



Environment, Housing and Infrastructure Scrutiny Panel

Records of Meetings

Year: 2022

The following records of meetings have been approved by the Panel.

Signed

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Chair

Connétable Mike Jackson

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 11th January 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair <i>[items 1-3, 5, 6, and 8 -11 only]</i> Deputy Inna Gardiner
Apologies	Deputy Steve Luce Connétable Sadie Le Sueur-Rennard Deputy Graham Truscott
Absent	
In attendance	<p>Item 2 only Deputy David Johnson, Chair of the Economic and International Affairs Scrutiny Panel Senator Steve Pallet, Member, Economic and International Affairs Scrutiny Panel Mr Roger Le Maistre, Freedom Holidays Ms Melanie Le Maistre, Freedom Holidays</p> <p>Item 3 only Kevin Pilley, Head of Place and Spatial Planning, Strategic Policy, Planning and Performance Department Natasha Day, Senior Planning Policy Officer, Strategic Policy, Planning and Performance Department Steve Skelton, Director of Strategy and Innovation, Strategic Policy, Planning and Performance Department</p> <p>Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Janice Hales, Committee and Panel Officer <i>[item 2 only]</i> Edward Le Gallais, Communications Officer, Digital and Public Engagement, States Greffe <i>[items 1 and 4-11 only]</i></p>
Agenda Matter	Action
1. Records of Meetings	
The Panel noted and approved the record of the meeting held on 21 st December 2021.	
2. Informal Private Meeting with Freedom Holidays	
The Panel received Roger and Melanie Le Maistre from Freedom Holidays for a joint meeting with the Economic and International Affairs Panel at 11.30am in respect of provision of self-catering accommodation and AirBnB within the Island. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 26.	
The Panel debriefed after the meeting and agreed to include an area of questioning regarding self-catering accommodation for its upcoming quarterly Public Hearing with	

11.01.2022

<p>the Minister for Housing and Communities on 26th January 2022. The Panel noted that the Chair for the Economic and International Affairs (EIA) Scrutiny Panel would also include self-catering as an area of questioning for the EIA Public Hearings as appropriate. The Panel considered whether the area could be included within its Legacy Report.</p>	<p>NH</p>
<p>3. Briefing: Update on the Draft Bridging Island Plan</p> <p>The Panel received Officers at 12:30pm for a briefing to provide an update on the Draft Bridging Island Plan.</p> <p>The Panel was informed that the process of the draft Bridging Island Plan was entering the final stages. The timeline preceding the debate of the Plan that was scheduled for 14th March 2022 was outlined to the Panel. It was explained that the Minister for the Environment intended to present the Inspectors' report and his initial response to it on 28th January 2022.</p> <p>It was noted that would set the timeline for States Members to submit amendments to the draft Plan. It was explained that Members would be able to submit new amendments from 31st January to 7th February 2022 and that from 31st January to 14th February 2022 amendments to amendments would be accepted. It was explained that new amendments would need to be of a substantive issue or an issue that was raised during the consultation or through the Inspectors' Report. It was highlighted that amendments on new concerns or areas could not be brought.</p> <p>It was explained that the deadline for amendments to be submitted by the Minister for the Environment was 28th February 2022. The Panel was informed that the Minister may choose to amend Members' existing amendments, where Members had not made the changes suggested by the Minister to their amendments. Moreover, that he may wish to bring new amendments on issues that had been raised or were not previously noted.</p> <p>The Panel asked, in respect of the Minister for the Environment's response to Members' existing amendments, whether further assistance would be offered from Officers to Members to assist them with understanding the Minister's intentions regarding their existing amendments and any amends to those amendments that would be needed for them to be accepted by the Minister going forward.</p> <p>It was noted that support for the preparation of amendments (revisiting existing amendments and preparing new amendments) would be provided to Members through Officers as well as the States Greffe. In addition, that the Minister's Statement Response to the consultation had already addressed and clarified the Minister's position regarding all existing Members' amendments which would be helpful for Members to consider.</p> <p>The Panel was informed of the key actions that would follow including:</p> <ul style="list-style-type: none"> • Provision of support. • Liaison with the department for Infrastructure, Housing and Environment regarding regulation. It was noted that the Plan would impact the ongoing planning position and therefore the new Plan would need to be used on planning applications that would be shortly submitted in order to align the timelines for planning applications. • Liaison with the States Greffe in respect of the Order paper for the debate. • Plan preparedness with regard to ensuring the ability to adapt to new policies and guidance resultant of the new Plan when it was approved. 	

<ul style="list-style-type: none"> Reviewing of the bridging plan process to consider any advantages and disadvantages of the changed process that was used and to identify whether any permanent changes should be made regarding the process going forward. <p>The Panel noted it was awaiting correspondence from the Jersey Construction Council with comments in relation to the draft Bridging Island Plan. The Panel agreed to follow up with written questions for a response in writing from the Minister for the Environment regarding the submission once received.</p> <p>The Panel thanked Officers for their time and the briefing ended.</p>	NH
<p>4. Affordable Housing: Supply and Delivery</p> <p>The Panel noted that a partial Ministerial Response was received on 7th January 2022 from the Minister for Housing and Communities. The Panel noted and discussed the Fair Rents Plan that was published by the Government of Jersey on 31st December 2021 as well as P.121/2021- Rent Safe Scheme that was published by Senator Moore on 21st December 2021.</p> <p>The Panel noted P.2/2022 -Tenancy Notice Period that was lodged by Senator Mézec for debate on 8th February at the earliest. The Panel discussed that the proposition was proposing extended notice periods and although the period of time was not stipulated within the proposition, suggestions had been made within the accompanying report. The Panel discussed what would necessitate a reasonable notice period and noted that a generic structure would be necessary.</p>	
<p>5. Draft Commercial Vehicles (Licensing of Operators) (Jersey) Law 202-[P.118/2021]</p> <p>The Panel noted and discussed its Comments on the proposition. The Panel requested some minor changes to be made and agreed for the Comments to be presented ahead of the debate of the proposition on 8th February 2021, once the changes had been actioned.</p>	NH
<p>6. Carbon Neutral Roadmap</p> <p>The Panel noted that the Officer had met with Officers from the department of Strategic Policy, Planning and Performance (SPPP) the previous week to discuss the timeline and scrutiny process of the Carbon Neutral Roadmap. The Panel noted and discussed the timeline for the lodging of the Carbon Neutral Roadmap for debate on 26th April 2022 and discussed its scrutiny approach. The Panel noted and discussed the draft Scoping Document for its review of the draft Carbon Neutral Roadmap.</p> <p>The Panel noted that the public consultation of the draft Carbon Neutral Roadmap was underway and was scheduled to close at the end of January 2022. The Officer informed the Panel that a briefing had been offered on the outcomes of the consultation for 15th February 2022. The Panel agreed for the briefing to be scheduled for the 15th February and asked the Officer to request that the consultation responses be shared with the Panel prior to the briefing for the Panel's consideration, considering the strict timeline for its review.</p> <p>Since the Panel's review of the draft Carbon Neutral Roadmap would align with the public consultation, the Panel agreed that it would be essential to receive the consultation responses as well as the responses from the focus groups and targeted stakeholder meetings being undertaken by the SPPP department. The Panel noted this would be fundamental to being able to undertake the scrutiny process within the constrained timeline and to inhibit any duplication and potential stakeholder confusion</p>	MM

<p>through the Government of Jersey and Scrutiny requesting submissions from stakeholders simultaneously.</p> <p>The Panel discussed the request by the SPPP department to receive its view on the proposal of a new Standing Scrutiny Review Panel on Energy and Climate Change to ensure the long-term commitment for the Carbon Neutral Roadmap. The Panel agreed that the views of the Scrutiny Liaison Committee (SLC) on the matter should be sought as that would be more appropriate. The Chair agreed to raise this at the upcoming SLC meeting that week.</p> <p>The Panel approved the draft Scoping Document for the review and agreed for it to be shared with the SLC for approval. The Panel noted that the Terms of Reference would be drafted and shared with the Panel for approval via email prior to being sent for SLC approval.</p> <p>The Panel agreed for the review to be launched once the approval process had been completed.</p>	<p>MJ</p> <p>MM</p> <p>MM</p>
<p>7. Work Programme</p> <p>The Panel noted and discussed its work programme for January to April 2022. The Panel noted that Comments were being drafted on P.114/2021 for consideration at its next meeting. Regarding P.76/2021, the Panel recalled its concerns to date and noted that it was awaiting the draft Orders regarding the enabling legislation to be shared with it. The Panel anticipated to have sight of the draft Orders in March 2022.</p> <p>The Panel noted the confirmed scheduled dates for its upcoming quarterly hearings with the Minister for Housing and Communities, Minister for the Environment and Minister for Infrastructure between January and March 2022.</p> <p>The Panel noted it would need to begin consideration of its Legacy Report and noted that the Legacy Reports for Scrutiny would in the first instance be raised with the SLC prior to the Panels actioning their reports.</p> <p>The Panel requested that any clashes between the scheduled Panel meetings and the meetings scheduled for the Planning Committee for 2022 be identified so that alternative options could be considered where possible.</p>	<p>NH</p>
<p>8. Fishing vessel licensing conditions</p> <p>The Panel considered the response received from the Minister for the Environment to its letter dated 23rd December 2021.</p> <p>The Panel requested a meeting to be arranged with the Minister for the Environment and Officers for an update on the Fishing Vessel Licensing workstream and suggested requesting for the Minister for External Relations to attend jointly with the Minister for the Environment.</p>	<p>NH</p>
<p>9. RAMSAR vote on independent environmental regulation</p> <p>The Panel noted and discussed the recent email correspondence received on the RAMSAR vote on independent environmental regulation. The Panel agreed to draft questions in relation to the correspondence received for a response in writing from the Minister for the Environment and to follow up with any questioning during its quarterly public hearing on 8th March 2022.</p>	<p>MM</p>
<p>10. Other business</p>	

<p>The Panel noted and discussed the invitation by the Corporate Services Scrutiny Panel to attend a joint briefing on the Official Analyst Law which would be linked to the draft Food Law scheduled for imminent lodging. The Panel agreed for the joint meeting to be scheduled.</p>	<p>NH</p>
<p>11. Future meeting</p> <p>The Panel noted that its next meeting was due to take place at 9:30am on 26th January 2022.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by electronic mail

Date: 13th January 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Steve Luce Deputy Inna Gardiner Connétable Sadie Le Sueur-Rennard
Apologies	Deputy Graham Truscott
Absent	
In attendance	Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer
Agenda Matter	Action
1. Carbon Neutral Roadmap Review	
The Panel approved the Terms of Reference for its review of the Carbon Neutral Roadmap via electronic mail correspondence.	MM

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 25th January 2022

Present	Connétable Michael Jackson, Chair Deputy Inna Gardiner Deputy Steve Luce Connétable Sadie Le Sueur-Rennard Deputy Graham Truscott
Apologies	Connétable John Le Maistre, Vice-Chair
Absent	
In attendance	Deputy John Young, Minister for the Environment Senator Ian Gorst, Minister for External Relations Greg Morel, Assistant Director - Marine Resources, Infrastructure, Housing and Environment Department William Peggie, Director for Natural Environment and Acting Director for Regulation, Infrastructure, Housing and Environment Department David Le Marquand, Private Secretary to the Minister for External Relations Sophie Bertram, Research and Administration Officer Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer
Agenda Matter	Action
1. Briefing - Fishing vessel licensing conditions	
The Panel received the Minister for the Environment, the Minister for External Relations and Officers for an update on fishing vessel licensing conditions. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 26th January 2022

Present	Connétable Michael Jackson, Chair Connétable Sadie Le Sueur-Rennard Deputy Graham Truscott Deputy Steve Luce Deputy Inna Gardiner <i>[items 2 and 6 -9 only]</i>	
Apologies	Connétable John Le Maistre, Vice-Chair	
Absent		
In attendance	Item 2 only Deputy Russel Labey, Minister for Housing and Communities Timothy Millar, Senior Policy Officer, Strategic Policy, Planning and Performance Department Sue Duhamel, Head of Policy, Strategic Policy, Planning and Performance Department Robert Bowditch, Regulation Standards Manager (Housing and Nuisance), Infrastructure, Housing and Environment Department Steve Skelton, Director of Strategy and Innovation, Strategic Policy, Planning and Performance Department Carly Cudlipp, Private Secretary to the Minister for Housing and Communities Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer	
Agenda Matter		Action
1. Records of Meetings		
The Panel noted and approved the records of the meetings held on 11 th and 13 th January 2022.		
2. Public Quarterly Hearing – Minister for Housing and Communities – Draft Question Plan		
The Panel noted the question plan for the upcoming hearing with the Minister for Housing and Communities scheduled for that morning. The Panel noted that the full Ministerial Response had not yet been publicly presented by the Minister and discussed how that might impact the public's perception and understanding of some of the questioning during the hearing that morning.		
The Panel received Deputy Russell Labey, Minister for Housing and Communities, and Officers for a public quarterly hearing. The proceedings were streamed live to the public and a recording was taken so that a written transcript could be produced.		

<p>3. Affordable Housing: Supply and Delivery</p> <p>The Panel noted that the full Ministerial Response to the Panel's report had not yet been presented by the Minister for Housing and Communities.</p>	
<p>4. Draft Official Controls (Jersey) Regulations 202- [P.114/2021]</p> <p>The Panel noted that a Comments paper had been drafted and was undergoing the internal quality assurance process. It was anticipated that the draft Comments would be shared with the Panel the following day for the Panel to consider ahead of approval at the Panel's next meeting on 1st February 2022.</p>	<p>NH/MM</p>
<p>5. Carbon Neutral Roadmap</p> <p>The Panel noted the review had been launched on 20th January 2022.</p> <p>The Panel noted the public consultation on the draft Carbon Neutral Roadmap was scheduled to close on 31st January and subsequently the Panel was due to receive a briefing on the responses of the consultation on 15th February 2022.</p> <p>The Panel noted that the Minister for the Environment had agreed to share the redacted responses from the consultation with the Panel prior to the briefing on 15th February 2022.</p> <p>The Panel noted it would question the Minister for Infrastructure on the review during the Quarterly Public Hearing scheduled for 15th February 2022 and that a review hearing had been scheduled with the Minister for the Environment on 8th March 2022.</p> <p>The Panel noted that question plans would be drafted in due course for the Panel's consideration.</p>	<p>MM</p>
<p>6. Fishing vessel licensing conditions</p> <p>The Panel debriefed following the briefing received the previous day from the Minister for the Environment, Minister for External Relations and Officers. The Panel recalled and discussed the meeting that was held the previous day between the Jersey and French governments on the technical aspects of the licensing regime. Recalling that the Minister for the Environment had chosen to not attend the meeting, although understanding of the Minister's rationale for not attending, it was the Panel's view that the Minister should have attended considering his Ministerial responsibility in this area.</p> <p>The Panel highlighted its frustration regarding how drawn out the process had been to date and the time it was taking to reach any resolution with the French Government on the licensing conditions. Also, how the delays would potentially impact the commencement of the workstream in relation to nature and extent of licensing conditions.</p> <p>The Panel raised concern regarding the language and communication barriers, considering that it had been made aware that suitable translation facilities were not accessible during the meeting that was undertaken on the technicalities of the licencing process the previous day between the Jersey and French governments.</p> <p>The Panel discussed the ports where Jersey's fisheries could land their catches. However, noted that work to progress further opportunities and markets, although discussed in length by the Government of Jersey and Jersey's fishing community, had not been progressed to date. Noting that Guernsey would land its catch in varied ports,</p>	

<p>the Panel discussed whether consideration for alternative merchanting arrangements for Jersey should be undertaken.</p> <p>The Panel recalled that it had written to the Minister for the Environment in December 2021 regarding the licensing regime and agreed it would consider whether the Minister's response necessitated any further detail to be sought.</p> <p>The Panel agreed it would continue to monitor the developing circumstances on the licensing matter and in order to gain a further understanding of the arbitration process, agreed to request a meeting with Officers from the Law Officers' Department, the Minister for the Environment and the Minister for External Relations.</p>	NH
<p>7. Bridging Island Plan</p> <p>The Panel noted the Inspectors' report and the Minister for the Environment's response was due to be published on Friday 28th January 2022.</p> <p>The Panel noted and discussed the email correspondence received from the Jersey Construction Council, Association of Architects and Jersey Chamber of Commerce Building and Development Sub-committee and considered how any potential meetings with the stakeholders would relate to the timeline of the amendment process for the Bridging Island Plan.</p> <p>Considering the tight timeline for lodging amendments to the Bridging Island Plan, the Panel agreed to request a written submission to be shared with the Panel via email as an alternative to holding a meeting with the stakeholders.</p>	NH
<p>8. P.121/2021 - Rent Safe Scheme</p> <p>The Panel noted the States' debate on P.121/2021 had been deferred until 8th February 2022.</p>	
<p>9. Future meeting</p> <p>The Panel noted that its next meeting was due to take place at 9:30am on 1st February 2022. Deputy Luce and Deputy Truscott noted their apologies for the upcoming meeting due to conflicts with the meeting for the Planning Committee.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 1st February 2022

Present	Connétable Michael Jackson, Chair Connétable Sadie Le Sueur-Rennard Connétable John Le Maistre, Vice-Chair Deputy Inna Gardiner
Apologies	Deputy Graham Truscott Deputy Steve Luce
Absent	
In attendance	Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Kaya Camara, Research and Project Officer
Agenda Matter	Action
1. Draft Official Controls (Jersey) Regulations 202- [P.114/2021]	
The Panel discussed and approved Comments in respect of the draft Law and agreed for it to be presented on Thursday that week ahead of the States' debate scheduled for 8 th February 2022.	NH
2. Bridging Island Plan	
The Panel noted that the Inspectors' Report and the Minister for the Environment's response to it was published on Thursday 27 th January 2022.	
The Panel noted that the Minister had rejected some of the recommendations made within the Inspectors' Report. The Panel discussed areas of potential concern including the prevailing position of the La Gigoulande Quarry and the future supply of Jersey's water. The Panel agreed to write to Jersey Water Works to gain a better understanding of its position regarding the requirement for the La Gigoulande Quarry and its intentions in relation to Jersey's future water supply.	NH
The Panel discussed policy ME2 (Passivhaus Standards) in the proposed Plan and the Minister's response to the recommendation made within the Inspectors' Report. The Panel recalled the evidence it had gathered regarding Passivhaus during its review of affordable housing. The Panel recalled that the evidence it had received from Andium Homes and the Jersey Construction Council had indicated that the introduction of Passivhaus standards may affect scheme viability and deliverability in certain cases. However, the Panel noted that the Minister's response seemed to address this concern by ensuring a sufficient level of flexibility within the policy wording so that where Passivhaus standards would not be considered viable and evidenced as such, it would not need to be applied under those circumstances. It was noted that the Inspectors' recommendation to apply the policy to all new developments at this stage was rejected by the Minister on the grounds of ensuring a 'just transition' to carbon neutrality and thereby enabling the construction industry to develop sufficient capacity to meet the standards over time.	

01.02.2022

<p>the sand extraction process would be required to end at some point in the near future, the Panel agreed it should include the monitoring of sand extraction and the plans for further future sand provisions within its legacy report for the successive Panel to consider as part of its work programme.</p>	<p>NH</p>
<p>5. Future meeting</p> <p>The Panel noted that its next meeting was due to take place at 9:30am on 15th February 2022. Constable Le Maistre noted his apologies for the meetings on that day. Due to the de-escalation of the Covid-19 measures and considering that the work from home guidance had been removed, the Panel agreed it would be flexible in relation to whether it would hold its future meetings in person or virtually via Microsoft Teams. The Panel agreed that, where possible, it intended to hold all public hearings in person.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Date: 4th February 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair (<i>via electronic mail</i>) Connétable Sadie Le Sueur-Rennard (<i>via telephone</i>) Deputy Steve Luce Deputy Inna Gardiner Deputy Graham Truscott	
Apologies		
Absent		
In attendance	Nikita Hall, Committee and Panel Officer	
Agenda Matter		Action
1. Draft Bridging Island Plan 2022-25 [P.39/2021] – Panel Amendment		
The Panel discussed and agreed a draft amendment to P.39/2021 which proposed the removal of policy ME2 from the Draft Bridging Island Plan 2022-25.		
The Officer was instructed to progress with lodging the Panel's amendment prior to the deadline of 7th February 2022.		NH

Environment, Housing and Infrastructure Panel

Record of Meeting

Date: 15th February 2022

Present	<p>Connétable Michael Jackson, Chair Deputy Inna Gardiner <i>[Items 1-3 and 8 only]</i> Deputy Graham Truscott Deputy Steve Luce</p>
Apologies	<p>Connétable John Le Maistre, Vice-Chair Connétable Sadie Le Sueur-Rennard</p>
Absent	
In attendance	<p>Item 2 Louise Magris, Head of Sustainability and Foresight, Strategic Policy, Planning and Performance Jane Burns, Eco-Active Programme Manager, Infrastructure Housing and Environment Department Tim Pryor, Head of Communications, Infrastructure, Housing and Environment Department Lisette Jones, Senior Policy Officer, Strategic Policy, Planning and Performance Ben Markwell-Sales, Private Secretary to the Minister for the Environment</p> <p>Item 3 Deputy Kevin Lewis, Minister for Infrastructure Andrew Scate, Director General, Infrastructure, Housing and Environment Department Louise Magris, Head of Sustainability and Foresight, Strategic Policy, Planning and Performance Louisa Phillips, Senior Policy Officer, Strategic Policy, Planning and Performance Tim Daniels, Director of Property - Jersey Property Holdings, Infrastructure, Housing and Environment Department Gordon Forrest, Head of Driver and Vehicle Standards, Infrastructure, Housing and Environment Department Tristen Dodd, Director - Transport, Infrastructure, Housing and Environment Department Chris Rondel, Private Secretary to the Minister for Infrastructure</p> <p>Item 4 Deputy John Young, Minister for the Environment Senator Ian Gorst, Minister for External Relations Aurélie Leroy, Director, Bureau des Iles Anglo-Normandes (BIAN) Victoria Bell, Legal Advisor, Law Officers' Department Matthew Berry, Legal Advisor, Law Officers' Department Greg Morel, Assistant Director – Marine Resources, Infrastructure, Housing and Environment Department Paul Chambers, Marine and Coastal Manager, Infrastructure, Housing and Environment Department</p>

	<p>Ben Markwell-Sales, Private Secretary to the Minister for the Environment David Le Marquand, Private Secretary to the Minister for External Relations</p> <p>Item 5 Deputy John Young, Minister for the Environment Stewart Petrie, Environmental Health Consultant, Infrastructure, Housing and Environment Department Ben Markwell-Sales, Private Secretary to the Minister for the Environment</p> <p>Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Ella Nicholls, Communications Officer</p>
Agenda Matter	Action
<p>1. Record of Meetings</p> <p>The Panel noted and approved the records of the meetings held on 25th, 26th January and 1st, 4th February 2022.</p>	
<p>2. Briefing: Draft Carbon Neutral Roadmap</p> <p>The Panel received Officers for a private briefing on the outcome of the Government of Jersey's public consultation on the draft Carbon Neutral Roadmap. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35</p>	
<p>3. Public Quarterly Hearing with the Minister for Infrastructure</p> <p>The Panel noted and discussed the question plan for the hearing with the Minister for Infrastructure. The Panel received Deputy Kevin Lewis, Minister for Infrastructure, and Officers for a Public Hearing at 11.30am. The proceedings were webcast live to the public and a recording was taken so that a written transcript could be produced.</p> <p>The Panel agreed to send the residual questions from the hearing to the Minister for Infrastructure for a response in writing.</p> <p>The Panel discussed and agreed the key aspects to include within the press notice and social media following the hearing. The Communications Officer agreed to compile the social media content and to share it with the Panel for approval later that day.</p>	
<p>4. Briefing: Fishing Vessel Licensing Conditions Update on Extent and Nature</p> <p>The Panel received the Minister for the Environment, the Minister for External Relations and Financial Services and Officers for a briefing in respect of the proposed extent and nature licensing provisions and to seek further information on the EU-UK Trade and Co-operation Agreement arbitration process. This Meeting was held by video conference. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p> <p>The Panel debriefed following the briefing received that afternoon and agreed it would remain abreast of the developments in the area and regarding any potential arbitration process. The Panel agreed that the reclassification of Jersey's waters remained unclear at present.</p>	

<p>5. Briefing: Draft Food Safety Law</p> <p>The Panel received the Minister for the Environment and Officers for a briefing on the proposed Draft Food (Jersey) Law 202-. This Meeting was held by video conference. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p> <p>The Panel debriefed after the receiving the briefing and requested the Officer to advise the Minister for the Environment that it would not be reviewing the draft Law beyond the initial briefing.</p>	NH
<p>6. Draft Carbon Neutral Roadmap</p> <p>The Panel received an update on the progress of the review. The Panel noted and discussed the submissions received to date including from members of the public, Jersey Electricity and ATF Fuels. The Panel noted the request from ATF Fuels to meet to further share its views. The Panel requested for the Officer to extend an invitation to ATF Fuels to provide evidence via a public hearing.</p> <p>The Panel noted the submissions that had been shared with it in respect of the Government of Jersey's public consultation and in addition the Government's draft analysis report of the consultation. The Panel noted it was due to receive a briefing later that morning on the outcomes of the public consultation.</p> <p>The Panel noted that a question plan would be drafted and shared with it in due course for the upcoming review hearing with the Minister for the Environment scheduled for 8th March 2022.</p> <p>Deputy Gardiner requested a hard copy of the consultation draft of the draft Carbon Neutral Roadmap. The Officer agreed to acquire one if possible.</p>	MM MM MM
<p>7. Future meeting</p> <p>The Panel noted that its next meeting was due to take place at 9:30am on 8th March 2022 in the Le Capelain Room of the States Building.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Date: 8th March 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Inna Gardiner
Apologies	Deputy Graham Truscott Deputy Steve Luce Connétable Sadie Le Sueur-Rennard
Absent	
In attendance	<p>Item 2 Deputy Russell Labey, Minister for Housing and Communities Robert Bowditch, Environmental and Consumer Protection, Infrastructure Housing and Environment Department Michelle Humphreys-Foott, Regulations Standards Senior Officer, Infrastructure Housing and Environment Department Carly Cudlipp, Private Secretary to the Minister for Housing and Communities</p> <p>Item 3 Deputy John Young, Minister for the Environment Deputy Gregory Guida, Assistant Minister for the Environment Tim Du Feu, Head of Land Resource Management, Infrastructure, Housing and Environment Department Kelly Whitehead, Group Director for Regulation, Infrastructure, Housing and Environment Department Greg Morel, Assistant Director – Marine Resources, Infrastructure, Housing and Environment Department Kevin Pilley, Head of Place and Spatial Planning, Strategic Policy, Planning and Performance Department Andrew Scate, Director General for Infrastructure, Housing and Environment Department</p> <p>Item 4 Deputy John Young, Minister for the Environment Deputy Gregory Guida, Assistant Minister for the Environment Louise Magris, Head of Sustainability and Foresight, Strategic Policy, Planning and Performance Department</p> <p>Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Ella Nicholls, Communications Officer <i>[Items 3 and 4]</i></p>
Agenda Matter	Action
1. Record of Meetings	

08.03.2022

<p>The Panel noted and approved the records of the meetings held on 15th February 2022.</p>	
<p>2. Briefing: Residential Tenancy Law amendments</p> <p>The Panel received the Minister for Housing and Communities and Officers for a private briefing via video conference on the law drafting instructions to amend the Residential Tenancy Law. The record of this meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p>	
<p>3. Public Quarterly Hearing with the Minister for the Environment</p> <p>The Panel noted and discussed the question plan for the hearing with the Minister for the Environment. The Panel received Deputy John Young, Minister for the Environment, Deputy Gregory Guida, Assistant Minister for the Environment, and Officers for a Public Hearing at 11.30am. The proceedings were webcast live to the public and a recording was taken so that a written transcript could be produced.</p> <p>The Panel agreed to send the residual questions from the hearing to the Minister for the Environment for a response in writing.</p> <p>The Panel agreed for the Communications Officer to compile the social media content in relation to the hearing undertaken that morning and to share it with the Chair for approval later that day.</p>	<p>NH</p> <p>EN</p>
<p>4. Public Review Hearing with the Minister for the Environment</p> <p>The Panel noted and discussed the question plan for the Draft Carbon Neutral Roadmap Review Hearing with the Minister for the Environment. The Panel received Deputy John Young, Minister for the Environment, Deputy Gregory Guida, Assistant Minister for the Environment and Officers for a review hearing at 2.00pm. The proceedings were webcast live to the public and a recording was taken so that a written transcript could be produced.</p> <p>The Panel agreed to send the residual questions from the hearing to the Minister for the Environment for a response in writing.</p> <p>The Panel agreed for the Communications Officer to compile the social media content in relation to the hearing undertaken that afternoon and to share it with the Chair for approval later that day.</p>	<p>MM</p> <p>EN</p>
<p>5. Draft Carbon Neutral Roadmap</p> <p>The Panel noted the review hearing scheduled for the following day with ATF Fuels. The Panel noted and discussed the submission received for its consideration from the Jersey Motor Trades Federation which was previously submitted to the Government of Jersey's consultation on the draft Carbon Neutral Roadmap.</p> <p>The Panel noted the updated timeline for the lodging of the final Carbon Neutral Roadmap. The Panel anticipated that the Minister's Response Statement to the public consultation and the final version of the Carbon Neutral Roadmap would be shared with it once it had been shared with the Council of Ministers on 8th March 2022 and prior to the lodging of the Carbon Neutral Roadmap which was scheduled for 10th March 2022.</p>	
<p>7. Draft Planning and Building Law [P.76/2021]</p>	

<p>The Panel received an update from the Officer on the status of the Panel’s review of the draft Law. The Panel recalled that the proposition had been lodged previously for debate in October 2021, however, had been deferred by the Minister for the Environment until April 2022 to allow for the draft Orders to be shared with the Panel. The Panel noted that the law drafting instructions for the Orders had now been shared with the Panel. The Panel agreed it would question the Minister for the Environment on the position of the draft Orders during its Public Quarterly Hearing that morning.</p>	
<p>6. Draft Bridging Island Plan Debate</p> <p>The Panel noted and discussed the upcoming debate on the draft Bridging Island Plan which was scheduled to commence the following week. The Panel discussed its proposed amendment to remove Policy ME2 from the draft Plan. The Officer advised that speaking notes on the amendment were being prepared and would be shared with the Panel ahead of the debate.</p>	<p>NH</p>
<p>7. Legacy Report 2018-2022</p> <p>The Panel noted that the Legacy Report was in the early stages of being drafted and agreed to include the following key areas: the ongoing fisheries situation as a result of the UK-EU Trade and Cooperation Agreement (TCA), the new Residential Tenancy Law and legislation/policy in relation to holiday homes, Airbnb and Jersey Lifts.</p>	<p>NH</p>
<p>8. Draft Sea Fisheries and Aquatic Resources (Portlet Bay) (Jersey) Regulations 202- [P.29/2022]</p> <p>The Panel noted and discussed the draft Regulations ahead of the States’ debate on 29th March 2022. The Chair agreed to follow up with the Jersey Fishermen’s Association regarding any concern in relation to the draft Regulations.</p>	<p>MJ</p>
<p>9. Future meeting</p> <p>The Panel noted that its next meeting was due to take place at 9:30am on 5th April 2022.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 9th March 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Inna Gardiner
Apologies	Deputy Graham Truscott Deputy Steve Luce Connétable Sadie Le Sueur-Rennard
Absent	
In attendance	Item 2 Mr Jonathan Best, Director, ATF Fuels Mr James Procter, Supply and Logistics Manager, ATF Fuels Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Ella Nicholls, Communications Officer
Agenda Matter	Action
1. Panel Pre - meet The Panel met ahead of its Public Review Hearing with ATF Fuels that afternoon to discuss the question plan.	
2. Public Review Hearing with ATF Fuels The Panel received Mr Jonathan Best, Director ATF Fuels and Mr James Procter, Supply and Logistics Manager ATF Fuels, for a Public Review Hearing at 2pm. The proceedings were streamed live to the public and a recording was taken so that a written transcript could be produced.	
3. Review Hearing Debrief The Panel debriefed after the Public Review Hearing with ATF Fuels. The Panel anticipated receiving the final version of the Carbon Neutral Roadmap and the Minister for the Environment's Statement Responses on the Government's consultation that day and agreed to discuss any further resultant scrutiny considerations thereafter. The Communications Officer agreed to compile the social media content to share with the Chair for approval later that day.	EN

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 1st April 2022

Present	Connétable Michael Jackson, Chair Deputy Graham Truscott Deputy Steve Luce Deputy Inna Gardiner
Apologies	Connétable John Le Maistre, Vice-Chair Connétable Sadie Le Sueur-Rennard
Absent	
In attendance	Deputy John Young, Minister for the Environment Deputy Gregory Guida, Assistant Minister for the Environment Greg Morel, Head of Marine Resources and Management, Infrastructure, Housing and Environment Department Paul Chambers, Marine and Coastal Manager, Infrastructure, Housing and Environment Department Francis Binney, Marine Scientist, Infrastructure, Housing and Environment Department Jackie Harris, Legislative Drafter, Legislative Drafting Office Ben Markwell-Sales, Private Secretary to the Minister for the Environment Nikita Hall, Committee and Panel Officer
Agenda Matter	Action
1. Draft Sea Fisheries and Aquatic Resources (Portelet Bay) (Jersey) Regulations 202- [P.29/2022] The Panel met with the Minister for the Environment, Assistant Minister for the Environment and Officers to discuss how a suitable amendment could be drafted to address concerns with the Draft Sea Fisheries and Aquatic Resources (Portelet Bay) (Jersey) Regulations 202- [P.29/2022] (hereafter referred to as the 'draft Regulations'). The Chair explained that his concerns related to the ability to police the proposed 'No Take Zone' (NTZ) and how to avoid any child being criminalised for fishing off the beach at Portelet Bay with a shrimping net. It was also raised that there appeared to have been no consultation on the draft Regulations with Ouaisne or St. Brelades Bay fishermen. The Head of Marine Resources and Management confirmed that the Jersey Fishermen's Association had been consulted, as well as the Jersey Inshore Fishing Association, some of whom were Ouaisne fishermen. It was accepted that gathering opinion from a broader representation of fishermen was desirable, although, often difficult to achieve.	

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The Panel was also advised that the general policing of this type of regulation was something that the Department for Infrastructure, Housing and Environment's Marine Resources Team was familiar with through other pieces of legislation; and which was carried out frequently through a mixture of approaches, including intelligence-led policing and ad-hoc patrols. It was emphasised that Portelet Bay was a place that was passed often by the Department's patrols.

It was also stressed that the issues raised relating to children potentially being criminalised could be applied to many other types of legislation. However, in these circumstances a formal prosecution would not be pursued as the Attorney General's public interest test existed to determine appropriate grounds on whether to pursue a prosecution, and that there was no historical precedent of this happening under similar legislation.

A discussion took place regarding the possibility of whether a suitable amendment could be proposed to exempt beach-goers. The Legislative Drafter advised that there was difficulty in doing so as the more prescriptive the law was in defining an offence could, in fact, make it more difficult to police. There would be difficulty in defining 'beach-goer', 'child' and 'fishing' and that the better approach was to draft the law widely and for those enforcing the law to use their discretion based on common sense and utilisation of the public interest test.

The Legislative Drafter further advised that children under the age of 10 cannot commit an offence and so would not be criminalised. The approach taken to police the draft Regulations would be best achieved through community engagement where officers on patrol would speak to parents to inform them of the law. The Chair raised whether guidelines should be formed to prevent the possibility of overzealous policing. The Minister for the Environment questioned the necessity for this but advised that he would seek advice from his Officers.

It was noted that, depending on the scale of the offence it would be intended for the offence to be dealt with at a Parish Hall Inquiry but that the law could then escalate it to a Court, where appropriate to do so. Furthermore, there would have to be very clear, demonstrable evidence before the offence could be elevated to Magistrates' Court level. It was further noted that where an offence occurs at sea, the offence is dealt with at St. Helier Parish Hall. Where an offence occurs on land / onshore it would be dealt with at the Parish Hall of the respective Parish where the offence took place.

The Chair stated that given that Centeniers would have to deal with processing these types of offences, there should have been consultation with the Comité des Chefs de Police on the draft Regulations and that there should be detailed guidelines for how to deal with such offences that may occur.

The Assistant Minister for the Environment raised whether a personal interest should be declared by the Chair who owned a shop selling fishing gear. The Chair emphasised that his concerns were in relation to the perception of passing a law without the ability to adequately police it and that it was important that children would not be criminalised but that, generally, he was in support of the draft Regulations.

The Chair queried what department resource existed to police the draft Regulations. The Minister for the Environment advised that he was not aware of the detail regarding funding and resources that would be available to police the law.

The Chair queried how moorings in the Bay would be financed and was advised that was unknown at the present time. It was queried whether there were NTZs across the

UK which also included beaches as popular tourism hotspots. It was explained that generally restrictions around NTZs were tailored to their location and specific environmental features and so it would be expected that each NTZ would be different.

The Panel was informed that the proposition for a NTZ at Portelet Bay was something that had developed from the community, particularly the Société Jersiaise and had started in 1970s with the intention for the Bay to be intensely studied for scientific purposes. It was noted that the proposed NTZ had been carefully designed to exclude headlands where anglers would cast rods from. The Marine and Coastal Manager expressed that there was strong public support for a NTZ, particularly young people who wished to see the right things done from an environmental perspective.

The Panel was informed that signage would be displayed to raise public awareness of the NTZ and that local businesses were in support of this. The importance of communication and suitable messaging, including the use of interpretation boards was stressed by the Chair as crucial.

After discussion, the general Panel consensus was that it supported the draft Regulations and that a Comments paper noting the concerns discussed and stressing the importance of educational and informative signage, would be presented to States prior to the debate on the draft Regulations in second reading. The Officer was requested to draft a Comments paper accordingly for the Panel's consideration and approval at a future meeting.

The Panel thanked those in attendance and the meeting ended.

NH

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 5th April 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Inna Gardiner Connétable Sadie Le Sueur-Rennard
Apologies	Deputy Graham Truscott Deputy Steve Luce
Absent	
In attendance	Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer
Agenda Matter	Action
1. Records of Meetings	
The Panel noted and approved the records of the meetings held on 8th and 9th March 2022.	
2. Draft Carbon Neutral Roadmap Review	
The Panel noted and discussed its amendment to P.74/2022. The Panel requested minor changes to be made to the amendment and subsequently approved it for lodging. The Panel agreed for the amendment to be lodged in the States later that week.	MM
The Panel noted that its Scrutiny Report was drafted and undergoing the internal quality assurance process. The Panel noted that the draft report would be shared later that afternoon for the Panel's consideration. The Panel agreed to meet via Teams on Thursday 7th April to consider and approve the body of the report so that the fact checking process could commence thereafter.	MM
3. Draft Planning and Building (Amendment No.8) (Jersey) Law [P.76/2021]	
The Panel received an update from the Officer on the drafting of the Panel's Comments on P.76/2021. The Panel noted that the Comments were being compiled and would be shared with the Panel in due course for its consideration. The Panel requested the Officer to explore whether the penalties in relation to the development works to trees aspect of the proposition was addressed within the Orders or within the primary legislation. The Panel agreed to include a section within the Comments to note the penalty levels.	NH
4. Legacy Report	
The Panel received a progress update on the drafting of the Legacy Report. The Panel noted that the draft report would be shared with the Panel for its consideration prior to the report being finalised at the Panel's meeting on 3rd May 2022.	NH

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<p>5. Draft Sea Fisheries and Aquatic Resources (Portlet Bay) (Jersey) Regulations 202- [P.29/2022]</p> <p>The Chair discussed his rationale for calling in P.29/2022, and updated the Panel regarding the Comments being compiled in that regard.</p>	
<p>6. Next Meeting</p> <p>The Panel noted that its next meeting was due to take place at 9am on 7th April 2022.</p>	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 7th April 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Inna Gardiner Connétable Sadie Le Sueur-Rennard
Apologies	Deputy Graham Truscott Deputy Steve Luce
Absent	
In attendance	Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer
Agenda Matter	Action
1. Draft Carbon Neutral Roadmap Review	
The Panel discussed and approved a minor change to its amendment to P.74/2022. The Panel noted that the amendment would be lodged in the States later that day.	MM
The Panel discussed its Scrutiny Report and requested that an additional paragraph be included within the section regarding policy TR3b. The Panel approved the body of the report so that the fact checking process could commence that day. The Panel agreed that any fact checking comments would be requested to be received by close of play on Tuesday 12th April 2022. The Panel agreed to approve the review's findings and recommendations at its next meeting on 19th April 2022.	MM
The Chair agreed to share his Chair's foreword for the report in due course.	MJ
2. Next Meeting	
The Panel noted that its next meeting was due to take place at 9:30am on 19th April 2022.	

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 19th April 2022

Present	Connétable John Le Maistre, Vice-Chair Deputy Graham Truscott Deputy Steve Luce	
Apologies	Connétable Michael Jackson, Chair Deputy Inna Gardiner	
Absent		
In attendance	Nikita Hall, Committee and Panel Officer	
Agenda Matter		Action
1. Records of Meetings		
The Panel agreed to defer approval of the records of the meetings held on 1 st , 5 th and 7 th April 2022 until its next meeting on 3 rd May 2022.		NH
2. Draft Carbon Neutral Roadmap Review		
The Panel discussed and approved the final draft of its report which included the key findings and recommendations. The Officer advised that minor fact checking revisions had been made to the main body of the report where these had been flagged up by the Strategic Policy, Planning and Performance Department.		
It was noted that the Chair had given his approval electronically via email and that it was the intention to present the report later that week.		NH
3. Draft Planning and Building (Amendment No.8) (Jersey) Law [P.76/2021]		
The Panel discussed and approved a draft Comments paper which was due to be presented to the States ahead of the debate on 25 th April 2022.		NH
It was noted that the Chair had given his approval electronically via email.		
The Panel noted its concern that it was the intention for any subordinate legislation relating to the draft Law to be signed off post-elections and therefore this would need to be highlighted in its Legacy Report as a suggested area for the next Environment, Housing and Infrastructure Panel to scrutinise.		NH
4. Draft Sea Fisheries and Aquatic Resources (Portlet Bay) (Jersey) Regulations 202- [P.29/2022]		
The Panel discussed and approved a draft Comments paper which was due to be presented to the States ahead of the debate on 25 th April 2022.		NH
It was noted that the Chair had given his approval electronically via email.		
5. Fishing Vessel Licensing Conditions update		

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<p>The Panel discussed and agreed that it would be beneficial to request an update from the Minister for the Environment regarding the current situation on the licensing of fishing vessels and relations with France, prior to the end of the current Government term.</p> <p>The Officer was requested to draft a letter to the Minister for the Chair's approval.</p>	NH
<p>6. Ministerial Order - Areas of Special Protection on Les Ecréhous</p> <p>The Panel discussed email correspondence received from Jersey Seafaris in relation to the signing of a new Ministerial Order by the Minister for the Environment. It was noted that the company was not against the implementation of areas of special protection, however, as a business and key stakeholder they had not been consulted by the Government of Jersey and the immediate implementation of the Order had left no time to consider its impact and any required changes that would need to be made to the company's business operations and to educate staff to ensure compliance with the law.</p> <p>The Panel requested the Officer draft a letter to the Minister requesting that he delay the enactment of the Order until key stakeholders had been consulted with and would be able to make the required adjustments to business operations within a reasonable timeframe.</p>	NH
<p>7. Tribute to the late Connétable of St. Saviour</p> <p>The Panel shared memories and paid tribute to the late Connétable Sadie Le Sueur-Rennard who passed away suddenly on 8th April 2022. The Connétable had served on the Environment, Housing and Infrastructure Scrutiny Panel since June 2018.</p> <p>It was noted that there would be a formal tribute led by the Bailiff at the upcoming States' sitting on 25th April 2022.</p>	
<p>8. Next Meeting</p> <p>The Panel noted its next meeting was due to take place at 9:30am on 3rd May 2022. It was noted that Deputy Luce and Deputy Truscott would be unable to attend due to Planning Committee commitments. It was agreed that the Officer would liaise with the Chair regarding the possibility of re-scheduling the meeting date so that those members could attend.</p>	NH

Environment, Housing and Infrastructure Panel

Record of Meeting

Meeting held by video conference

Date: 4th May 2022

Present	Connétable Michael Jackson, Chair Connétable John Le Maistre, Vice-Chair Deputy Graham Truscott Deputy Steve Luce
Apologies	Deputy Inna Gardiner
Absent	
In attendance	Nikita Hall, Committee and Panel Officer Monique Magalhaes, Research and Project Officer Rosalyn Sharp, Research and Project Officer
Agenda Matter	Action
1. Records of Meetings	
The Panel noted and approved the records of the meetings held on 1 st , 5 th , 7 th and 19 th April 2022.	
2. Legacy Report	
The Panel discussed and approved the draft Legacy Report 2018 - 22. The Panel noted and discussed some minor amendments and agreed for these to be made to the report prior to presentation to the States.	NH
The Panel noted that the amended version of the report would be shared with it later that day.	NH
The Panel agreed for the report to be presented on Friday 6 th May 2022. The Chair agreed to share his Foreword with the Officer via email in due course.	MJ
3. Fishing Vessel Licensing Conditions Update	
The Panel noted and discussed a response letter received from the Minister for the Environment. The Panel anticipated that the workstream would continue to raise areas of challenge during the next political term and, therefore, noted that further scrutiny would likely be needed going forward in respect of the workstream.	
4. Ministerial Order – Areas of special Protection (Les Ecréhous)	
The Panel noted and discussed a response received from the Minister for the Environment in respect of the Ministerial Order which had recently been signed by the Minister. The Panel anticipated that the Order might require review in the next political term.	
5. Next Meeting	
The Panel expressed their gratitude to one another and to the Officers for their work over the four-year term of the Panel. Considering the upcoming election period	

commencing on 10 th May 2022, the Panel noted that it had no further meetings scheduled.	
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