

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 29th MAY 2012**

**Question**

Will the Minister advise members what actions, if any, his Department has taken to address the criticisms contained in the Committee of Inquiry's report into Reg's Skips setting out in detail each of the criticisms and the Department's responses outlining what action was taken to address each of these criticisms, and detailing on what dates such action was taken?

**Answer**

The Deputy has not been specific in this question as to which Committee of Inquiry (COI) report he refers. For Members ease, I therefore provide an answer to the recommendations in both reports produced by the COI.

**Report 1:**

The department has complied with the three recommendations of the report in relation to the public apology to Mr and Mrs Pinel and to Mr Taylor, and has provided ex gratia payments to both Mr and Mrs Pinel, and to Mr Taylor, as recommended in the report, and as the Deputy knows, as agreed in the debate under P130/2010 on the 3rd November 2010.

These payments and apologies were made in person by the Planning and Environment Minister and the Chief Executive Officer in short order during and following the debate in 2010.

The final and fourth recommendation from Report 1 required robust policies to be in place for sorting and recycling of inert waste. The new Island Plan agreed by the States Assembly on the 29th June 2011, has a section on waste management and policies to cover such facilities.

**Report 2:**

The first recommendation related to extended permitted development rights, and referring such changes through the Environment Scrutiny Panel and through the political steering group set up following the Planning Improvement Process.

Permitted development rights have been increased as envisaged and changes were referred to the political steering group. These changes took effect on 28 June 2011, when the new Planning and Building (General Development) (Jersey) Order, 2011, was adopted.

The Deputy should also be aware that the Department has an action in its Business Plan for 2012 to further review this Order, in conjunction with the Environment Scrutiny Panel.

The second recommendation related to an authoritative revision of delegated powers, with specific reference to powers delegated to officers and to the Planning Applications Panel. The delegated powers were revised and agreed by the Minister in December 2011 (MD-PE-2011-0123).

The third recommendation related to the Ministerial Code of Conduct. This was produced and formally signed off by the new P&E Minister in December 2011 (MD-PE-2011-0120).

The fourth recommendation related to consultation within Government departments. A paper has not been produced for corporate endorsement as envisaged in this report, as the purpose and role of consultations are clearly laid out in the planning law and procedure notes. The new IT changes now implemented on 15th May 2012 within the department have improved consultation processes and responses. Any concerns that exist with consultees are taken up by the Department direct to the consultee without needing to refer such detailed information to the Corporate Management Board.

The fifth recommendation related to eliminating overlap and ensuring better interaction between planning and health protection. Discussions have been ongoing during 2011 and 2012 to investigate the possibility of closer physical working between the Department and health protection. However, good working relations already exist between the two departments.

The sixth recommendation related to the creation of a merits based planning appeal system. This is in the business plan for consultation later in 2012.

The final recommendation was that the Chief Officer for the Department report to the States before the end of the first session of 2011. This recommendation was never committed to by the Planning and Environment Minister. Members have however been kept fully up to date with all changes in relation to the planning system since the COI.