remedial work at the Waste Treatment Works (Sewage Works) Petition No: P.34/2006. We note that any recent progression seems to have come to a halt. As the original Petitioners, we are extremely concerned as the problem of the noxious smells emanating from the said site appears to be more prevalent again!

We have to endure and suffer these revolting smells late afternoon/evenings/ throughout the night and we are unable to leave our windows or doors open, even during nice warm weather at these times. They are especially distasteful when awoken at night and have caused physical sickness.

We were promised the problems would be resolved and accepted this might take some time, but over 3 years have now passed since our Petition was upheld 50–1 in favour.

Please confirm the funds that were found and allocated for this Project are still forthcoming and the outstanding works are completed swiftly to finally bring an end to this huge ongoing issue for the residents of First Tower.”

Conclusion

It has been 3 years since the original Proposition was overwhelmingly accepted by the States with its 50 – 1 majority, and this was probably the most important decision to improve the quality of life of the residents of Bellozanne and the First Tower area.

The States made an important promise, and whilst there is an acceptance in the downturn of the economy and savings have to be made, I submit that this is not an area where such savings should be made because of its effects on such a large area of the community. Therefore, I have brought this Amendment for the States to re-affirm the importance of the necessity of these works being completed.

Financial and manpower implications

This Amendment increases the overall States' spending in 2010 by £1 million, as I do not think it is realistic for me to identify a £1 million saving elsewhere. This simply restores the capital sum that was originally intended for these works.

With regard to manpower implications, works will be carried out by outside specialist contractors and therefore there may be no manpower implications for the States.

APPENDICES

Appendix 1 – Original Proposition P.34/2006

Appendix 2 – Hansard P.34/2006 – Bellozanne Petition

Appendix 3 – 25th May 2006 Council of Ministers' Minutes – Part A

STATES OF JERSEY



BELLOZANNE WASTE TREATMENT WORKS: PETITION

Lodged au Greffe on 28th March 2006
by Deputy J.B. Fox of St. Helier

STATES GREFFE

2006

Price code: B

P.34

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Minister for Transport and Technical Services –

- (a) to undertake an assessment of the Bellozanne Sewage Treatment Works by the end of 2006 to identify the sources of the unpleasant smells that are causing a nuisance to those living and working in the vicinity of the Works; and
- (b) to prepare a full engineering appraisal, following the assessment, showing how the smells could be minimized and setting out the total capital cost of the required buildings, enclosures, odour control equipment and all associated engineering works, and to request the Minister to then make the necessary submission based on the appraisal, as part of the capital prioritization process, so that funds can be sought to enable the remedial work to be undertaken.

DEPUTY J.B. FOX OF ST. HELIER

REPORT

On Thursday 16th March 2006, I received a petition of 434 names from Mrs. Judy Beaumont of Pomme d'Or Flats, West Hill, St. Helier, which reads as follows –

“To His Excellency, Air Chief Marshal Sir John Cheshire KBE CB, Lieutenant Governor.

To Sir Philip Bailhache, Bailiff, President.

To Members of the States of Jersey,

‘The humble petition of the residents/workers of the First Tower area shews, their concern about the smells permeating throughout the adjacent residential areas from the Waste Water Treatment Works and accordingly, your petitioners pray that, Environment and Public Services Committee shall endeavour to make funds available to resolve this problem and thus minimize these foul, unpleasant smells, which cause considerable nuisance in our daily lives and your petitioners as in duty bound will ever pray.’ ”

To support this petition Mrs. Beaumont has compiled the following points that the residents/workers of the First Tower area have stated the reasons as outlined.

1. *The smell is repugnant.*
2. *It can linger for days on and I have recorded it for up to a 14 day stretch, day and night.*
3. *Weather is a factor, hot heavy weather without wind. It sits in the valley and is drawn towards the sea, usually very slowly clearing often staying into the afternoon or evening.*
4. *It permeates properties without even the windows open, especially ours as they are single glazed. Many flats on the estate have made this comment.*
5. *It has awoken me in the night and makes me feel sick and this disgusting smell has made my mouth taste the same. His has happened to other residents too.*
6. *The staff at the sewage works and surrounding offices can vouch for the smell; it is in their offices as they arrive for work in the morning, having been trapped inside overnight. It is then impossible to clear because opening windows makes it worse when it is outside too. The Director, John Rogers, at the works suffers the same fate in his own office.*
7. *Heavy morning or overnight dew makes the smell cling in the valley not allowing it to escape.*
8. *You cannot put out washing when there is a smell and if you do, it absorbs the smell.*

9. *In the summer, on those nice warm days, evenings it's impossible to sit outside or even open windows or doors. Visitors to your home are amazed and usually disgusted at its stench and can't believe that we have to accept it.*
10. *It is a constant factor in the First Tower School, which the Headmistress/Caretaker battle to overcome on a weekly basis for the sake of all the children.*
11. *The seagulls use it as a local restaurant, dipping and diving and eating the fats off the top of the sewer cells, and whatever else they can retrieve. Then the seagulls come onto the surrounding rooftops and regurgitate it to eat, especially when they are feeding young. This must surely have some serious health implications?*
12. *We put up with the whole Island's excrement! Why should we alone suffer, when it is everyone's responsibility? We realise the Treatment Works will not be moved and therefore accept that only capping, venting and housing the relevant areas will be the answer to this issue.*

To support the residents/workers I ask the States today to request the Minister of Transport and Technical Services to bring forward a proposal from the Department to resolve the odour problem at Bellozanne, which we recognize is a large and complex project that will require several million pounds of expenditure. It is appreciated at this time that a figure is unavailable without a full engineering appraisal and risk assessment.

I am advised that it will be necessary to –

- (1) Assess the sewage treatment works and identify the areas where smells emanate. Carry out an appraisal of the individual components in that area and determine the number of air changes required per hour.

This will then determine whether the electrical appliances within that area will then fall into a hazardous classification. If so, they will either have to be removed from that area or replaced with new equipment that falls within the zone classification for that area.

- (2) With the above information, the engineers can then prepare a capital estimate for the cost of buildings, enclosures, odour control equipment and the cost of changing the electrical equipment to conform to the new hazardous zone requirements. Once this is done the Minister will be able to submit the necessary bid to the States' capital programme so that funds can be made available to enable the work to be completed.

Financial and manpower implications

The financial implications for the Minister for Transport and Technical Services of complying with this proposition itself are linked to the cost of the feasibility study and technical appraisal which I am advised may cost up to £100,000. The Minister has agreed to fund the initial odour survey and scoping work from the Department's budget. The balance will have to be provided from a planning vote for the detailed technical development work, should the scheme be approved in principle for inclusion in the forward capital programme. The costs of the actual remedial works are not known but are considered significant, certainly several million pounds. There is no headroom within the currently approved capital programme 2006 – 2010 to contain such costs without deferring or deleting an existing scheme of commensurate value.

The manpower implications of implementing the remedial works cannot be determined until a feasibility study has been undertaken.

APPENDIX [to P.34/2006]

Form of petition

To His Excellency, Air Chief Marshal Sir John Cheshire KBE CB, Lieutenant Governor.

To Sir Philip Bailhache, Bailiff, President.

To Members of the States of Jersey,

“The humble petition of the residents/workers of the First Tower area shews, their concern about the smells permeating throughout the adjacent residential areas from the Waste Water Treatment Works and accordingly, your petitioners pray that, Environment and Public Services Committee shall endeavour to make funds available to resolve this problem and thus minimize these foul, unpleasant smells, which cause considerable nuisance in our daily lives and your petitioners as in duty bound will ever pray.”

PLEASE WRITE CLEARLY AND IN CAPITALS

ADDRESS	NAME	SIGNATURE

434 signatures

**EXTRACT FROM OFFICIAL REPORT 'HANSARD'
16TH MAY 2006**

8.5 Bellozanne Waste Treatment Works: petition (P.34/2006)

The Bailiff:

We now come to Bellozanne Waste Treatment Works: petition (Projet 34) in the name of Deputy Fox and I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion to request the Minister for Transport and Technical Services (a) to undertake an assessment of the Bellozanne Sewage Treatment Works by the end of 2006, to identify the sources of the unpleasant smells that are causing a nuisance to those living and working in the vicinity of the works, and (b) to prepare a full engineering appraisal following the assessment showing how the smells could be minimised and setting out the total capital cost of the required buildings, enclosures, odour control equipment and all associated engineering works, and to request the Minister to then make the necessary submission based on the appraisal as part of the capital prioritisation process, so that funds can be sought to enable the remedial work to be undertaken.

8.5.1 Deputy J.B. Fox:

It gives me great pleasure today to present this proposition on behalf of the residents of Bellozanne and the First Tower area, which I am delighted has received in principle support from the Minister for Transport and Technical Services and the Council of Ministers, and indeed for the department for all the work, as with other departments, in enabling this to be put forward. It is also my intention to give a short overview of this proposition at this opening address. I will deal with any questions, obviously, that arise as a result of it. Historically, Bellozanne Treatment Works was constructed in the mid-50s for the Island's treatment of sewage and waste water. The sewerage network has been extended to a point where approximately 87 per cent of the Island is serviced by the foul drainage system, except for a small package treatment plant at Bonne Nuit. The sewage works had very little modernisation until the 1980s, when there was a programme of refurbishment, replacement and upgrading. Odours resulting from the biological treatment process have been a problem for many years and have been the subject of regular complaints from the nearby residents. Odours occur as a result of a biological degrading of the sewage emanating from the surface of the large open tanks and channels. On Thursday, 16th March 2006, I was delighted to receive a petition of some 434 names, from Mrs. Judy Beaumont of Pomme d'Or Flats, West Hill, St. Helier, together with a Mrs. Julie O'Shea from Clos St. Andre in St. Helier. They collected all the signatures. On your desks, in fact – I understand they were posted prior to today – you will have received 2 independently recorded diaries from these 2 ladies on the smells emanating from the waste water works and how it affected their families. I thought it might be useful for you to have that diary record. In essence, the petitioners asked the Committee to make funds available to resolve the problem and minimise the foul, unpleasant smells which cause considerable nuisance in the daily lives of the petitioners, their families and other workers. To achieve this, the Minister

for Transport and Technical Services has agreed that his department will conduct a preliminary assessment during 2006 and submit a capital request for inclusion in the 2012 capital programme. The Council of Ministers, in early 2007, has agreed to consider the items to be included in the draft capital programme. The draft capital programme will then be submitted to the States in the summer of 2007, as part of the annual business plan. Financial and manpower implications: the Minister has agreed to fund the initial odour survey and scoping works from the department's budget. The cost of the feasibility study and the technical appraisal, I am advised, may be up to £100,000. The costs at this time of the actual remedial works are not known, but are considered to be significant and certainly several millions of pounds. Manpower implication of implementing the remedial works cannot be determined until the feasibility study has been undertaken. I propose this proposition. Thank you, Sir.

The Bailiff:

[Seconded] Does any Member wish to speak on the proposition? Senator Ozouf?

8.5.2 Senator P.F.C. Ozouf:

I think Deputy Fox is to be congratulated for bringing this item to the Assembly's attention, and also the Transport and Technical Services Ministry and Assistant Minister, who of course do represent this area, to agree to bring forward a proposal or to understand what the issues can be for corrective action for this. I support that as a previous Deputy of St. Helier, as many of us in this Assembly are. We know of the difficulties that residents around Bellozanne have with the placement of the sewerage works. There is a problem, but I would also wish to say that I do not think that we should be raising people's expectations that there is a magic wand, that we can deal with this problem overnight. There is not capital funding available within the short period of years, i.e. for the next 2 to 3 years, at the very least, for any remedial action, and certainly, unlike the installation that Senator Vibert and I saw last week in the Isle of Man, where we saw the Isle of Man's sewerage works... Of course, they have a sewerage works, unlike some other places not too far away from here. Their sewerage works is on the top of a cliff, well away from population and any smells that may emanate from their sewerage works are basically taken off into the wind or outside of a population density. There is a very different situation in Bellozanne and that is, I suspect, the problem. There could be issues put in place but they may well be expensive and they may not be a complete solution, but of course it has to be right that the matter is investigated, that the matter is costed and that the matter is brought forward for consideration by the Council of Ministers, and ultimately the Assembly, to come to a conclusion. But I would just urge Deputy Fox and others to ensure that expectations are not raised; that we just simply will not be able to deliver in the early course. I agree that there is a problem and I would want to do something about it, but I am afraid it is not going to be overnight.

8.5.3 Deputy J.J. Huet:

I have just listened to what Senator Ozouf said and, yes, it sounds great, but the people there have been putting up with this for a long, long time. Both Senator Ozouf and Senator Walker have been Deputies in that district and it was there when they were there. I think 2012 is too long. I have been in the district for 30 years and it has been there. You are now saying: "Do not raise your hopes." Well, I think it is about time some hopes were raised. Those people have put up with it for years and years, and I think we should be ashamed of ourselves if we cannot bring it forward from 2012, and I am asking the Chief Minister, he is a clever person and I am sure he can wangle

something somewhere. **[Laughter]** I notice that he does not live there. Neither does Senator Ozouf live there. I do not think there are many who do live in that from this Chamber. The ones who do live in it know what it is like. As I say, none of you would buy a house there, I can assure you. So, I think 2012 is much too long and I think you should put your thinking caps on and try and make life a bit more pleasant. It is not just people, it is children as well. It is everybody in that district. Thank you Sir.

8.5.4 Senator J.L. Perchard:

I could not agree more with the last speaker. She is absolutely right. To talk of 6 or 7 years of continued problems down at Bellozanne is really unacceptable. I think, Sir, that the Transport and Technical Services Minister has perhaps got his priorities wrong here. He is looking to build a large cover to eliminate the smells at a composting site, which has been made of his own accord at La Collette, that is going to be at a level of some £4 million worth of capital costs, to try and alleviate the smells emanating from La Collette. La Collette is a problem made by him, his own department, and it is a smell emanating from La Collette that needs not to happen. So, the States have agreed, I understand, or are about to agree to cover a man-made problem at La Collette with a £4 million building, while ignoring the problem at Bellozanne. I suggest the Minister for Transport and Technical Services seeks advice again from his Council of Ministers as to which of these 2 smells should be prioritised with regards to his department dealing with them. Can I offer him some help by suggesting that the smell emanating from La Collette could stop tomorrow if he chose to stop receiving waste there and look at some sensible alternatives which are available to him immediately and that would alleviate the problem, not only in the short-term but in the long-term?

8.5.5 Senator Vibert:

While supporting and agreeing that we should not build up hopes of a complete solution, if it turns out to be a very expensive engineering solution, we will not be able to afford it very quickly, I think it is important to do what we can as soon as we can to alleviate the problem in the area. I am wholeheartedly behind making a proper assessment of it, and as Senator Ozouf said, we visited such a site in the Isle of Man. I stood right on top of the inlet, with the sewage coming in. Unfortunately for some of you, I did not fall in but came out smelling of roses. But there was no smell. Right near the settlement tanks. There was no smell. It did not seem to be rocket science that was eliminating a lot of the smell. Maybe it will be that to totally eliminate the smell it will require expensive engineering works, but I think it is important, and I made this comment in the discussion of the Council of Ministers, if the assessment shows that something can be done to alleviate part of the smell or most of the smell in a reasonable way, at a reasonable cost, we should move that up our priorities and do it, so as to make the lives of the people in Bellozanne, who have had to put up with this unpleasantness for far too long, easier. So, we must not build up hopes, but we must do what we can and as quick as we can. It is not acceptable for those people to have to continually bear that smell, if we can do something to alleviate it.

8.5.6 Deputy C.J. Scott Warren:

I also congratulate Deputy Fox and I agree with the previous speakers, who have stated that 2012 is far too long. I feel that we must do something to remedy this unpleasant environment as quickly as possible, and make some way of finding and allocating the resources that are needed. It must be a top priority. Yesterday, there was also a terrible smell emanating around the South Hill offices and area. **[Laughter]**

That is no inference on the department. **[Laughter]** I had friends over last weekend from England and they were not aware of the political discussions going on in the Island at the moment, and they remarked to me about the smell at Havre des Pas. I think it is a top priority for us to make this a smell-free Island. The residents of Bellozanne area and anyone, to be honest, facing obnoxious smells in the Island have my full support. Thank you.

8.5.7 Deputy P.V.F. Le Claire:

I too am fully supportive of the people in the Bellozanne area being relieved of this obnoxious smell. Also, I applaud Deputy Fox for bringing a proposition to the Assembly that is so well-drafted and so well thought through. I tend to scratch my head now, though, because I am wondering when and how it will get sorted if at all, because I have been in the Assembly now for, I think, 7 and a half years, and when I first came to the Assembly, I worked on the Public Services Committee with Constable Simon Crowcroft of St. Helier, and we identified a number of issues in respect of what was needed then and they are still in train now. Some of the issues in relation to the sewage treatment works were whether or not they should be covered, whether or not the ongoing fiasco at the time of the cavern was ever going to be sorted out, and also whether we would be able to get rid of the people we had to retain to solve the issue. Also whether or not we would ever extend the outfall on the beach at First Tower to a satisfactory distance to enable the children that play there in the summer not to be in the vicinity of where the sewage enters the ocean. Now, it might be something that is very well treated and it might be something that has people from all over the world coming to marvel at its ultraviolet qualities. But, nevertheless, it is still sewage. It is treated and, in some instances, the fish are having a heck of a time there, so I do not know how well it is treated, but certainly something is still there. The whole issue about what we have done with our sewage and the cavern and the whole issue about money seems to go on and on and on. It must have been a phenomenal amount of money that has been spent, by the States of Jersey, in the last 20 or 30 years or so trying to address the sewerage problems of St. Helier alone. There are a lot of issues outside of St. Helier in relation to people that have not got connections to the mains and there are issues about sewerage tactics in the future. But what I would like to say, apart from what is obvious – where is this all going to – is: where is this all going to? **[Laughter]** Because I do not know when I am going to be able to give my vote in support of doing something about it. Could you possibly, through the Chair, Deputy Fox, explain to me when I will be presented with an option to vote pour or contre on the money that will solve the issue once and for all.

8.5.8 Senator F.H. Walker:

I clearly get the mood of the House and I can assure the House that the issue will be discussed as a priority by the Council of Ministers in the shortest possible time scale. However, I do echo the words of Senator Ozouf when I say that we will not necessarily be able to find an immediate solution. I do hear very clearly the words of those who say that 2012 perhaps is too far away, but I equally believe that those Members are now jumping on the Deputy Fox bandwagon. They could have brought a proposition of their own or made those comments many years previously, but have not done so. I warmly congratulate Deputy Fox for bringing this to the floor of the House. It is not before time, in many respects, and I accept that, and the Council of Ministers will give it the most serious consideration and report back to the States at the earliest possible opportunity with all the implications, financial and/or otherwise, with a view hopefully to addressing this issue in the shortest possible time.

8.5.9 The Deputy of St. John:

I wonder if I could add another slight dimension to this debate. Upon travelling into St. Helier early morning, on a warm midsummer's morning, with people having just been collected from the airport from other parts of the world, sitting in the traffic jam, listening while they are smelling what we are talking about emanating from Bellozanne, the windows go up and the air conditioning goes on and it still comes into the car and those people are a bit surprised that we have such a sophisticated economy here, yet we are sitting on this waterfront smelling our sewerage plant. We then get to West Park and the tide is out and we can then smell the seaweed, and they can still say: "Well, are we a modern, progressive economy?" It does concern me that we still have these smells emanating from those 2 areas, particularly when I am bringing people in from the airport from other places. Another minor thing: in deference of my predecessor, drains connected further in the future to that plant, of course, will emanate in more of the same being treated at that works. I do wonder if, during the study that Deputy Fox is suggesting, that that is taken into account. I do hope that, eventually, capital is found to connect the majority of users of our network to the main sewage system. I hope that you can include that, Deputy Fox, in your research. Thank you, Sir.

8.5.10 The Connétable of St. Helier:

I would like to ask a few questions. Clearly I support this, as I think most Members will do, but I think there are a few questions that need to be asked about how we got here. I am imagining that when the sewerage plant was commissioned in the valley that the States of the day must have taken a decision about not building residential accommodation too close to it. I know that for a while, certainly since I have been in the States, there has been a bad neighbour policy and the States have bought-up properties affected by the waste treatment works. Perhaps not so much the sewerage works as the incinerator and the sorting of the refuse. But clearly there has been a policy for some years about bad neighbours. What has changed? Has the nature of the sewage changed? Is the smell worse than it used to be when they first decided to build houses in the valley? The Deputy may not be able to answer that question, but I think it is a question that somebody should be looking into, because it does seem to me that before the Island commits itself to a permanent waste facility, and Members will know what I am alluding to, they should really do their homework and make sure they are not putting something in a situation which, years down the line, is going to leave another States scratching its heads and thinking: how can we throw money at this problem and prevent it from being a nuisance? There are not just issues with smell, of course, in Bellozanne Valley. One of the at least as frequent complaints I have heard from residents there is traffic levels and traffic fumes. That is not something that putting a shed over the sewage works is going to change, but clearly if the refuse operation moves from Bellozanne Valley, then traffic levels will diminish. The other, more fundamental question I want to ask is whether the Island was right when it decided, many years ago, that every ounce of liquid waste should be piped to St. Helier for treatment. It does seem to me to be a policy that was always bound to lead us where we are this afternoon, wondering how we can take remedial action to sort out the impact of that. I remember when the Minister of Drains was always jumping to his feet in budget debates and saying he wanted more and more of the Island connected up. I did occasionally try to reason with him and say: "Well, why not look at satellite sewerage facilities? Are they not cheaper? Are they not properly sealed?" Indeed it was something of a landmark when the development in Bonne Nuit did achieve exactly that, and we now have a satellite station at Bonne Nuit which deals with the

sewage up there and does not pipe it expensively down to St. Helier. So I think these more strategic questions, more structural questions, do need to be asked when the Council of Ministers is examining what to do about this situation, because there are parallels with the problems at La Collette and the States needs to learn from its mistakes in the past. It needs to understand that, if it made mistakes back in the 1950s, then we are not going to make the same mistakes in the current century.

8.5.11 Deputy G.W.J. de Faye:

I am very pleased that Deputy Fox has brought this petition, because this is an issue that he has been campaigning on for many years now, as have the other St. Helier No. 3 and 4 representatives, of whom I am one of the newest. I can assure Deputy Fox that his request will receive my full support and indeed I would have been working on this myself anyway had the Deputy not brought it forward. But it is appropriate that, if I can put it this way, he should take the glory because he has been working on this issue for such a very long time. I would like to address a few of the interesting bogeymen that have been hauled out of the cupboard during the course of this debate. It is always very amusing to listen to the Constable of St. Helier talking about how we should learn from our mistakes and certainly he has made plenty that I think we have all very much enjoyed learning from over the years. Why does the sewage go to St. Helier? Well, the fundamental answer to that question is because it is downhill most of the way. That causes enormous savings in our gravity-fed drainage systems that then have to rely on a reasonably low level of pumping. The Constable is quite right. We are now looking at satellite facilities because simply the fact is that we have got 87 per cent of the Island on the mains drainage system and all the remainder, the remaining 13 per cent, is the most difficult parts of the Island to connect up and the most expensive, incidentally. We are going to have to look at innovative ways to deal with the remainder to get people on to mains drains. I am very pleased to hear that Senator Perchard has got an idea that will allow me to stop composting tomorrow and please do contact my department and tell me what it is. **[Laughter]** Do not keep these things to yourself – if I may say through the Chair – Senator. Please run them past my offices and we will see how helpful they are. I was frankly astonished to hear Deputy Le Claire announce that the fish are having a hell of a time in the bay out at First Tower. I do not quite know how he knows that, but I would like to give an assurance to anyone who may be concerned that the water coming out of the outlet at First Tower is perfectly safe. There is no danger. Do not worry about your children playing. Do not encourage them to drink 1,000 gallons of it, but the odd slurp is not going to make any difference. But the fact is it does have to be recognised that it is not exactly the same as the water that comes out of your mains tap. That is because it is sewage effluent water and there are some things that the sewage process simply cannot take out of water, such as medications and perhaps primarily female contraceptives. So, you do not want to take your water bottle down there every day and fill it up and perhaps serve it under pressure to guests at your cocktail parties with a whiskey and ice, but you will not come to any harm if you jump about in it. But obviously I cannot speak for the information I am sure I will get from Deputy Le Claire about the fish. Now, it is a scandal that the situation at Bellozanne has been allowed to go on for as long as it has. I find it extraordinary that there are seasoned Members of this House, who have been here a lot longer than I have, who have done absolutely nothing about it. The smell that issues from Bellozanne is far worse than anything that the residents of Havre des Pas have to put up with. I know there is an odour problem down there as well and it is one that I have made clear that we are setting out to address. Senator Ozouf made some very clear promises to the residents last year and I regret that we have not been able to get on with things as fast as we would have liked, but there have

been distractions on the way. That is not to say that a solution will not be found. There is a solution. But I think it was for those Members who have read in particular the diary of Mrs. Julie O'Shea, who I pay tribute to – her and her other lady friend in Bellozanne who went out and organised this petition. That is a very moving diary to read and I wonder whether Members can imagine what it is like to go to the trouble of setting up a dinner party in the evening, to invite your guests round, and because of weather conditions on the day, your guests arrive to be greeted not only by you but a disgusting, noxious sewer-like smell through which you would be obliged to sit and try and gaily eat your evening meal. Frankly, it is the smell of an open sewer. Effectively, that is what it is. It has been no fun at all for decades at Bellozanne Valley. Here we all are, we have got terribly highly charged because there has been a bit of excitement about the composting down at Havre des Pas, but it has been much worse in Bellozanne for much longer, and I am delighted that finally we are taking steps to do something about it. Already, officers from the Transport and Technical Services Department are setting about making an odour assessment to determine precisely where the smells are coming from. We will then move to a feasibility study and the funds are there, there is a pot of funding for feasibility studies, and we will look at what we can do to fix it. But it is not going to be easy and it is not going to be cheap, because one of the differences in, for example, the operation of the composting plant to sewerage works is that the process of anaerobic decomposition of sewage produces methane gas, which is explosive. So, it is not simply a matter of sticking a tent over the whole lot, because we have a lot of electrical equipment involved in the pumps and as we enclose, so we trap methane gas, potentially highly explosive and one spark from an electrical pump could set the whole thing off. So, it is a hazardous potential that we are going to have to investigate in great detail to find the appropriate solutions. So, solutions are available, but I say again, it is going to be expensive. I am afraid it is not just good enough for Members just to get up and congratulate Deputy Fox and perhaps encourage me to get on with things. We are going to have to find the money and that means that Members are going to have to look at our priorities. Now, I cannot remember who it was, but someone said: "Where are we going to find the money?" Well, we get to approve the business plan in due course. That is where Deputy Fox and I and other people who have spoken in favour of sorting this problem out will find out very abruptly just how many other Members are interested in getting this problem sorted out because it will be there in the budget or it will not be. This will mean that other areas are going to have to consider their priorities, because I am afraid at the moment the money simply is not there in the capital programme until 2010, 2012. So, on behalf of my department and Deputy Fox, I issue an early appeal to Members and say if you do genuinely want to sort the problem out for residents of Bellozanne Valley, please offer assistance when it comes to the business programme, because that is the only way that we will have the money to get it fixed. But I conclude there because I am afraid that is the raw facts of the matter. A solution is available but it is down to Members to provide the funding to get it sorted out. Meanwhile, I once again congratulate Deputy Fox and give him my assurances that I will give him every support in this matter that I can.

8.5.12 Senator B.E. Shenton:

I will be very brief because I think most of the House is in favour of this proposition. Just a couple of points. Firstly, I do not think Senator Ozouf needs to worry about the public having high expectations. Secondly, I would suggest to Deputy Fox that he brings an amendment to the Strategic Plan with a firm date by which it has to be

sorted out. If it is not sorted out by that date, he calls for the resignation of the Minister.

8.5.13 Deputy S.C. Ferguson:

Yes, I would like to be a little more helpful, Sir. My first thought was that the Constable of St. Helier could give up the covenant and pay for his rubbish to be dumped, but I do not know that that would go down very well. It occurs to me that the methane could be used to generate more electricity. But back to the point: the Members will have looked at the strategic report and if you look at the Treasury and Resources section, you will have noted that various pockets of capital have been found. We note that £20 million worth of efficiency savings have already been earmarked for education and health. Well, hang on a minute. This is a health context – the health of the people living down Bellozanne Valley. So, perhaps it is not beyond the wit of our Council of Ministers to reallocate some of these pockets of capital that appear to have been found that were not there in the original fiscal strategy. I ask them urgently, and particularly education and health, to look at their priorities and see whether they cannot move things down the list.

8.5.14 Deputy J.A. Martin:

Yes, just a few words. I also will be supporting Deputy Fox. Following on from what the Transport and Technical Services Minister said, it is a shame that there is very little mention in the Strategic Plan about the liquid waste at Bellozanne, because I feel that it should have been his job to raise this. I know he is a newer Member, but he is the Deputy of the district and then he happened to be also elected as Minister for Transport and Technical Services. We have heard a lot today about the money and not having very high expectations. I think a lot of things have been pre-empted. We have put aside x amount of millions for what we now have a Scrutiny Panel looking at. Do we really need this massive, expensive energy from waste plant? The expert has just spoken through you, Sir. Senator Ozouf says we do. But I would rather wait until the experts on the Scrutiny Panel have, as you say, brought their report. We are putting millions, there have been millions quickly found through a so-called solution at La Collette. It is all very well that the Minister for Transport and Technical Services tries to belittle helpful suggestions by another Minister who has said to us, Sir, that he has tried repeatedly to speak to the Minister and his department with serious alternative solutions. As I say, we all like a joke, but I am getting even more worried now, being Deputy for St. Helier No 1, and we have already got supposedly the energy from waste plant and the composting plant and I am told we have Bellozanne because sewage runs better downhill, I am wondering how far lower down La Collette is than Bellozanne. I am really getting worried that all the smells are coming in our direction, but as I say – as a St. Helier Deputy, I think, I have said this this morning through you, Sir, to our Constable – as the States we should be working to find the best solution. There is a lot of money in this Strategic Plan and capital projects for the whole area of waste. We need to step back a few months, and we need to know that they are being spent correctly and as I said before, some of these Ministers need to be big enough to say that they may have made the wrong decision for the good of the public. Thank you, Sir.

8.5.15 Deputy G.P. Southern:

Yes, Sir, just briefly, I have heard from Senator that we have not got the capital, but it is not really about having the capital. It is about having the priorities. I believe I was there witnessing a capital expenditure budgeting process sometime last year when this

very issue of liquid waste and the facilities got parked years later, in 2011, 2012, because it did not come to the top of the list of the then-President's priorities. It is simply a question of prioritising and the new Minister of Transport and Technical Services has to prioritise this issue and I speak personally as I live in Bellozanne Road. While I do not represent the Members there, I can attest quite fully to the fact that the smell is obnoxious.

8.5.16 Deputy K.C. Lewis of St. Saviour:

To have a large valley with a large sewerage plant in it that vents into a residential area is very bad planning indeed. But this was not so much planned as it evolved, and as has been said in this House many times, we are where we are. It is time we did the right thing by the residents of Bellozanne and the longer we leave it, the more expensive it will become. So I will be supporting the proposition, Sir.

8.5.17 Deputy J. Gallichan of St. Mary:

I certainly do not believe in speaking just to repeat what others have said before, but I do endorse what Deputy Fox has managed to achieve so far. Obviously, ultimately, it all comes down to the allocation of resources. I believe it is time to have a 'joined-up' look at this matter. 'Joined-up' was the phrase that was in common parlance a couple of years ago and seems to have stopped recently, but we need to look both at the existing sewerage network and its possible future extension once and for all as part of a capital reprioritisation process. The residents of Bellozanne have a really pressing need. They have been patient really for quite long enough and that is beyond question. Their concerns should now be addressed, as soon as possible, I believe, but only as the initial phase of a reassessment of the waste disposal policy as a whole and not as just an isolated case. Thank you, Sir.

8.5.18 Senator S. Syvret:

I certainly will be supporting this proposition. I do, however, think that Members need to be realistic about the wish lists that we sometimes come up with. A number of Members have said that this could be prioritised. Well, maybe it could, but there are consequences that will flow from that and Members have to be realistic about what those consequences might be. It was pointed out by a speaker earlier that there were some extra monies found in the system for services such as education and health. Yes, that is true. But the demand upon the health budget is such that, frankly, if you gave the department another £20 million, it could spend it all quite easily. We are wrestling at the moment with the extent and degree of cardiology services we provide on the Island. We are trying desperately to develop professional fostering services. I am being pressured by Members about respite care – various aspects of it. I am being told that the derelict parts of Overdale should be rebuilt as a matter of great urgency and priority. Now, where is all the money going to come from for that? I am seriously looking at the moment at people in the Island who suffer from chronic illnesses, such as diabetes, for example, and considering whether they should be given all of the equipment and consumables they need, free of charge, rather than having to pay for it. Is it fair and right that somebody suffering from a chronic illness should have to have a great cost burden put on to them as well, in addition to that? All of these are great objectives, but we have to be realistic about where the money is going to come from. In terms of health and social services, I can certainly say that the capital programme of the department is somewhat reduced immediately and for the foreseeable future. Why? It is because the previous Health and Social Services Committee gave up a significant portion of its capital bids, so that that money could go towards the replacement of the

Bellozanne incinerator. I have to say, and of course another speaker did mention it: Deputy Martin spoke of the possibility of the energy from the waste plant going to La Collette. Again, with the siting of these kinds of industrial operations, it is much the same as it is with the money. While it is easy to want to say: “Oh well, it should not be near anyone and it should look pretty and it should not smell and all of these things”, the reality is – and it is our responsibility ultimately – it has to go somewhere. Now, I am afraid that the incinerator at Bellozanne has to be replaced. The incinerator is producing toxic fumes, waste, carcinogenic effluent on a routine basis. Anywhere else in Europe, that plant would have been shut down a decade ago. If you are really concerned about environmental health considerations, frankly, composting is as nothing compared to the public health considerations of the Bellozanne incinerator. So, it has got to be replaced and we have got to get on and make a decision about it, and I hope we are going to do that very, very soon. Frankly, we have had some years of prevarication about this, with all kinds of other ideas and alternative plans being floated, none of which have ever been demonstrated to be workable, practicable and reliable for the Island. I am no fan of incineration, but I am afraid nobody has been able to show me a viable alternative. We have got to get on with this and we have got to do it. Probably La Collette is the right location for it, because, from a health protection point of view, Bellozanne is now a residential area. There are loads of new housing estates around there, in the valley, around the valley. There are 3 schools in the vicinity. It simply is no longer acceptable to have industrial operations taking place in the heart of the residential and educational area that we have created. The only appropriate place, therefore, for these major industrial operations to go is down at La Collette, because it is not near people’s houses. Now, some people do not like the aesthetics of the incinerator. They said: “Oh well, it is not going to look pretty down there.” Well, frankly, on the one hand, if you have got a hard choice between the aesthetics of it and, on the other hand, stopping hundreds and hundreds of heavy goods vehicle fumes and emissions and journeys per week going through the heart of a residential area right next to schools, I know which one I am going to come down on. So, I just think Members ought to be aware that all of these decisions we have to make have rarely got an entirely satisfactory answer that is going to address everyone’s concerns and keep everyone happy. There are hard choices to be made, and ultimately we have got to make those and not shy away from them, and I know that some of us represent individual districts, but we do, I think, also have to bear in mind the overall consideration, the overall well being of the community as a whole.

8.5.19 Deputy J.B. Fox:

Thank you to the 18 people – States Members – that have broadly supported this proposition. It is not my proposition. It is a proposition from the 434 residents of Bellozanne and the people that work down there. I say thank you on their behalf, because we have to start somewhere, and, yes, there has been a lot said today but I hope you will forgive me if I do not run through what everybody has said, because a lot of it has been already said. But I would like to just say that the principle is that a lot of people have spent a lot of time making the effort to bring this to our attention in the House today. They have been very successful in the way they do it. They have not been shouting from the top of the trees or anything else like that. They have been doing it through a proper and correct process, and they have been asking questions and, indeed, they were going around seeking the support and the views of the residents long before I knew about them. In fact, they saw Deputy Southern first and he said: “Oh, you are using the wrong information, the wrong form” and he took the trouble to go and get the information and put them back on the right track. I only knew about it when nearly 400 signatures had already been obtained, but in the process the

information that came out clearly showed that there has been a lot of discussion over the years. Yes, it had ended up on the back-boiler, but this is the time with everything – with our new ministerial system, with the change of the energy resources – to look at it. Now, I am not going to go into discussing the merits or otherwise of different plants that are required and where they are going to be put. The one thing that is obvious, especially to the residents of Bellozanne, is that the sewerage plant cannot be moved. It is an integral part of the Island's infrastructure in bringing all the sewage and foul water into one area, except for that small bit at Bonne Nuit. It would be far too costly to even contemplate moving it somewhere else. But what we can do is start the process to make life more bearable for a lot of people, and you will have seen, by the survey that has been put out, and by some of the answers that are in the report of my proposition, what the residents have said to the people that were collecting it. Let us go forward. Let us put a line under the past and say: "The past is the past, we cannot do anything about it. But what we can do is something for the future." I am very grateful to the Minister and his department, and indeed the Treasury and the Treasury Minister, for doing a lot of background support and work in trying to put this proposition forward when you have not got any money that is allocated until at least 2010. Because that is what the situation is at the moment. But to overcome that, a lot of work was done. You do not believe the amount of emails that were flying around on Saturday and Sunday. I was quite amazed how many of our officers deal with their emails and find answers, and by Monday morning there were answers that were able to put this proposition forward. I thank them and I thank everybody for that, because it is very important. It is now, rightly, up to the Minister of the Transport and Technical Services Department and his officers to find a suitable way forward. At the moment, it looks complicated and expensive. But I am aware that the recent trip to the Isle of Man, and it could work out to be the most economic trip in the Island for visiting away, is that in fact there is a box on top of an inlet pipe that cured a lot of the smells. Now, it might work very well in the Isle of Man. It might not work in Jersey. But if we are able to put a box on top of an inlet pipe and it takes away a lot of the smells, even as a temporary measure, the residents of the Isle of Man would be very pleased. **[Laughter]** Bellozanne, sorry. I am not suggesting that that would provide a complete solution, but let us open the box and see if there are... **[Interruption]** Open the box and find imaginative ways of finding a solution without it taking years and costing a lot of money. That has been agreed to. Thank you, Minister. The next stage is obviously to work out how much it is going to cost to go to find a solution to the current problems. Then I shall be hoping to thank the Council of Ministers and after that process, to thank you as States Members on behalf of the residents of Bellozanne, in this case, to be able to bring forward a solution and I hope it will be a long way before 2012, but if it takes until 2012, it is a lot better than having an open end with no solution at the end of it. With regard to all the other places like Havre des Pas, I will quite happily say to you that that also needs a solution, but it needs to be done constructively, and it needs to have proper support and guidance. I will be quite honest with you, it can be achieved just as much as here, so I thank everybody for the support that they have indicated and I look forward to a positive vote on this proposition. Thank you, Sir.

The Bailiff:

I will ask any Member in the precinct who wishes to vote to return to his or her seat and I now ask the Greffier to open the voting, which is for or against the proposition of Deputy Fox.

POUR: 50

CONTRE: 1

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
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 B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (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. Le Fondré (L)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy S. Power (B)
Deputy S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Deputy R.C. Duhamel (S)

Extract from 25th May 2006 Council of Ministers' Minutes – Part A

Capital
Programme
2007 to 2011.
1033/1/1/62(2)

A6. The Council, with reference to its Minute No. B3 of 11th May 2006, and with Mr. R. Foster, Head of Corporate Capital and Messrs. I. Black, M. Heald, E.H. Le Ruez, J.A. Richardson, S. Austin-Vautier and M. Pollard, members of the Corporate Management Board in attendance considered the funding allocations for the 2007 to 2011 Capital Programme.

The Council recalled that at its Meeting of 11th May 2006, it had sought further information on all of the additional bids which had been submitted, before a decision was made. The Council, having considered the rationale behind a number of alterations, noted the following –

- (a) **Health IT system:** The Council received a presentation by Messrs. M. Pollard, Chief Executive Officer, J. Turner, Director of Finance and Dr. G. Prince, Intensive Care Physician, Health and Social Services in connexion with the new line of funding required to meet the estimated cost of a replacement Health IT system. It was noted that the company which provided Health's current software system was leaving the market place and the product would therefore be unsupported. The situation had been highlighted during 2005's capital resource allocation process but at that time details on cost and programmes had not been well developed. Initial indications suggested that the replacement cost could be in the region of £15 million. A sum of £12 million had been included in the forward capital programme, which represented the lower end of the cost estimate. The position would need to be carefully reviewed as more information was obtained and, if necessary, adjustments made to the future capital programme. As this item was of such value and significance to Health's business it had been shown separately from the Corporate IT funding stream, but would need to conform with all Corporate IT protocols and requirements. The Council was advised that the project would be managed by the Information Services Department and that a recognised and well supported software package would be implemented. The Council was supportive of the said bid;
- (b) **Phase 4 of the Grainville School project/General and Acute Extension:** Phase 4 of the Grainville School Project was considered by the Education, Sport and Culture Department to be its highest priority unfunded project. A fully developed brief existed for this phase,

although, as the initial feasibility study was completed in 1997 and revised in December 2003, it was proposed that the brief was revisited to ensure it met predicted curriculum needs in the most cost-effective manner.

The General and Acute Extension bid related to Phase 1 of a two phased build programme, Phase 2 being an extension of the two storey Phase 1 into a 5 storey building at some unspecified future date. At this stage an outline brief and feasibility study, with high level costings for two options, was being produced for Phase 1. No feasibility study had been produced for Phase 2. The ongoing review of the delivery of health care services would need to include a strategic appraisal of property requirements. When these requirements were fully established, they would be considered and prioritised against the proposed capital programme to 2011. In the interim, further analysis of the requirements for the General and Acute extension, the replacement Health IT System and Grainville Phase 4 would be undertaken to determine whether savings could be achieved which could be directed towards priority Health and Social Services schemes.

The Council of Ministers, having noted and approved the foregoing, supported a proposal from the Minister for Transport and Technical Services that £3 million (£1.5 million in 2009 and £1.5 million in 2010) should be allocated for the construction of a structure (together with associated engineering works) to enclose the Bellozanne Sewage Treatment Works, for the purpose of minimising the odour produced from the site. The Council noted that the necessary funds would be found from within the Transport and Technical Services existing budgets.

H.M. Attorney General alerted the Council to the fact that, owing to an unfortunate oversight, no submission had been made in respect of the Jersey Legal Information Board by himself or the Bailiff, who would have wished to bid for funds to implement a public registry to provide greater public access to conveyancing legislation. Deputy J.B. Fox argued that the replacement of the athletics track at F.B. Fields, St. Clement would enable the Island to make a bid to host the Island Games in the future and could provide training facilities for athletes prior to the London Olympics in 2012. **However the Council was not convinced and agreed that the £450,000 required should be met from within the existing Education, Sport and Culture budget.**

The Council noted that its recommendations for the Capital Programme would be submitted to the States for approval later in 2006 as part of the States Annual Business Plan 2007–2011.