

# Government Plan 2022-2025 Scrutiny Review

Environment, Housing and  
Infrastructure Scrutiny Panel

9th December 2021

S.R.18/2021



Government Plan  
2022-25 Review

***Environment,  
Housing and  
Infrastructure  
Scrutiny Panel***



States of Jersey  
States Assembly



États de Jersey  
Assemblée des États



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# 1 Chair's Foreword

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My panel is fortunate to have a productive relationship with the Ministers falling under our scrutiny remit. This enables us to carry out constructive and effective scrutiny of the Housing, Environment and Infrastructure portfolios, thus providing the checks and balances so necessary in light of the significant levels of expenditure.

Demands from Government by the general public continue to evolve with the result that departmental expenditure must also change. It is easy for this expenditure to escalate, and both Brexit and Covid have much to answer for. We have closely looked at the services provided by our Government to ensure that good value for money continues to be at the forefront of Ministers' minds.

I commend the report to States Members and the general public and I take this opportunity to thank the Greffe staff for their support and assistance during the Government Plan 2022-2025 scrutiny process.

**Constable Mike Jackson**  
**Chair,**  
**Environment, Housing and Infrastructure Scrutiny Panel**

## 2 Introduction / Methodology

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The proposed Government Plan 2022 sets out the approach the Government of Jersey has taken in responding to COVID-19 whilst continuing to invest in the Common Strategic Policy priorities:

1. Put children first
2. Improve Islander's wellbeing and mental and physical health
3. Create a sustainable, vibrant economy
4. Reduce income inequality and improve the standard of living
5. Protect and value our environment.

The Plan outlines the investment proposed in each of these five strategic priority areas and also includes a number of proposed efficiencies within the Government.

The Government Plan Financial Annex has also been lodged which contains supporting information for the Government Plan 2022-2025.

The Scrutiny review of the Government Plan has taken a thorough approach, looking at the projects identified for additional revenue expenditure and capital expenditure last year, as well as new projects requiring additional revenue expenditure and capital expenditure in 2022. The Panel has undertaken this review in as much detail as possible with the information provided by Government.

A summary table of all business cases is provided in Chapter 6, along with the Panel's RAG rating.

In line with the methodology used during previous reviews, all Scrutiny Panels have agreed to use a common system to report on the status of each business case, as follows:



The Panel has reviewed the background information and is satisfied with the business case.



The Panel has reviewed the business case and either has concerns or considers that it needs more work, or further detail should be provided. It might also mean that the Panel considers it too early to make an informed decision. This may or may not lead to recommendations and/or amendments.



The Panel has reviewed the business case and is not satisfied or does not agree with the proposal. This may or may not lead to an amendment.

## 3 Findings and Recommendations

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### Findings

#### **FINDING 1**

There is currently a lack of transparency over how departmental budgets and resource are allocated to the Minister for Housing and Communities' remit.

#### **FINDING 2**

There are no efficiencies assigned to the Minister for Housing and Communities and Minister for the Environment. There are proposed efficiencies totalling £500k under the remit of the Minister for Infrastructure which relate to proposed recurring spend reductions by Jersey Property Holdings.

#### **FINDING 3**

The Housing PDB and Long-Term Plan programme has been designated amber by the Panel due to a lack of co-ordination which has resulted in slow progress to date. Whilst it is acknowledged that measures are proposed to improve co-ordination moving forward, the Panel will continue to monitor the progress of this programme throughout 2022 in order to determine whether coordination has improved and funds are sufficient to deliver the intended aims of this programme.

#### **FINDING 4**

The Tenants' Rights programme has been designated amber by the Panel given the significant work which remains in respect of the workstream throughout 2022 and beyond including for social rent, rent stabilisation and the Residential Tenancy Law. The Panel notes that to progress this work, the direction regarding a licensing or registration scheme for landlords would need to be decided and approved by the States Assembly.

#### **FINDING 5**

Notwithstanding the notable success of the Jersey National Park to demonstrate its achievements to date, this programme has been designated amber by the Panel, due to the following:

1. Clarity is required regarding JNP's role, purpose and responsibilities and its objectives should be clearly defined.
2. Clarification of JNP boundaries and its legal status is required and the concerns raised are dependent, to some extent, on the outcomes of the Bridging Island Plan.
3. There is a risk that with potential changes in Ministerial roles after the election, that JNP's future strategy and how it aligns with any changing Government priorities may impact its continued progress.

#### **FINDING 6**

Funding allocations agreed in the previous Government Plan 2021 for the Marine Resources Management Programme has enabled the appointment of two fisheries officers. In addition, progress has been made for the resourcing of the vessel monitoring system and online logbook system. Funding of £92k is being requested in 2022 of £92k to continue to fund the retention of two fisheries officer posts.

#### **FINDING 7**

The implementation of the UK-EU Trade and Co-operation Agreement is still in its infancy and the vessel licensing regime is yet to be resolved. Consequently, uncertainty remains regarding whether the level of funding will be sufficient moving forward. However, the Panel notes that funds are available in the General Reserve to 'fund as required' the new Future Fisheries and Marine Resources Management Programme and has therefore designated this programme with a green RAG rating. The Panel will continue to closely monitor progress of Marine Resources Management during 2022.

#### **FINDING 8**

A total of £1,021,000 for the Covid-19 Bus Contract programme has been spent to date from the funding allocation agreed in the previous Government Plan 2021 and any underspend will remain with Treasury. The Government Plan 2022 requests a funding allocation of £1.2m which is deemed sufficient and will only be drawn down if required.

#### **FINDING 9**

Bus ridership is still down 65% on 2019's pre-pandemic levels, despite restrictions being lifted. The reason for this change in travel behaviour is not fully known at this stage, although it is surmised that the pandemic might have instilled a lack of confidence to resume use of public transport, as well as people continuing to work from home and there being less requirement to travel to and from the workplace. It is also unknown to what extent this reduction in ridership has had, and will continue to have, on the operator's profits.

#### **FINDING 10**

Whilst the continued leasing of the 28-30 The Parade has provided unforeseen opportunity to accommodate the Covid-19 Response Team, it does not appear to be providing value for money through its current under-utilised use. It has been identified that the intention is to not extend the lease beyond 2023, although the Panel is uncertain why indicative funding has therefore been proposed in the Government Plan 2022 for 2024 and 2025.

#### **FINDING 11**

There is uncertainty over whether the allocated funding of £2m for 2022 for 'Regeneration, including St. Helier' is sufficient to make substantial improvements to the Island's public realm. In 2020, funding was significantly reduced by 75% to £3.4m over the four funded years of the programme and despite additional funds of £1m provided in March 2021, as well as the potential to draw down £730k from Jersey Development Company, the programme remains significantly under-funded against the funding projections made in the 2020 Government Plan.

#### **FINDING 12**

Additional funds of £10.7m are required for the Sewage Treatment Works Major Capital Project. A breakdown was provided by the Minister for Infrastructure which includes additional funds for Biosolids Storage Facilities; STW Odour Mitigation; and Bellozanne Outfall Rehabilitation. Also included in the £10.7m is £1.85 which is required to fund additional costs incurred by the pandemic.

### **FINDING 13**

There are likely to be delays to achieving project completion of the Sewage Treatment Works Major Capital Project by October 2023, although, it is hoped by the Infrastructure, Housing and Environment Department that it will be able to complete the project by the end of 2023. It is further considered that the IHE Department is sufficiently resourced in this area to be able to manage the project through to completion now that the main contractor has gone into administration and the contract now having been terminated.

### **FINDING 14**

The proposed increase in spend for the Dewberry House Sexual Assault Referral Centre (SARC) Capital Project from £500,000 to £882,000 in 2022 is to ensure space for Victims First (VF) thereby allowing Government to maximise synergy between the work of SARC, the Child's House, Jersey Domestic Abuse Support (JDAS) and VF and to realise economies of scale with having these services all co-located in the new building. The increased space will also allow services to support the recently released Children and Young Peoples' Emotional Wellbeing and Mental Health Strategy and provide services from the new building to those who have suffered all types of trauma and abuse.

### **FINDING 15**

The removal of funds for the Piquet House – Family Court capital project is a result of the Family Court now relocating to alternative premises at International House following a States' approval to enter a lease contract.

### **FINDING 16**

Anticipated funding of £1m for 2022 for the Drainage Foul Sewers Extension project has been withdrawn due to funding pressures and further funding is not proposed until 2023. The delivery of future extensions to the foul sewerage network will therefore be impacted by delays.

### **FINDING 17**

The previous Government Plan 2021-24 was set on the assumption that £1m in fees would be raised to enable food safety and housing legislation to be regulated on a cost neutral basis. However, the States Assembly did not support fees in relation to housing licensing at the time, nor the subsequent regulations, leaving the cost of activities surrounding the enforcement of the existing primary laws unfunded.

### **FINDING 18**

The Jersey Landlords' Association has expressed concern regarding insufficient clarity in respect of the use of the funds and how the funding amount for the Housing and Food

Licensing Schemes programme has been determined. The response from Government was that ongoing costs and the requirements are known. What is unknown is any works that would be included in post-Brexit requirement or with increasing workload going forward, for which an increased budget requirement has been made in the Government Plan bid for 2022. The £1m figure has therefore been estimated by Government on this basis and is deemed sufficient to fund the necessary requirements.

#### **FINDING 19**

The funds for 2022 for the Housing and Food Licensing Schemes programme is deemed, by Government, to be sufficient enough to cover the costs associated with the backlog of works and will allow the works to continue. However, there is uncertainty regarding additional potential costs resultant of any post-Brexit requirements or increasing future demand. Moreover, uncertainty exists in respect of the evolving nature of the two workstreams and the impact thereof on resourcing for delivery of the objectives. Therefore, the Panel has designated this programme amber.

#### **FINDING 20**

The Government Plan 2022-25 requests funding of £250k for Increased Liquid Waste Processing within the pumping stations and tanker service. It was found that £170k of the £250k is due to increased electricity costs, with the balance relating to some of the maintenance within liquid waste and increased cost relating to tanker transportation. Increases in population and adverse, wet weather conditions have also contributed to increased costs in using Government of Jersey tankers, as well as contracted tankers. The Panel is satisfied with the level of funding requested and has designated this programme green.

#### **FINDING 21**

The Government Plan 2022 seeks approval for a funding allocation of 1.25m for 2022 in relation to Hazardous Waste Removal which seeks to support the effective disposal and processing of all hazardous waste while adhering to waste management regulations and ensuring that the construction industry has a route to dispose of its hazardous waste. The Panel received evidence which confirmed that the funds allocated for 2022 are a contingency measure for if income targets of hazardous waste are not met as a result of reduced activity. If income targets are met, and the allocated funds are not required, the funds would be returned to Treasury. The Panel has therefore provided a green RAG status for this programme.

#### **FINDING 22**

Previous funding allocations for the Vehicle Testing Centre Major Capital Project have been withdrawn on the basis that it is now expected this will be delivered by the provider. The implications of this have been assessed by Government and based on confirmation provided from potential providers who had made an expression of interest, this has been deemed a workable model. The outcome, therefore, is that this capital funding is no longer available, and the preferred option is that the provider will be required to construct and operate the inspection centre, preferably on a site provided by government.

#### **FINDING 23**

A new 'fund as required' UK/EU TCA Biosecurity Border Controls and Vienna Convention Vehicle Testing programme is included in the Government Plan 2022 to support the adoption of new border control requirements in line with the UK-EU Trade Co-operation Agreement and practical steps the UK DEFRA requires the Island to implement. In addition, to enable the periodic technical inspection of all vehicles that will ensure the Island is fully compliant with the articles of the Vienna Convention for Road Traffic. However, it is uncertain at this stage how much funding will be required for 2022 and beyond. The Panel has therefore designated this programme with an amber RAG rating.

#### **FINDING 24**

The Climate Emergency Fund has been designated amber by the Panel given the significant work which remains in respect of the workstream throughout 2022 and beyond. The Panel notes that to progress this work, the policy direction within the Carbon Neutral Roadmap will still need to be approved by the States Assembly. Moreover, agreement will need to be reached on the additional revenue streams to fund the additional monies that will be required to meet the Government's ambitious aims to be achieved by 2030.

#### **FINDING 25**

The carbon neutral and sustainable transport workstreams are still in their infancy. Consequently, uncertainty remains regarding the level of funding and resourcing that will be sufficient moving forward. However, the Panel notes that the Carbon Neutral Fund will 'fund as required' the new Carbon Neutral Fund and Sustainable Transport Programme. The Panel will continue to closely monitor progress of this programme during 2022.

#### **FINDING 26**

The Panel observed a willingness from private organisations/stakeholders to play an active part in assisting the Government to achieve its ambitious policy aims in respect of combating climate change. However, views expressed by stakeholders to the Panel suggests that Government should be doing more to involve those stakeholders and to form the partnerships required to impact timely change on carbon neutrality.

#### **FINDING 27**

Measures have been put in place to manage the crossover of remits through the establishment of the Carbon Neutral Steering Group and with the policy development function for the Carbon Neutral Roadmap and the Sustainable Transport Policy both falling within the Sustainability & Foresight team under the Strategy and Innovation Directorate within SPPP. However, it is the Minister for the Environment's view that the current arrangement for the climate emergency portfolio was predisposed to cause confusion as it crossed the remits of both the Minister for the Environment and the Minister for Infrastructure. The Panel observed that improved political oversight of the climate emergency portfolio may be beneficial through a dedicated ministerial role for the portfolio.

#### **FINDING 28**

Funding has been set aside in the General Reserve for the 'fund as required' Future Fisheries and Marine Resources Management Programme. Although funding amounts are uncertain,

£263k has been estimated for 2022 with additional estimates of £253k in 2023 and £238k in 2024 and 2025. Since the implementation of the UK-EU is still in its infancy and the vessel licensing regime is yet to be resolved, uncertainty remains regarding the level of funding that will be sufficiently required moving forward. Considering the scope of work and the uncertainty regarding the level of funding, the Panel has designated an amber RAG status for this programme.

## Recommendations

### **RECOMMENDATION 1**

The Minister for Housing and Communities should, in his Ministerial Response to this report, provide a breakdown of the apportionments from relevant departmental budgets which are applicable to his Ministerial portfolio. The purpose and aim of doing so would be to aid better understanding and enable greater transparency in relation to the budget resources attributed to Common Strategic Priority 4 which seeks to improve the quality and affordability of housing and improve social inclusion.

### **RECOMMENDATION 2**

The Minister for Economic Development, Tourism, Sport and Culture should provide clear guidance on Jersey National Park's role, purpose and responsibilities. Since the JNP is an arms-length organisation of Government, consideration should be given to whether its role can be separately identified, as well as how its objectives can be clearly defined. The Minister should consider how this clarity might be incorporated into the Rural Economy Strategy for 2022.

### **RECOMMENDATION 3**

The Department for Infrastructure, Housing and Environment, in collaboration with LibertyBus, should undertake an evaluation of the reasons for decreased ridership, as well as an analysis on measures which can be further taken to promote and incentivise bus ridership as a sustainable travel option. This work should be undertaken before the end of Q2 2022 and the outcome reported back to the Panel.

### **RECOMMENDATION 4**

The Minister for Infrastructure should outline in his Ministerial Response why indicative funding has been suggested for 2024 and 2025 in the Government Plan 2022 if it is not the intention to renew the lease on 28-30 The Parade after 2023.

### **RECOMMENDATION 5**

It being acknowledged that there will be considerable funding constraints across Government going into 2022, the Minister for Infrastructure should ensure that funding for public realm is prioritised and allocated in gradual increases throughout 2023-25, to ensure that any shortfall resulting from these funding cuts is suitably addressed and that improvements to the public realm can be sufficiently funded moving forward.

**RECOMMENDATION 6**

The Minister for Infrastructure should report back to the States Assembly in time for the next Government Plan 2023 to confirm whether it is the intention to make up the shortfall of funding for 2022 in future Government Plan bids for 2023-25, as well as providing a revised target date for when, wherever practicable, the whole Island will be connected to the foul sewerage system.

**RECOMMENDATION 7**

The Minister for the Environment and the Minister for Infrastructure should, moving forward, actively seek to consult and involve, where appropriate, local organisations who are willing and able to contribute to the Island's journey to reach carbon neutrality. The Ministers should seek to form partnerships with local organisations and stakeholders to accelerate the Government's aims to realise its ambitious plans.

**RECOMMENDATION 8**

Given the crossover between the remits of the Minister for Infrastructure and the Minister for the Environment, further consideration should be given, before the next term of Government, as to how political oversight for the climate emergency portfolio can be strengthened and improved. Specifically, whether the climate emergency portfolio would benefit from a dedicated ministerial role.

## 4 Departmental Budgets

The Environment, Housing and Infrastructure Panel scrutinises the work of three Ministers; the Minister for the Environment, the Minister for Infrastructure and the Minister for Housing and Communities. Therefore, the project policy work contained in the programmes and capital projects assigned to the Panel predominantly sit under:



**Minister for the Environment, Deputy John Young**



**Minister for Infrastructure, Deputy Kevin Lewis**



**Minister for Housing and Communities, Deputy Russell Labey**

### Departmental Heads of Expenditure

In the Government Plan 2022-2025, the States Assembly has been asked to approve the proposed amount to be appropriated from the Consolidated Fund for 2022, for each head of expenditure. The tables below provide a summary of the proposed “Heads of Expenditure” allocated to the Infrastructure, Housing and Environment Department for 2022 and estimates produced for 2023-2025:

	<b>2022 Allocation (£000)</b>	<b>2023 Estimate (£000)</b>	<b>2024 Estimate (£000)</b>	<b>2025 Estimate (£000)</b>
Infrastructure, Housing and Environment	47,885	46,415	49,915	51,165

<sup>1</sup> [Government Plan 2022 – 2025 Table 13 p.126](#)

Summary Table 5(i) 2022 Revenue Heads of Expenditure <sup>2</sup>			
	Income (£000)	Expenditure Allocation (£000)	Head of Expenditure (£000)
Infrastructure, Housing and Environment	28,734	76,619	47,885

A further breakdown of these figures is provided on page 28 of the Annex to the Government Plan 2022-24 as follows:

Infrastructure, Housing and Environment 2022 <sup>3</sup>						
Service Area	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)	Non Cash Net Revenue Expenditure (£000)	Total Net Revenue Expenditure (£000)	FTE
Office of the DG	(978)	1,260	282	-	282	13.4
Sport	(4,848)	6,924	2,076	-	2,076	76.5
Natural Environment	(773)	4,868	4,095	170	4,265	60.4
Operations & Transport	(10,730)	39,558	28,828	93	28,921	355.9
Property & Capital Delivery	(4,736)	15,444	10,708	21,547	32,255	50.8
Regulation	(6,669)	8,565	1,896	25,100	26,996	121.3
<b>Net Revenue Expenditure</b>	<b>(28,734)</b>	<b>76,619</b>	<b>47,885</b>	<b>46,910</b>	<b>94,795</b>	<b>678.2</b>

The 2022 resources allocated to the Ministers which fall under the Panel's remit are as follows:

Resources mapped to Ministerial portfolios <sup>4</sup>	
Minister	2022 Allocation (£000)

<sup>2</sup> [P.90/2021 Summary Table 5\(i\) p.19](#)

<sup>3</sup> [Annex to the Government Plan 2022-25, p.28](#)

<sup>4</sup> Government Plan 2022 – 2025 Table 14 p.127

N.B. resources mapped to Ministerial portfolios span across multiple departments, as noted in the summary analysis for each Minister further on in this chapter.

Minister for the Environment	7,312
Minister for Infrastructure	40,470
Minister for Housing and Communities	650

#### Minister for the Environment

The Panel requested information from the Minister for the Environment in relation to how the IHE Department base budget for 2022 is apportioned across the Minister's portfolio and was provided with this lower-level analysis of the budget by service area (excluding overhead costs) for 2022:

Service Area	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)
<b>Natural Environment</b>			
Administration	-	256	256
Marine Resources	29	641	612
Biosecurity	22	855	833
States Vet	32	286	254
Land Resource Management	78	1,496	1,418
CI Meteorology Department	612	1,334	722
	<b>773</b>	<b>4,868</b>	<b>4,095</b>
<b>Regulation</b>			
Administration	10	909	899
Development and Land	4,124	3,040	(1,084)
Consumer and Environmental Protection	325	2,373	2,048
	<b>4,459</b>	<b>6,322</b>	<b>1,863</b>
<b>Total Income</b>	<b>5,232</b>	<b>11,190</b>	<b>5,958</b>

The Panel further notes that, in relation to the Minister's portfolio, the 2022 budget compares to the 2021 budget as follows:

Infrastructure, Housing and Environment Department Budget Minister for the Environment Portfolio						
Service Area	2022			2021		
	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)

<b>Natural Environment</b>	<b>(773)</b>	4,868	4,095	<b>(716)</b>	4,932	4,216
<b>Regulation</b>	<b>(6,669)</b>	8,565	1,896	<b>5,356</b>	5,728	372
<b>Net Revenue Expenditure</b>	<b>(7,442)</b>	<b>13,433</b>	<b>5,991</b>	<b>(6,072)</b>	<b>10,660</b>	<b>4,588</b>

In addition, the Panel was advised that £1.35m is held, within the Minister's remit, under the service area of Strategy and Innovation within the departmental budget for the Strategic Policy, Planning and Performance (SPPP) Department.<sup>5</sup>

The Panel questioned the Minister for the Environment on what funding pressures exist in relation to the services under his Ministerial remit and whether they were being adequately addressed by the Government Plan. The Minister responded as follows:

*The States debates on Private Sector Dwellings licensing schemes and charges thereon caused a significant financial shortfall in the budget of the department in 2020 and 2021 as since 2019 there has been an assumed income stream associated with this new legislation (introduced as a "user pays" measure in the MTFP 2016-19). It has now been recognised that there is no likelihood of achieving this income in this GP period and CSP4-1-06 above seeks to correct this.*

*In addition, following the C&AG's report on the Use of Enforcement Powers additional resource has been included under OI3-25 to address the concerns raised, details of which can be found on page 74 of the GP22 Annex document.*

*The impact of Brexit on the Regulation and Natural Environment teams has been met by the allocation of funding within Reserves, to be released as required, as has additional funding required to bolster the capabilities of the Marine Resources team.*

*The continuation of funding in respect of growth introduced in previous Government Plans is welcomed and is in line with the funding profile indicated in those previous plans.<sup>6</sup>*

#### Minister for Infrastructure

The Panel requested information from the Minister for Infrastructure in relation to how the IHE Department base budget for 2022 is apportioned across the Minister's portfolio and was provided with this lower-level analysis of the budget for 2022 by service area<sup>7</sup>:

<sup>5</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>6</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>7</sup> Minister for Infrastructure – Response to Written Questions – November 2021

Service Area	2022		
	Income	Expenditure	Net Revenue Expenditure
	(£'000)	(£'000)	(£'000)
<b>Office of the DG</b>	<b>978</b>	<b>1,260</b>	<b>282</b>
<b>Operations and Transport</b>			
Administration	-	825	<b>825</b>
<b>Liquid Waste</b>	771	8,158	<b>7,387</b>
Solid Waste	6,041	11,361	<b>5,320</b>
Engineering and Development	188	447	<b>259</b>
Highways and Infrastructure	3,446	12,871	<b>9,425</b>
Technical Support Services	284	5,896	<b>5,612</b>
	<b>10,730</b>	<b>39,558</b>	<b>28,828</b>
<b>Property and Capital Delivery</b>			
Administration	138	778	<b>640</b>
Property	4,598	13,977	<b>9,379</b>
Capital Delivery	-	189	<b>189</b>
	<b>4,736</b>	<b>14,944</b>	<b>10,208</b>
<b>Regulation</b>			
Driver and Vehicle Standards	<b>1,845</b>	<b>1,797</b>	<b>(48)</b>
<b>Net Revenue Expenditure</b>	<b>18,289</b>	<b>57,559</b>	<b>39,270</b>

The Panel was further advised that additional support for the bus service of up to £1.20m in 2022 is also available under the Covid Head of Expenditure, should it be required.

The Panel further notes that, in relation to the Minister's portfolio, the 2022 budget compares to the 2021 budget as follows:

Infrastructure, Housing and Environment Department Budget Minister for Infrastructure Portfolio <sup>8</sup>						
Service Area	2022			2021		
	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)	Income (£000)	DEL (£000)	Net Revenue Expenditure (£000)
<b>Office of the DG</b>	<b>978</b>	1,260	282	<b>900</b>	136	<b>(764)</b>
<b>Operations and Transport</b>	<b>10,730</b>	39,558	28,828	<b>13,943</b>	41,756	27,813

<sup>8</sup> Minister for Infrastructure – Response to Written Questions – November 2021

<b>Property and Capital Delivery</b>	<b>4,736</b>	14,944	10,208	<b>4,672</b>	15,433	10,761
<b>Regulation</b>	<b>1,845</b>	1,797	<b>(48)</b>	<b>1,812</b>	1,752	<b>(60)</b>
<b>Net Revenue Expenditure</b>	<b>18,289</b>	<b>57,559</b>	<b>39,270</b>	<b>21,327</b>	<b>59,077</b>	<b>37,750</b>
<b>Covid-19</b>				<b>-</b>	<b>6,067</b>	<b>6,067</b>
<b>TOTAL</b>				<b>21,327</b>	<b>65,144</b>	<b>43,817</b>

The Panel questioned the Minister for Infrastructure on what funding pressures exist in relation to the services under his Ministerial remit and whether they were being adequately addressed by the Government Plan. The Minister responded as follows:

*A number of ongoing issues for the department have been, at least temporarily, resolved for 2022 following the recognition of pressures particularly in the solid and liquid waste areas of the service and allocation of additional resource both within the base budget and held in reserve.*

*Additional emerging pressures for 2022 and beyond include high rates of building material price inflation impacting on both the remit of the Property division and the capital programme, increasing costs of process chemicals and off-Island maintenance support for major infrastructure (sewage treatment works and energy recovery facility), income risk based on existing chargeable waste streams and availability of disposal sites and, of course, the termination of the main contract for replacement of the sewage treatment works at Bellozanne and progression of those works to completion. All of these matters continue to impact the department and will need to be considered in the context of the next government plan, particularly in the capital programme for 2023 and beyond.<sup>9</sup>*

The Panel notes that, other than annual increases limited to a maximum of 2.5% in general, there are no major changes proposed to any of the existing income streams under the Infrastructure remit. However, proposals for the new Commercial Vehicles (Licensing of Operators) (Jersey) Law 202- is likely to be lodged shortly which, if adopted by the States, will introduce new charges in due course for commercial vehicle operators.<sup>10</sup>

#### Minister for Housing and Communities

In a public hearing, the Panel questioned the Minister on how department base budgets and service areas are mapped to his portfolio and was advised that the Minister's portfolio runs across three separate departments: Infrastructure Housing and Environment; Customer and

<sup>9</sup> [Written Response - Minister for Infrastructure – 29 November 2021](#)

<sup>10</sup> [Written Response - Minister for Infrastructure – 29 November 2021](#)

Local Services; and Strategic Policy, Planning and Performance and it was therefore difficult to map the various budgets under his portfolio.<sup>11</sup>

As noted above, the Government Plan 2022-25 indicates that £650,000 of resources has been mapped to the Minister for Housing and Communities' portfolio for 2022. The Panel considers that further details should be provided in relation to the breakdown of this figure across the three departments and service areas.

The Panel notes it is not possible to compare the £650,000 resources mapped to the Minister's portfolio for 2022 with the resources for 2021 as the Ministerial remit has now fundamentally changed from 'Children and Housing' to 'Housing and Communities' and therefore any cross-comparison of the total figures would not be based on a 'like for like' comparison.



#### **FINDING 1**

There is currently a lack of transparency over how departmental budgets and resource are allocated to the Minister for Housing and Communities' remit.

#### **RECOMMENDATION 1**



The Minister for Housing and Communities should, in his Ministerial Response to this report, provide a breakdown of the apportionments from relevant departmental budgets which are applicable to his Ministerial portfolio. The purpose and aim of doing so would be to aid better understanding and enable greater transparency in relation to the budget resources attributed to Common Strategic Priority 4 which seeks to improve the quality and affordability of housing and improve social inclusion.

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<sup>11</sup> [Public hearing with the Minister for Housing and Communities, 12 October 2021, p. 16](#)

## 5 Efficiencies

The Government Plan 2020-2023 set out the ambition to achieve £100 million of efficiencies, with the first £40 million to be achieved in 2020. The plan for £40 million in 2020 was published in October 2019 and a performance update was included in the Government 6-month report, published in August 2020. The Government Plan 2021-2024 set out the 2021 plan to deliver £20 million of efficiencies and other rebalancing measures.

### Rebalancing and Efficiencies

The Government Plan proposes £21 million of rebalancing measures in 2022, with the intent that a further £40 million of savings will be delivered across 2023 and 2024. The table below shows the efficiencies and rebalancing totals for each Minister under the Panel's remit:

	2022 (£000)
Minister for Housing and Communities	0
Minister for Infrastructure	500
Minister for the Environment	0

The summary description of proposals reviewed by the Panel are set out in the table below:

Minister	Department	Summary description	Recurring or One-Off	Budget Impact	2021 Value (£000)
Minister for Infrastructure	IHE	Reduce a portion of the property maintenance budget to reflect a reprioritisation of assets requiring maintenance; informed by the Office Accommodation Project	Recurring	Spend Reduction Non-staff	300
Minister for Infrastructure	IHE	Re-structure Facilities Management across Government to create one centralised function with hub and spoke delivery aligned with the One Gov principles.	Recurring	Spend Reduction Non-staff	200
<b>Total for 2022</b>	-	-	-	-	<b>500</b>

<sup>12</sup> Government Plan 2022 – 2025 Table 1 - Efficiencies and other rebalancing measures 2022 - allocation by Minister, p.84

<sup>13</sup> P.90/2021 Summary Table 6 - Efficiencies and Rebalancing Measures 2022 - Summary Proposals p.21

**Panel analysis**

Minister for Infrastructure

Minister	Department	Summary description	Recurring or One-Off	Budget Impact	2021 Value (£000)
Minister for Infrastructure	IHE	Reduce a portion of the property maintenance budget to reflect a reprioritisation of assets requiring maintenance; informed by the Office Accommodation Project	Recurring	Spend Reduction Non-staff	300

In respect of the above efficiency, the Panel asked the Minister for Infrastructure what impact a rebalancing measure of £300,000 (to reduce a portion of property maintenance budget) had on the department and service delivery to date and whether he considered the recurring efficiency appropriate for 2022. The Minister provided the following response:

*The rebalancing measures will occur in light of the Office Modernisation project and will be delivered by acknowledging that we will be moving out of several office spaces in 2024. In this context, the maintenance requirement can be shorter term. It will not affect the safety of occupation or the ability of the government to discharge its obligations and is appropriate for 2022.<sup>14</sup>*

Minister	Department	Summary description	Recurring or One-Off	Budget Impact	2021 Value (£000)
Minister for Infrastructure	IHE	Re-structure Facilities Management across Government to create one centralised function with hub and spoke delivery aligned with the One Gov principles.	Recurring	Spend Reduction Non-staff	200

In respect of the above efficiency, the Panel also asked what impact this efficiency has had on the Department and service delivery to date and whether he considered the recurring efficiency appropriate for 2022. The following response was provided:

*Restructured facilities management was one of the original goals of setting up JPH in 2005. These savings are coming from all departments, particularly those that have been carrying out property activity independently of JPH and will be delivered by extending existing contracts across a wider number of premises and using existing personnel more efficiently. There will be limited impact on the department, but an overall benefit to the government.<sup>15</sup>*

<sup>14</sup> [Written Response - Minister for Infrastructure – 29 November 2021](#)

<sup>15</sup> [Written Response - Minister for Infrastructure – 29 November 2021](#)

The Panel further questioned the Minister on progress on the review of the Government of Jersey property portfolio. Specifically, how it would be determined which properties should be maintained and which should not within the scope of this review. The Minister's response was as follows:

*The review of the Property portfolio is occurring as a result of the new office project, the Our Hospital project, the Fort Regent project and the review of primary school education. It is allowing options to be considered to meet the current need for housing, for efficient provision of blue light services, for public realm and regeneration use. All the buildings are maintained to a greater or lesser degree, depending on whether they will be demolished, refurbished, or reused.<sup>16</sup>*

#### Minister for the Environment

The Panel notes there are no efficiency measures solely assigned to the Minister for the Environment. When questioned on why this was the case, the Minister provided the following in a response to the Panel's written questions:

*Initially a target was set for the department in respect of efficiency measures, however, the list of available options, given other funding pressures being experienced by the department as a whole, was unacceptable to myself, my fellow IHE Ministers and the Council of Ministers and, I believe, represented an unacceptable further reduction in the department's budget.*

*Over a number of years both the former Departments of the Environment and Infrastructure have taken significant reductions in budget through the various efficiency and savings rounds and this has continued under the IHE department. Growth funding has been more limited. The IHE department reduced its budget by over £6m in the last Government Plan and already had a target set for a further £500,000 reduction in 2022, which is still contained within the cash limit, albeit within the Infrastructure Minister's portfolio under Property.*

#### Minister for Housing and Communities

During the Panel's previous review of the 2021 Government Plan, it was noted that an efficiency spend reduction of £25,000 had been identified, and approved by the States, to delay policy development of the Long-Term Plan Housing Plan by one year. Noting that no efficiencies have been assigned to the Minister for Housing and Communities in the 2022 Government Plan, the Panel wished to understand whether this was due to the current issues facing the Island in relation to housing affordability and supply. The Panel questioned the Minister on this during the public hearing:

***The Connétable of St. Brelade:***

*Departmental budgets and efficiencies; the panel understands that no direct efficiencies measures have been applied to your remit of housing and communities. You could translate what Sue just mentioned just now into efficiencies. Is this correct and if so, has the Council of Ministers identified that the area should not be scaled back due to the urgency of addressing the housing supply issue?*

***The Minister for Housing and Communities:***

*I think that is a fair summary. The housing issue occupies a lot of our time on Council of Ministers' meetings, I am pleased to say. We are working across departments. As*

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<sup>16</sup> [Written Response - Minister for Infrastructure – 29 November 2021](#)

*I mentioned last time we met, the spike in the house price index for a fourth year running is a concern. Alarm bells are ringing. We are looking at ways in which considering the rises and the wage growth has not kept pace with that. Considering the effects of that, families living where they can just about afford and find instead of where they really need and the problems that that can store up. It makes sense to work on this as much as we can. It is a tricky technical area but we are looking, as I say, across departments on what we might be able to do. What I am saying is, supply is vital. We are not taking the foot off the accelerator on supply. But are there other interventions, if you like, that Government can make? There are a few obvious ones and we are looking at them.*



## FINDING 2

There are no efficiencies assigned to the Minister for Housing and Communities and Minister for the Environment. There are proposed efficiencies totalling £500k under the remit of the Minister for Infrastructure which relate to proposed recurring spend reductions by Jersey Property Holdings.

## 6 Summary tables of Scrutiny ‘RAG’ ratings

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The Panel has undertaken review of the various programmes and capital projects that were assigned to it by the Government Plan Review Panel, and passed comments were necessary. Following its review’s Terms of Reference, the Panel carried out scrutiny of projects based upon the following guideline criteria:

- Where funding over £500,000 has been allocated
- Where funding has been withdrawn or decreased significantly from the previous year
- Where funding has been increased significantly from the previous year
- Projects which the Panel consider are of most concern (as a result of, for instance, delays, deferrals, overspends or because they are not in keeping with Common Strategic Priorities)
- Projects which have been identified as of concern by stakeholders
- Projects which are contentious and/or in the public eye.
- Projects where insufficient information has been provided and more information is sought
- Concern is held on the project’s alignment with Common Strategic Priorities, social impact and impact upon children.

This section provides a summarised overview of the Panel’s RAG ratings assigned to both previously reviewed programmes (GP 2020-23 / GP 2021-24) and new ones which have been identified in the Government Plan 2022-25.

### Previously reviewed programmes and capital projects (GP 2020-23 / GP 2021-24)

The tables immediately below identify the programmes included in previous iterations of the Government Plan, which will continue to be invested in in 2022, and indicates whether the projects are ‘Complete’, ‘On Track’, ‘Reduced’, ‘Delayed’, ‘Deferred’ or subject to ‘Partial Deferral’.

Programmes (Continuing from previous Government Plans)						
Programme	CSP reference	Page number	Scrutiny RAG Status	Mid-year review Status	2022 Allocation (£000) (previous)	2022 Allocation (£000) (revised)
Housing Policy Development Board and Long-Term Plan	GP20-CSP4-2-01	25		On track	950	950
Tenants' Rights	GP20-CSP4-2-02	30		On track	380	380
Countryside Access	GP20-CSP5-2-02	35		On track	160	160
Jersey National Park	GP20-CSP5-2-03	38		On track	200	200
Natural Environment - Water	GP21-CSP5-2-04	45		On track	400	400
Marine Resources Management	GP21-CSP5-2-05	47		On track	92	92
Covid-19 Bus Contract	GP21-CSP5-C-01	51		On track	1,200	1,200
28-30 The Parade	GP21-OI3-20	54		On track	1,141	1,141

Capital Programmes						
Programme	CSP reference	Page number	Scrutiny RAG Status	Mid-year review Status	2022 Allocation (£000) (previous)	2022 Allocation (£000) (revised)
<b>Prefeasibility Vote – Central Planning Reserves</b>						
Reorganisation of Secondary Schools*	1	N/A		N/A	-	0
North of St. Helier School	1	N/A		N/A	-	200
South of St. Helier School*	1	N/A		N/A	-	0
La Sente*	1	N/A		N/A	-	0

Victoria College New Classroom Block*	1	N/A		N/A	-	0
Mont a l'Abbe Secondary School	1	N/A		On track	-	250
Victoria College Students' Support Centre*	3	N/A		N/A	-	0
Further Education Campus	3	N/A		Delayed	-	150
Infrastructure Funding	014	N/A		-	-	250
<b>Infrastructure</b>						
Infrastructure Rolling Vote and Regeneration Including St. Helier (2022) (Major Project)	CSP5	57			-	13,318
Sewage Treatment Works (Major Project)	CSP5	60			0	10,740
La Collette Waste Site Development	5	64		On track	500	500
Drainage Foul Sewer Extensions*	5	71		Deferred	1,500	0
<b>Replacement Assets</b>						
Refit and Replacement of Fisheries Protection Vessel and Auxiliary Vehicles*	5	N/A		On track	-	-
<b>Estates Including New Schools</b>						
Redesign of Greenfields	1	63		N/A	-	1,250
Prison Improvement Works – Phase 6b	2	N/A		On track	90	230
Prison Phase 7*	2	N/A		N/A	-	-
Prison Phase 8	2	66		N/A	?	1,609

Dewberry House (Sexual Assault Referral Centre)	2	67		<b>Partial deferral</b>	1,550	1,800
Piquet House – Family Court*	2	69		<b>Not provided</b>	1,071	0
*Funding bid not proposed / seeking approval for 2022						

## New programmes requiring additional revenue expenditure (GP 2022-25)

The table below identifies the programmes that will receive first-time investment in 2022 and were therefore not included in previous iterations of the Government Plan.

New Additional Revenue Expenditure Programmes: Government Plan 2022 - 2025				
Programme	CSP reference	Page number	Scrutiny RAG Status	2022 Allocation (£000)
Housing & Food Licensing Schemes	GP22-CSP4-1-06	73		1,000
Increased Liquid Waste Processing	GP22-CSP5-2-07	76		250
Hazardous Waste	GP22-CSP5-2-10	78		1,250
UK/EU TCA Biosecurity Border Controls and Vienna	N/A	81		1,539 (estimate) FaR*
Climate Emergency Fund and Sustainable Transport	N/A	85		FaR*
Future Fisheries and Marine Resources Management	N/A	96		263 (estimate) FaR*
Disposal of Recycling Materials	N/A	98		0 (estimate) FaR*
Glass Contract	N/A	99		0 (estimate) FaR*

\*FaR<sup>17</sup>

## New capital expenditure (GP 2022-25)

The table below identifies new capital projects that will receive first-time investment in 2022 and were therefore not included in previous iterations of the Government Plan.

New Capital Expenditure: Government Plan 2022 - 2025				
Capital Project	CSP reference	Page number	Scrutiny RAG Status	2022 Allocation (£000)
Countryside Access and Wellbeing	CSP5	N/A		-

<sup>17</sup> Fund as Required – estimated funding is provided for the programmes in the General Reserve; however, the funding amount remains uncertain.

Parks and Gardens	CSP5	N/A		-
Planning Obligation Agreements	CSP5	N/A		-

## 7 Previously reviewed programmes and capital projects: update reports

This section provides an update on the Programmes and Capital Projects that were previously reviewed by the Panel that it has carried out further scrutiny of in concordance with this review's Terms of Reference.

### Programmes

GP20-CSP4-2-01 --- Housing Policy Development Board and Long-Term Plan			
CSP		Minister(s)	
Reduce Inequality		Minister for Housing and Communities	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this programme is to implement the actions arising from the "Creating Better Homes: an action plan for housing in Jersey" published in June 2021, including various recommendations made by the Housing Policy Development Board.

Additionally, to undertake a review of the key worker accommodation and take actions during 2020 to extend the number of units available. The review is also intended to provide a clear definition of the roles to be included in the key worker scheme.

#### **Panel analysis**

The progress update provided in the Government's mid-year review explains that the final report of the Housing Policy Development Board was published in April 2021. The Minister for Housing and Communities then published "Creating Better Homes: an action plan for housing in Jersey" in June 2021. This action plan sets out 22 actions under five headings and reflects themes from the Housing Policy Development Board as well as broader issues. Actions already underway include a review of social rent policy and the development of a Housing Advice Service. A Political Oversight Group has been established and a new Strategic Housing and Regeneration team is being established and will be operational in the second half of 2021.

The below tables provide an overview of the funding allocations that were proposed in the 2020 -23 plan and 2021-24 plan against what is now being proposed in 2022-25 plan:

**Funding allocations approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
140	1,425	1,450	1,450

**Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
725	950	950	700

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
950	950	700	700

Considering the reduction in allocated funding for 2021 of £1,425,000 (GP 2020-23) to £725,000 (GP 2021-24), the Panel sought to understand whether the significant reduction has impacted the delivery of the programme's aims in 2021 and asked this of the Minister for Housing and Communities during a public hearing. Although the Minister highlighted that he was not aware of the reduction in funding, as a result of his late appointment to the role in February 2021, it was the Minister's view, in respect of his work responsibilities since his appointment that he had not experienced any impact as a result of the available funding. The Minister emphasised his satisfaction for what has been achieved to date in 2021. As the Minister was not party to the funding allocation for 2021, the Director for Strategic Policy, Planning and Performance clarified further.<sup>18</sup>

*Chairman, you are referring back to the changes that were made last year before the current Minister was in post. During 2020, all Ministers were asked to try and find some savings. The Minister for Housing at the time identified that the money that had been allocated in the previous year was perhaps not as best tote as it could be. There were areas where perhaps things were not going to take place as quickly. He put in place a more strategic use of the money and slightly smaller amount of money, but that has led to all the things that the current Minister for Housing and Communities has just described. In particular the ability to recruit into the strategic housing team, which is going to be a great asset to the government as a whole, having a central resource there to co-ordinate actions between the different partners and bodies.*

Observing the progress highlighted within the Government's mid-year review, in written questions to the Minister for Housing and Communities, the Panel sought further detail in that regard and for the breakdown of specific spend allocation for the programme to date of the £725,000 for 2021. The Panel was informed that the funding had been apportioned to the implementation of a strategic coordination function on housing as was recommended by the Housing Policy Development Board. In addition, funding had been apportioned to the Shelter Trust Grant in line with the recommendations of the Homelessness Strategy and to the Vacant Homes Project.<sup>19</sup> The specific breakdown was described as follows:

	Funding amount	Aims delivered to date
Strategic Coordination	A recurring bid of £250,000 per annum across the current	The Head of the Strategic Housing and

<sup>18</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

<sup>19</sup> [Written Questions – Minister for Housing and Communities – 5<sup>th</sup> October 2021](#)

	<p>Government Plan period (total £1 million).</p> <p>The spend to date is under £50,000 and limited to:</p> <ul style="list-style-type: none"> <li>• Salary of Interim Head of the Strategic Housing and Regeneration team</li> <li>• Cost for initial meeting of Strategic Housing Partnership</li> <li>• Cost of research to support the development of the Caring for Better Homes Action Plan</li> </ul> <p>Additional expenditure before the end of the current financial year is planned for a housing market review, research to support the MMC working group and for additional temporary staffing capacity.</p>	<p>Regeneration team has been recruited</p> <p>New Strategic Housing Partnership in place</p> <p>Cross-ministerial Housing Political Oversight Group has been established</p> <p>Modern Methods of Construction (MMC) political working group has been established to prove the case for new technologies in Jersey</p> <p>Housing Ministerial input to the Regeneration Steering Group has been put in place, securing direct influence on government estates strategy</p>
Shelter Trust Grant	<p>A bid for an extra £300,000 per annum across the current Government Plan period (total £1.2m) was submitted to increase the grant for Shelter Trust.</p> <p>Of the £300,000 allocation for 2021, £225,000 has been paid across to Shelter Trust to date. The remaining quarterly instalment will be paid during Q4 of this year.</p>	<p>For the Shelter Trust to meet staff resource requirements and operational costs</p>
Vacant Homes	<p>A recurring bid for £250,000 was submitted for each of the years 2022-2023 (total £500,000). This budget allocation is scheduled to be available from 2022.</p>	<p>Explore opportunities to bring vacant homes back into active use.</p>

Regarding the Government Plan 2022-25 allocated funding of £950,000 for 2022, the Panel sought to understand whether the level of funding was deemed sufficient to meet the programme's aims. The following response was provided:

***Director of Strategy and Innovation, Strategic Policy, Performance and Population:***

*...our recent discussions have suggested that that is the right amount of funding for that work to progress in its different parts.*

The Panel was made aware that, previously, budgets had been earmarked for possible future areas of housing policy. However, in light of the Housing Policy Development Board's Report and the Creating Better Home's report, a more focused approach to policy development was now possible to address housing problems in accordance with their urgency. It was noted that some funding had been earmarked to specific projects and that the Minister for Housing and Communities has sufficient resources at his availability. The Panel sought further clarity on what the allocated funding for 2022 would cover and was advised:<sup>20</sup>

***Director, Strategic Policy, Performance and Population:***

*The £250,000 is a sum that has been allocated to the strategic co-ordination. That is not broken further down than that. The team will deal with the priorities at the time. In addition to the £250,000 there is some other money which is allocated too. The homelessness project has got its own funding. The Housing Advice Service has its own funding. Next year there is funding to support affordable purchase, so that is a separate new funding of £2 million for that. The Minister has also secured an extra £30 million [sic]<sup>21</sup> for future years to go against affordable housing purchase. There are some smaller amounts of money for more specific projects. There is a decent amount of funding available. Our problems are perhaps more to do with the co-ordination and how to solve some of these problems, other than lack of money to get the staff there to do it.*

Considering a potential change in Ministerial roles in 2022, the Panel sought to understand how the programme's objectives for 2022 would be carried forward in the next Government term and raised this with the Minister during the public hearing. The Minister informed the Panel that through the implementation of the Strategic Housing and Regeneration Team, a team dedicated to the Minister for Housing and Communities, the role and the work of the Minister for Housing and Communities would be appropriately identified going forward. It was the Minister's view that the Strategic Housing and Regeneration Team would be invaluable for any future Minister for Housing and Communities and to carry forward the work<sup>22</sup>.

The Panel observed during its previous review of the Government Plan 2021-24 that progress regarding key worker accommodation was not planned for 2021. Therefore, the Panel sought to understand what progress, if any, had been made to date and was anticipated for 2022 considering the Creating Better Homes report identified key worker accommodation as a priority area. The Panel asked the following during the public hearing with the Minister for Housing and Communities.<sup>23</sup>

***The Connétable of St. Brelade:***

*The Creating Better Homes report identified key worker accommodation as a priority area. Can you outline progress, if any, made during 2021 and what progress can we expect to see during 2022?*

***The Minister for Housing and Communities:***

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<sup>20</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

<sup>21</sup> The Panel was advised during fact checking of the report that the amount is £13m not £30m as stated in the hearing transcript.

<sup>22</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

<sup>23</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

*That is definitely high on the list and, as I have said to you before, Chair, I am working very hard with Property Holdings to get sites released for this. Andium might be able to come to my assistance here a little bit more than me. Obviously I have my eyes on Westaway Court. That seems to be ideal potentially for key workers. Andy, can you update us and help us out?*

**Director General, Infrastructure, Housing and Environment:**

*Yes, thanks, Minister. There are a number of sites which are effectively not being used now for their primary use; so Westaway Court being one of them. That is still technically in the health estate. We are going through a process at the moment. We have just had our office H.Q. (headquarters) decision. So we are just waiting for the appeal process to expire, the 28 days on that before that commences. I referred to that because it is an important decision because it means that the dominoes start to fall elsewhere within the estate. That one being a main one. Obviously the hospital is another main one. As the Minister has rightly highlighted, there are a number of sites which then effectively get freed up. We go through a process through our Corporate Asset Management Board, through to the Minister for Infrastructure then to make a decision on what we do with those sites; taking on board the views of the Regeneration Steering Group along the way. So there is a bit of a pipeline process for us to follow. But yes, the Minister is correct. We have a number of sites where we would expect housing to be that end use.*

The Panel raised concern that the term 'key worker accommodation' may create an additional social layer and asked the Minister's view in that regard:

**The Minister for Housing and Communities:**

*...we must have an eye on this and I would like to see dedicated key worker accommodation and perhaps a scheme in which the key workers can, instead of paying rent, have a right to buy, so whatever stage of career they are at they are investing in property while they are in Jersey. They might want to move on in 5 or 10 years but they are not just with only the rental option. I think that is something we should explore.*

The Panel was informed that work was underway with the Central Human Resources to correctly identify the services that would benefit from key worker accommodation. Key worker accommodation was being considered for areas including health, social and children services. Considering the challenge to recruit and retain teaching staff as well as staff for the Department for Infrastructure, Housing and Environment, the Panel questioned whether key worker accommodation was being considered for those areas as well. The Panel identified that the current work aimed to identify areas of key tension and gaps to determine the services that would benefit from key worker accommodation.<sup>24</sup>

On reviewing the information available and the responses to written questions received, the Panel maintains its amber RAG status for this programme. The Panel has observed that progress has been made in respect of the programme in 2021.

The Panel welcomes the publication of the Housing Policy Development Board report and the Minister's subsequent report, Creating Better Homes, which outlines an action plan to address the issues raised by the Housing Policy Development Board. The Panel has observed the improvements being made to the strategic coordination function on housing, particularly,

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<sup>24</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

through the appointment of the new Interim Head of the Strategic Housing and Regeneration Team, the establishment of the Strategic Housing Partnership and the Cross-Ministerial Housing Political Oversight Group.

Observing little progress in respect of key worker accommodation to date, the Panel is pleased that key worker accommodation has been prioritised under Action 5C of the Creating Better Homes<sup>25</sup> to increase the supply of new key worker accommodation. The Panel understands that policy work is planned to develop a clear definition of key workers, for the purpose of accessing accommodation. Moreover, that a minimum target of the delivery of 25 key worker homes each year through to 2025 has been set. The Panel will continue to monitor throughout 2022 the progress in respect of key worker accommodation.

Noting that a lack of coordination was highlighted as a challenge to progressing the programme's aims, rather than a lack of funding, with strengthened coordination on housing, the Panel will monitor during 2022 whether the improved coordination function delivers further progress as anticipated. Although progress has been observed during 2021, considering the significant housing challenges the Island continues to face, the Panel will continue to monitor the programme's progress throughout 2022 to determine whether coordination has improved and funds are sufficient to deliver timely policy development, with solutions and meaningful outcomes for housing affordability in Jersey.



### FINDING 3

The Housing PDB and Long-Term Plan programme has been designated amber by the Panel due to a lack of co-ordination which has resulted in slow progress to date. Whilst it is acknowledged that measures are proposed to improve co-ordination moving forward, the Panel will continue to monitor the progress of this programme throughout 2022 in order to determine whether coordination has improved and funds are sufficient to deliver the intended aims of this programme.

GP20-CSP4-2-02 --- Tenants' rights			
CSP		Minister(s)	
Reduce Inequality		Minister for Housing and Communities	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this programme is to strengthen the legal protection afforded to tenants in the private and social rented housing sector. The project includes a number of separate actions,

<sup>2525</sup> [Creating Better Homes: an action plan for housing in Jersey](#)

which together enhance the statutory framework for letting residential property in Jersey. Not all of the measures will require additional funding.

### **Panel analysis**

The progress update provided in the Government's mid-year review explains that the Tenants' Rights project is focusing on improving the standard access to and security of rented housing. In the first half of 2021, the Jersey Homelessness Strategy was published, and work has begun to deliver the actions in the strategy. This includes setting up a housing advice service in Customer and Local Services to provide housing advice and guidance and a Critical Support Team has been established to support people to sustain their housing and prevent homelessness. A simplified banding system for the Housing Gateway has also been introduced. Work is ongoing to create appropriate support models including pathways for individuals to access housing and support and multi-agency arrangements to provide these services.

The below tables provide an overview of the funding allocations that were proposed in the 2020-23 plan and 2021-24 plan against what is now being proposed in 2022-25 plan:

#### **Funding allocations approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
110	680	380	380

#### **Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
300	380	380	380

#### **Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
380	380	380	380

Considering that the original funding allocation for 2021 was reduced substantially from £680,000 to £300,000, the Panel questioned what impact the reduction in funds has had on the delivery of the programme's aims to date in 2021. It was noted that the initial estimated funding allocation of £680,000 was quite generous and theoretical whereas a more targeted deliverable plan has since been developed. It was confirmed that, although more needed to be accomplished, good progress had been made to date. Considering the remit for housing and communities has not been tasked to provide any additional efficiency savings for 2022, the funding allocation of £380,000 for 2022 was also anticipated to be sufficient to meet the continuing aims of the programme.<sup>26</sup>

In written questions the Panel requested a breakdown of the allocated funding for 2021 and how it has been spent to date. The Panel was informed that the funding allocation for 2021 was apportioned to: rent stabilisation measures as recommended by the Housing Policy Development Board; homelessness services and; the Housing Advice Service which was the outcome of a previous independent review – Review of Access to Social Housing in Jersey

<sup>26</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

and also recommended by the Jersey Homelessness Strategy.<sup>27</sup> The spend to date as well as the spend allocation for the 2022 funding bid was outlined as follows:

**Rent Stabilisation:** to introduce rent stabilisation measures

- £70,000 – for policy development and consultation, including potential legislation and the creation of rent stabilisation function for 2021.
- £90,000 - for the rent officer/tribunal function and any associated expenses which will be a recurring cost per annum or held in reserve from 2022 onwards.

**Homelessness Services:** to enable the development of a structured pathway for individuals to access housing and coordinated support, including the adoption of approaches to address homelessness.

- £60,000 – for specialist consultancy support provided by UK-based Homeless Link. £44,200 is due for 2021 and the remaining funds will be retained for 2022 for follow-on work.
- £60,000 – for one full time employee to maintain a caseload of clients and provide personal support to individuals with multiple, high and complex needs and help them to sustain a tenancy.
- £30,000 – to deliver homelessness and housing need services to clients (the intention is to use these funds in Q4 of 2021 for resource, emergency housing, deposits, room retention, cleaning costs)
- £120,000 – a 2022 allocation for two full time employees which will be actively recruited for Q4 2021

Regarding the 2021 £60,000 funding in respect of staff costs, it was noted that only £13,000 of the allocation for 2021 has been spent and the balance would be spent on homelessness and housing needs (to include additional staff costs and resources) in Q4 of 2021.

**Housing Advice Service:** set up in response to a recommendation made as a result of the 2019 Review of Access to Social Housing in Jersey and by the Jersey Homelessness Strategy. The Panel was informed that:

*An £80,000 bid from the 2020-2023 Government Plan was retained to establish the Housing Advice Service in 2021. The Housing Advice Service was not established in 2020, but £30,000 of this allocation was retained and carried over into 2021. A total budget of £140,000 was therefore available establish and run the service in 2021, which includes the recurring £110,000 pa over the Government Plan period.<sup>28</sup>*

The breakdown of the spend to date was provided as follows:

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<sup>27</sup> [Written Questions – Minister for Housing and Communities – 5<sup>th</sup> October 2021](#)

<sup>28</sup> [Written Questions – Minister for Housing and Communities – 5<sup>th</sup> October 2021](#)

Housing Advice Service	Cost
Support System (2020)	£24,570
Online triage form (2021)	£3,500
Service resources (2021)	£104,393
<b>Variance against 2020-21 budget</b>	<b>£7,537</b>

Considering the Government's mid-year review status noted the programme's progress as on track, however, did not provide an estimated target date for the programme's completion, the Panel sought further clarity regarding its progress. In a written response to the Panel, it was explained that the Tenants' Rights programme had been incorporated within the Creating Better Homes Action Plan and the various elements were set out in actions within the five priority areas of the Plan. It was noted that the timeline for the delivery of the individual elements therefore differed as a result.

During the public hearing with the Minister for Housing and Communities the Panel sought to understand the timeline and priorities regarding the actions outlined within the Creating Better Homes Action Plan including for: social rent policy; eligibility through the Housing Gateway; work to the Residential Tenancy Law; protection against excessive rent rises; as well as work to provide a framework for future social housing regulation. The Panel sought to determine when the community could expect to see tangible benefits from the workstreams.<sup>29</sup>

***The Minister for Housing and Communities:***

*To be clear, the desired outcome here is to make being a tenant in Jersey as secure as possible and to give tenants as much protection as we can. This might be protection from unreasonable rent increases, unreasonable and hidden surprise costs, sometimes a lease renewal is used as one way of doing that. It might be protection from landlords thinking they have access 24/7 to the tenants' property in a non-emergency situation. That can be a great worry, especially to single women. So we are straying into the territory of the Residential Tenancy Law, which we know we want to rewrite and of course the Rent Control Law. Both of those are on the list to be redrafted. Both of those are on the list to be redrafted. We have had a 11 certain amount of uncertainty over the course of the last 2 years in terms of the efforts to either licence or register landlords in Jersey. As we know, that has gone around in circles and unfortunately has hindered us slightly in that it is difficult to proceed on some of this work without knowing exactly the direction of travel and certainty on those 2. But I think we have to assume that this Assembly will not vote to licence landlords in Jersey, and we have to work on the premise that there will be a registration. It is a priority. Sue, do you want to pick up on the timeline here for this work?*

***Director, Strategic Policy, Performance and Population:***

*There are different areas included in this overall area. The social rents policy is the one that is most urgent, and that will be addressed by the end of this year. The Residential Tenancy Law, as the Minister has explained, it is very important that we make sure that the tenants do have some good basic rights. That might need to be a 2-stage process whereby we do some small adjustments in the short term, which are more straightforward to do, take less legal advice. So it is a possibility that they will ...*

<sup>29</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

*we will certainly be working on them this year; whether they will be able to get them through before the end of the year I am not quite sure. But I think we will probably be looking to get at least something ready to be debated in the early part of next year. You mentioned social housing regulations. That is less urgent for the time being. That is undoubtedly not going to happen in 2021 or 2022. That will be a longer-term project. So our key concerns at the minute are agreeing and making sure that everyone is happy with a social rents policy that everybody understands and is agreed to. Improving protection for tenants. The third area is rent rises in the private sector, which is rent stabilisation...*

In respect of the potential licensing or registration scheme for landlords, and the dependence of the approval of a scheme to further progress the programme's aims, the Panel suggested further engagement with landlords who are integral to the provision of housing, in order to establish a workable solution. The Panel observed within a submission received from the Jersey Landlords' Association (JLA) that the JLA had little issue with the improvement of the quality of rented dwellings in Jersey. The JLA explained:

*As previously mentioned, the Jersey Landlord's Association (the "JLA") has little issue with the improvement of the quality of rented dwellings in Jersey. We have been opponents, however, of the proposed rented dwelling licensing scheme, which we feel is a sledgehammer to crack a nut, would be over-expensive and will not (in its current format) achieve its aims.<sup>30</sup>*

Noting the action to apply the Andium Homes' rent freeze for 2022, the Panel sought to understand any consequential impacts in the short, medium and longer term. It was noted that the rent freeze would neither impact Andium Homes' business model nor their housing supply as the Government would cover the £700,000 cost for 2022 resultant of the rent freeze.<sup>31</sup>

The Panel sought further detail on the work underway to create appropriate support models for access to housing. The Panel was informed that Homeless Link had been engaged to review and develop a more robust service for tackling homelessness which was bespoke to Jersey's needs. It was further explained:

*As part of this engagement, the Homeless Link charity will focus on service delivery and customer access, reviewing how housing and homelessness services are currently delivered across Jersey, customer access arrangements and the scope of the service. Homeless Link will support GoJ to develop new clear pathways for customers at increased risk of homelessness. They will also develop a pathway framework that details roles, responsibilities and accountabilities for cases and client groups that involve multi-agency working, to result in more joined-up services and improved customer outcomes.<sup>32</sup>*

It's the Panel's understanding that on-island stakeholder engagement has commenced to review the current services with the intention for continued engagement throughout the project to ensure the views of stakeholders are taken into consideration when designing service improvements.

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<sup>30</sup> [Submission – Jersey Landlords' Association – 22<sup>nd</sup> October 2021](#)

<sup>31</sup> [Public hearing with the Minister for Housing and Communities – 12<sup>th</sup> October 2021](#)

<sup>32</sup> [Written Questions – Minister for Housing and Communities – 5<sup>th</sup> October 2021](#)

The Panel is satisfied to observe that stakeholder engagement has been undertaken early on and will continue through the review and development of the current services, considering that the lack of stakeholder engagement was highlighted as a concern during the Panel's review of the Government Plan 2021-24. The Panel is pleased to observe that the Minister for Housing and Communities has taken heed of the Panel's recommendation made regarding this programme, namely - *The Minister for Children and Housing should ensure, going forward, that engagement and consultation with external stakeholders (such as social housing providers and private landlords) happens in the early stages of policy development in order to provide valuable contributions to the delivery of policy outcomes.*

On reviewing the information available and the responses to written questions received, the Panel maintains its amber RAG status for this programme. The Panel has observed that progress has been made during 2021, particularly in respect of the Housing Advice Service and homelessness service. Notwithstanding, it has been noted that significant work remains in respect of the workstream during 2022 and beyond including for social rent, rent stabilisation and the Residential Tenancy Law to achieve the desired outcome of ensuring Jersey tenants have the best possible security and protection. Moreover, the Panel notes that to progress this work, the direction regarding a licensing or registration scheme for landlords would need to be decided and approved.

Although when reviewing the previous Government Plan 2021-24, the Panel raised concern regarding the reduction in the funding allocation from £680,000 to £300,000 and the potential impact of the reduced funds on the programme, the Panel has observed that the reduction in funds has not directly impacted the progress of the programme's aims during 2021. The Panel also notes that the Minister for Housing and Communities deems the funding allocation for 2022 to be sufficient to meet the continuing aims of the programme in 2022.

Considering the above, the Panel will continue to monitor the progress of the programme during 2022.



#### FINDING 4

The Tenants' Rights programme has been designated amber by the Panel given the significant work which remains in respect of the workstream throughout 2022 and beyond including for social rent, rent stabilisation and the Residential Tenancy Law. The Panel notes that to progress this work, the direction regarding a licensing or registration scheme for landlords would need to be decided and approved by the States Assembly.

GP20-CSP5-2-02 --- Countryside Access			
CSP		Minister(s)	
Protect our environment		Minister for the Environment	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status

On track			
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As outlined in our previous review of the Government Plan 2021-24, the purpose of this programme is to obtain additional revenue to fund research to identify how people currently use the countryside path network and how to best adapt it to future leisure activities. In addition to this, the funding would be available for maintenance of the paths as well as to enable additional routes and clear signage / route marking.

### **Panel analysis**

The progress update provided in the Government's mid-year review explains that this project is to understand the current and future requirements of users. The survey, which had been delayed due to Covid-19 has been initiated this summer. Survey results will inform improvements to the Island's access infrastructure in order to maximise its use, enjoyment and benefits that it offers (social and economic). Respect the countryside campaign is planned. Some multi-user paths and a path for those with alternate needs have been established. Solutions to the problem of mountain bike use, particularly on the north coast path, are being sought with Jersey Sport. Maintenance to ensure H&S for users is ongoing. Request for extended funding past Dec 2024 made to Treasury (£90k pa).

The below tables provide an overview of the funding allocations that were proposed in the 2020 -23 plan and 2021-24 plan against what is now being proposed in 2022-25 plan:

#### **Funding allocations approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
195	215	165	90

#### **Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
200	160	90	90

#### **Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
160	90	90	90

In written questions the Panel requested a breakdown of the allocated funding for 2021 and how it has been spent to date. The Panel was informed that the actual budget for 2021 was £264,600 and the total spend committed to date was £201,306, However, it was noted that £26,000 had also been earmarked for 2021 branchage but had not been committed to date.<sup>33</sup>

The breakdown was provided as follows:

<sup>33</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

Description		Cost
Island wide Signage/ Interpretation Project	Surveys of access network users (14 survey points involving 504 hours of survey time) to inform user group requirements	£17,398
	Developing the design and branding	£3,760 spend and a further £5,400 committed.
Various site-based work carried out to facilitate safe access (including clearance of dangerous trees, car park resurfacing and maintenance of recreational sites and BBQ areas)		£37,333
Access route improvement		£18,673
Salary for the Access Support Officer		£40,336

During the public hearing the Panel sought to understand further the programme's progress to date and whether the funding allocation of £160,000 for 2022 would be sufficient to meet the programme's continuing aims for 2022. The Panel was informed the following<sup>34</sup>:

**Head of Land Resource Management:**

*...In terms of your first question, when will all the survey outputs be realised? At the end of this year we will get the first report, which will be good and that will inform and understand the current users and their future aspirations of using our access network. Which leads into your second question of how that money will be spent, will lead into a joint access with other large landowners, projects which is looking at signage and interpretation. That is working together with Jersey Heritage, National Trust, National Parks, Jersey Water, all the big landowners out there, it is on the basis of survey work as well...What we plan next year is to use Les Landes site as a guinea pig site to test these new signage. Then the plan is across the Island at relevant sites we will put the signage interpretation out in partnership with all the other big landowners, so that a visitor coming to Jersey has one standard sign, one standard Q.R. code and knows what to expect and let us hope that that will increase public access into our countryside as well.*

The Panel sought further detail regarding the request for further funding beyond 2024 of £90,000. It was explained that countryside access has been recognised as being crucial for the Island in terms of health and wellbeing, especially during and after the pandemic. It was noted that the current revenue budget for the provision of the current access network has remained static for many years and has not kept in line with inflation. Therefore, in order to maintain an acceptable and reliant level of service, the revenue budget needs to increase accordingly.<sup>35</sup> The Panel was informed that the increased funding would allow for:

- increased infrastructure and paths which in turn will require funds for maintenance and to provide a safe and welcoming countryside

<sup>34</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>35</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

- the continuation of the additional Access Support Officer post deemed invaluable by the department if it is to improve on the quality of Countryside Access in the Island
- additional transport for the Countryside Ranger team to allow them to carry out their daily and longer-term work plans more effectively

The Panel notes that the spend forecast by the end of 2021 including the additional £26,000 (which was unconfirmed at the time) would be £227,306 which is lower than the actual budget of £264,600 for 2021. Based on the information provided, the Panel is satisfied to maintain the green RAG rating for this programme, however, from 2023 the funding is projected to decrease significantly to £90,000, so the Panel will continue to monitor the progress of this programme during 2022.

GP20-CSP5-2-03 --- Jersey National Park			
CSP		Minister(s)	
Protect our environment		Minister for Economic Development, Tourism, Sport and Culture	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

As outlined in our previous review of the Government Plan 2021-24, the purpose of this programme is to conserve and enhance the natural beauty, wildlife and cultural heritage of areas within the Jersey National Park (JNP). Additionally, to promote opportunities of the understanding and enjoyment of the special qualities of the JNP by the public.

### **Panel analysis**

The progress update provided in the Government's mid-year review explains that Stakeholder consultation is ongoing.

The below tables provide an overview of the funding allocations that were proposed in the 2020 -23 plan and 2021-24 plan against what is now being proposed in 2022-25 plan:

### **Funding allocations approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
100	150	200	250

### **Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
150	200	250	250

### **Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
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200	250	250	250
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In written questions to the Minister for Economic development, Tourism, Sport and Culture the Panel requested a breakdown of the spend to date of the funds allocated for 2021.<sup>36</sup>

<b>Breakdown of Spend 2021</b>	
<b>Expenditure to June 30 2021</b>	<b>£</b>
Personnel costs	17,970
Equipment purchases FLS Centre	3,939
Shed/fence installation FLS Centre	14,230
General expenses (postage/electricity/cleaning)	1,065
Materials and equipment refurbishment of FLS Centre (labour costs – nil)	973
Bank charges	22
J.E.C computer support	60
Subscriptions (AJA membership)	15
Purchase of JNP flag	234
Sponsored walks (Walk in Park)	1,120
Marketing expenditure (Freedom Media)	
➤ Website hosting and development	2,656
➤ Signage	1,764
➤ Advertising Ports of Jersey/What's On	3,464
➤ Account management	6,737
➤ Design	1,339
➤ Social media	3,560
➤ Walk in Park campaign	15,915
<b>Total Expenses</b>	<b>75,064</b>

In addition, the budget for the second half of the year ending on 31<sup>st</sup> December 2021 which takes into account the second tranche of Government Funding of £75,000 for 2021 was also provided to the Panel within the Minister's [response](#).

The Panel sought further detail regarding the progress that has been made to date for this programme. The Minister provided the following detail in respect of the reporting on KPIs for 2020 and activity for 2021.<sup>37</sup>

KPI	Comments
10% increase in number of unique visitors to the website compared to 2019	Individual visitors +190% 6,520 in 2020 vs. 2,251 in 2019
Based on Jan 2020 survey, 20% increase in awareness of Jersey National Park by end of the year	Covid restrictions were a challenge to face-to-face surveys. Social media engagement is proof of awareness:- Facebook +16% followers and 102,000 people reached Instagram +28% followers and 15,000 people reached Twitter +19% followers
8 educational and/or environmental related events held at Frances Le Sueur centre (Centre available from April 2020 onwards)	Covid restrictions limited permissible activity, but :- 3 weeks Earth Kids events held 3 times

<sup>36</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

<sup>37</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

	<p>weekly yoga sessions in Nov and Dec 2 other environmental events held</p>
<p>Corporate sponsorship obtained either financially or in kind (hours spent) towards environmental projects within Jersey National Park</p>	<p>£100,000 sponsorship over 5 years (£20,000 per year) from CVC Credit Partners European Opportunities Limited, subject to annual confirmation</p> <p>£5,000 sponsorship from Islands Insurance, for Picnic in the Park campaign. In addition, cost of public liability insurance</p> <p>£1500 from Co-op Eco Fund towards cost of pond refurbishment and new fencing at FLSC Free electrical works, internal and external, at FLSC, plus carbon/energy audit review of FLSC by the JEC</p> <p>Photo competition prizes of 4 x £50 and 2 x £100 donated free by Jersey Uncovered, Jersey Adventures, Jersey Dive Centre, Le Braye Café and Bunker Yoga 9</p> <p>Back to Work team provided time and resources freely to help partly redecorate the Frances Le Sueur Centre internally and externally</p>
<p>4 volunteer-based activities undertaken in the Park</p>	<p>Covid restrictions precluded activity being arranged</p>
<p>Concept established for a Friends of the Park membership scheme with online donation mechanism facility created for both public and corporate donations</p>	<p>Concept is work in progress. Format for a Park Partners scheme, primarily with organizations and businesses in the Park, considered more appropriate. To be developed in 2021</p>
<p>All 8 key Benefit subject areas and key Park stakeholders/groups either represented or appointed to Jersey National Park Limited</p>	<p>Board meeting held with key stakeholders/groups represented and in principle agreement obtained from each to join JNP Ltd Board</p>
<p>Frances Le Sueur centre operational and open to the public as Jersey National Park headquarters and information, education and events centre</p>	<p>Centre open on limited basis due to Covid restrictions. Consequential delays to refurbishment works and planning permission for external storage facility contributing factors</p>
<p>1 major marketing campaign promoting Jersey National Park</p>	<p>Staycation promotion of the Park undertaken in conjunction with Visit Jersey Photo competition and Picnic in the Park were additional promotional campaigns</p>
<p>Positive contribution to government strategies and policies relevant to Jersey National Park, e.g. Island Plan</p>	<p>Jersey National Park represented on the steering group and consultation process of JNP boundary revisions proposals in the Bridging Island Plan</p>

The Minister for Economic Development, Tourism, Sport and Culture noted that good progress has been made towards the achievements of the 2021 Business Plan objectives. The Minister detailed the work completed to date including: the Frances Le Sueur Centre, Marketing and

Aspiring Geopark. Moreover, the Minister outlined the work which continued to progress in various areas including in respect of JNP's governance, rewilding aspirations and campaigns (not limited to these).<sup>38</sup>

In a submission received from Jersey National Park, JNP updated the Panel on how the funding has been spent to date:

*The financial resources given to us over the last two years have we hope been well spent and significant efforts to supplement these monies with private sector support, both financially and through volunteering have been made. The greatest step-forward we have secured to-date has been in having the wherewithal to engage on a part-time basis the services of a Park Officer Mr Jerry Neil whom you met to supplement the efforts of Mike Stentiford and myself. That along with financing, largely with non-governmental monies and volunteering, the reconditioning of our now secured base at the Frances Le Sueur Centre has been fundamental to securing this significant progress<sup>39</sup>*

JNP also highlighted potential challenges as follows:

*There are numerous challenges ahead as we touched on at the meeting with clarification of the Parks boundaries as part of the proposals in the Bridging Island Plan and the legal status of the Park itself being key amongst these but our draft Future Strategy also supplied gives a significant indication of our approach forward over the period 2022-25 and our alignment to the current CSP's. This strategy of course can be amended as necessary when a new government decides its priorities following the general election of next year.<sup>40</sup>*

Within the Minister for Economic Development, Tourism, Sport and Culture's written response to the Panel, concerns regarding JNP's boundaries were also highlighted, as follows:

*The proposed revisions to the Jersey National Park boundaries were put out to public consultation in April. There was particular concern raised by representatives of the farming community and a substantial landowner regarding assumed increased control over land use and land management, which clearly indicated that the communication by Government could have been better. Jim Hopley has met and has offered to meet with any interested parties, alongside Government officials, to help explain the rationale and intentions for the changes. From the Jersey National Park's perspective, the presumption is not one of no development, but rather reasonable and appropriate development, and the enhancement of biodiversity. The public consultation on the boundary proposals closed on 12 July 2021, following which a UK planning inspector will collate the information for presentation to Government and thereafter, for States Assembly debate in early 2022.<sup>41</sup>*

During the public hearing with the Minister for the Environment, the Panel sought further clarity regarding the legal status of JNP and clarification of its boundaries.

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<sup>38</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

<sup>39</sup> [Submission – Jersey National Park – 20<sup>th</sup> October 2021](#)

<sup>40</sup> [Submission – Jersey National Park – 20<sup>th</sup> October 2021](#)

<sup>41</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

**The Connétable of St. Brelade:**

*Have you been in discussion with them regarding the clarification of the park's boundaries as part of the proposals in the bridging Island Plan and the legal status of the park itself? I wonder if there have been any challenges or concerns highlighted in that regard and how they might be addressed.*

**The Minister for the Environment:**

*That issue is a very current issue. It is known that the current boundaries of the Jersey National Park are well defined in the current Island Plan, which now will update. Of course, during the development of the new Island Plan, based on the work that was done as a result of the landscape appraisal work, the evaluation of the countryside and the lessons learnt, the experiences in the last 10 years since the plan was adopted, a recommendation was produced to revise the boundaries. Those boundaries were withdrawn and that current proposal sits within the draft Island Plan and that is going out, of course it is not just going out, it is going to the inquiry in a couple of weeks. Of course that issue has proved to be, I think, sadly and I believe disappointingly really, unnecessarily contentious. I think the objectives of that proposal have been, sadly, misunderstood and I am hopeful we will have a joint chance to recover from that and see through that at the forthcoming inquiry...<sup>42</sup>*

Considering that the Coastal National Park falls under the remit of the Minister for Economic Development, Tourism, Sport and Culture, the Minister for the Environment highlighted that, in his view, the role of the Coastal National Park, going forward, should be separately identified.<sup>43</sup>

**The Minister for the Environment:**

*...I think the one thing that I think is important in the future, that the role of the Coastal National Park is separately identified because obviously it now sits within the Economic Development ministry, it is not part of the core ministry of Environment. I think it is incumbent upon that body and that Minister to produce some clear objectives. I think there is a case for redefining the boundaries for their special purpose with the clerk because the areas in the draft Island Plan proposed at the moment are much more extensive than they need to be, just for the purposes of, if you like, the St. Ouen's Bay area or because they need to be for the purposes of a planning zone. In the future I think that likes to be something which I think will need to be more clearly identified. But I think the principle of having a body charged with helping wise use and people to understand because that is really important, understand the environment and that means it helps with them respecting it and living within environmental means, if you like, and the activities that go on is important..<sup>44</sup>*

Although the Minister found benefit in the principal of having a body be responsible for educating the public on the respectful use of the environment, it was the Minister's view that Jersey National Park's progress was reliant on the money available to them.

**The Minister for the Environment:**

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<sup>42</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>43</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>44</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

*...But I think the Jersey National Park team, sadly, were inhibited in how far they were able to go in that respect because they had no money. But of course we are able to put that money in place and of course that money has been available to the Minister for Economic Development, Tourism, Sport and Culture and at the moment I am not sure how it has been allocated...<sup>45</sup>*

The Minister for Economic Development, Tourism, Sport and Culture notes within his written response to the Panel that the Board of Jersey National Park 'was working to establish the Park's strategy, mission and vision, and the governance structure. It was the Board's view that clear guidance from Government on JNP's role and the expectations of the Board was needed, considering JNP is a Government arms - length organisation. It was noted that the Rural Economy Strategy for 2022 was considered a good opportunity to obtain clarity in that regard.<sup>46</sup>

With regard to the funding allocation for 2022 of £200,000, JNP explained that the budget and proposed expenditure for 2022 had not yet been prepared. This was reiterated within the Minister's response to the Panel, where the Minister noted that the business plan for JNP for 2022 was being prepared and would be agreed with the departments during Q4 of 2021. Notwithstanding, the Minister confirmed that the funding allocation of £200,000 would be sufficient to meet the programmes aims, subject to the acceptability of the Jersey National Park business delivery plan proposal<sup>47</sup>.

*We are yet to prepare our budget and proposed expenditure for the year 2022 and onwards into the next 4 year Plan but hopefully our Strategy document demonstrates the main areas of utilisation of pledged monies forward should the Assembly see fit to approve these. As indicated the further reconditioning of the Centre and more by way of opening it as an educational, information and interpretation facility for both locals and tourists alike, the establishment of a much extended stakeholder governance structure and a planned effort to improve in co-operation with Environment the bio-diversity and the utilisation and appreciation of Le Parc des Mielles by the public are key objectives. Certainly it is our intention to use all central monies supplied effectively and prudently and to supplement these where possible, particularly on a project basis, with non-governmental funding thus assisting with the process of rebalancing even in a small way the ongoing delivery of public services in the face of the current financial pressures.<sup>48</sup>*

During the Panel's review of the Government Plan 2021, the Panel had recommended that the Minister for the Environment and the Minister for Economic Development, Tourism Sport and Culture should put in place suitable protocols to ensure a more collaborative approach to their involvement in the Jersey National Park project and in the support extended to the Jersey National Park. The Panel therefore sought to understand whether this recommendation had been actioned by the Minister and, if so, the outcomes thereof:

*Officers from both Departments attend JNP Board meetings in an observer capacity, attend quarterly stakeholder management meetings and hold informal inter-*

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<sup>45</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>46</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

<sup>47</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

<sup>48</sup> [Submission – Jersey National Park – 20<sup>th</sup> October 2021](#)

*departmental meetings to ensure a joined-up approach to the ALO is maintained. Quarterly meetings held between the JNP and Departments (Economy and Environment) have a clear record of reporting and minute of actions where required.<sup>49</sup>*

Although the Panel recognises that the Minister for the Environment is not the lead Minister for this programme, in respect of its recommendation, the Panel sought to understand how the recommendation had been actioned by the Minister for the Environment to improve collaborative working. The Panel raised this with the Minister during a public hearing.<sup>50</sup> The Panel notes that although the Minister, in his personal capacity, has not held meetings with Jersey National Park, that Officers have been in correspondence with JNP, on a weekly basis, to provide advice and support.<sup>51</sup>

Based on the information provided, the Panel maintains its amber RAG rating for the programme. The Panel observes that significant progress has been made to date as a result of the Government funding as well as through the noteworthy support received from the private sector, both financially and through volunteering. The Panel observed that efforts are being made to improve collaboration between JNP and Government departments.

It's evident that clarity is required regarding JNP's role, purpose and responsibilities. Since JNP is a Government arms-length organisation, consideration should be given to whether its role can be separately identified, as well as how its objectives can be clearly defined.

Notwithstanding the success of the JNP to demonstrate its achievements to date, the Panel notes the challenges in respect of the clarification of JNP's boundaries and its legal status. Considering the concerns raised are dependent on the outcomes of the Bridging Island Plan to some extent, the Panel will continue to monitor the developments in that regard during 2022.

Considering the potential changes in Ministerial roles as a result of the new Government commencing in 2022, the Panel acknowledges that Jersey National Park's future strategy and how it aligns with any changing Government priorities would need to be closely monitored to safeguard JNP's alignment with Government and its continued progress going forward.



#### **FINDING 5**

Notwithstanding the notable success of the Jersey National Park to demonstrate its achievements to date, this programme has been designated amber by the Panel, due to the following:

1. Clarity is required regarding JNP's role, purpose and responsibilities and its objectives should be clearly defined.
2. Clarification of JNP boundaries and its legal status is required and the concerns raised are dependent, to some extent, on the outcomes of the Bridging Island Plan.
3. There is a risk that with potential changes in Ministerial roles after the election, that JNP's future strategy and how it aligns with any changing Government priorities may impact its continued progress.

<sup>49</sup> [Written Questions – Minister for Economic Development, Tourism, Sport and Culture – 20<sup>th</sup> October 2021](#)

<sup>50</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>51</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

**RECOMMENDATION 2**

The Minister for Economic Development, Tourism, Sport and Culture should provide clear guidance on Jersey National Park's role, purpose and responsibilities. Since the JNP is an arms-length organisation of Government, consideration should be given to whether its role can be separately identified, as well as how its objectives can be clearly defined. The Minister should consider how this clarity might be incorporated into the Rural Economy Strategy for 2022.

GP21-CSP5-2-04 --- Natural Environment - Water			
CSP		Minister(s)	
Protect our environment		Minister for the Environment	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			-

As outlined in our previous review of the Government Plan 2021-24, the Government Plan 2021-24 states: 'We will invest in research surrounding inland water quality including per- and polyfluoroalkyl substances (PFAS) and pesticide research and essential staffing relating to catchment management.

**Panel analysis**

The progress update provided in the Government's mid-year review explains that this project contains three sub-activities PFAS hydrogeological survey, pesticide monitoring and employment of an agri-environment officer. Stage 2 highly specialist work will shortly go out to targeted tender. Monthly meetings of the Technical Officer Group continue to progress the 25 recommendations in the 2019 and 2020 update reports. Some sampling has taken place. Targeted pesticide monitoring in streams and groundwater has taken place, sampling undertaken by Jersey Water and results fed back to the industry via the Action for Cleaner Water Group.

The below tables provide an overview of the funding allocations that were proposed in the 2021-24 plan against what is now being proposed in 2022-25 plan:

**Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
300	400	250	250

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
400	250	250	250

In a response to written questions the Minister for the Environment provided the breakdown of the total spend to date of the funds allocated for 2021 as follows:

**PFAS related works:**

*Total spend for PFAS is £13,040. We are expecting to underspend in 2021 due to delays in recruiting external consultant into post. In order to deliver the project objectives, it is expected that the underspend will be needing to be rolled forward to 2022/23*

**Pesticide related work:**

*Total spend for pesticide related work this year is £35,543.73 with a further £74,201 raised to cover sampling and analysis costs to the year end. Approximately half of this work has been undertaken, but exact spend figures will be only available as and when invoices are received and processed.*

**Agri-catchment Office:**

*Total spend on the Agri-catchment officer is £6,500.00. The lack of spend to date was due to the Target Operating Model and the subsequent delay appointing to post.<sup>52</sup>*

During the public hearing with the Minister for the Environment, the Panel sought to understand whether the allocated funding of £400,000 for 2022 would be sufficient to meet the programmes continued aims. It was explained that the work in respect of PFAS was progressing well and that the firm Arcadis who undertook similar work in Guernsey had been contracted to undertake the work for Jersey. It was anticipated that the work would progress quickly once Arcadis was on board. In respect of pesticide monitoring, the panel was informed that good progress had been made to date and the vital work would continue which, in the main, was a risk-based process. Regarding the recruitment of an Agri-catchment officer it was noted that the post had successfully been filled and the Officer had commenced work in the areas as projected.<sup>53</sup>

In respect of the funding for the clean-up process of the PFAS contamination, the Minister for the Environment emphasised that the funding allocation for 2022 would not cover that work. It was noted that the 2022 funding was only to identify the contamination and to consider a solution.<sup>54</sup>

Since the 2022 funding allocation did not include the funds for the potential PFAS contamination clean-up process, during the public hearing the Panel sought to understand how the clean-up process would be funded and when the funding would be required for that work.

***The Connétable of St. Brelade:***

*... you highlighted that an outcome of the hydrogeological survey could recommend a clean-up process, which will be subject to further Government Plan bids. If so, when would that be forecast and to what level of funding do you anticipate that work would require?*

***The Minister for the Environment:***

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<sup>52</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

<sup>53</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>54</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

*The second part I just cannot answer. I suspect it is mega money. What would depend is when the work that Tim has described, when it starts, what is their programme and how much extra sampling they want to do. It is really important that what is done there is as well informed as it can be.*

**The Connétable of St. Brelade:**

*Will there be any contribution from Ports? I understand originally they were responsible. Do you anticipate further contributions from them?*

**The Minister for the Environment:**

*I think I will not as Minister be able to answer that question. I have certainly asked Andy Scate, as the Director General of I.H.E., because I think that kind of project would sit more within his overall management as part of the infrastructure side to investigate that. Because I think you are absolutely right, how such a cost would be funded, I think it has to look at all of those available possibilities, yes...<sup>55</sup>*

The Panel is satisfied that work is progressing in all areas and that the long awaited agri-catchment officer is now in post. The Panel has therefore designated this programme with a green RAG rating. Whilst it is noted that the outcome of the hydrogeological survey is still unknown and, consequently, the likely cost implications for a PFAS contamination clean-up process, the Panel will monitor the outcome of the hydrogeological study and consider any further business case put forward for this in future Government Plan funding bids.

GP21-CSP5-2-05 --- Marine Resources Management			
CSP		Minister(s)	
Protect our environment		Minister for the Environment	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			-

As outlined in our previous review of the Government Plan 2021-24, the Government Plan 2021-24 states: ‘We will provide additional resource to the Marine Resources Management Team to respond to implications arising from Brexit.

**Panel analysis**

The progress update provided in the Government’s mid-year review explains that staff have been recruited and the assessment for the remaining spend is on track.

The below tables provide an overview of the funding allocations that were proposed in the 2021-24 plan against what is now being proposed in 2022-25 plan:

**Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
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<sup>55</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

250	92	92	92
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### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
92	92	92	92

In written questions the Panel requested further detail regarding how the funds of £250,000 for 2021 had been spent to date. It was noted that the funding was utilised to fund two additional officer posts, the purchase of a vessel monitoring system for the smaller vessels as well as access to an online logbook system. It was highlighted that work had been delayed in that regard as a result of the ongoing negotiations with respect to the vessel licensing regime underway. Moreover, it was noted that the allocated funding of £92,000 for 2022 and subsequent years would be used to fund the officer posts.<sup>56 57</sup>

Considering the current focus on the fishing industry and the importance to deliver in areas including data collection as well as scientific and industry analysis to ensure compliance and delivery of the obligations in the UK-EU Trade and Co-operation Agreement (TCA), the Panel sought to understand whether the current staffing capacity will be sufficient to meet the required aims. In a written response, the Minister for the Environment raised concern in that regard, as follows:

*The resources of the MR team are stretched due to current demands placed on the service, and this is of concern. The ongoing negotiations around the fishing vessel licensing under the terms of the TCA remain complex and, at this time, it is difficult to be clear as to what resources will be required to fulfil the eventual obligations and requirements of the TCA. However, it is safe to say that there will likely be an increased administrative, science and compliance burden placed on the team that will need to be resourced appropriately.<sup>58</sup>*

During a public hearing with the Minister for the Environment the Panel asked whether the Minister anticipated that further staffing will be required and, if so, whether he was confident, considering the current climate, in his ability to recruit staff with the required skills to meet the programme's aims:

#### **The Minister for the Environment:**

*My understanding is that we have made a strengthening of the team recently and that has gone well. But, of course, this money on science, I think what is important is that we work and identify with suitable partners. I think it is, therefore, not just a question of our in-house resource, it is a question of how we engage with external partners, the way in which they work, the infrastructure that we provide and do we provide them with use of vessels and boats and using local fishermen, fishing boats and so on. So far, Chairman, the work that I have seen and the progress of it has been extremely good but, of course, we know going forward that programme will need to not just carry on and grow...<sup>59</sup>*

<sup>56</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>57</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

<sup>58</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>59</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

It was further noted that the department was one of the areas in Government that, to date, was experiencing less issues recruiting the right people:

***Director for Natural Environment/Acting Director for Regulation:***

*Interestingly, yes, we have recruited and it is one of the areas in government so far where we are having less trouble recruiting the right people into roles. I think, Chair, you might be conscious that in other areas in the department we are attempting to recruit and in some areas, principally because of the requirements for similar types of staff across other jurisdictions post-Brexit particularly, we are finding trouble recruiting the right people in. So, we are having more targeted approaches now which we are engaging with specific consultants to assist with.*

The Panel was pleased to note that the Minister for the Environment endeavoured to continue to work with Jersey's fishing fleet who seemed willing to assist with the information gathering process to deliver what is required going forward:

***The Deputy of St. Martin:***

*I am pleased to see and to know that you are using local fishermen to create some of this data, but I just want to be sure that you will continue to use the industry as much as you possibly can into the future to help them and to help you to come up with this information, which in turn then goes back and helps them to do more fishing in the future.*

***The Minister for the Environment:***

*Absolutely, Chair. It would be crazy to do otherwise. We have willingness from our local fleet to work with us in this way. All the reports I have had of that work so far are very good and certainly while I am in the chair, as it were, it will carry on. We, of course, have to use university partners as well. We bring those resources together in a way and I am very, very pleased in the way that Willie and the marine resources team have been able to shape up the particular piece of scientific work and really deliver what is needed. So, I think a big well done to that team and I can give that commitment.<sup>60</sup>*

Considering the Panel's recommendations for this programme in respect of its review of the Government Plan 2021-24, the Panel sought to understand what efforts had been made to action those recommendations. In written questions, the Panel asked whether the Minister had endeavoured to find ways to collaborate and engage with voluntary and third sector organisations to form mutually beneficial partnerships and new, innovative ways of working to assist with marine resources matters and the implications of Brexit. The Minister for the Environment provided the following in a written response to the Panel:

*I have committed to working collaboratively to ensure the best data and evidence is available to develop policy and management measures. Please see response to [WQ.433/2021](#) which details the various organisations that have a long-established working partnership with the Department regarding research and management.<sup>61</sup>*

A further recommendation made by the Panel, had recommended that the Minister for the Environment should 'seek to ensure that now and post-Brexit, suitable engagement and support is extended to the fishing industry, given the significant implications this will inevitably have for the industry'. Considering the level of pressures being felt by the fishing industry, the

<sup>60</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>61</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

Panel sought to understand what extent of support and engagement has been extended to the fishing industry to date. The Minister for the Environment provided the following in a written response to the Panel:

*I have consistently championed support for the fishing and aquaculture industry and, whilst officers can support and advise in that process, support funding for the industry is not within my ministerial remit but rather that of the Minister for Economic Development, Tourism, Sport and Culture to provide direct financial support. In a recent Urgent Oral Question in the chamber, I advised the Assembly of the support that I am advised is being made available to fishers.<sup>62</sup>*

During a public hearing with the Minister for the Environment, the Panel sought to further understand what challenges might inhibit the programme achieving its aims. The Minister responded as follows:

***The Minister for the Environment:***

*Yes. Well, I suppose we are, of course, in a process of implementing the agreement, which obviously is ongoing on a daily basis. Not a day goes by without major conversations between the parties and we are progressing, but of course it is known that we do need to get to the point where that licensing regime has settled down and we can have resolution of the issue that we all know is really important, what is called and what we all know is the nature and extent of fishing in our waters, which the agreement with the E.U. provides that that nature and extent should be managed no greater than it is now. Indeed, going forward, that nature and extent will lead to decisions having to be made about, I believe, conservation measures where it is needed to bring the fishery resource into sustainability. That is going to take a little time. I think when we get through that, and I really believe we have to focus on our being able to do that, we then will move into the realms of we do need some resolution as part of those negotiations of the framework, whereby we discuss the science with our E.U. neighbours. So that framework is not yet there and I have asked the Minister for External Relations to progress that. Again, I am pleased to report that in principle in our talks our Norman neighbours indicated that they were open to that as well. Of course, moving beyond that, we will get to hard-core scientific issues about what this particular piece of data means, how you interpret it and all that kind of thing. So those I think are the discussions ahead but, of course, we do all this in that Jersey is the licensing authority and responsible for conservation measures to ensure that fisheries remains sustainable. Of course, we need to do that in partnership or at least in agreement, rather, I beg your pardon - we have the duty of notification to the E.U. - and work in a way that we can be confident complies with the T.E.C.A. (Trade and Economic Co-operation & Agreement). Those are the challenges ahead. When do I think those issues will arise? Next year would be my guess.<sup>63</sup>*

The Panel notes that an additional programme has been included within the Government Plan 2022-25 to 'Fund as Required', dependant on the proposal and approval of a business case, the workstream for Future Fisheries and Marine Resources Management. This programme is detailed further under Chapter 8 – New programmes and capital projects in GP 2022-25: reports.

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<sup>62</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>63</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

The Panel is satisfied to observe that two fisheries officers with the required skills have been appointed to the roles. In addition, that progress has been made for the resourcing of the vessel monitoring system and online logbook system. The Panel is pleased to observe that the Minister for the Environment is endeavouring to collaborate and engage with external stakeholders and utilise the assistance of the Jersey fishing fleet to grow mutually beneficial partnerships.

Although good progress is evident in some areas, and the Panel is satisfied that the Marine Resources Team has been considerably strengthened, the Panel raises concern regarding whether the current resources will be sufficient to appropriately meet the ongoing demands. Moreover, since the implementation of the UK-EU Trade and Co-operation Agreement is still in its infancy and the vessel licensing regime is yet to be resolved, uncertainty remains regarding the level of funding the programme will need going forward. In addition, the level of support that the fishing industry will require and how any support will be funded. The Panel understands that funds are available in the General Reserve to fund as required the new Future Fisheries and Marine Resources Management Programme and has therefore designated this programme with a green RAG rating. The Panel will continue to closely monitor progress of Marine Resources Management during 2022.



**FINDING 6**

Funding allocations agreed in the previous Government Plan 2021 for the Marine Resources Management Programme has enabled the appointment of two fisheries officers. In addition, progress has been made for the resourcing of the vessel monitoring system and online logbook system. Funding of £92k is being requested in 2022 of £92k to continue to fund the retention of two fisheries officer posts.



**FINDING 7**

The implementation of the UK-EU Trade and Co-operation Agreement is still in its infancy and the vessel licensing regime is yet to be resolved. Consequently, uncertainty remains regarding whether the level of funding will be sufficient moving forward. However, the Panel notes that funds are available in the General Reserve to ‘fund as required’ the new Future Fisheries and Marine Resources Management Programme and has therefore designated this programme with a green RAG rating. The Panel will continue to closely monitor progress of Marine Resources Management during 2022.

GP21-CSP5-C-01--- Covid-19 Bus Contract			
CSP		Minister(s)	
Government Covid-19 response		Minister for Infrastructure	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			-

As outlined in our previous review of the Government Plan 2021-24, the Government Plan 2021-24 states: ‘We will increase the subsidy for the bus network to enable a break-even

position whilst passenger capacity on bus services remains impacted by the need for physical distancing to reduce transmission of the virus’.

### **Panel analysis**

The progress update provided in the Government’s mid-year review, presented in August 2021, explains that bus ridership has seen some growth but remains, significantly below pre-pandemic levels (approximately 40-45% down). To manage operating costs, LibertyBus continue to operate a reduced timetable and have accordingly reduced staffing levels and vehicle numbers through natural wastage. The need for further financial support for 2021 from the Covid-19 support funding provided within the Government Plan remains under review.

The below tables provide an overview of the funding allocations that were proposed in the 2021-24 plan against what is now being proposed in 2022-25 plan:

#### **Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
2,000	1,200	500	250

#### **Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
1,200	500	250	0

In written questions to the Minister for Infrastructure the Panel requested the spend to date for this programme and received the following response:

*Covid-19 response payments covered the period May to December 2020 and totalled £1.021 million. No further amounts have been paid so far in 2021, at present the provision of £2.0m within the Gov Plan 2021 remains, pending evaluation of in year requirements.<sup>64</sup>*

Considering the response received the Panel sought further clarity regarding the spend to date for 2021 during a public hearing with the Minister for Infrastructure.

#### **The Connétable of St. Brelade:**

*...We were informed that a total of £1,021,000 has been paid in COVID-19 response payments to LibertyBus for the period of May to December 2020. You noted that no further payments have been made in 2021. Considering an amount of £2 million has been allocated for 2021, should an underspend remain for this year, how will the remaining funds be utilised or recovered?*

#### **Head of Highways, Transport and Infrastructure:**

*If there is an underspend my assumption is it goes back to the Treasury. That is not our money, that is money that has been provided by Treasury to cover the response to COVID. It is highly likely that we will not need all of that money unless something particularly untoward happens this winter.*

#### **The Connétable of St. Brelade:**

<sup>64</sup> [Written Response – Minister for the Infrastructure – 19<sup>th</sup> November 2021](#)

*Given the payments have not been made in 2021 to date, is this a result of the operator no longer operating at a loss and if so, when did the operator begin to return a profit?*

**Head of Highways, Transport and Infrastructure:**

*Obviously we do not have the operator's accounts in yet but where we are at is that bus ridership remains down at about 65 per cent of 2019 levels. But the operator has reduced his operating costs. Until we have the accounts for the year we will not know exactly where he is at and the determination of whether any additional COVID support is required will be made on the basis of that.*

**The Connétable of St. Brelade:**

*Given that the payments were to support the operator during the pandemic, are we correct in assuming that no return has been made to the Treasury for investment in the Island infrastructure during this time?*

**Head of Highways, Transport and Infrastructure:**

*I would have to come back to you on that but yes, that would seem to flow.<sup>65</sup>*

Regarding the decreased ridership levels, the Panel sought to understand why the levels remained approximately at half capacity of the pre-pandemic levels considering that restrictions have eased and asked whether it was anticipated that the pre-pandemic levels would resume. The Panel also sought to understand how the circumstances might impact any return in profits being made to the Government in 2022:

**Head of Highways, Transport and Infrastructure:**

*It is a really interesting question, and I think transport authorities across the world are trying to answer that. There has obviously been a change in customer confidence to a degree although in the summertime, because we saw people using the buses, I think there is also a change in working habits. A number of people who are working as we are now online or working 2 or 3 days a week at home, all has an impact on that. I think the jury is out on that still. I do not think any authority has come to a conclusion yet.*

**The Connétable of St. Brelade:**

*I suppose it is difficult for you therefore to anticipate any return in profits being made or payments being made to the government for 2022? Have you any idea? Have there been any discussions as to when that might start?*

**Head of Highways, Transport and Infrastructure:**

*Not yet, but we are not anticipating anything significant at this stage<sup>66</sup>*

The Panel raised concern that ridership levels had not recovered more quickly and noted its disappointment to observe a decrease in bus participation especially considering the move to encourage more sustainable transport. Moreover, noting the reduction in staffing levels that had taken place to accommodate the reduced service, the Panel raised concern regarding how staff would be recruited to accommodate future increased service levels.

The Panel's concerns regarding decreased ridership were acknowledged and it was noted that measures would be taken through the Rapid Bus Plan to encourage an uptake in bus

<sup>65</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>66</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

participation going forward. In respect of staffing levels and recruitment of staff, this was not anticipated to be an area of concern, however, it was noted that in light of recruitment challenges being experienced across other industries on- island, it might result in an upward pressure of salaries. It was emphasised that no feedback on this had, to date, been received from Liberty Bus.<sup>67</sup>

During the public hearing the Panel asked whether the allocated funding for 2022 was deemed sufficient. It was confirmed that that it was. It was explained that the funding would be drawn down if required and that the allocated amount was based on a worse-case scenario.<sup>68</sup>

On the basis of the information provided, the Panel has maintained the green RAG status for this programme. The funding bid for 2022 has been deemed sufficient and will be drawn down only if required as a result of any developing Covid-19 pandemic conditions during 2022.



### FINDING 8

A total of £1,021,000 for the Covid-19 Bus Contract programme has been spent to date from the funding allocation agreed in the previous Government Plan 2021 and any underspend will remain with Treasury. The Government Plan 2022 requests a funding allocation of £1.2m which is deemed sufficient and will only be drawn down if required.



### FINDING 9

Bus ridership is still down 65% on 2019's pre-pandemic levels, despite restrictions being lifted. The reason for this change in travel behaviour is not fully known at this stage, although it is surmised that the pandemic might have instilled a lack of confidence to resume use of public transport, as well as people continuing to work from home and there being less requirement to travel to and from the workplace. It is also unknown to what extent this reduction in ridership has had, and will continue to have, on the operator's profits.



### RECOMMENDATION 3

The Department for Infrastructure, Housing and Environment, in collaboration with LibertyBus, should undertake an evaluation of the reasons for decreased ridership, as well as an analysis on measures which can be further taken to promote and incentivise bus ridership as a sustainable travel option. This should work should be undertaken before the end of Q2 2022 and the outcome reported back to the Panel.

GP21-OI3-20 --- 28-30 The Parade			
CSP		Minister(s)	
A modern, innovative, public sector		Minister for Infrastructure	
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status

<sup>67</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>68</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

On track			-
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The purpose of this funding allocation is to pay for the rent of 28-30 The Parade to provide flexibility to the Government of Jersey as part of a longer-term estate strategy.

### **Panel analysis**

The progress update provided in the Government's mid-year review explains: 'we will continue to pay for the rent of 28-30 The Parade to provide flexibility as part of a longer-term estate strategy'.

The below tables provide an overview of the funding allocations that were proposed in the 2021-24 plan against what is now being proposed in 2022-25 plan:

#### **Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
1,141	1,141	1,141	1,141

#### **Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
1,141	1,141	1,141	1,141

In written questions to the Minister for Infrastructure the Panel requested the spend to date for this programme and received the following response<sup>69</sup>:

*Annual rent for 28-30 the parade is £912,425. Occupants and users of the building such as Team Jersey are cross charged for use of the space – Team Jersey currently pays an annual rent of £109,268.*

The Panel had identified uncertainty regarding the future use of 28-30 The Parade during its review of the Government Plan 2021-24, and as a result had recommended that the Minister for Infrastructure should ensure that further information be provided in the Government's mid-year status update, as well as in the next Government Plan, regarding the building's use and how value for money was being provided. During the public hearing with the Minister for Infrastructure the Panel sought further clarity on this:

#### **The Connétable of St. Brelade:**

*Considering that little information has been provided, can you provide further detail in that regard please? How is The Parade being utilised and by who?*

#### **Director, Jersey Property Holdings:**

*The Parade is currently in use by the Regulation Department, Team Jersey and the COVID support team and the COVID helpline, with the ground floor area being used for press briefings. The building came to Property Holdings as a result of the previous hospital project and it had been taken on to provide relief space so that when the General Hospital, the Granite building was being developed, the medical staff had somewhere to go. We have been using it as overflow space but it was fortuitous that*

<sup>69</sup> [Written Response – Minister for the Infrastructure – 19<sup>th</sup> November 2021](#)

*we had it on the books, certainly for the COVID response, in terms of our ability to occupy it less densely at the time but also to use it to reduce the prospect of infection. So it has been used. We are currently getting rent from Team Jersey and there are internal transfers for the COVID response and for the Regulation Department.*

***The Connétable of St. Brelade:***

*You mentioned that Team Jersey is cross-charged for occupying space there and is paying an annual rental of £109,268. Considering the annual rent is £918,425, is any other money being recouped. You spoke of cross transfers but what is the total income that The Parade has generated to date? In your view, is the continued leasing of it providing value for money for the taxpayer and is there any way of improving that?*

***Director, Jersey Property Holdings:***

*We were presented with a fait accompli when the previous hospital project was not successful so we are mitigating the building by using it. It is a challenge but, as I say, I think for COVID it was fortuitous that we had it and it did give us a breathing space, but that is why we will not be looking to extend the lease beyond 2023.<sup>70</sup>*

During the public hearing the Panel identified that there was no intention to extend the 28-30 The Parade lease beyond its date of termination.

***Director, Jersey Property Holdings:***

*We took on an assignment of a 20-year lease, which terminates in July 2023. At that point we will be moving towards the new office block. We will have to look at how we manage the space but the intention is not to extend The Parade beyond the termination of the lease.<sup>71</sup>*

Considering the evidence gathered, the Panel is minded to maintain an amber RAG status for this programme. The Panel understands that the current situation is not ideal, and the continued leasing of the premises does not appear to be providing value for money through its current use. The Panel accepts that the premises has provided unforeseen opportunity during the Covid-19 pandemic. Although the Panel has identified that the intention is to not extend the lease beyond 2023, the Panel is uncertain why indicative funding has been proposed in the Government Plan 2022 for 2024 and 2025 and will monitor any progress in that regard.



**FINDING 10**

Whilst the continued leasing of the 28-30 The Parade has provided unforeseen opportunity to accommodate the Covid-19 Response Team, it does not appear to be providing value for money through its current under-utilised use. It has been identified that the intention is to not extend the lease beyond 2023, although the Panel is uncertain why indicative funding has therefore been proposed in the Government Plan 2022 for 2024 and 2025.

<sup>70</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>71</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)



#### RECOMMENDATION 4

The Minister for Infrastructure should outline in his Ministerial Response why indicative funding has been suggested for 2024 and 2025 in the Government Plan 2022 if it is not the intention to renew the lease on 28-30 The Parade after 2023.

## Capital Projects

CSP 5 --- Infrastructure Rolling Vote and Regeneration Including St. Helier (2022) – Major Project	
Minister(s)	Scrutiny RAG Status
Minister for Infrastructure	

### Business Case: Overview

The Government Plan 2022-25 states that one of the largest ongoing programmes of work is the Infrastructure Rolling Vote and Regeneration including St. Helier which has now been designated as a Major Project. It is a programme of continual improvements to maintain key infrastructure such as: roads, drains and sea defences. The funding has no fixed end date, being a critical activity that aims to continue long into the future as part of the continual maintenance of critical areas of the Island's infrastructure. Regeneration including St. Helier (previously known as Island Public Realm under a separate additional revenue programme in previous Government Plans) is now included within the rolling vote to allow for the continual improvement and safety of roads, paths and public spaces in and around St. Helier and across the Island. It is asserted that amalgamating these similar schemes, provides for the effective delivery of priority activities as they are needed.

### Panel analysis

#### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
13,318	14,715	14,650	16,000

In the Panel's previous review of the 2021 Government Plan it was identified that the Island Public Realm programme funding bids had been substantially reduced from what had been projected and agreed in the 2020 Government Plan. See tables below which provide a comparison:

#### Funding allocations approved in Government Plan 2020-2023 (£000) (Island Public Realm only):

2020	2021	2022	2023
400	2,500	5,000	6,500

### Funding allocations approved in Government Plan 2021-2024 (£000) (Island Public Realm only):

2021	2022	2023	2024
1,000	1,000	1,000	1,000

The Panel requested how the proposed funding bid of £13.31m for 2022 would be apportioned between Island Public Realm (now referred to as ‘Regeneration including St. Helier’) and the rolling vote element and how both these elements would be spent. The following response was provided:

#### **Group Director, Operations and Transport:**

*In 2022, £2 million of that £13.3 million is allocated towards public realm. The remaining balance, so the £11.318 million, is split between drainage projects, which is roughly £4.3 million, highways projects, which is generally road resurfacing, which is £5.5 million, and sea defences, which is roughly £1.5 million. Assigned to that, there is a list of projects, certainly within the infrastructure rolling vote; there are about 60 different projects that we aim to complete during 2022. For the public realm projects, again we are still firming up that programme and I know that a paper will be going to the Regeneration Steering Group agreeing on how best to be spending that £2 million.*

The Panel asked whether the £5.5m allocated for road maintenance within the rolling vote was considered sufficient and was advised that whilst more budget would always be preferable, an allocation of £5.5m was considered an appropriate amount which could be managed with the contractors who undertake the work as well as in consideration of the disruption these works cause on the road. The Panel was advised that “the balance is probably about right.”<sup>72</sup>

The Panel requested the **total actual spend to date** for the previous Island Public Realm programme which was confirmed as **£236,481.53**.<sup>73</sup>

The Panel questioned the Minister for Infrastructure on why no target date had been provided for the Island public realm, including St. Helier in the Mid-year review and for further detail on the commencement of works and delivery pipeline for this programme. The Minister responded as follows:

*Public realm projects can help to deliver far reaching social, economic and environmental benefits. However, with this comes a high degree of complexity and involved community engagement, meaning that projects typically take in the order of two to three years to develop, design and deliver.*

*Since its inception the Island Public Realm Programme has subject to considerable fluctuations in funding, and this has inhibited the development of a stable programme of works and the creation of a sustainable delivery pipeline.*

*The 2020 - 2023 Government Plan set out an objective to enhance St Helier’s urban environment. A capital allocation of £14.4m was made for the development of various public realm projects, as informed by the developing Island Plan’s St Helier Public Realm and Movement Strategy.*

<sup>72</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p. 34](#)

<sup>73</sup> [Written Response – Minister for Infrastructure - 19 November 2021](#)

*In February 2020 an outline programme was approved but the impact of COVID-19 in March 2020 meant all capital projects were put on hold. The capital budget was then cut by 75% to £3.4m over the four funded years of the programme.*

*At the beginning of 2021 IHE were advised that capital funding would be further reduced to £200,000 for that year. However, then at the end of March 2021, the department was advised that increased funding totalling £1m would be available, alongside the potential to draw down funding of £730,000 from JDC.*

*The 2022 -2025 Government Plan has further adjusted funding allocations to the programme, providing £2m per annum from 2022 to 2025 inclusive in addition to the funding of £1m for 2021.*

*Thus, the delivery programme has for the most part of the last two years remained in a state of considerable flux.<sup>74</sup>*

The Panel was further advised that the spending priorities for 2021 are:

- Continue programme development for 2022-2025, for inclusion in the next Government Plan
- Midvale Road – Complete design and procurement 2021, commence construction beginning 2022
- Havre des Pas – Complete design and procurement 2021, commence construction beginning 2022
- Hill Street contraflow – Design work to completion (subject to success of pilot). Construction 2022
- Broad Street – 2021 form a guiding project board including the representatives of the Parish, Chamber of Commerce and Government of Jersey, collect baseline information and report to the States. 2022 engage with commerce and the wider community, develop a multi-phased improvement programme to meet policy and community needs.

In consideration of the evidence gathered, the Panel has designated this capital project amber due to ongoing concerns in relation to the continued reduction in funding proposed for Island public realm improvements and the uncertainty around whether the proposed funding will be sufficient to make substantial improvements to the Island's public realm.



#### **FINDING 11**

There is uncertainty over whether the allocated funding of £2m for 2022 for 'Regeneration, including St. Helier' is sufficient to make substantial improvements to the Island's public realm. In 2020, funding was significantly reduced by 75% to £3.4m over the four funded years of the programme and despite additional funds of £1m provided in March 2021, as well as the potential to draw down £730k from Jersey Development Company, the programme remains significantly under-funded against the funding projections made in the 2020 Government Plan.

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<sup>74</sup> [Written Response – Minister for Infrastructure - 19 November 2021](#)

**RECOMMENDATION 5**

It being acknowledged that there will be considerable funding constraints across Government going into 2022, the Minister for Infrastructure should ensure that funding for public realm is prioritised and allocated in gradual increases throughout 2023-25, to ensure that any shortfall resulting from these funding cuts is suitably addressed and that improvements to the public realm can be sufficiently funded moving forward.

CSP 5 --- Sewage Treatment Works – Major Project	
Minister(s)	Scrutiny RAG Status
Minister for Infrastructure	

**Business Case: Overview**

The Government Plan 2022-25 states that funding for the main Sewage Treatment Works at Bellozanne has been provided to the Infrastructure department to enable the major project, that began during a previous Medium Term Financial Plan, to be completed. The impact of Covid-19 in 2020 resulted in temporary cessation of activities which has also caused increases to the overall project cost from its original budget.

The Mid-year review notes that construction of the new sewage treatment works has progressed well despite the challenges posed by the Covid-19 pandemic but with ongoing delays. A new tanker import facility was successfully completed on 12 April 2021. Additionally, construction of all main process structures and civil infrastructure together with the installation of mechanical electrical and ICA equipment and plant for the first phase is ongoing and some areas are nearing completion. Commissioning and reliability testing of process equipment was expected to be carried out in stages with the first stage anticipated to commence in September 2021 in preparation for the sectional takeover of some of the new assets in December 2021.

**Panel analysis****Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
10,740	4,550	2,733	700

Noting that the previous total budget approved for this major capital project has increased from £75.5m to £86.2m<sup>75</sup> and the shortfall of £10.7m is now being sought for approval by the States Assembly, the Panel wished to understand the reasons for this increase. The Panel was advised the following in the public hearing with the Minister for Infrastructure:

**Group Director, Operations and Transport:**

*So the additional money goes towards the overall cost that is required for the sewage treatment works. What I would just like to be clear with, Chair, is that again sewage treatment works has been moved into a major project status. So it does not just relate to the project that we are doing in replacing the existing sewage treatment works.*

<sup>75</sup> Table 19: Major projects - amendments and new projects – Government Plan 2022-25, p. 131

*Included within the £86 million was the cost for the new clinical waste incinerator, it includes costs in future years for effectively a proper storage area for dealing with our biosolids. It includes within there the £4.5 million that was voted by the States with regard to odour mitigation and also £1 million that was set aside for our outfall rehabilitation. As well as the monies that we asked for as part of the Government Plan process because of the COVID pressures and the increased cost if the S.T.W. (sewage treatment works), we requested an additional £1.5 million.*

**The Connétable of St. Brelade:**

*I am just trying to understand, we have an increase in funding the project of £75.502 million, which is in the Government Plan 2021-2024 and then £86.235 million. That cannot be right. So it was £8.62 million in the Government Plan 2022-2025. So is this part of the ongoing project?*

**Group Director, Operations and Transport:**

*It is slightly confusing in the Government Plan because some money came in and came out. The original S.T.W. project was £79 million, of which then we have had additional monies allocated for biosolids £2.3 million, Bellozanne outfall rehabilitation £1 million, and again the odour mitigation of £4.5 million. What I will do, if it is okay with you, Chair, is just provide you with a breakdown. Because I am an accountant and I find it very challenging looking at all the ins and outs that have happened over the last 9 or 10 years. So if I could just share that with you, just to show you the tables of how that is made up.<sup>76</sup>*

Subsequent to the public hearing, the Minister for Infrastructure's response to [WQ.406/2021](#) was shared with the Panel detailing the accounts for the Sewage Treatment Works project to date, including a breakdown of the increase in funds requested in the Government Plan 2022.

The Minister's response details that there has been an increase in the budget of £1.85m relating to costs incurred by the project as a result of the pandemic and that the current total funding required for the project is £81,352,000.

The response further notes that there are other items not included in the current total funding required (£81,352,000) but which are packaged under the Sewage Treatment Works portfolio in the GP 22-25 as they relate to Liquid Waste projects allied to the STW. These include:

- *Biosolids Storage Facilities £2,383,000;*
- *STW Odour Mitigation (States of Jersey Proposition No. P.115/2017) £1,500,000; and,*
- *Bellozanne STW Outfall Rehabilitation £1,000,000.*

*The revised total value of the STW portfolio is therefore £86,235,000 as identified in table 19 of GP22-25.<sup>77</sup>*

<sup>76</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p. 34-5](#)

<sup>77</sup> [Minister for Infrastructure – Response to WQ.406/2021 – 18 October 2021](#)

The Panel requested an update in the public hearing in relation to the options being considered to minimise disruption to the project due to the fact the main contractor had gone into administration. The following update was provided:

**Group Director, Operations and Transport:**

*Last week we agreed to terminate the contract with nmcn and effectively we are going to be assuming the role as in I.H.E. as the main contractor and self-deliver the remaining elements of the project by engaging with the existing supply chain. We are obviously working very closely with our commercial colleagues to make sure that we get the best deal for the Government of Jersey. But there is obviously a lot of different contractors that we are engaging with because there is lots of different work. There is something like 40 different contractors at the moment. So what we are hoping to do is continue with the work, so we are not going to have a big time delay. Try re-engaging with these contractors and effectively delivering the project ourselves.*

**The Connétable of St. Brelade:**

*There is considerable concern from several local contractors as to whether they would get paid. The information was that they would work for the government but no one else. Is this route going to ensure that they get paid for the work done?*

**Group Director, Operations and Transport:**

*We are working very closely with the local supply chain to understand how much is owing to them. You may be aware, Chair, but within the existing contract and lessons learned from the Doosan contract in 2013, we put a new clause in the contract, effectively to protect the local supply chain. We hope that we can resolve those issues certainly within the next month as we are going through this process.*

The Panel further questioned whether the Department for Infrastructure, Housing and Environment was adequately resourced for the Government of Jersey to manage the contract itself and was advised that the Department had an experienced project director and project team, and with some further additions, it was felt IHE would be able to deliver the contract. The Panel was advised that the project was 60% complete and given that it would be very difficult for another company to take the project on at this stage, it was felt this was the “best deal for Jersey.”<sup>78</sup>

In response to whether the project would be completed within the original timeline, the Panel was advised that it was hoped the project would be completed in October 2023, however, that there may now be some delay in reaching completion by this date. It was the IHE Department’s hope to complete the project by the end of 2023.<sup>79</sup>

The Panel has designated this capital project amber due to concerns over the main contractor going into administration and the disruption and delays this will likely cause to the completion of the project. The Panel will monitor this project closely by requesting updates on progress and spend at future public quarterly hearings with the Minister for Infrastructure.

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<sup>78</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p. 36](#)

<sup>79</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p. 36-7](#)



**FINDING 12**

Additional funds of £10.7m are required for the Sewage Treatment Works Major Capital Project. A breakdown was provided by the Minister for Infrastructure which includes additional funds for Biosolids Storage Facilities; STW Odour Mitigation; and Bellozanne Outfall Rehabilitation. Also included in the £10.7m is £1.85 which is required to fund additional costs incurred by the pandemic.



**FINDING 13**

There are likely to be delays to achieving project completion of the Sewage Treatment Works Major Capital Project by October 2023, although, it is hoped by the Infrastructure, Housing and Environment Department that it will be able to complete the project by the end of 2023. It is further considered that the IHE Department is sufficiently resourced in this area to able to manage the project through to completion now that the main contractor has gone into administration and the contract now having been terminated.

CSP 1 --- Redesign of Greenfields (Major Project)			
Minister(s)			
Minister for Children and Education			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
Delayed (pre-feasibility study)		-	-

The business case for this programme details that, at present, the existing arrangements at Greenfields impacts negatively on children and staffing and is a potential health and safety risk. It is stated that a redesign, with additional learning and recreational outside space is required. Furthermore, that the current site is underutilised, and the present day use of these secure unit/facilities are outdated and not in keeping with UK best practise.

**Panel analysis**

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
1,250	2,500	3,250	-

As this programme is designated a ‘Major Project’ the States Assembly is asked to agree the total cost of the programme totalling £7m from 2022-24. The Panel understands that the £7m requested makes up part of the £25.35m total for the Schools Estate capital project as outlined on page 136 of the 2022 Government Plan<sup>80</sup>:

<sup>80</sup> Government Plan 2022-25 - Table 20: Capital programme 2022-2025

Schools Estate	CYPES		1,250	4,850	14,250	5,000	25,350
VCP Replacement School		1	-	1,000	5,000	5,000	
Mont a l'Abbe secondary school		1	-	1,350	6,000	-	
Redesign of Greenfields		1	1,250	2,500	3,250	-	

Given that the prefeasibility study agreed in the previous 2021 Government Plan (Review of the Redesign of Greenfields) was noted as delayed in the mid-year review, the Panel wished to ascertain the rationale for the delay, in addition to when work would commence. In a response to written questions, the Minister for Children and Education advised:

*The rationale for the delay in feasibility works this year was due to a delay in a confirmed client brief. A client brief has now been provided to Jersey Property Holdings. The feasibility study is due to commence following Government Plan approval.<sup>81</sup>*

The Panel further requested a breakdown of the £1.25m sum for 2022. The response provided stated that it was not possible to provide a detailed breakdown at this stage, however, that the spend would include:

- A full feasibility study
- The planning and design stages
- Possible land acquisitions
- Construction costs (subject to planning approval).

No concerns were expressed to the Panel that the funding for this programme would not be sufficient and when questioned on whether the target completion date of 2024 was achievable, the Minister responded that it was, although, subject to planning and funding approval. It was further noted that no challenges are expected in terms of resourcing for the feasibility study.<sup>82</sup>

Based on the evidence received, the Panel is satisfied to assign a green RAG rating to this capital project.

CSP 5 --- La Collette Waste Site Development			
Minister(s)			
Minister for Infrastructure			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this programme is to secure funding of £2.3m in 2022, with estimated bids of £500k per annum thereafter, to provide improvements to the headland and site infrastructure as La Collette develops. The funding will allow the site to remain prepared for customer waste deliveries.

<sup>81</sup> [Written Response - Minister for Children and Education – 22 October 2021](#)

<sup>82</sup> [Written Response - Minister for Children and Education – 22 October 2021](#)

## Panel analysis

The below tables provide an overview of the funding allocations that were proposed and approved in the previous plans against what is now being proposed in 2022-25 plan:

### Funding allocation approved in Government Plan 2020-2023 (£000):

2020	2021	2022	2023
500	500	500	500

### Funding allocation approved in Government Plan 2021-2024 (£000):

2021	2022	2023	2024
500	500	500	500

### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
2,300	500	500	500

The Panel notes that the total actual spend to date for the entire programme and from previous Government Plan funding bid approvals, is £714,789.90.<sup>83</sup>

In the public hearing with the Minister for Infrastructure, the Panel asked how the allocation of £2.3m for 2022 would be spent, what was hoped would be achieved with the funding and whether it was felt this level of funding would be sufficient. The Panel was advised as follows:

#### **Group Director, Operations and Transport:**

*At this stage we do believe that is the case. So we are continuing with doing our cell development and capping all of our existing cells. So we are not having to deal with the cost of all the leachate removal. Our other big issue down at La Collette and the work that we are looking at, certainly for 2022, is a strategic waste storage cell. The E.R.F. (Energy Recovery Facility), twice a year, has 2 big shutdowns, at which time we have to store bulky waste. At the moment we do that in lined cells and that can cause us issues. Ideally what we would like to have is more of a permanent constructed area where we can deal with that bulky waste, which is closer to the E.R.F. So we are looking at those opportunities now and hopefully can start designing or constructing something next year.*

The Panel wished to further understand whether the inert waste facility at La Collette had now reached full capacity and was advised:

#### **The Minister for Infrastructure:**

*We have an excellent contractor down there who has brought in extra equipment to refine what is down there and possibly do some mining to extend the life of the infill site. I will just hand over to Ellen who has the full gist.*

#### **Group Director, Operations and Transport:**

<sup>83</sup> [Written Response – Minister for Infrastructure - 19 November 2021](#)

*Alan Langlois, who is our recycling contractor, has invested in this wash-plant facility that should be up and running at the end of the year. As the Deputy rightly says, La Collette is full. We can obviously store and increase the heights of where we are storing that inert waste material. But what we are hoping to do is, working with our contractor, create a secondary aggregate with that inert material. Hopefully that will be used on the Island. We have to work very closely with planning. We do not always need the vergées materials. It will be a very good quality and we will be looking at trying to use that in the future and recycle the material that we receive there. There may be a requirement as well still to look at the other options that we have for storing some of the inert waste, whether that is with granite products at the moment and such like in the future. But hopefully our aggregate we contract will be successful and we will be able to recycle a lot of that material.<sup>84</sup>*

Based on the evidence received, the Panel is satisfied to assign a green RAG rating to this capital project.

Prison – Phase 8			
Minister(s)			
Minister for Infrastructure			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this project is to create a new Out Placement Unit (on the Prison Estate, but outside the main security fence) and the replacement of the outer security fence (which will be circa 50 years old and requires replacement due to weathering / rusting of main upright posts) and completion of the hard landscaping for the Gate House and the out-placement unit. The proposed new building will be situated in the car park area and could commence on completion of Phase 6.

### Panel analysis

The below tables provide an overview of the funding allocations that were proposed in the previous plans against what is now being proposed in 2022-25 plan:

#### Funding allocations approved in Government Plan 2020-2023 (£000):

2020	2021	2022	2023
-	666	1,609	133

#### Funding allocations approved in Government Plan 2021-2024 (£000):

2021	2022	2023	2024
666	1,609	133	-

<sup>84</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p.37-8](#)

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
1,609	133	-	-

The mid-year review specifies that Phase 8 (the Pre-release Unit) is starting before Phase 7 and consists of the construction of a 9 bedded facility that provides secure accommodation for prisoners nearing the end of their sentences and which undertake work placements as part of their introduction back into the community.

In a response to the Panel's written question on the spend to date for the 2021 Government Plan bid, the Minister for Home Affairs advised that:

*Phase 8 of the current masterplan will provide a new Out Placement Unit, on the Prison Estate but out of the main secure fence, for Prisoners nearing the end of the sentence, and hard landscaping relating to the new Gate House. The proposed new Out Placement Unit will be situated (partly) in the current Prison car park and this cannot be vacated until the new Gate House is complete.*

*£505,000 of the current allocation [£666,000 for 2021] (for hard landscaping) will be undertaken as part of the current Phase 6 (Gate House) project and this sum has been committed within that contract. The balance will be required to progress the detailed feasibility study ahead of a planning application for the Out Placement Unit...<sup>85</sup>*

The Panel requested a breakdown of the 2022 funding request of £1,609,000 for 2022 and was advised that £1.4m of this was the estimated construction cost with the balancing relating to fees and contingencies. In response to whether the funding was deemed to be sufficient, the Minister responded that due to *"the current spike in construction activity and inflationary cost rises from 2019 [it] is likely to require additional funding because of inflation"*.<sup>86</sup>

Based on the evidence reviewed, the Panel is satisfied to designate this project with a green RAG rating.

CSP 1 --- Dewberry House SARC			
Minister(s)			
Minister for Infrastructure			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this project is to create a fit for purpose facility. Significant issues have been identified in relation to the current facility including the lack of disabled access and the

<sup>85</sup> [Written Response - Minister for Homes Affairs – 30 October 2021](#)

<sup>86</sup> [Written Response - Minister for Homes Affairs – 30 October 2021](#)

environment being unsuitable for children and young people. Due to the limitations of the property, Dewberry House, the funding is to explore the potential to either move the referral centre to an alternative existing location or develop a new building. The latter would release Dewberry house for disposal or alternative use.

### Panel analysis

The below tables provide an overview of the funding allocations that were proposed in the previous plans against what is now being proposed in 2022-25 plan:

#### Funding allocation approved in Government Plan 2020-2023 (£000):

2020	2021	2022	2023
1,000	1,550	-	-

#### Funding allocation approved in Government Plan 2021-2024 (£000):

2021	2022	2023	2024
1,800	500	-	-

#### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
882	591	317	-

The Panel requested the actual spend to date as well as the breakdown of specific spend allocations to date and was advised:

*The spend to date (£40,295.00) relates to the completion of the pre-feasibility study / site selection process. The feasibility study will follow once the preferred site is approved by the Corporate Asset Management Board and Regeneration Steering Group, which is expected to be by the end of 2021.<sup>87</sup>*

The Panel further requested a breakdown of the funding bid request of £882,000 for 2022 and was advised that this included “the costs for the feasibility study, design work, project management and construction of the new building.”

The Panel questioned the reason for the increase to £882,000 from the £500,000 which had been forecast in the 2021 Government plan and was advised the following:

*The cost has increased in the 2022 Plan to ensure space for Victims First (VF) thereby allowing us to maximise synergy between the work of SARC, the Child’s House, JDAS and VF and realise economies of scale with having these services all co-located in the new building.*

*Following consultation with CYPES, the increased space will also allow services to support the recently released Children and Young Peoples Emotional Wellbeing and Mental Health Strategy and provide services from the new building to those who have suffered all types of trauma and abuse.*

<sup>87</sup> [Written Response - Minister for Homes Affairs – 30 October 2021](#)

The Minister advised that the next step for this programme is for a formal feasibility study to be undertaken which will determine a preferred design and resulting cost. Furthermore, an indicative size of the required facility has been determined as part of the pre-feasibility / site selection process. It is the Minister's view that, subject to inflation funding and any site-specific costs, the proposed budget should now be sufficient.

The Panel was further advised that due to the delays in progressing this project during 2021, it is unlikely it will be delivered by the target date of July 2023 (as specified in the Mid-year review). Instead, it is now anticipated that the project will be delivered by the end of 2023.<sup>88</sup>

The Panel has designated this capital project green despite the anticipated spend increase from £500,000 to £882,000 as it is felt a valid case has been provided for the increase. Furthermore, despite the uncertainty over whether the programme will be completed by July 2023, due to the delays incurred in 2021, the Panel is satisfied that completion before the end of 2023 is not a significant enough delay to warrant designating this programme amber.



#### FINDING 14

The proposed increase in spend for the Dewberry House Sexual Assault Referral Centre (SARC) Capital Project from £500,000 to £882,000 in 2022 is to ensure space for Victims First (VF) thereby allowing Government to maximise synergy between the work of SARC, the Child's House, Jersey Domestic Abuse Support (JDAS) and VF and to realise economies of scale with having these services all co-located in the new building. The increased space will also allow services to support the recently released Children and Young Peoples' Emotional Wellbeing and Mental Health Strategy and provide services from the new building to those who have suffered all types of trauma and abuse.

Piquet House – Family Court			
Minister(s)			
Chief Minister			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
None provided			

The purpose of this project was to provide appropriate and modern facilities, closely located to the Royal Court Building, for hearings of the Family Court, by converting Piquet House into a Family Court Centre.

#### Panel analysis

The below tables provide an overview of the funding allocations that were proposed in the previous plans against what is now being proposed in 2022-25 plan:

<sup>88</sup> [Written Response - Minister for Homes Affairs – 30 October 2021](#)

**Funding allocation approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
	1,071	779	

**Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
1,071	779		

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
0	0	0	0

The Panel understands that this programme is now redundant as a result of the Family Court relocating to International House following a States' approval to enter a lease contract. In a response to written questions, the Chief Minister confirmed that the Family Court will relocate to International House and remain there at least until the break clause in the lease. The Chief Minister further advised that the break clause may provide a future opportunity to relocate to a property within the Government of Jersey property portfolio, provided it would be deemed by the Courts to be an improvement in both facilities and public access.

The Panel sought to understand what additional funds might be required as a result of the Family Court relocating to International House and whether any of the previously allocated funds of £150,000 for prefeasibility on Piquet House had been spent to date. The Panel was advised the following:

*If the question relates to the Family Court in International House, then there would be no further anticipated requirement for additional funds provided that the budget for the Judicial Greffe remains at present levels.*

*I am informed that feasibility works were carried out by Axis Mason and Southern Projects Limited in 2018 under instruction from Jersey Property Holdings. None of those costs were transferred to the Judicial Greffe and as a consequence none of the £150,000 funding has been utilised to date.<sup>89</sup>*

The Panel is satisfied with the rationale provided for the removal of funding for this capital project and has therefore designated this with a green RAG rating.

**FINDING 15**

The removal of funds for the Piquet House – Family Court capital project is a result of the Family Court now relocating to alternative premises at International House following a States' approval to enter a lease contract.

<sup>89</sup> [Written Response - Chief Minister – 29 October 2021](#)

CSP 5 --- Drainage Foul Sewer Extensions			
Minister(s)			
Minister for Infrastructure			
2021 Mid-year review status	2022 Scrutiny RAG status	2021 Scrutiny RAG status	2020 Scrutiny RAG status
On track			

The purpose of this programme is funding for extensions and enhancements to the sewerage network which will be required to sustain projected increases in population.

The below tables provide an overview of the funding allocations that were proposed in the previous plans against what is now being proposed in 2022-25 plan:

**Funding allocation approved in Government Plan 2020-2023 (£000):**

2020	2021	2022	2023
1,500	1,500	1,500	1,500

**Funding allocation approved in Government Plan 2021-2024 (£000):**

2021	2022	2023	2024
1,000	1,000	1,000	1,000

**Funding allocation requests in Government Plan 2022-2025 (£000):**

2022	2023	2024	2025
0	1,000	1,000	500

The mid-year review specifies this project as 'on track' for delivery of the design and build for the Ville au Bas project which is expected to be completed by the end of 2021, although funding and resources pressures have impacted on its delivery. Furthermore, a response from the Minister for Infrastructure to written questions in November 2021 suggested that resourcing issues continued to impact the progress of this work.

Since funding of £1m has now been withdrawn for 2022, the Panel sought to understand whether the level of funding available for 2021 would be sufficient to meet the project's aims. The following response was provided:

***Group Director, Operations and Transport:***

*It may now move into 2022 but with the monies that we have within the infrastructure rolling vote and with some of the carry-forward monies, we should be able to complete that project. As you correctly say, Chair, we do not have any new monies in 2022 to undertake drainage foul sewer extension projects. That money comes back in 2023.*

***The Connétable of St. Brelade:***

*That is interesting. Do you anticipate pressure, Minister, on keeping that project moving?*

***The Minister for Infrastructure:***

*The team has everything under control. There was a question earlier about the expense of pumping...*

***The Connétable of St. Brelade:***

*I was referring to foul sewer extensions. You have often promised that you wanted the whole Island connected as soon as possible. We seem to be having a delay this year now.*

***The Minister for Infrastructure:***

*Absolutely. I would keep quoting COVID but that has affected our budget and obviously the team as well. It is my desire to have as many people on the sewerage network as possible. There will always be a few who will be just too far away for mains drains. There are a few satellite places there. Obviously one of is Bonne Nuit. But it is something that I still wish to pursue. It will take a little longer but it is still an ambition...<sup>90</sup>*

Noting that funding pressures have resulted in relinquished funds for 2022, the Panel has designated this programme amber due to concerns that the delivery of future extensions to the foul sewerage network will evidently be delayed.



**FINDING 16**

Anticipated funding of £1m for 2022 for the Drainage Foul Sewers Extension project has been withdrawn due to funding pressures and further funding is not proposed until 2023. The delivery of future extensions to the foul sewerage network will therefore be impacted by delays.



**RECOMMENDATION 6**

The Minister for Infrastructure should report back to the States Assembly in time for the next Government Plan 2023 to confirm whether it is the intention to make up the shortfall of funding for 2022 in future Government Plan bids for 2023-25, as well as providing a revised target date for when, wherever practicable, the whole Island will be connected to the foul sewerage system.

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<sup>90</sup> [Public hearing with the Minister for Infrastructure, 26 October 2021, p.38-9](#)

## 8 New programmes and capital projects in GP 2022-25: reports

See chapter 6 [Summary tables of Scrutiny 'RAG' ratings](#) for a summary of 'RAG' ratings assigned by the Panel.

### Programmes

The following section provides the Panel's analysis of each new additional revenue expenditure programme:

GP22-CSP4-1-06 --- Housing & Food Licensing Schemes		
CSP	Minister(s)	Scrutiny RAG Status
Reduce Inequality	Minister for the Environment	

### Business Case: Overview

The Government Plan 2022-25 states: 'We will provide funding to meet the costs of existing staff involved in the regulation of housing and food legislation. The Government Plan 2021-24 was set on the assumption that £1m in fees would be raised to enable food safety and housing legislation to be regulated on a cost neutral basis. However, the then States Assembly did not support fees in relation to housing licensing at the time, nor the subsequent regulations, leaving the cost of activities surrounding the enforcement of the existing primary laws unfunded. An updated food safety law is now in draft to reflect modern practices which include provisions to introduce licensing of food operators but will not deliver fees in 2022. More work needs to be undertaken to consider what level of fees it can deliver in future years. This measure therefore ensures that regulation and inspections in relation to the above activities continue to be in place over the course of the Government Plan 2022-25'. This project will result in the Department being able to continue its current work which includes:

- Inspection of food premises
- Examination of food imports
- Provision of export health certificates for products of animal origin
- Continuation of the 'Eat Safe' scheme
- Essential inspection of rented dwellings to ensure that homes are safe
- Resolution of housing and tenancy related complaints
- The administration of the voluntary 'Rent Safe' scheme
- Seeking compliance on residential tenancy matters

### Panel analysis

#### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
1,000	1,000	1,000	1,000

During the public hearing with the Minister for the Environment, the Panel sought further detail regarding this new programme.<sup>91</sup>

### **The Connétable of St. Brelade:**

*...Can you outline what the proposed funding of £1 million will cover in respect of the 2 regulatory schemes for housing and food?*

#### **Director for Natural Environment/Acting Director for Regulation:**

*So, the Food Safety (Jersey) Law, as you know, has been in place since 1966 and we also have legislation on housing standards which has been in place since 2018. We have an updated food safety law now in draft form to reflect modern practice, which includes provision to introduce licensing of food operators. Similarly, housing standards legislation makes provision to introduce a licensing scheme for rented dwellings. So, the background to the sums you have just described, the intention that both schemes, if approved by the States Assembly and then implemented, would be on a cost neutral basis. As a result, the cost of the activities surrounding the enforcement of these laws would be recovered through a charge on the regulated businesses. The intended charges were anticipated to give rise to income for the department to the tune of £1 million. The additional incremental costs of administering the law was forecast to be £200,000, so the expected annual income allowed the department to propose a net saving of £800,000 within the budget for the existing Environmental Health team...*

In a [submission](#) received from the Jersey Landlords' Association, concern was raised regarding insufficient clarity in respect of the use of the funds and how the funding amount was determined. The Association noted the following within their submission<sup>92</sup>:

*Whilst it is conceivable that a licensing scheme may come into force (albeit that we would prefer a landlord registration scheme) we would comment that there seems to be little detail in R.150/2021 around how the sums of £1,000,000 per year for the next four years have been arrived at.*

*Is it the case that such sums are meant to cover the cost of food and landlord licensing schemes or more the running of the Environmental Health Department to allow it to undertake its duties under the current Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 or both?*

Noting the above, the Panel pursued further clarity on how the sums proposed had been arrived at and ask whether the funding allocation for 2022 would be sufficient to meet the programme's aims. It was thought, in principle, that the funding would be sufficient to cover the backlog of work associated with the programme.

#### **Director for Natural Environment/Acting Director for Regulation:**

*We knew that we had a cost of £200,000 for additional income and then with that £800,000 that we were supposed to be generating as savings. So we know what costs are associated with it. We know what costs we have ongoing and why we need them. So the project will deliver inspection of food premises, examination of food imports, provision of export health certification, continuation of our Eat Safe scheme, essential*

<sup>91</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>92</sup> [Submission – Jersey Landlords' Association – 22<sup>nd</sup> October 2021](#)

*inspection of rented dwellings to ensure that homes are safe, resolution of housing intensity-related complaints, the administration of voluntary rent save scheme, and then seeking compliance on residential tenancy matters. Now, those are all matters that have been historical business as usual. What they do not necessarily cover is our works that would be included in post-Brexit requirement or, indeed, in some of our increasing workload going forward, for which we, as you will know, put forward an increased budget requirement from our Government Plan bid for this coming year. So, in terms of covering the backlog of work associated with that work, yes, I am comfortable that we need to get that £1 million into the budget in order to cover that backlog. That will allow those works to continue, but we are very cognisant that the workstreams associated with those 2 areas are evolving all the time and hence we do need to ensure that the stock of staff and the stock of resources around the team are sufficient to deliver.*

In a written response, the Minister for the Environment highlighted the funding pressures that faced the services under his remit and explained how these pressures were intended to be addressed by the Government Plan. The Minister noted the following regarding this programme.

*The States debates on Private Sector Dwellings licensing schemes and charges thereon caused a significant financial shortfall in the budget of the department in 2020 and 2021 as since 2019 there has been an assumed income stream associated with this new legislation (introduced as a “user pays” measure in the MTFP 2016- 19). It has now been recognised that there is no likelihood of achieving this income in this GP period and CSP4-1-06 above seeks to correct this.<sup>93</sup>*

Considering the information received and evidence gathered, the Panel has provided an amber RAG status for this programme. Although the funds for 2022 are deemed sufficient to cover the costs associated with the backlog of works, essentially works that have historically been deemed business as usual, and will allow the works to continue, there is uncertainty regarding any additional potential costs resultant of any post-Brexit requirements or increasing future demand. Moreover, uncertainty exists in respect of the evolving nature of the two workstreams and the impact thereof on resourcing for delivery of the objectives. Therefore, the Panel will monitor the progress of the programme during 2022 to determine whether the funding is sufficient to deliver the programme’s aims, as outlined.



#### **FINDING 17**

The previous Government Plan 2021-24 was set on the assumption that £1m in fees would be raised to enable food safety and housing legislation to be regulated on a cost neutral basis. However, the States Assembly did not support fees in relation to housing licensing at the time, nor the subsequent regulations, leaving the cost of activities surrounding the enforcement of the existing primary laws unfunded.



#### **FINDING 18**

The Jersey Landlords’ Association has expressed concern regarding insufficient clarity in respect of the use of the funds and how the funding amount for the Housing and Food Licensing Schemes programme has been determined. The response from Government was that ongoing costs and the requirements are known. What is unknown is any works that would be included in post-Brexit requirement or with increasing workload going forward, for which an increased

<sup>93</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

budget requirement has been made in the Government Plan bid for 2022. The £1m figure has therefore been estimated by Government on this basis and is deemed sufficient to fund the necessary requirements.

### FINDING 19



The funds for 2022 for the Housing and Food Licensing Schemes programme is deemed, by Government, to be sufficient enough to cover the costs associated with the backlog of works and will allow the works to continue. However, there is uncertainty regarding additional potential costs resultant of any post-Brexit requirements or increasing future demand. Moreover, uncertainty exists in respect of the evolving nature of the two workstreams and the impact thereof on resourcing for delivery of the objectives. Therefore, the Panel has designated this programme amber.

GP22-CSP5-2-07--- Increased Liquid Waste Processing		
CSP	Minister(s)	Scrutiny RAG Status
Protect Environment	Minister for Infrastructure	

#### Business Case: Overview

The Government Plan 2022-25 states: ‘We will increase funding to improve the long-term resilience of the pumping station network and protect against spills or pollution events in order to better protect the environment’. Specifically, this additional funding will:

- Support increased requirement for additional foul water to be transported via tankers over the life of the Government Plan
- Ensure that pumping stations operate to the required regulatory standard
- Provide sufficient foul water processing capability to ensure that natural water supplies remain safe

#### Panel analysis

##### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
250	250	250	250

During the public hearing with the Minister for Infrastructure, the Panel sought further detail regarding this new programme and how the allocated funding of £250,000 for 2022 would be utilised.<sup>94</sup>

#### *The Connétable of St. Brelade:*

<sup>94</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

*... Can you outline how the allocated funding for 2022 will be apportioned and what do you anticipate achieving as a result of these funds?*

**Group Director, Operations and Transport:**

*The £250,000 is required within the pumping stations and the tanker service. We have seen an increased cost in electricity with managing our pumping stations and of that £250,000 we see approximately probably about £170,000 is required because of the increased electricity cost for what we are currently seeing what we are spending against the budgets that we currently have allocated. The balance is to do with some of the maintenance that we have within liquid waste but also relates to our increased cost to do with tanker transportation. We have had certainly in the last 2 years a lot of wet weather over the winter. We have had a lot of increased costs in using our own tankers but as well as contracted tankers in going to our critical pumping stations to avoid pollution events. That is what the costs relate to.*

Noting the reasons provided for the increased liquid waste including population growth, increased households connected to the mains systems and increased rainfall due to climate change<sup>95</sup> and considering that these contributing factors are unresolved, the Panel sought to understand whether the allocated funding would be sufficient to accomplish the programmes' aims both in 2022 and in subsequent years (considering the funding levels remain unchanged up to 2025). It was hoped that within the 4 -year period (2022-2025) that the funding would be appropriate. During the public hearing the following was explained:<sup>96</sup>

**Group Director, Operations and Transport:**

*We hope within this Government Plan timetable over the next 4 years that it will be appropriate. Obviously there is an increased population that we know that we have an issue with the surface water getting into the foul system. This is the knock-on impact on our revenue expenditure. We are hoping ... I do not necessarily say it will be mitigated but maybe stop it getting further if we can do some more foul and surface water schemes. We can try and do more investigations to stop getting the surface water into the foul network. Because obviously we do not want to be spending lots of money pumping clean water around the Island.*

It was noted that internal investigations were underway to review problem areas where during wet weather the systems were being challenged. It was explained that an understanding of where and how the surface water was accessing the system across the Island was required.<sup>97</sup>

The Panel further questioned whether the electricity consumption could potentially be reduced through upgrading the equipment of the pumping stations. It was noted that the equipment had little effect on the electric costs and that the costs could only be reduced through managing the flows and pumping around the network. It was noted that currently the telemetry system was optimised appropriately and that the best approach would be to focus on keeping the surface water out of the system. It was noted that progress would need to be made on this over the 4-year period.<sup>98</sup>

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<sup>95</sup> [Annex Proposed Government Plan 2022-25 – R.150/2021](#)

<sup>96</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>97</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>98</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

The Panel is satisfied with the rationale for this work and notes that a level of optimism has been provided by Government that the funding allocation over the 4-year period will be sufficient. The Panel has therefore designated this programme with a green RAG rating. Considering that progress intends to be made over the next 4-year period with recurring future Government Plan bids, the Panel will also continue to monitor its progress during 2022 and beyond.



#### FINDING 20

The Government Plan 2022-25 requests funding of £250k for Increased Liquid Waste Processing within the pumping stations and tanker service. It was found that £170k of the £250k is due to increased electricity costs, with the balance relating to some of the maintenance within liquid waste and increased cost relating to tanker transportation. Increases in population and adverse, wet weather conditions have also contributed to increased costs in using Government of Jersey tankers, as well as contracted tankers. The Panel is satisfied with the level of funding requested and has designated this programme green.

GP22-CSP5-2-10--- Hazardous Waste Disposal		
CSP	Minister(s)	Scrutiny RAG Status
Protect Environment	Minister for Infrastructure	

#### Business Case: Overview

The Government Plan 2022-25 states: 'We support the effective disposal and processing of all hazardous waste while adhering to waste management regulations. The Law aims to protect people and the environment from the potentially polluting impacts of dealing with waste. We will also ensure that the construction industry has a route to dispose of their hazardous waste.' Waste activities and waste management businesses are governed by the Waste Management (Jersey) Law 2005.

#### Panel analysis

#### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
1,250	-	-	-

During the public hearing with the Minister for Infrastructure, the Panel sought further detail regarding this new programme and how the allocated funding of £1,250,000 for 2022 would be utilised. The Panel also requested detail on what waste constituted hazardous waste.<sup>99</sup>

#### **Group Director, Operations and Transport:**

*The hazardous waste is the type of material that we are looking maybe at some of the new Finance Centre or when we are doing certain dig-outs where when we have gone through and tested that material it has a certain amount of components, that means*

<sup>99</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

*that it has to be dealt with differently. It is usually in this case put into lined cells at our waste facility at La Collette. With regards to budgets and income it does fluctuate year on year, so as an example for this year we have a budget for hazardous waste income of just over £1.6 million. What we are forecasting is £278,000. In some years it could be £2 million depending on the works that are going on at the moment. We do not expect, certainly once the International Finance Centre is done and some of the works there, that we are going to get significant amounts of hazardous waste in the future. We will have smaller amounts but I do not think we will achieve the income targets that we have perhaps received over the last 2, 3, 4 years. Effectively this is to support us should we need the money. I think the Treasury are looking at almost giving us some money for 2022 but then doing a review to look at where this money could come from, maybe from their contingency reserve in the future. So on the years that we do require it the Treasury will have some reserves to be able to support us. If we achieve over our target then obviously we would give that money back to the Treasury*

The Panel notes the project summary states that due to the difficulty in budgeting for the fluctuations in hazardous waste and due to low levels of waste volumes for 2020 and 2021 that a significant budget deficit has been incurred by the department.<sup>100</sup> The Panel sought to understand the extent of forward planning that was possible and whether consideration had been given to construction projects within the pipeline and the potential revenues from those.

***The Connétable of St. Brelade:***

*Are you aware if there is any construction plan or phased construction plan from government to enable you to establish what the need for provision for hazardous waste might be? It seems to me that this £1.25 million is really a contingency, given the absence of clear information. Am I correct in assuming that?*

***Group Director, Operations and Transport:***

*We can certainly plan for the next 2 years ahead but it is trying to have some longer-term plans, appreciating that they are going to change with the industry. As well as S.o.J.D.C. (States of Jersey Development Company) and some of the government's arm length organisations, to understand what projects they have got in and what their requirements are. My colleagues that work within the waste division, they deal closely with those contractors. I think we are quite good at forecasting a year or 2 years. It is very difficult to forecast over 4 or 5 years because the industry changes so regularly.*

Considering the construction of the hospital at Overdale. The Panel questioned whether hazardous waste could be expected from the Overdale site.

***Group Director, Operations and Transport:***

*There may be some from the Overdale site so I believe there are but I have not seen yet. Obviously they have not yet pulled together their waste management plans, which they will have on those developments. I think there may have been some early discussions with the team but I could not certainly say how much waste we would be expecting from that site.*

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<sup>100</sup> [Annex Proposed Government Plan 2022-25 – R.150/2021](#)

The Panel sought to understand whether the £1,250,000 would also fund the building of further engineered cells or if that had been accounted for elsewhere. It was noted that building was still ongoing at La Collette and that cells were available for this year. However, it was hoped that not as many cells would be needed and those in place would last for a longer period of time going forward. Therefore, it was anticipated that the full amount of funding may not be required.

Noting that no funding has been allocated beyond 2022 for this programme and since it has been indicated that reduced waste volumes are expected to continue until 2025, the Panel sought to understand why funding for subsequent years was not being requested. The Panel questioned whether it was resultant of any upcoming wider reviews on waste management to be proposed in the subsequent Government Plan for 2023-26.

**Group Director, Operations and Transport:**

*I think there are some thoughts that that can be aligned. But depending on what happens with waste management and whether we look at a possible commercial waste charge in the future, whether that could offset some of the shortfall that we have within hazardous waste. I think there are future discussions for us to have with our Treasury and Exchequer colleagues and those within S.P.3. From a practitioner point of view, managing the waste sites, we know that we will have income challenges in 2023 and onwards, and we need to have further discussions with the Treasury to make sure that within their contingency funds there is money available to support us.*

The Panel notes that the funds allocated for 2022 would ultimately be a contingency for if income targets are not met for 2022. If income targets are met, and the allocated funds are not required, the funds would be returned to Treasury. The Panel has therefore provided a green RAG status for this programme. However, noting that uncertainty remains regarding any funds that would be required for subsequent years and regarding any change to how waste management is addressed in the future, the Panel intends to monitor the progress of this programme during 2022 and going forward.



**FINDING 21**

The Government Plan 2022 seeks approval for a funding allocation of 1.25m for 2022 in relation Hazardous Waste Removal which seeks to support the effective disposal and processing of all hazardous waste while adhering to waste management regulations and ensuring that the construction industry has a route to dispose of its hazardous waste. The Panel received evidence which confirmed that the funds allocated for 2022 are a contingency measure for if income targets of hazardous waste are not met as a result of reduced activity. If income targets are met, and the allocated funds are not required, the funds would be returned to Treasury. The Panel has therefore provided a green RAG status for this programme.

## Fund as required programmes

Fund as Required --- UK/EU TCA Biosecurity Border Controls and Vienna Convention Vehicle Testing		
CSP	Minister(s)	Scrutiny RAG Status
-	Minister for the Environment / Minister for Infrastructure	

**Business Case: Overview**

The Government Plan 2022-25 states: 'We will provide additional funding as required to:

- support the adoption of new border control requirements in line with the TCA and the practical steps DEFRA requires the Island to implement.
- enable the periodic technical inspection of all vehicles that will ensure the Island is fully compliant with the articles of the Vienna Convention for Road Traffic, which guaranteed the rights of Jersey motorists to circulate freely in Europe following Brexit.

The operational and administrative changes and ongoing workstreams that result from Jersey agreeing to become party to the EU-UK TCA will be significant for Regulation and Natural Environment and will require additional resources and investment so that Jersey can ensure it meets all the obligations set out under the new agreement.

**Panel analysis****Fund as Required – Estimated amounts held in the General Reserve 2022-2025 (£000):**

2022	2023	2024	2025
1,539	1,532	1,378	1,394

In a response to written questions in relation to the former Major Project for the Vehicle Testing Centre, the Minister for Infrastructure advised:

*In August 2021, the Project Team was informed that the capital funding for an inspection centre for 2022-2024 had been removed on the basis that the inspection centre should be provided by the operator. The implications of this were assessed, including the financial implications and confirming with those companies who has responded to the Expression of Interest that this was a workable model. A position paper setting out the implications (see agenda item) was presented to the Director General, Regulation, which was subsequently discussed at a meeting. The outcome was that this capital funding is no longer available, and the preferred option was that the operator will be required to construct and operate the inspection centre, preferably on a site provided by government.<sup>101</sup>*

The Panel was further advised that the spend to date on the former Vehicle Testing Centre Major Capital Project is £83,352 for the Options Appraisal.

<sup>101</sup> [Written Response – Minister for Infrastructure - 19 November 2021](#)

Considering that the Minister for the Environment has been designated as Lead Minister for the programme, however, the Vehicle Testing Programme falls under the remit of the Minister for Infrastructure, during the public hearing, the Panel sought to understand the roles of both Ministers in respect of this new programme.

***The Connétable of St. Brelade:***

*I think considering the Minister for Infrastructure is the lead Minister, it seems, for the vehicle testing project, which was identified in the mid-year review, it is just trying to understand what the involvement will be of that Minister with this programme and whether there will be a crossover of remits and how this will be managed to ensure the programme's aims are met effectively and timely.*

***Director for Natural Environment/Acting Director for Regulation:***

*I suppose, Chair, this is one of the proclivities of the structure of I.H.E. at the moment. One of our functions is driver and vehicle standards. That service rather than reporting to the Minister for the Environment reports into the Minister for Infrastructure, so he is the responsible Minister for driving that project forward and will be the owner, as it were, of the project. As I say, the Minister here today, the Minister for the Environment, will be responsible for the planning element and the regulation of that site*

In a written response received from the Minister for the Environment, the Minister confirmed the roles and responsibilities as follows:

*The Vienna Convention work, while being undertaken by staff within IHE, is not within the remit of the Minister for the Environment; rather it lies with the Minister for Infrastructure.<sup>102</sup>*

It is the Panel's understanding that the funding for this programme has been set aside in the General Reserve which can be drawn down as required.<sup>103</sup> During the public hearing with the Minister for the Environment the Panel sought to understand the anticipated level of funding that would be required for 2022.

***The Connétable of St. Brelade:***

*What we are trying to understand is based on the fact that there seems to be no specific funding allocation being proposed for the programme, it is our understanding that it would be funded as needed dependent on a business case being brought and approved. Do you have any idea of what funding would be anticipated in 2022 to meet the programme's aims?*

In respect of the Vienna Convention vehicle testing aspect of the programme the Panel was informed the following:

***Director for Natural Environment/Acting Director for Regulation:***

*I do not think in 2022 we will be looking for a great deal of funding. Ultimately, the project will be ... let me not commit to that at the moment but let me chase up on exactly*

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<sup>102</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<sup>103</sup> [Letter – Corporate Services Scrutiny Panel – Minister for Treasury and Resources – 28<sup>th</sup> October 2021](#)

*what the sum was. The issue being that the funding was initially anticipated to be funded by government. It is now deemed a better approach that it is funded essentially as a construct and build, so the liability for the site facility is borne by the operator as well. It is the way that it is operated in, for example, Éire and in other parts of Europe, so it is a common approach which essentially takes the financial responsibility away from government, as it were.*

In respect of the UK/EU TCA Biosecurity Border Controls aspect of the programme the Panel was informed the following:

**Director for Natural Environment/Acting Director for Regulation:**

*... when we first came through Brexit there was an understanding from the U.K. that we would be required to undertake the same types of border control mechanisms as the U.K. were anticipating being put in place at all their main ports and, indeed, their lesser ports. So, in Jersey that would have required potentially the construction of quite a large facility, potentially at the port or, if we could get away with it, inland a bit from the port, and could cost anywhere between £1 million and £3 million. We have been in discussion, my colleagues and I from Infrastructure, Housing and Environment, over the last few months with colleagues in Guernsey and colleagues in D.E.F.R.A. (Department for Environment, Food and Rural Affairs) in the U.K. and also colleagues in the A.P.H.A. (Animal and Plant Health Agency), the animal and plant health authority in the U.K., to try to establish what exactly a pragmatic and proportionate approach to border control would be. This culminated or the most recent culmination of that was a visit by D.E.F.R.A. officials to Jersey 2 weeks ago now to try to establish the scale of what goes on in terms of trade from Europe through our ports. We reciprocated by a visit to Poole a couple of days later. It was extremely useful insofar as it was not just about seeing what is going on on the ground. It is very much about building relationships with partners in D.E.F.R.A. and the A.P.H.A., who will be helpful to us in the long term. The upshot of that discussion was that we are contributing jointly, both Jersey Natural Environment and D.E.F.R.A., to a report that will go to senior players in D.E.F.R.A. to try to put forward a proposal that says we are going to tackle the incoming trade from Europe in a more digital and systems-based approach rather than having to build a large facility, which at one point the U.K. were really quite intractable about. So we are hoping that with ongoing discussions this year we will come to an agreement that we will be able to put in place a much cheaper but more effective and proportionate approach to border control and biosecurity.*

During the hearing, the Panel noted that it had always been clear that Jersey would want to develop border inspection post standards in line with those of the U.K. However, the Panel sought assurance that if a more tech-based approach was implemented, it would not allow Jersey to fall short of a full border inspection post standard. The Panel emphasised the importance of not placing Jersey in a different situation to those ports on the south coast that can accept anything and everything from the E.U.<sup>104</sup>

**The Minister for the Environment:**

*I absolutely agree. I am happy to give that commitment. We had the strong support of the Brexit ministerial group for this work and obviously we have always regarded as*

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<sup>104</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

*paramount that we meet the new requirements fully because the Island needs to be able to do that. I certainly would not want to be party anywhere to any shortcomings.*

The Panel also emphasised the importance of having the necessary physical facilities (quarantine facilities) and staff resources (veterinary staff) available in addition to the technologies. The Minister for the Environment was in agreement in that regard.<sup>105</sup>

In a written response, the Minister explained that in respect of the border controls the outcomes of the discussions that are underway with DEFRA regarding the approach will determine the funding required for proportionate control measures which would consider the volume of trade coming into the Island, or whether there would be a requirement for a bespoke facility.<sup>106</sup>

The Panel has provided an amber RAG status for this programme, considering it is a fund as required programme with no certainty regarding the potential funding that will be required for 2022. Moreover, the areas covered by this programme are still developing. Considering that the Vienna Convention work falls under the remit of the Minister for Infrastructure and not the Minister for the Environment, the Panel notes that timely progress will depend upon adequate joined-up working between Government departments. Therefore, the Panel will continue to monitor the progress of the various aspects of this programme during 2022 and to reflect on whether the estimated funding will be sufficient to adequately meet the programme's aims.



#### **FINDING 22**

Previous funding allocations for the Vehicle Testing Centre Major Capital Project have been withdrawn on the basis that it is now expected this will be delivered by the provider. The implications of this have been assessed by Government and based on confirmation provided from potential providers who had made an expression of interest, this has been deemed a workable model. The outcome, therefore, is that this capital funding is no longer available, and the preferred option is that the provider will be required to construct and operate the inspection centre, preferably on a site provided by government.



#### **FINDING 23**

A new 'fund as required' UK/EU TCA Biosecurity Border Controls and Vienna Convention Vehicle Testing programme is included in the Government Plan 2022 to support the adoption of new border control requirements in line with the UK-EU Trade Co-operation Agreement and practical steps the UK DEFRA requires the Island to implement. In addition, to enable the periodic technical inspection of all vehicles that will ensure the Island is fully compliant with the articles of the Vienna Convention for Road Traffic. However, it is uncertain at this stage how much funding will be required for 2022 and beyond. The Panel has therefore designated this programme with an amber RAG rating.

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<sup>105</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>106</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

Fund as Required --- Climate Emergency Fund and Sustainable Transport		
CSP	Minister(s)	Scrutiny RAG Status
-	Minister for Infrastructure/ Minister for the Environment	

### Business Case: Overview

The Government Plan 2022-25 states that the Climate Emergency Fund, established in 2020, will make a range of initial investments to kick-start the Island's transition to carbon neutrality. Additional funding will support new policies and schemes to tackle the main sources of pollution, and to support the Island and Government to decarbonise. The Fund will have a particular focus on policies to support decarbonisation and climate change adaptation, based on the detailed policies developed in the Carbon Neutral Roadmap and Sustainable Transport Policy.

### Panel analysis

The below tables provide an overview of the funding allocations that were proposed in the 2020 -23 plan and 2021-24 plan against what is now being proposed in 2022-25 plan:

### Funding allocations approved in Government Plan 2020-2023 (£000):

2020	2021	2022	2023
2,000 (revenue raised from fuel duty) 5,000 (one off transfer from the Consolidated Fund)	3,000	<b>4,000</b>	4,000

### Funding allocation approved in Government Plan 2021-2024 (£000):

2021	2022	2023	2024
2,700	<b>4,000</b>	4,000	4,000

### Funding allocation requests in Government Plan 2022-2025 (£000):

2022	2023	2024	2025
<b>4,500</b>	6,500	7,000	5,000

The Government Plan 2022-25 provides the following financial information on predicted income and expenditure for 2022-25<sup>107</sup>

<sup>107</sup> [Proposed Government Plan 2022-25 – p.173](#)

	2022 Estimate (£000)	2023 Estimate (£000)	2024 Estimate (£000)	2025 Estimate (£000)
<b>Opening balance</b>	<b>5,570</b>	<b>5,470</b>	<b>3,370</b>	<b>770</b>
Income	4,400	4,400	4,400	4,400
Expenditure	(4,500)	(6,500)	(7,000)	(5,000)
<b>Closing balance</b>	<b>5,470</b>	<b>3,370</b>	<b>770</b>	<b>170</b>

Table 49: Climate Emergency Fund

The Panel requested a breakdown of the spend to date for the various expenditure and was provided with the following tables:<sup>108</sup>

### Climate Emergency Fund: Carbon Neutral Strategy – Policy Development

Description	Spend to date
Participatory Process costs	£267,862
Strong Start projects	£4,400
Additional staff costs	£110,387
<b>TOTAL</b>	<b>£382,649</b>

### Climate Emergency Fund: Sustainable Transport – Policy Development

Description	Spend to date
Biodiesel original trial	£9,527
Pre-rapid plan development	£20,925
Active travel rapid analysis	£15,840
Bus rapid analysis	£14,840
Parking rapid analysis	£12,660
Mobility as a service rapid analysis	£9,864
GOJ Fleet review	£25,000
STP policy officer	£55,991
<b>TOTAL</b>	<b>£164,647</b>

Noting that the Climate Emergency Fund proposed to fund the Carbon Neutral and Sustainable Transport workstreams, as well as initiatives for strengthening protection of the natural environmental, the Panel requested the spend to date. The following breakdown was provided.<sup>109</sup>

<sup>108</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

<sup>109</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

<b>Strengthening Protection of the Natural Environment</b>	<b>2021 allocation</b>	<b>2021 spend to date</b>
Soil - Soil Health Ph.D.	£40,000	£15,000
Biosecurity - 1 x additional Plant Health/ Biosecurity Officer	£30,000	£0
Biosecurity - 2 x Biosecurity P/T Coordination Projects Officers	£100,000	£0
Conservation - Habitat Management	£100,000	£98,000
Conservation - Marine research	£128,000	£123,482
Conservation - Support for new wildlife law	£60,000	£58,000
<b>TOTAL</b>	<b>£458,000</b>	<b>£298,482</b>

The following breakdown was received from the Minister for Infrastructure in respect of the spend to date and progress for the Sustainable Transport Initiative<sup>110</sup>:

<b>Project Name</b>	<b>Spend to September 2021</b>	<b>Progress</b>
Bus Gate Trial - Pomme D'Or (Eastbound)	£56,000	Complete
Rue des Pres Footway (East Side)	£7,100	Complete
Hill Street Temporary Pop-up Cycle Lane	£11,600	Complete
Pont Marquet Cycle Crossing (£150k), Civils, Electrical and Lighting Infrastructure Enabling Works (£150k), Associated Drainage Improvements and Highway Maintenance (£24k)	£324,000	Complete
Covered Cycle Parking (Town)	£81,900	Complete
Les Creux Crossing and Village Scheme	£37,000	Complete
Mont Fallu Bus Stop Waiting Area	£141,100	Complete
Additional Village Cycle Parking Units	£104	In Progress
St Aubin's Bay Promenade Widening Phase 2 (Construction)	£3,000	In Progress
School Sustainable Travel Infrastructure Fund	£0	Not Started
St Aubin's Bay Promenade Widening Phase 1 (Design)	£16,000	In Progress
Don Road Cycle Lane (Eastern Cycle Network)	£3,096	In Progress
Bus Gate Trial - Gloucester St (Westbound)	£55,000	In Progress
Bus Shelters 2021	£4,000	In Progress
<b>TOTAL</b>	<b>£739,900</b>	

Noting that resourcing issues had been highlighted as a reason for delays in progress regarding some areas of the sustainable transport workstream, the Panel sought further detail during the public hearing with the Minister for Infrastructure.

***The Connétable of St. Brelade:***

<sup>110</sup> [Written Response – Minister for the Infrastructure – 19<sup>th</sup> November 2021](#)

*...you noted delays resultant of resourcing issues. Can you provide further detail regarding these challenges in resourcing impacting the progress of the bus service development plan and the approach being taken to address this?*

**Head of Sustainability, S.P.P.P.:**

*The resourcing problems that we have dealt with there were due to the fact that in 2020 the entire policy team were pivoted on to the public health response for COVID. Of course what that meant was that none of the work that we would have liked to have begun last year, or very much the 13 majority of the work that we would have liked to have got done last year, a lot of it spilled into early this year. Then recognising that the team were then pivoted on to running the citizens' assembly, which again should have happened a year before, that is where the snowball effect around resourcing has happened. What I can happily report is that we recruited a new sustainable transport policy officer to the team - I think you have met her before in Scrutiny hearings - and she joined our team last December and has been working full time with us since then. She has been able to start to pick that work up and take a hold of it. Obviously she is working very closely with technical experts in I.H.E. (Infrastructure, Housing and Environment), in the department, so we feel that we are catching up. But I think the honest answer is that we would have preferred to be further along on this journey. It is COVID that has held us back.<sup>111</sup>*

The Panel raised concern regarding delays in policy work and sought to understand whether resources were still stretched and the potential impact of resourcing issues on achieving the programme's aims in 2022.<sup>112</sup>

**The Deputy of St. Martin:**

*Could I just ask you, Louise, you mentioned the various delays in policy that we have had, and it is understandable with COVID and various other things? But are you short of resource in this direction because it is quite clear to me that when something new comes along something else has to suffer, which would indicate that you do not have much flexibility within the team? I wonder whether when we get into 2022 how you are going to take on these new policy initiatives.*

**Head of Sustainability, S.P.P.P.:**

*It is a very good observation, it is a good point. I think it is fair to say that the team have been very stretched this year in the policy development space which, as you know, has been extensive. We have had the citizens' assembly, we have turned that into the in-committee debate, we are about to publish the preferred strategy on carbon neutral which encompasses sustainable transport. I think it is fair to say this year we have thrown a lot of effort at that. Of course you have heard from me in previous hearings that the downside to focusing on that new direction put to us by the States Assembly in terms of prioritising sustainable transport and the climate emergency has been that other areas of policy development have suffered. So I know that you have asked me many times where we are with the new waste strategy, and I have had to give the answer that that needed to be deprioritised because of this other work. I think your observation is right, that when something has to give, and in this case it has been other*

<sup>111</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>112</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

*policy pieces of work. I think what we will be putting forward going into next year are the delivery mechanisms for the climate emergency. One of the things that the carbon neutral roadmap will do was it will outline the requirements and resourcing needed to deliver on the policies that will bring about our response to the climate emergency and helping Jersey to be carbon neutral. Within the carbon neutral roadmap we will be putting a proposal for size of team and the kind of resources that we think are necessary for that. Because I think what your question was is: how does this team keep picking that up? I think we are going to be very clear in the carbon neutral roadmap that it is not possible to carry on delivering on an enormous piece of policy that absolutely needs to be done. It will not be possible to keep doing that with the existing policy team. There will need to be an increased resource. That will be outlined in the carbon neutral roadmap. In theory, if that is agreed by the Assembly and that team is recruited to bring about these policies and the expenditure in the area of climate emergency sustainable transport, then it will free up the core team to be picking up on those pieces of work that have so far suffered. Things like the waste strategy that I know is a concern to us all.*

Noting that the Minister for Infrastructure is the Lead Minister for the Sustainable Transport Initiative, and the Minister for the Environment for the Carbon Neutral workstream, the Panel sought further detail on how joined-up working across the ministerial remits is ensured to facilitate timely progress of this work. In a written response from the Minister for the Environment it was explained that a Carbon Neutral Steering Group has been established to steer the development of the Preferred Strategy and the Carbon Neutral Roadmap. It was explained that the membership of this group includes the Minister for Infrastructure as well as other executive and non-executive members and that both Ministers have regular officer briefings to maintain open communication. Moreover, the policy development function for the Carbon Neutral Roadmap and the Sustainable Transport Policy both fall within the Sustainability & Foresight team under the Strategy and innovation Directorate within the Department for Strategic Policy, Planning and Performance, further helping to ensure timely coordination and progress on both these workstreams.<sup>113</sup> This was reiterated within a response received from the Minister for Infrastructure<sup>114</sup>.

During a public hearing with the Minister for the Environment, the Minister expressed his view that a future Minister should have oversight for the climate emergency portfolio as the current structure tended to cause confusion:

***Minister for the Environment:***

*Indeed, as you know, in this question of climate emergency, it is well known my position is that I believe there should be a future Minister. A future Minister would have oversight for this role across its breadth rather than have to deal with bits of it. So it is confusing at the moment, but what Louise has said about how it has expanded across and there has been a crossover between the 2 parts of the work I think is inevitable.<sup>115</sup>*

***Minister for the Environment:***

*In the future I believe if we are to succeed in this area and it will be necessary, trust me it will be unavoidable at some time and it cannot be put off, we will need to do*

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<sup>113</sup> [Written Questions – Minister for the Environment – 13<sup>th</sup> October 2021](#)

<sup>114</sup> [Written Response – Minister for the Infrastructure – 19<sup>th</sup> November 2021](#)

<sup>115</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

*better. Therefore, I personally would like to see the next Council of Ministers, the next Chief Minister, review the ministerial structure. First of all, the separation between environment and infrastructure in terms of this policy, in my view, is not satisfactory. There needs to be, I think, a structure of one ministry and our structure within that is up for grabs. Also climate change, you may even put the whole lot in one, I do not know. But Governments elsewhere do this routinely. Unfortunately, we seem to stick to a version that we put in the States of Jersey Law years ago and never made a change; it needs to change.*<sup>116</sup>

The Government Plan 2022-25 provides the following financial information on predicted expenditure for 2022-25<sup>117</sup>

	2022 Estimate (£000)	2023 Estimate (£000)	2024 Estimate (£000)	2025 Estimate (£000)
Policy Development on Carbon Neutral and Sustainable Transport	300	300	300	300
Carbon Neutral Roadmap Initiatives (inc. Sustainable Transport Initiatives)	3,785	5,775	6,315	4,700
Biodiversity Crisis Initiatives (including Environmental protection and Tree strategy work)	415	425	385	0
<b>Total expenditure</b>	<b>4,500</b>	<b>6,500</b>	<b>7,000</b>	<b>5,000</b>

Table 50: 2022 expenditure from Climate Emergency Fund

The Panel notes that the Climate Emergency Fund proposes to fund the following expenditure in 2022<sup>118</sup>:

- Policy development on Carbon Neutral and Sustainable Transport Plan - **£300,000**
- Carbon Neutral Roadmap Initiatives (inc. Sustainable Transport Initiatives) - **£3,785,000**
- Biodiversity Crisis Initiatives (Including Environmental Protection and Tree Strategy Work) - **£415,000**

During the public hearing with the Minister for the Environment, the Panel sought to understand the level of funding that would be required for 2022 to sufficiently meet the programme's aims in respect of Carbon Neutral and Sustainable Transport policy development work and initiatives, as well as for the Biodiversity Crisis initiatives.

#### **Head of Sustainability and Foresight:**

*...So what we have done is in bringing forward the carbon neutral roadmap there will be a set of policies that have grown and been developed over the last year as a result of the work of the citizens' assembly and the work of the States Assembly in debating the citizens' assembly recommendations. Then they will be worked up into costed policies. What we know is that we have roughly £23 million allocated to this workstream as a result of the climate emergency fund. So those numbers that you referred to there is what we estimate will be the expenditure next year for the first phase of the policies that will be in the carbon neutral roadmap if the States Assembly agree those policies. So the carbon neutral roadmap will be published at the beginning of December and it will have this set of funded policies that you would expect to be in there... The money that we have put against them for next year is a professional estimate of what we think*

<sup>116</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>117</sup> [Proposed Government Plan 2022-25 – p.173](#)

<sup>118</sup> [Proposed Government Plan 2022-25 – p.173](#)

*that those policies will be able to deliver against and how we can fund them in the year. The Minister makes the point quite rightly that the way the process works at the moment is it asks us to look at what we think we can spend the year ahead. Sometimes it is a bit more or it is a bit less. But we estimate that in the first year of the plan, assuming that the States Assembly agreed the carbon neutral roadmap in early 2022, we can get going and deliver those projects with that funding. So that is where that money comes from. What you see as well in the Government Plan is the projection for subsequent years. If you add up all 4 years of the projections you get pretty much the full £23 million. The important point there is that the intention of the Minister and Council of Ministers is that the climate emergency fund be fully spent on carbon reduction projects in the next 4 years to really accelerate our progress towards carbon neutrality.<sup>119</sup>*

**The Minister for the Environment:**

*Can I add, Chairman, that it is ring-fenced, of course, and what I think Louise has described is in the nature of what you do when you set up a fund. It is a fund for a purpose and there is no question the climate journey that we are all going to have to go on, I believe, is going to go on for decades. This is the start of it. The kind of run from one year to another is likely to be relatively uncertain, but nonetheless what the team have been able to do is to set a pragmatic set of targets, if you like, that we can make a start. Because we do need to have that in our forward planning...<sup>120</sup>*

Regarding the Biodiversity Initiatives, during the public hearing the Panel sought to understand what the estimated expenditure of £415,000 forecast for 2022 would cover. It was explained that it would include the workstream regarding trees as well as the extension of the biosecurity strategy. The Panel was satisfied to observe that the estimated amount would be adequate to progress the initial tranche of the work.<sup>121</sup>

The Panel observed during public hearings with the Minister for the Environment and the Minister for Infrastructure that although £23m of funding is proposed to be deployed from the Climate Emergency Fund over the next four years, this funding amount will not be sufficient to reach the rates of decarbonisation that would lead the Island to carbon neutrality by 2030.

**Head of Sustainability, S.P.P.P.:**

*The Climate Emergency Fund is about £23 million over the next 4 years and that is not enough to reach the rates of decarbonisation that would lead us to carbon neutrality by 2030. The Minister has been very clear about that, and the Council of Ministers as well. The preferred strategy will explain that more. There is an outline in the proposed Government Plan this time round, which talks about some additional revenue that might be raised from additional revenue streams that could then be put back into the Climate Emergency Fund to help top it up. So accelerate those policy objectives and the cost of them supported by that further income. I am afraid more money is needed.<sup>122</sup>*

**The Deputy of St. Martin:**

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<sup>119</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>120</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>121</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>122</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

*...But, Minister, can you tell us roughly what levels of additional funding we are talking about here? Because we are getting down into granular detail, but are we looking for another 10, 20, 30, or are we looking for hundreds of millions of pounds to give to the Climate Emergency Fund?<sup>123</sup>*

**Head of Sustainability, S.P.P.:**

*... So, Deputy, a perfect question. How much is it really going to cost? You are going to get really bored with me saying this. The carbon neutral roadmap will bring forward the costed policies and there will be a value attached to the package of policies that we will be putting forward. But it is not unreasonable to use the work that we did as part of the carbon neutral strategy to provide a proxy for the size of costs that would be needed to have an accelerated carbon reduction agenda by 2030. So that was an evidence piece that formed part of the carbon neutral strategy that the States Assembly will recall voting on. The quantum of cost as direct cost to Government, so this was the amount of money that would be needed to apply 6 of the major policies that have worked elsewhere. I am not saying that those are necessarily the ones that will come forward in the roadmap but they are a good quantum of the type of policies you need for that level of carbon reduction. That was enumerated for Jersey at about £300 million. So that is the sort of size of cost. So, as you rightly point out, there is £23 million in the Climate Emergency Fund. Potentially there are these new measures that might bring in some money. They will not get us up to £300 million. So the reality is that to have an aggressive decarbonisation agenda in line with carbon neutral, we are looking for a significant £250-odd million type of charge between now and 2030 as the first port of call...<sup>124</sup>*

In relation to road fuel duty which is intended to provide income to the Climate Emergency Fund, the Panel asked the Minister for Treasury and Resources what revenue had been received to date. In a written response it was noted that actual fuel duty revenues up to 30<sup>th</sup> September 2021 totalled £18.3m and it was anticipated that the expected amount for the whole of 2021 would be £24.2m. The expected fuel duty hypothecated to the Climate Emergency Fund for the period ending December 2021 was expected to be £4.1m. In respect of the forecast for all fuel duty hypothecated to the Climate Emergency Fund in 2022, £4.0m was estimated.<sup>125</sup>

Noting that the Government Plan 2022-25 details that vehicle emissions duty is also intended to provide income to the Climate Emergency Fund, the Panel asked the Minister for Treasury and Resources what the expected revenue from vehicle emissions duty to the Climate Emergency Fund is for 2022. It was noted that the forecast vehicle emissions duty hypothecated to the Fund for 2022 was £0.4m.<sup>126</sup>

During the public hearing with the Minister for the Environment, the Panel sought to understand what impact, if any, the reduced revenue from fuel duty, resultant of the Covid-19 pandemic, has had on the Climate Emergency Fund and its initiatives to date.

**Head of Sustainability and Foresight:**

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<sup>123</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>124</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>125</sup> [Letter – Minister for Treasury and Resources – 25<sup>th</sup> October 2021](#)

<sup>126</sup> [Letter – Minister for Treasury and Resources – 25<sup>th</sup> October 2021](#)

*So I have the task of overseeing the governance on the income and expenditure of the fund. So because the fund at the moment is not fully spent, although it will be projected to be fully spent, the fact that we have not had the income we expected, you are quite right, we have seen a drop of about £200,000, I think it is, on the expected forecast income as a result of the lack of travel and, therefore, less fuel duty. That has not had a direct impact on the delivery of projects because that was funding for projects that have not yet happened. So we have not seen a loss but it is, of course, an avoided amount of money that we would have expected to come into the fund. That is a small amount of money that is not in the final figures of the fund... The climate emergency fund is now projected to only be £23 million to take into account that avoided ... or the loss of that expected revenue into the fund. So we have accounted for it, but you are right, there is a loss.<sup>127</sup>*

It was noted that the expected income from fuel duty in the Government Plan proposal has been readjusted to account for the fact that Islanders drove lower mileages, during the pandemic, but also, looking ahead, as people have more fuel- efficient vehicles and will travel less. It was emphasised that other economic levers were being considered to raise revenue for the Climate Emergency Fund as significantly more funding would be needed to fund the Carbon Neutral journey.<sup>128</sup>

The Panel received submissions from [Jersey Electricity Company](#) (JEC) and [EVie](#) in response to the Climate Emergency Fund and Sustainable Transport programme. Noting the ambitious aims and aspirations, the JEC raised concern regarding the availability of resourcing within the Government to drive policy and deliver timely action. Moreover, it was the view of the JEC that the level of funding is currently very limited in respect of the ambition being outlined. The JEC highlighted that action was needed in parallel with policy development to realistically make any material impact to Jersey's carbon emissions by 2030. It was the view of JEC that the Government's Fiscal Stimulus Funding Programme provided a real opportunity to progress in terms of stimulating a 'green recovery'. However, the JEC highlighted the failure of a number of projects to secure funding under the programme which, in the JEC's view, could have provided a valuable contribution towards the Government's ambitions.<sup>129</sup>

EVie, although understanding of Jersey's ambitions to be proactive regarding sustainable transport, emphasised that despite the publications of the Sustainable Transport Policy, the Climate Emergency and Carbon Neutral Strategies, little action, if any, has been detected by Evie. It was EVie's view that as a private company it has done more to advance the Government's own ambitions and without any fiscal support from Government. EVie commented that it would welcome working more closely with Government to help achieve the Island's carbon neutral goals. Within its submission, Evie outlines several recommendations for accelerating delivery of shared sustainable transport, including: mandating active travel plans; converting the State's fleet to electric; speeding up the review of legislation; and providing dedicated dockless electric bike parking zones, to name a few.<sup>130</sup>

During public hearings with the Minister for Infrastructure and the Minister for the Environment, the Panel sought to understand how private-public collaboration is being utilised to accelerate rapid achievement of the programme's aims.

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<sup>127</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>128</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

<sup>129</sup> [Submission – Jersey Electricity Company – 22<sup>nd</sup> October 2021](#)

<sup>130</sup> [Submission – EVie – 20<sup>th</sup> October 2021](#)

**Head of Sustainability, S.P.P.:**

*I think the point there in the question around innovative options, public-private partnerships, those sorts of options are absolutely on our agenda. To look at how we can partner or how we can leverage funding to help people from the individual level, right the way through to organisational and to government level achieve decarbonisation. That is work that will have to be undertaken to meet the macroeconomic challenge that is addressing the climate emergency.<sup>131</sup>*

**Minister for the Environment:**

*Certainly, since I have been a Minister, I do get - and it is really good, this - a lot of positive approaches from businesses, who come forward with what seem to me very good proposals that do offer significant advantages. Of course, I have to pass those on to the team for evaluation for viability and so on. So there has certainly been a flow of interest. How well have we been able to capture those? I am not so sure.<sup>132</sup>*

In public hearings with the Minister for Infrastructure and the Minister for the Environment, the Panel sought to understand the Government's policy direction and what consideration, if any, is being given to those areas highlighted by EVie, within their submission. The Panel observed that several of the areas were under consideration, however, as the Carbon Neutral Roadmap had not been published at the time of the hearing, specific detail on the proposed policy direction could not be provided at the time.

In consideration of the evidence gathered the Panel has provided an amber RAG status for this programme. The Panel notes that the Carbon Neutral and Sustainable Transport Fund will 'fund as required' the Carbon Neutral and Sustainable Transport workstreams with a particular focus on policies to support decarbonisation and climate change adaptation. However, the Panel has observed that the Island's journey to Carbon Neutrality is still in its infancy. Consequently, uncertainty remains regarding the level of funding that will be sufficient moving forward to achieve timely progress and active change, however, it is estimated to be significantly more than the proposed expenditure of £23m over the next four years. Other funding streams will be necessary and will need to be agreed in order to fund the implementation of any agreed policies proposed in the Carbon Neutral Roadmap. The Panel also notes concern regarding the availability of resourcing to implement the work and achieving timely progress.

Measures have been put in place to manage the crossover of remits through the establishment of the Carbon Neutral Steering Group, as well as through the policy development function for the Carbon Neutral Roadmap and the Sustainable Transport Policy both falling within the Sustainability & Foresight team under the Strategy and Innovation Directorate within the SPPP Department. However, the Minister for the Environment emphasised his view that the current arrangement for the climate emergency portfolio was predisposed to cause confusion as it crossed the remits of both the Minister for the Environment and the Minister for Infrastructure. The Panel observed that improved political oversight of the climate emergency portfolio may be beneficial through a dedicated ministerial role.

The Panel observed a willingness from private organisations/stakeholders to play an active part in assisting the Government to achieve its ambitious aims. However, views expressed by

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<sup>131</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

<sup>132</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

stakeholders to the Panel suggests that Government should be doing more to involve those stakeholders and to form the partnerships required to impact timely change on carbon neutrality.

Considering the Carbon Neutral Roadmap is yet to be published and the policies and costings agreed, the Panel will continue to closely monitor the progress of this workstream in 2022 and in respect of how revenue will be provided to fund this and whether the funding will be sufficient to meet the aims in a timely manner.



#### **FINDING 24**

The Climate Emergency Fund has been designated amber by the Panel given the significant work which remains in respect of the workstream throughout 2022 and beyond. The Panel notes that to progress this work, the policy direction within the Carbon Neutral Roadmap will still need to be approved by the States Assembly. Moreover, agreement will need to be reached on the additional revenue streams to fund the additional monies that will be required to meet the Government's ambitious aims to be achieved by 2030.



#### **FINDING 25**

The carbon neutral and sustainable transport workstreams are still in their infancy. Consequently, uncertainty remains regarding the level of funding and resourcing that will be sufficient moving forward. However, the Panel notes that the Carbon Neutral Fund will 'fund as required' the new Carbon Neutral Fund and Sustainable Transport Programme. The Panel will continue to closely monitor progress of this programme during 2022.



#### **FINDING 26**

The Panel observed a willingness from private organisations/stakeholders to play an active part in assisting the Government to achieve its ambitious policy aims in respect of combating climate change. However, views expressed by stakeholders to the Panel suggests that Government should be doing more to involve those stakeholders and to form the partnerships required to impact timely change on carbon neutrality.



#### **FINDING 27**

Measures have been put in place to manage the crossover of remits through the establishment of the Carbon Neutral Steering Group and with the policy development function for the Carbon Neutral Roadmap and the Sustainable Transport Policy both falling within the Sustainability & Foresight team under the Strategy and Innovation Directorate within SPPP. However, it is the Minister for the Environment's view that the current arrangement for the climate emergency portfolio was predisposed to cause confusion as it crossed the remits of both the Minister for the Environment and the Minister for Infrastructure. The Panel observed that improved political oversight of the climate emergency portfolio may be beneficial through a dedicated ministerial role for the portfolio.

**RECOMMENDATION 7**

The Minister for the Environment and the Minister for Infrastructure should, moving forward, actively seek to consult and involve, where appropriate, local organisations who are willing and able to contribute to the Island's journey to reach carbon neutrality. The Ministers should seek to form partnerships with local organisations and stakeholders to accelerate the Government's aims to realise its ambitious plans.

**RECOMMENDATION 8**

Given the crossover between the remits of the Minister for Infrastructure and the Minister for the Environment, further consideration should be given, before the next term of Government, as to how political oversight for the climate emergency portfolio can be strengthened and improved. Specifically, whether the climate emergency portfolio would benefit from a dedicated ministerial role.

Fund as Required --- Future Fisheries and Marine Resources Management		
CSP	Minister(s)	Scrutiny RAG Status
5	Minister for the Environment	

**Business Case: Overview**

The Government Plan 2022-25 states: 'We will fund as required the revision of the international framework for the management of the Island's fisheries and marine resources. Fisheries and marine resources are managed under a combination of international obligations and agreements together with local legislation and policy. The future fisheries and marine resources management regime will now be more complex, requiring additional policy development and legislation, science delivery, data acquisition and analysis, licensing (both fishing and export requirements) and compliance at sea and on shore'.

**Panel analysis****Fund as Required – Estimated amounts held in the General Reserve 2022-2025 (£000):**

2022	2023	2024	2025
263	253	238	238

Although this programme is a 'fund as required' programme, it is the Panel's understanding that estimated funding for this programme (as outlined above) has been set aside in the General Reserve which can be drawn down as required.<sup>133</sup> During the public hearing with the Minister for the Environment the Panel sought to understand the anticipated level of funding that would be required for 2022 for this programme.<sup>134</sup>

<sup>133</sup> [Letter – Corporate Services Scrutiny Panel – Minister for Treasury and Resources – 28<sup>th</sup> October 2021](#)

<sup>134</sup> [Public Hearing with the Minister for the Environment – 26<sup>th</sup> October 2021](#)

**The Connétable of St. Brelade:**

*Although no funding allocation has been provided for this programme, are you aware of any forecasts of potential funding it may require in 2022?*

**The Minister for the Environment:**

*Not at the moment, Chairman, no. I think we were very fortunate. I think it was very prescient of the Brexit group to give us those decent resources for marine resources last year. There is no question that had we not had that, then the work that we have been able to do, not just in managing the present but trying to manage the transition to the T.E.C.A. plus preparing for the future, as I have outlined, with conservation and science and so on, I think we would have struggled with that. What we now need to do is to keep that programme going and we need to be flexible in the way that I think we have all been talking about, with bringing partners on board, local fish fleet, external universities and experts and so on. So, at the moment, I feel we are in a good place.*

In a written response, the Minister for the Environment highlighted the funding pressures that faced the services under his remit and explained how these pressures were intended to be addressed by the Government Plan. The Minister noted the following:

*The impact of Brexit on the Regulation and Natural Environment teams has been met by the allocation of funding within Reserves, to be released as required, as has additional funding required to bolster the capabilities of the Marine Resources team. The continuation of funding in respect of growth introduced in previous Government Plans is welcomed and is in line with the funding profile indicated in those previous plans.<sup>135</sup>*

The Panel has identified that the funding for this programme has been set aside in the General Reserve and that funding amounts (although uncertain) have been estimated for 2022 and subsequent years. Since the implementation of the TCA Agreement is still in its infancy and the vessel licensing regime is yet to be resolved, uncertainty remains regarding the level of funding that will be needed going forward. Considering the scope of work and the uncertainty regarding the level of funding, the Panel has provided an amber RAG status for this programme and will monitor during 2022 the progress of this programme as well as the amount of funding that is drawn down from the General Reserve to further understand the level of funding that is sufficient to meet the programme's aims.

**FINDING 28**

Funding has been set aside in the General Reserve for the 'fund as required' Future Fisheries and Marine Resources Management Programme. Although funding amounts are uncertain, £263k has been estimated for 2022 with additional estimates of £253k in 2023 and £238k in 2024 and 2025. Since the implementation of the UK-EU is still in its infancy and the vessel licensing regime is yet to be resolved, uncertainty remains regarding the level of funding that will be sufficiently required moving forward. Considering the scope of work and the uncertainty regarding the level of funding, the Panel has designated an amber RAG status for this programme.

<sup>135</sup> [Written Response – Minister for the Environment – 17<sup>th</sup> November 2021](#)

Fund as Required --- Disposal of Recycling Materials		
CSP	Minister(s)	Scrutiny RAG Status
-	Minister for Infrastructure	

### Business Case: Overview

The Government Plan 2022-25 states: ‘We will fund, as required, the cost pressures associated with the combination of increased levels of recycling and the reduction in prices being paid for recyclates’.

### Panel analysis

#### Fund as Required – Estimated amounts held in the General Reserve 2022-2025 (£000):

2022	2023	2024	2025
0	200	200	200

Although this programme is a ‘fund as required’ programme, it is the Panel’s understanding that estimated funding for this programme (as outlined above) has been set aside in the General Reserve which can be drawn down as required.<sup>136</sup> The Panel has identified that no funding requirement has been estimated for 2022.

During the public hearing with the Minister for Infrastructure the Panel sought further detail regarding the cost pressures and issues that the indicative funding would address.<sup>137</sup>

#### **Group Director, Operations and Transport:**

*In recent years the prices that we have received for our recycled material, our paper, card and plastic, have fallen and the processing costs have increased. So it is costing us more to deal with the Island recyclates. This, coupled with the additional Parishes have now agreed to take on kerbside recycling, which is fantastic; St. Ouen and St. Martin and now Grouville, which will be coming online this year and next year and we will be supporting them with that process, again will add to this funding pressure. At the moment certainly within the Government Plan it is shown as funds as required, so there is money that is set aside in contingency. As we know, these prices fluctuate and they sometimes rise. Depending at the end of the year what kind of cross pressures and if it is in excess of our budget then we can call on the central contingency to support solid waste and funding its recycling materials.*

The following was noted regarding the anticipated level of funding and its sufficiency to meet the programme’s aims.

<sup>136</sup> [Letter – Corporate Services Scrutiny Panel – Minister for Treasury and Resources – 28<sup>th</sup> October 2021](#)

<sup>137</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

**Group Director, Operations and Transport:**

*At the moment we have estimated £200,000 but some of that is to deal with the dry recyclables and those costs. But that is also to assist those Parishes with the rollout of their kerbside recycling schemes as well. Some of those will be one-off costs. Hopefully, as the markets stabilise in future years, that price will go down and we will not need to call on the full £200,000.*

The Panel sought to understand the level of stakeholder engagement undertaken to assess the extent of the concerns and potential solutions.

**Group Director, Operations and Transport:**

*With regard to the prices, obviously we deal closely with our contractor and meet with them regularly. With regard to recycling, as the question has been raised at the previous Scrutiny meeting, we are there at the moment primarily to try to support kerbside recycling. But we know that we would like to do more in support of the schools and support communities and such like where we can provide and offer more support and hopefully get a greater level of recycling. As a new recycling officer will be starting next month, we would like to take some of those activities forward.*

The Panel questioned whether export of recycled materials would be an option. It was noted that the Parish of St Helier exports their recycled materials to France and the opportunity to export to France existed. However, this would be considered jointly with the contractor to ensure value for money moving forward.<sup>138</sup>

Considering the information gathered and noting that no indicative funding has been allocated for this programme in 2022 as its funding will be drawn down as required, the Panel has provided a green RAG rating for this programme. However, the Panel intends to monitor this programme during 2022 and scrutinise it in further detail in subsequent years once indicative funding amounts have been provided.

Fund as Required --- Glass Contract		
CSP	Minister(s)	Scrutiny RAG Status
-	Minister for Infrastructure	

**Business Case: Overview**

The Government Plan 2022-25 states: ‘We will support the development of an alternative method of disposal for glass. During this period of trialling and testing, we will need to export our glass off Island until we can recycle 100% of it on-Island. The key benefits to this change in disposal mechanism for glass are specified as: no pollution of the sea and waterways; more environmentally friendly disposal; contribution to the zero-carbon emissions target and; removal of the backlog of glass awaiting processing’.

<sup>138</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

## Panel analysis

### Fund as Required – Estimated amounts held in the General Reserve 2022-2025 (£000):

2022	2023	2024	2025
0	468	260	260

Although this programme is a ‘fund as required’ programme, it is the Panel’s understanding that estimated funding for this programme (as outlined above) has been set aside in the General Reserve which can be drawn down as required.<sup>139</sup> The Panel has identified that no funding requirement has been estimated for 2022.

During a public hearing with the Minister for Infrastructure the Panel sought clarity regarding the Island’s current position on glass recycling.<sup>140</sup>

#### **Group Director, Operations and Transport:**

*Since 1995, so the last 25 years, we have crushed glass and used it as an aggregate on our La Collette waste site. Now that effectively the La Collette waste site is filled in, we do not have a requirement for that engineered material. Last year we did a piece of work to start looking at what we are going to be doing with the glass now moving forward, and went out to the local market to see if there was a desire or a use for that type of material to be used into a separate type of aggregate. There is an opportunity to recycle some of that glass for what we receive and that will be used into some kind of sand product in the future. But we still at the moment are estimating that we are going to have to export glass off to the U.K. because at the moment there is not enough demand for the amount of glass that we produce and we receive at La Collette to be able to recycle that all on-Island.*

The Panel question the level of funding and whether it was deemed sufficient to meet the programme’s aims.

#### **Group Director, Operations and Transport:**

*At the moment we are estimating the ongoing cost to be about £200,000. But for the first 2 years we are going to require almost double that, £468,000, because we have to deal with the backlog of glass. Because we have effectively been storing it for 2 years. So we have to deal with that backlog material. At the same time, our aggregate waste recycling contractor has now invested in a wash plant facility. We hope that will be operational from the end of this year. Again, that aggregate contractor will start using the glass in part of their product, so hoping that we can make a sand effectively that can be used in construction products moving forward.*

The Panel raised concern regarding the environmental impact of exporting glass and sought to understand whether that aspect would influence the decision-making process.

#### **Group Director, Operations and Transport:**

<sup>139</sup> [Letter – Corporate Services Scrutiny Panel – Minister for Treasury and Resources – 28<sup>th</sup> October 2021](#)

<sup>140</sup> [Public hearing with the Minister for Infrastructure – 26<sup>th</sup> October 2021](#)

*It is at the moment and we have to see how successful that wash plant is going to be and effectively how we develop the outlets for those materials. So working again with our contractors to look at finding other opportunities to be able to recycle glass on the Island.*

Although this is a fund as required programme, noting that no indicative funding has been allocated for this programme in 2022, the Panel has designated a green RAG rating for this programme. However, the Panel intends to scrutinise the programme in further detail in subsequent years where indicative funding amounts have been provided.

## 9 Conclusion

The Government Plan 2022-25 was lodged on 21<sup>st</sup> September 2021 and the Panel has endeavoured to undertake a thorough analysis of the programmes allocated to it by the Government Plan Review Panel.

Our review has focussed primarily on whether the funding sought is sufficient or excessive, as well scrutinising the progress and spend to date for programmes agreed in previous Government Plans.

Overall, the Panel is satisfied with the majority of programmes and the rationale for the 2022 funding bids, with none being assigned a red 'RAG' rating. The Panel has designated 13 programmes amber and 26 green.

The following is a summary of the various programmes where the Panel's main concerns lie:

Program / Capital Project	Reason	Scrutiny RAG Status
<b>Housing PDB and long-term plan</b>	<p>The Panel maintains its amber RAG status for this programme.</p> <p>The Panel is pleased to note the publication of the Creating Better Homes: An Action Plan for Jersey report, which outlines an action plan to address the issues raised by the Housing Policy Development Board.</p> <p>The Panel has observed steps taken to improve the strategic coordination function on housing. Particularly, through the appointment of the new Interim Head of the Strategic Housing and Regeneration Team, the establishment of the Strategic Housing Partnership and the Cross-Ministerial Housing Political Oversight Group.</p> <p>The Panel has observed little progress in respect of key worker accommodation to date, although is pleased this has been prioritised under Action 5C of the Creating Better Homes report to increase the supply of new key worker accommodation (25 homes each year through to 2025). The Panel understands that policy work is also planned to</p>	

	<p>develop a clear definition of key workers, for the purpose of accessing accommodation.</p> <p>Noting that a lack of coordination was highlighted as a challenge to progressing the programme’s aims, rather than a lack of funding, the Panel will monitor during 2022 whether the improved coordination function delivers further progress as anticipated. Although some progress has been observed during 2021, considering the significant housing challenges the Island continues to face, the Panel will continue to monitor the programme’s progress throughout 2022 to determine whether coordination has improved and funds are sufficient to deliver timely policy development, with solutions and meaningful outcomes for housing affordability in Jersey.</p>	
<p><b>Tenants’ Rights</b></p>	<p>The Panel maintains its amber RAG status for this programme. The Panel has observed that progress has been made during 2021, particularly in respect of the Housing Advice Service and homelessness service. Notwithstanding this, it’s been noted that significant work remains in respect of the workstream during 2022 to achieve the desired outcome of ensuring Jersey tenants have the best possible security and protection. Moreover, the Panel notes that to progress this work, the direction regarding a licensing or registration scheme for landlords would need to be decided and approved by the States.</p> <p>When reviewing the previous Government Plan 2021-24, the Panel raised concern regarding the reduction in the funding allocation from £680,000 to £300,000 and the potential impact of the reduced funds on the programme. The Panel has observed that the reduction in funds has not directly impacted the progress of the programme’s aims during 2021. The Panel also notes that the Minister for Housing and Communities deems the funding allocation for 2022 to be sufficient to meet the continuing aims of the programme in 2022.</p> <p>The the Panel will continue to monitor the progress of the programme during 2022.</p>	
<p><b>Jersey National Park</b></p>	<p>The Panel maintains its amber RAG rating for the programme. The Panel observed that significant progress has been made to date as a result of the Government funding as well as through the noteworthy support received from the private sector, both financially and through volunteering. The Panel also observed that efforts are being</p>	

	<p>made to improve collaboration between JNP and Government departments.</p> <p>It is evident that clarity is required regarding JNP’s role, purpose and responsibilities. Since JNP is a Government arms-length organisation, consideration should be given to whether its role can be separately identified, as well as how its objectives can be clearly defined.</p> <p>Notwithstanding the success of the JNP to demonstrate its achievements to date, the Panel notes the challenges in respect of the clarification of JNP’s boundaries and its legal status. Considering the concerns raised are dependent on the outcomes of the Bridging Island Plan to some extent, the Panel will continue to monitor the developments in that regard during 2022.</p> <p>Considering the potential changes in Ministerial roles as consequence of the new Government commencing in 2022, the Panel acknowledges that Jersey National Park’s future strategy and how it aligns with any changing Government priorities would need to be closely monitored to safeguard its alignment with Government and its continued progress going forward.</p>	
<p><b>28-30 The Parade</b></p>	<p>The Panel maintains an amber RAG status for this programme. It is understood that the current situation is not ideal and the continued leasing of the premises does not appear to be providing value for money through its current use. The Panel accepts that the premises have provided an unforeseen opportunity during the Covid-19 pandemic. Although the Panel has identified that the intention is to not extend the lease beyond 2023, it is uncertain why indicative funding has been proposed in the Government Plan 2022 for 2024 and 2025 and so will monitor any progress in that regard.</p>	
<p><b>Infrastructure Rolling Vote and Regeneration Including St. Helier (2022) – Major Project</b></p>	<p>The Panel has designated this capital project amber due to ongoing concerns in relation to the continued reduction in funding proposed for Island public realm improvements and the uncertainty around whether the proposed funding will be sufficient to make substantial improvements to the Island’s public realm.</p>	
<p><b>Sewage Treatment Works – Major Project</b></p>	<p>The Panel has designated this capital project amber due to concerns over the main contractor going into administration and the disruption and delays this will likely cause to the completion of the project. The Panel will monitor this project closely by requesting updates on progress and spend at future public quarterly hearings with the Minister for Infrastructure.</p>	

<p><b>Drainage Foul Sewer Extensions</b></p>	<p>Noting that funding pressures have resulted in relinquished funds for 2022, the Panel has designated this programme amber due to concerns that the delivery of future extensions to the foul sewerage network will evidently be delayed.</p>	
<p><b>Housing &amp; Food Licensing Schemes</b></p>	<p>The Panel has designated an amber RAG status for this programme. Although the funds for 2022 are deemed sufficient to cover the costs associated with the backlog of works and will allow the works to continue, there is uncertainty regarding any additional potential costs resultant of any post-Brexit requirements, or increasing future demand. Moreover, uncertainty exists in respect of the evolving nature of the two workstreams and the impact thereof on resourcing for delivery of the objectives. Therefore, the Panel will monitor the progress of the programme during 2022 to determine whether the funding is sufficient to deliver the programme's aims.</p>	
<p><b>UK/EU TCA Biosecurity Border Controls and Vienna Convention Vehicle Testing – 'Fund as Required'</b></p>	<p>The Panel has designated an amber RAG status for this programme, considering it is a fund as required programme with no certainty regarding the potential funding that will be required for 2022. Moreover, the areas covered by this programme are still developing. The Panel will continue to monitor the progress of the various aspects of this programme during 2022 and to reflect on whether the estimated funding will be sufficient to adequately meet the programme's aims.</p>	
<p><b>Climate Emergency Fund and Sustainable Transport – 'Fund as Required'</b></p>	<p>The Panel has designated an amber RAG status for this programme due to uncertainty which remains regarding the level of funding that will be sufficient for timely progress and active change. Expenditure is likely to be significantly more than the proposed expenditure of £23 m over the next four years. Other funding streams will be necessary and will need to be agreed in order to fund the implementation of any agreed policies which will be proposed in the Carbon Neutral Roadmap. The Panel also notes concern regarding the availability of resourcing to implement the work and in achieving timely progress.</p> <p>Measures have been put in place to manage the crossover of remits through the establishment of the Carbon Neutral Steering Group and through the policy development function for the Carbon Neutral Roadmap and the Sustainable Transport Policy, both falling within the Sustainability &amp;</p>	

	<p>Foresight team under the Strategy and Innovation Directorate within SPPP.</p> <p>However, the Minister for the Environment emphasised his view that the current arrangement for the climate emergency portfolio was predisposed to cause confusion as it crosses the remits of both the Minister for the Environment and the Minister for Infrastructure. The Panel observed that improved political oversight of the climate emergency portfolio may be beneficial through a dedicated ministerial role.</p> <p>The Panel observed a willingness from private organisations/stakeholders to play an active part in assisting the Government to achieve its ambitious aims. However, stakeholder views suggest that the Government should be doing more to involve them and form the partnerships required to impact timely change.</p> <p>Considering that the Carbon Neutral Roadmap is yet to be published and the policies and costings agreed, the Panel will continue to closely monitor the progress of this workstream in 2022 and going forward in respect of how revenue will be provided to fund this and whether the funding will be sufficient to meet the aims in a timely manner.</p>	
<p><b>Future Fisheries and Marine Resources Management – ‘Fund as Required’</b></p>	<p>The Panel has identified that the funding for this programme has been set aside in the General Reserve and that funding amounts (although uncertain) have been estimated for 2022 and subsequent years. Since the implementation of the TCA is still in its infancy and the vessel licensing regime is yet to be resolved, uncertainty remains regarding the level of funding that will be needed going forward. Considering the scope of work and the uncertainty regarding the level of funding, the Panel has provided an amber RAG status for this programme. The Panel will monitor the progress of this programme during 2022, as well as the amount of funding that is drawn down from the General Reserve to further understand the level of funding sufficient to meet the programme’s aims.</p>	

## 10 Witnesses and Evidence Gathered

Public hearings were held with the following Ministers:

- Minister for Housing and Communities
- Minister for Infrastructure
- Minister for the Environment

Responses to written questions were received from the following Ministers:

- Minister for Housing and Communities
- Minister for Infrastructure
- Minister for the Environment
- Chief Minister
- Minister for Home Affairs
- Minister for Health and Social Services
- Minister for Children and Education
- Minister for Treasury and Resources
- Minister for Economic Development, Tourism, Sport and Culture

Requests for written submissions were sent to 25 targeted stakeholders and responses were received from the following:

- JEV Company Ltd (t/a Evie)
- Jersey Electricity
- Jersey Landlords' Association
- Jersey National Park

To view all the submissions, responses to written questions and public hearing transcripts, please visit the [review page](#) on the States Assembly website.

## Appendix 1

### Terms of Reference

#### **Government Plan 2022 - 2025 Terms of Reference**

1. To undertake a review of the sections/projects of the Government Plan 2022-2025 which are most relevant to the remit of the Environment, Housing and Infrastructure Panel, using the following criteria as a guide:
  - Where funding over £500,000 has been allocated
  - Where funding has been withdrawn or decreased significantly from the previous year
  - Where funding has been increased significantly from the previous year
  - Projects which the Panels consider are of most concern (as a result of, for instance, delays, deferrals, overspends or because they are not in keeping with Common Strategic Priorities)
  - Projects which have been identified as of concern by stakeholders
  - Projects which are contentious and/or in the public eye.
  - Projects where insufficient information has been provided and more information is sought
  - Concern is held on the project's alignment with Common Strategic Priorities, social impact and impact upon children.
2. To determine whether projects align with Ongoing Initiatives, Common Themes and, ultimately, Common Strategic Priorities.
3. To consider whether the resources allocated to the projects is sufficient or excessive.
4. To review the success, or otherwise, of projects agreed in the previous Government Plan 2021.
5. To assess the expected impact on the ongoing delivery of public services, by Minister, through rebalancing of Government finances.

### Panel membership

The Panel comprised of the following States Members:



Constable Mike Jackson (Chair)



Constable John Le Maistre (Vice-Chair)



Deputy Graham Truscott



Constable Sadie Le Sueur-Rennard

Deputy Steve Luce

Deputy Inna Gardiner



States Greffe | Morier House | Halkett Place | St Helier | Jersey | JE1 1DD  
T: +44 (0) 1534 441 020 | E: [statesgreffe@gov.je](mailto:statesgreffe@gov.je) | W: [Statesassembly.gov.je](http://Statesassembly.gov.je)

