

20.11.17

15 Deputy M. Tadier of the Minister for the Environment regarding the repair or removal of glasshouses that had been left to fall into disrepair (OQ.328/2020)

Will the Minister advise what powers, if any, he has to order the repair or removal of glasshouses that have been left to fall into disrepair and that are not in current agricultural use; have such powers been used; and if not, why not?

Deputy J.H. Young (The Minister for the Environment):

Obviously, dilapidated glasshouses is a longstanding controversial planning issue. Each site will have its own different planning history. But basically there are 3 situations. First of all, some planning permissions in which those glasshouses were permitted may include conditions requiring removal if it falls into disuse or disrepair. The wording might be different from site to site. In other cases, there was not a practice to put such conditions on historically. Going back even longer in the very oldest of situations, glasshouses pre-date the 1960 Island Planning Law, so there are no permissions at all and of course agricultural activities have not required consent. Previously, there was a power that was held by the Minister and indeed successive committees, Planning and Environment and before that the Island Development Committee, to require a ruinous or dilapidated building, or part of it, to be repaired or removed completely. But in 2014 that power was removed from the Minister and given to the chief officer under Article 84 of the Planning Law because the Minister now has to deal with appeals and there is a conflict of interest. The information I have, it is my understanding that this power has remained unused. The reason for that is because the removal of glasshouses obviously is an expensive and difficult business. But in some cases, where a developer can make a case that it can be done within the current policies, small developments have been allowed to achieve the glasshouse removal on those sites. But it is a very complicated situation.

4.15.1 Deputy M. Tadier:

Could I suggest to the Minister, I do not know whether he agrees, but it is not complicated really, is it? It just is a question of political will. Albeit that the power is exercised now by the chief officer. There are lots of dilapidated greenhouses around the Island and at a time where we have scarce land in the Island and we also have a question of food security, why is that power under Article 84 of the law to require those buildings to be demolished, repaired, decorated, or otherwise improved never been used in the history of the law? Would the Minister seek to speak to the chief officer about enforcing that law in the many examples where it needs to be in the Island?

Deputy J.H. Young:

Yes, I certainly will agreed to talk to the chief officer. But I am certain I would have to talk to the Attorney General. Because the changes in the law that removed many, in fact almost all, of the Minister's powers to regulate these sort of situations as a result of the appeals arrangement, my expectation is that there would be conflicts. Because I find it difficult to understand how on one hand the Minister could then give a direction to a chief officer that some action should be taken that he then has to decide an appeal when that person objects to it. But I will have those discussions. I think it is one of the unsatisfactory features of our system. But the Deputy is right that when we have an acute shortage of land, both for agricultural use itself, because that is really important for food, but also for where we have competing other uses that could be allowed, for example housing, it is not right that those sites ... I can think of at least one site, which is currently zoned, where there is still a dilapidated site on that site. But I will take up the challenge from the Deputy to see if we can find a way forward.

4.15.2 Deputy R.J. Ward:

I would like to pick up on this issue of food security. Would the Minister say that there really is a need to look at this issue regards greenhouses and growing facilities, given the need for food security as shown by COVID, perhaps with Brexit, and in the future issues with climate change?

Deputy J.H. Young:

Very much so. Obviously, the Island has an agricultural tradition. The needs of agriculture have changed. There have been times when certain crops have been very profitable and we have seen those developments, and other times when the market changes. At the moment, for example, I can think of one example where we have had redundant greenhouses in the middle of the Island that were proposed to be developed for holiday homes, which did not happen. But now I understand it is being used for agricultural purposes for investment in cannabis production. Obviously not food, but nonetheless it is agricultural. We do need to become more sustainable with local food but I am afraid this issue is heavily invested in economics. But I will take on board the challenge and see what can be done. The new Island Plan is probably the vehicle for new policies here. So I will have a look at that.

4.15.3 Deputy R.J. Ward:

I was going to ask the Minister whether the new Island Plan was the vehicle and he answered my question just as I was about to ask it. But I would add, as the Island Plan would be a vehicle for that, will he consider really genuinely looking ahead and having food security as an issue within that Island Plan that is front and centre to the development of it?

Deputy J.H. Young:

Post-COVID, we all know that achieving more sustainable food supplies, where that is possible within the limits of the economy, is an important objective. It is one of probably a huge number of objectives within the Island Plan. So, yes, it will have consideration, but I cannot give any commitment to the Deputy at the moment what will be in the draft plan. But even then, of course, the Deputy will be able to bring amendments if he thinks that what is in there is not sufficient, and that will be subject to public inquiry and final States decision. Plenty of opportunity to steer the direction of travel there.

4.15.4 Senator S.C. Ferguson:

In fact farmers often received loans to build glasshouses but there is no sign of those being repaid. You find that many owners want to rent or sell the glasshouse site. They want to rent or sell at a high price closer to building prices. This is probably why you cannot get planning permission.

The Bailiff:

Senator, the question relates to the powers and the exercise of the powers of the Minister to remove unused glasshouses. Do you have a supplemental question that relates to that?

Senator S.C. Ferguson:

Are you going to examine the position of glasshouse sites and just see what can be done and what should be done?

Deputy J.H. Young:

I thank the Senator for her question. I cannot give guarantees here but in my answers to other Members I have agreed that consideration to how this might be done within the Island Plan policies will need to be examined. But of course the Senator is right, that the real reason why people who own those glasshouses, and many of them leave them in that disrepair, it is because they have hopes of getting planning consent at the end of the day. But of course that is not a soft option for me. It is not a route to get housing fast-tracked.

4.15.5 Deputy M. Tadier:

I am reassured by the Minister's final words. Does he agree with me that, at a time where more and more Islanders are having to live in cramped accommodation, they would love to have access to a small plot, a garden of their own? But in the absence of that perhaps an allotment. Seeing these dilapidated acres of glasshouses in the countryside, which could be fruitfully literally producing for the Island, is an absolute disgrace. Will the Minister look to make sure that the presumption is always that glasshouses are returned to agricultural use and not used by stealth to get planning permission for housing to make landowners very wealthy?

Deputy J.H. Young:

Certainly while I am Minister there will be no use trying to achieve a development by stealth in this manner. But I do agree with the Deputy. Access, with people living in more cramped conditions, density going up, we desperately need to provide areas where people can do activities like grow their own food. I am absolutely a fan of allotments. That, I can tell the Deputy, is very much one of the priorities I have set to the Island Plan team to find a site. If that means we have to buy the site, as far as I am concerned that is a good idea. Allotments are really important to mental and physical health for people.

The Bailiff:

We come to question 17. Before we do so, we have 10 questions left and well less than 30 minutes to try to get through them. Therefore I propose not to allow supplemental questions to supplementary questions.