

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY SENATOR S.C. FERGUSON**

**ANSWER TO BE TABLED ON TUESDAY 22nd OCTOBER 2013**

**Question**

What are the services which the Department must supply as required and specified by statute (with references)?

**Answer**

The table below sets out the activities and services which the Department supplies and associated statute.

Ref	Department Section	Service / Activity	Associated Legislation and Multi Multi-Lateral Environmental Agreements (MEAs)*
1	Environmental Management and the Rural Economy (EMRE)	<ul style="list-style-type: none"> <li>- Regulation of the agricultural land bank through considering planning applications and conditioning use of agricultural land.</li> <li>- Regulate the marketing of agricultural products.</li> <li>- Provision of an advisory and scientific service to farmers, growers, the dairy industry and other government departments with specialist diagnosis of plant pests and diseases, as well as the analysis of soil, water and plant tissue samples.</li> <li>- Develop management plans and work schedules for all the Island's protected natural open spaces.</li> <li>- Protect and champion the Island's biodiversity, marine resources and ecosystems in line with international MEAs.</li> <li>- Manage the delivery of the Integrated Coastal Zone Management Strategy</li> <li>- Regulate commercial and leisure fishing activity, aquaculture and exploitation of living aquatic resources in the 800 square miles of Jersey waters</li> <li>- administer the Agricultural Land Control of Sales and Leases) (Jersey) Law 1974 in order to control the occupation and use of agricultural land and to ensure that a stable, viable agricultural land bank is retained for the farming industry.</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974</li> <li>- Agricultural Marketing (Jersey) Law 1953</li> <li>- Animals (Trapping)(Jersey) Law 1961</li> <li>- Artificial Insemination of Domestic Animals (Jersey) Law 1952</li> <li>- Fertilisers and Feeding Stuffs (Jersey) Law 1950</li> <li>- Food and Environmental Protection Act 1985 (Jersey)</li> <li>- Pesticides (Jersey) Law 1991</li> <li>- Relevant Regulations made in accordance with European Communities Legislation (Implementation) (Jersey) Law 1996</li> <li>- Planning and Building (Environmental Impact) (Jersey) Order 2006</li> <li>- Plant Health (Jersey) Law 2003</li> <li>- Sea Fisheries (Jersey) Law 1994</li> <li>- Sea Fisheries (Channel Islands) Order 1973</li> <li>- Loi (1894) sur la coupe et la pêche des vraics</li> <li>- Sea Beaches (Removal of sand and stone) (Jersey) Law 1963</li> <li>- Protection of Agricultural Land (Jersey) Law 1964</li> <li>- Loi (1919) sur la Location de Biens-Fonds</li> <li>- Conservation of Wildlife (Jersey) Law 2000</li> </ul> <p>MEAs</p> <ul style="list-style-type: none"> <li>- Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning Fishing in the Bay of Granville with Exchanges of Notes and Declaration</li> <li>- Fisheries Management Agreement between the United Kingdom and Jersey</li> <li>- Convention of Biological Diversity (CBD)</li> <li>- Convention on the Conservation of Migratory Species of Wild Animals (Bonn)</li> </ul>

			<ul style="list-style-type: none"> <li>- African-Eurasian Waterbird Agreement (AEWA)</li> <li>- Memorandum of Migratory Birds of Prey in Africa and Eurasia</li> <li>- Agreement on the Conservation of European Bats (EUROBATS)</li> <li>- Convention on the Conservation of European Wildlife and Natural Habitats (Bern)</li> <li>- International Plant Protection Convention</li> <li>- Agreement on the Conservation of small cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)</li> <li>- Ramsar Convention on Wetlands of International Importance especially as a Waterfowl Habitat</li> </ul>
2	Environment Policy and Awareness	<ul style="list-style-type: none"> <li>- development of environmental policy in line with International and local drivers including MEA and arising statutory responsibilities</li> <li>- the delivery of environmental awareness programmes through the ECO-ACTIVE campaign to encourage environmental responsibility across all sectors; education is a requirement under several Multi-Lateral Environmental Agreements (MEAs) and also supports legislative requirements and their application</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Endangered Species (CITES) (JERSEY) Law 2011</li> </ul> <p>MEAs</p> <ul style="list-style-type: none"> <li>- United Nations Framework Convention on Climate Change</li> <li>- 1996 Protocol to the above Convention</li> <li>- Kyoto Protocol to above Convention</li> <li>- Convention on International Trade in Endangered Species (CITES)</li> </ul>
3	Environmental Protection	<ul style="list-style-type: none"> <li>- ensure the proper management of the Island's water resources and regulate the supply of wholesome water</li> <li>- pollution control, pollution prevention and waste management regulation</li> <li>- maintain the Island's ability to export produce through a system of inspections</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Waste Management (Jersey) Law 2005</li> <li>- Water Pollution (Jersey) Law 2000</li> <li>- Water Resources (Jersey) Law 2007</li> <li>- Water (Jersey) Law 1972 as amended</li> <li>- Weeds (Jersey) Law 1961</li> </ul> <p>MEAs</p> <ul style="list-style-type: none"> <li>- BASEL Convention- controlling transboundary movements of hazardous wastes and their disposal</li> <li>- The Convention for the protection of the marine environment of the North-East Atlantic (the OSPAR Convention)</li> <li>- Convention on the Prevention of Marine Pollution by</li> </ul>

			<ul style="list-style-type: none"> <li>- Dumping of Wastes and other Matter 1972</li> <li>- UN Vienna Convention for the Protection of the Ozone layer</li> <li>- Montreal Protocol to above Convention</li> <li>- UNECE Convention on Long Range Transboundary Air Pollution and Associated Protocols (CLRTAP)</li> <li>- Associated Protocols to above Convention</li> </ul>
4	Veterinary Services	<ul style="list-style-type: none"> <li>- promote best animal health and welfare practice for all farmed, captive and domestic species by providing advice and investigating adverse welfare complaints.</li> <li>- exercise controls to prevent the incursion or eradicate notifiable animal, poultry and fish diseases to protect the health of animals, poultry and fish and in the case of zoonoses, humans.</li> <li>- facilitate the export of animals and animal products from the Island including the administration and enforcement of welfare controls</li> <li>- controls on artificial breeding of animals</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Animal Welfare (Jersey) Law 2004</li> <li>- Dangerous Wild Animals (Jersey) Law 1999</li> <li>- Diseases of Animals (Jersey) Law 1956</li> <li>- Diseases of Animals (Rabies) (Jersey) Law 1976</li> <li>- Slaughter of Animals (Jersey) Law 1962</li> <li>- Artificial Insemination of Domestic Animals (Jersey) Law 1952</li> <li>- Food Safety (Jersey) Law 1966 Article 10</li> <li>- European Communities Legislation (Implementation) (Jersey) Law 1996 various subordinate legislation controlling e.g. cattle identification, Pet Travel</li> </ul>
5	Planning and Building Services - Development Control	<ul style="list-style-type: none"> <li>- regulation of the development and use of land;</li> <li>- administration of high hedge complaints;</li> <li>- investigating and enforcing as appropriate breaches of the Planning and Building (Jersey) Law 2002 to uphold the requirements of the planning and building control legislation</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Planning and Building (Jersey) Law 2002, as amended.</li> <li>- Planning and Building (Public Inquiries) (Jersey) Order 2008</li> <li>- Building Bye-Laws (Jersey) 2007, as amended.</li> <li>- Planning and Building (Building Bye-Laws) (Jersey) Order 2007</li> </ul>
6	Planning and Building Services - Building Control	<ul style="list-style-type: none"> <li>- set and enforce standards for the design and construction of buildings to ensure that buildings are safe, healthy, accessible and sustainable for current and future generations</li> </ul>	<ul style="list-style-type: none"> <li>- Planning and Building (Application Publication) (Jersey) Order 2006</li> <li>- Planning and Building (Display of Advertisements) (Jersey) Order 2006</li> <li>- Planning and Building (Environmental Impact) (Jersey) Order 2006</li> </ul>
7	Planning and Building Services - Policy, Projects and the Historic	<ul style="list-style-type: none"> <li>- development of a legislative and planning policy framework that underpins the Island's planning system, principally represented by</li> </ul>	<ul style="list-style-type: none"> <li>- Planning and Building (General Development) (Jersey) Order 2011</li> </ul>

	Environment	<p>the Island Plan and supplementary planning guidance;</p> <ul style="list-style-type: none"> <li>- assessment and designation of buildings and places of architectural, archaeological and historic importance in order to protect those of special importance;</li> <li>- assessment and designation of trees of amenity value;</li> <li>- provision of legislation, policy, guidance and advice to ensure that the special importance of Jersey's historic environment is protected and managed appropriately</li> </ul>	<ul style="list-style-type: none"> <li>- Planning and Building (Island Plan) (Jersey) Order 2009</li> <li>- Planning and Building (Movable Structures) (Jersey) Order 2006</li> <li>- Planning and Building (Fees) (Jersey) Order 2012</li> <li>- High Hedges (Jersey) Law 2008</li> <li>- High Hedges (Application Fee) (Jersey) Order 2008 (to be replaced by 2009)</li> </ul> <p>MEAs</p> <ul style="list-style-type: none"> <li>- Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO)</li> <li>- European Convention on the Protection of the Archaeological Heritage (Valetta)</li> <li>- Convention for the Protection of the Architectural Heritage of Europe (Granada)</li> </ul>
8	Meteorological Section	<ul style="list-style-type: none"> <li>- provide meteorological information for the purposes of International Air Navigation according to the standards and recommended practices of Annex 3 to the Chicago Convention on International Civil Aviation.</li> </ul>	<p>Legislation</p> <ul style="list-style-type: none"> <li>- Air Navigation (Jersey) Order 2008</li> <li>- Civil Aviation (Jersey) Law 2008</li> </ul>

\* The Department administers various European Union Directives and International Conventions (known as Multi-Lateral Environmental Agreements (MEAs)) for which ratification has been extended to Jersey