



Environment Scrutiny Panel

Quarterly Hearing with the Minister for Planning and Environment

WEDNESDAY, 10th JUNE 2013

Panel:

Deputy J.H. Young of St. Brelade (Chairman)
Deputy S.G. Luce of St. Martin
Connétable P.J. Rondel of St. John

Witnesses:

Deputy R.C. Duhamel of St. Saviour (The Minister for Planning and Environment)
Chief Executive Officer, Department of the Environment
Business Manager, Department of the Environment
Head of Waste Regulation
Director - Environmental Protection
Director of Environmental Policy
Head of Health Protection Services

Topics Discussed

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Deputy J.H. Young of St. Brelade (Chairman):

Right. Good afternoon, everybody, and welcome to this afternoon session of the Environment Scrutiny Panel. We are holding our regular quarterly public hearing with the Minister for Planning and Environment. We will introduce ourselves on this side of the table. If you can introduce yourselves. Deputy John Young. I am Chairman of the Panel.

Deputy J.H. Young:

Well, good afternoon, everybody, and welcome. We thought this afternoon, since we have previously concentrated ...

The Connétable of St. John:

Excuse me, Chairman, I might have to close this because the children have just decided to sit outside.

Deputy J.H. Young:

Well, if we get a bit masticated, we can open the window again. So we decided this afternoon that we would devote the session to environmental subjects. We normally spend a lot of time with the Minister on planning stuff but we would put together an agenda on this. We are aiming to finish this session by 4.00 p.m. We have 5 subjects on the written agenda. We are going to change the order with this because I think it would help the flow. We are going to start with issues of solid waste, the treatments and so on, and then we are going to move to air quality. Then we are going to talk about liquid waste and issues to do with water standards, particularly marine water, and then energy efficiency. Hopefully, I have got that right, I think that is the order, roughly trying to allocate about 15 minutes each. I will start, if I can, on solid waste. Minister, it is very a short time ago that this panel produced a report of the treatment of residues from the solid waste ... sorry, the Energy from Waste plant. Our recommendations received pretty universal support from you and the Minister for T.T.S. (Transport and Technical Services). We were pleased at that. Could you tell us what is now happening and what progress and actions are being made to see that strategy through, please, to ensure that what we all wanted to see done gets done?

The Minister for Planning and Environment:

Yes, broadly the permissions are in place. It is down to T.T.S. to decide whether they are going to do it or not, as the case may be.

Deputy J.H. Young:

Is your role in this purely as a kind of a passive regulator? They do, and you give consent or not or is it more ... do you have a more overt role?

The Minister for Planning and Environment:

We do not have a working budget to do any of this work ourselves and we are there as the environmental conscience, as far as I am concerned, to ensure that best practices on the environmental front are followed as far as possible.

Deputy J.H. Young:

Is that an ongoing and active dialogue you have with the Minister for T.T.S. and the officers to achieve this?

The Minister for Planning and Environment:

I think it is.

Deputy J.H. Young:

You say "think". That suggests doubt.

The Minister for Planning and Environment:

I think it is. I mean, the trouble is when you talk to people, you do not know what is in their minds generally other than that what comes out of their mouths. I think there seems to be an indication from the department that they are happy to move in this direction but as far as I am concerned, I will believe it when I see it signed up to and happening.

Deputy J.H. Young:

You have said you had given permissions. Could you just remind us what permissions you have given?

The Minister for Planning and Environment:

There is export licences that have been applied for with the work done by the Department of the Environment from the U.K. (United Kingdom) and we are just awaiting form filling, I think it is, plus a general decision as to whether or not monies will be forthcoming to pay for this, either through existing budgets that are held by T.T.S. or, indeed, by other budget requests to Treasury.

Deputy J.H. Young:

What materials would that allow, those permissions, what does that allow them to deal with?

The Minister for Planning and Environment:

Well, that allows them to deal with the fly ash from the incinerator and ongoing trials are being undertaken to determine whether or not by processes that T.T.S. are looking into to render the bottom ash in a more favourable condition to allow those materials to be used for some secondary aggregate use within the construction industry across the Island.

Deputy J.H. Young:

Deputy Luce, did you want to say something?

The Deputy of St. Martin:

I just wanted to ask, Minister, do you set the levels or the standards that you are going to be looking for for the bottom ash?

The Minister for Planning and Environment:

In what respect?

The Deputy of St. Martin:

Obviously, there will be ... in the past, we have had a certain amount of contamination of the bottom ash which has made it difficult for us to use it for the inert products.

The Minister for Planning and Environment:

Yes, but I think it is ... there is a broad ... I do not think we specifically set what the polluting kind of materials and their levels are to be but they are generally governed by the end of use material uses to which the material is going to be engineered into. So, for example, the T.T.S. Department, over the last couple of months, have taken further steps to ensure that, for example, battery-type material, the nickel in the cadmium batteries and the lead ones and what have you, are taken out of the general waste materials to try and ensure as far as possible that those materials do not get into the bottom ash.

The Deputy of St. Martin:

So that is something that T.T.S. are doing off their own bat and your department is not involved in that?

The Minister for Planning and Environment:

It is something that the department would have to do in order to meet the engineering specifications for the products that we are hoping to manufacture through the bottom ash.

The Deputy of St. Martin:

Do you have any views on the amount of time that you would require for the weathering of this bottom ash before it becomes inert?

The Minister for Planning and Environment:

The weathering aspect of it is something that I am not particularly happy with. I think that there are other ways to wash bottom ash materials to take out some of the soluble elements and there are other methods of maturing the ash, which does not necessarily require to have it in open pits, but it is not down to ...

The Deputy of St. Martin:

Could you elaborate a bit further?

The Minister for Planning and Environment:

It is not down to the Department of Environment to stipulate how the trials will be undertaken by T.T.S. It is up to T.T.S. to undertake whatever trials they think are useful in order to engineer a material that does have some secondary use.

Deputy J.H. Young:

Can I come in there? Have they got to seek approval from you for those trials or is it a case of they conduct the trials and come to you with the results of them and say: "This is now ... we would like to do this full scale." Which of those is it?

The Minister for Planning and Environment:

If materials are going to be stockpiled or kept down at La Collette, and I am hearing that they will be, and indeed the rainwater is going to be used as the liquid to wash the materials with and there will have to be adequate regulatory controls in place to ensure that the leachate that is produced by that process is dealt with in a satisfactory environmental manner.

Deputy J.H. Young:

Presumably those conditions already exist as part of the consents for the pits that are being constructed there? Would I be right in thinking that would be the case?

The Minister for Planning and Environment:

Some of them do but it may well be that others might have to be asked for.

Deputy J.H. Young:

Sorry, could you elaborate? Do you mean there are some areas there where there are no conditions to deal with leachates?

The Minister for Planning and Environment:

Not yet and it is pretty clear and at the moment, some of the ash is bagged in a semi-dry condition as it comes out of the incinerator once it is cooled and then it is put into pits that are lined and are specially engineered in order to ensure that any leachate waters that are produced, albeit that it is bagged material so they should not be producing excessive quantities of that type of leachate material, are adequately taken care of.

Deputy J.H. Young:

We are talking about the A.P.C. (Air Pollution Control) residues here, are we?

The Minister for Planning and Environment:

No, we are talking about the ...

Head of Waste Regulation:

That would be the bottom ash.

The Deputy of St. Martin:

I am not aware that the bottom ash is bagged off, Minister. Is it bagged off?

The Minister for Planning and Environment:

I thought it was bagged off and put into lined pits at the moment.

Deputy J.H. Young:

Would you like to explain a bit, Andrew?

Chief Executive Officer, Department of the Environment:

Yes, the A.P.C. residue ... well, I think the conversation we have just had is around the bottom ash and recycling the bottom ash. Clearly, we are on the same page with T.T.S. in terms of trying to get that ash product reused and recycled for a beneficial end use. I think we are at the stage of thinking, okay, we need to work with T.T.S. as to what they are proposing in terms of their trials, where they are proposing it takes place or does not take place. We will then have a view as to what sort of regulatory regime already exists in that area and whether additional controls are needed or not once we understand what they are doing, what sort of trial, how the trial is going to be undertaken and, more importantly, where it is going to be undertaken on the site, we will then take a view on whether there is an additional need for planning permission or waste licence as a result of that. There may be, there may not be; it depends on really what they are proposing and where they are proposing it.

The Deputy of St. Martin:

Are you happy, Minister, with the speed that T.T.S. are working with sorting out coping with the bottom ash?

The Minister for Planning and Environment:

One would always expect other departments to be working as fast as possible and I think that perhaps they could be working a bit faster. As I said earlier, I do not have any specific strings that I can pull in order to assist them in going faster.

Deputy J.H. Young:

Do you take the view that you are resourced at the moment to respond adequately to whatever they come up with, in terms of resources, research, and people to do things?

The Minister for Planning and Environment:

Well, yes, we are adequately resourced for the work we do. The work we are doing is boardroom and advisory panel quality in order to lay out what is best practice in terms of the practices that T.T.S. are wanting to undertake and to ensure that the outside environment is properly protected. I do not have specific monies that are set aside to enable my regulatory officers to go out and do the job. T.T.S. are the operational department and it is only right that they should use their funds for the operation.

Deputy J.H. Young:

What about research into what is going on elsewhere, Minister, in other jurisdictions? Have you got the resources to be able to kind of keep ahead and have a look to see how other people are handling these sorts of issues?

The Minister for Planning and Environment:

That would be down to our regulatory team, I would have thought. There is always a case to be made for further sums in order to ensure that you are not only at the crest of the wave but perhaps, in some cases, ahead of it.

Deputy J.H. Young:

Okay. I wonder if I could just switch the subject. Temporary storage of waste. Does that need consent, Minister?

The Minister for Planning and Environment:

I think it probably does need consent but I do not think the consents have been forthcoming.

Chief Executive Officer, Department of the Environment:

I think it depends on the definition of "temporary" and the type of waste. There are a number of variables in there but ...

Deputy J.H. Young:

Have you been informed that there is any stockpiling of waste taking place at the moment in terms of the material that is due to put through the plants?

The Minister for Planning and Environment:

Well, there is stockpiling of asbestos and other related materials. There is stockpiling ...

Deputy J.H. Young:

No, I know. I am talking about refuse through the waste stream. Have you been informed about that?

Head of Waste Regulation:

Perhaps we are talking about bulky waste and EfW (Energy from Waste) plant operation and recent maintenance works ...

Deputy J.H. Young:

Yes, please, yes.

Head of Waste Regulation:

If I could answer that. T.T.S. have told us about the pit, the bunker that takes E.f.W. refuse from the parishes. That also takes bulky shredded waste and while maintenance works are very long, they want to make sure that bunker has the capacity to take the refuse vehicles from the parish collections so there is some bulky shredded waste has been stored at Bellozanne Valley where it used to be shredded in any case, and at La Collette so that they have always got capacity in the bunker and we are aware of that storage, yes, that storage is being carried out at La Collette and at Bellozanne.

Deputy J.H. Young:

At La Collette, do you know how it is being stored, what conditions?

Head of Waste Regulation:

Yes, it is being stored in a cell they have numbered 28 which is a lined cell that they were storing bottom ash in and they have removed bottom ash from that, put it another cell, and they are storing bulky waste in that cell. There is also some historical waste that is stored at La Collette in other locations.

[14:45]

Deputy J.H. Young:

So have they got your consent to do that?

The Minister for Planning and Environment:

I do not know about that. I would have thought so.

Head of Waste Regulation:

Yes, I mean, the operations at La Collette that T.T.S. run are done by their application that they made in 2007. Now, the licence for the site has not been issued yet but there are transitional arrangements in the operation of that site so it is covered by that transitional arrangement in the law.

Deputy J.H. Young:

Okay, thank you for that. Now, I will just move to asbestos briefly. Minister, you told us that there are ... I think you said that there was a review going on of options for dealing with the asbestos stockpile. Would you just like to, for the record, tell us what is going on?

The Minister for Planning and Environment:

Yes. My officers and T.T.S. officers are due to visit the Inertam plant in the south of France to look into the possibility of asbestos recovery processes.

Deputy J.H. Young:

Thank you for that, Minister, and, as I understand it, our Scrutiny Officer will be accompanying that officer visit as a fact-finding visit. That is clearly good news.

The Deputy of St. Martin:

Yes. Could I just ask, Minister, how soon after that visit do you expect to make your decision or somebody to be making a decision as to whether this plant is suitable for our requirements or not?

The Minister for Planning and Environment:

Personally I think that the plant is suitable for our requirements. The legal niceties are already in place to take our asbestos material to be sorted and to be recovered. The decision will be down to between the T.T.S. Department and the Treasury Department to see whether or not ... as I mentioned earlier, extra funds are required in order to remediate the material in that particular fashion, or not.

Deputy J.H. Young:

So to be clear, would that be the Minister for T.T.S.'s decision or yours?

The Minister for Planning and Environment:

Well, it all depends, depends whether we see the planning permission is viewed in the process or following the process. At the moment, there is an application for temporary storage, although the application is for permanent storage, so there is a confusion in terms of the actual application that the T.T.S. Department made. They have changed their mind on several occasions between the 2 and the outcome is this particular visit to see whether or not they do have to apply for either temporary storage facilities or long-term permanent storage facilities of the asbestos material.

Deputy J.H. Young:

Minister, you presumably would have the power anyway to put a time limit on the length of any ... the consent. Would I not be right in thinking that?

The Minister for Planning and Environment:

I would, yes, but that might well be seen as leading the process and arm-twisting.

The Deputy of St. Martin:

Minister, you said that the legal niceties were in place. Could you elaborate on that, please?

The Minister for Planning and Environment:

Yes, in terms of the Basel Convention for sending materials between Basel-consenting countries for recovery purposes. The law is absolutely crystal clear in that regard in that any Basel Convention country can broker deals with any others, providing the materials are for recovery.

The Deputy of St. Martin:

Does that legal advice come from our Law Department or is that your interpretation?

The Minister for Planning and Environment:

I think that is both.

Chief Executive Officer, Department of the Environment:

Yes, if I can probably elaborate there. There are separate ... depending on where the waste is going and for what purpose. If the waste is being recovered, then the transshipment of waste for recovery is ... I am not going to use this word advisedly but you are able to do that more ably than transboundary shipments for waste for disposal. The Basel Convention is really about preventing jurisdictions exporting their pollution and therefore dealing with it themselves. However, if you are taking a waste product to recovery, it is seen more as a resource and a material resource and therefore different rules apply. So the visit to the plant in France is really to understand, if you like, the balance between the recovery and disposal elements of that facility as to which rules apply. We are also going to be meeting the French regulators. There are equipment, environment agency regulators, for that area. We are also taking a health and safety adviser as well to look at some health and safety issues.

Deputy J.H. Young:

That is to do presumably with transportation and movement from the containers into a disposal or, sorry, processing facility.

Chief Executive Officer, Department of the Environment:

Yes, one of the issues is ... yes, depending on what condition this plant expects its waste to be in upon entry to their plant, clearly we may need to do something at our end to put it in that condition. That is the health and safety application.

The Minister for Planning and Environment:

The plant specifically takes mixed waste which has been contaminated with asbestos and specifically is in the job, if it is asked of them, to sort the materials into the materials that require the asbestos remediation treatment or to recover any other materials that are recoverable in the mixed loads and they do that inside sealed conditions and it is all legit.

Deputy J.H. Young:

Minister, only one other subject unless the Constable wants to get in.

The Connétable of St. John:

No, carry on.

Deputy J.H. Young:

Are you being asked for a view from within the Council of Ministers about the importation of waste in from Guernsey to our plants or is that a matter that is kind of gone off the agenda now?

The Minister for Planning and Environment:

How do you mean "being asked"?

Deputy J.H. Young:

Well, in our earlier discussion, there was always a possibility, and one still hears it being spoken of loosely, about there might be prospects of bringing in waste material from Guernsey into our plant. Only last week at our Scrutiny hearing on the Energy Policy did this matter come across the table again. I wanted to know, is this on the agenda of the Council of Ministers at the moment?

The Minister for Planning and Environment:

I would not say it is particularly on the agenda or off the agenda. I think it is a gleam in some Ministers' eyes but without having done any of the background work to ascertain whether or not it is a sensible idea in environmental terms, a financially viable idea in financial terms or any other terms, I think it is just an idea at the moment. That said, within the Treasury Department and the Medium Term Financial Plan, there have been kind of indications of the sums of monies that might well accrue from a deal if it could be done with the States of Guernsey but on terms that I would personally consider to be discriminating or discriminatory to our operating costs. The transfer prices that were being spoken about were extremely low. I have had several meetings with

Guernsey politicians, initiated by those politicians and myself, to see what is behind the scenes and I think the issue is parked until the Guernsey authorities decide where they want to send their waste materials if indeed they go down that route in a ... I think it is a September debate.

Deputy J.H. Young:

Just one last question on this. Is it too early for you to have formed a view from an environmental policy point of view on that issue or is that something you have already formed a view on?

The Minister for Planning and Environment:

I think I have a personal view and I was recently in the Isle of Man and it is somewhat ironic that the policies that we were following being promoted by the Isle of Man have been turned on their head over the last 18 months and the Isle of Man, having commissioned a large incinerator for their Island population to burn rubbish, has suddenly decided that they are espousing fully the Zero Waste Strategy that was put forward by my Scrutiny Panel, Environmental Scrutiny Panel, and as Assistant Minister in the past for the Jersey authorities to follow and within that attempt to move towards zero waste policies they are suggesting that there will be a cut on the amount of materials that they are wanting to burn. They are wanting to go for 70 per cent recycling, 25 per cent burning and 5 per cent landfill and I think indeed if you kind of compare and contrast the policy aspirations on behalf of the Isle of Man with those of Guernsey, those of Scotland, those of the U.K. and other kind of more environmentally aware jurisdictions, I think that perhaps our policies will have to be reviewed in a similar fashion.

Deputy J.H. Young:

Thank you, Minister. I think I will move on now, if I may, to another subject. We recently received a report in the States papers on air quality. My first question, Minister, is could you tell us why this came forward as an R., an information report, rather than a States proposition? Is it not considered that there is anything in the paper that you have published that is worthy of a States decision on policy?

The Minister for Planning and Environment:

No, I do not think that is the case. I think it is more a case of a new emerging practice by the Council of Ministers to put forward papers in the form of an R. and not to place as much reliance on the States Assembly in discussing things as perhaps would have happened in the past.

Deputy J.H. Young:

Is that not likely, Minister, to lead to problems or areas where there is political disagreement coming to light very late in the process?

The Minister for Planning and Environment:

I think that is probably the correct assessment.

Deputy J.H. Young:

Is there not likely to lead to a waste of time and waste of money by that situation?

The Minister for Planning and Environment:

It depends on the powers that the States Assembly still think they have got in relation to the Council of Ministers in terms of who is the government.

Deputy J.H. Young:

Could it lead, Minister, effectively, to that the first opportunity the States Assembly have to discuss any of the policy matters will not take place until they receive a draft law to vote upon or not?

The Minister for Planning and Environment:

That could be the case unless, of course, those persons and States Members, all of us, had availed themselves of the opportunities within the documents being put forward to be part of the consultation exercises that are run prior.

Deputy J.H. Young:

So for Back-Bench Members then and Members who are not Ministers, the route is take the initiative, read the papers and then make submissions to consultation. Is that what you are proposing?

The Minister for Planning and Environment:

Absolutely. I think ... well, it is not what I am proposing. It seems to be, as I say, an emerging practice whereby the States Assembly is seen more and more just to be the legislature.

Deputy J.H. Young:

Are you happy with that, Minister?

The Minister for Planning and Environment:

Personally I am not.

Deputy J.H. Young:

Thank you, Minister, for your frankness there. Minister, you obviously had the opportunity to get into the issues in that air quality report, could you sum up for the benefit of the panel, because it is relatively new to us, what you think the main issues are and the main policy interventions that will

be required in the States in order to deal with problems of air quality. Happy to have your officers take the question if you wish.

The Minister for Planning and Environment:

No, no, I am happy, but they can chip in after. No, I think that broadly it was to create a light touch framework which was not heavy-handed on the legislative front, working with other departments who have an interest, professional or otherwise, within air quality to work together to produce a framework through which betterment could be procured in terms of the air that we breathe and the minimisation of any pollution problems that might exist in some of the processes that the Island still undertakes which do pollute the air that we breathe.

Deputy J.H. Young:

Can you be a bit more specific?

The Minister for Planning and Environment:

Well, I think some of the highlighted ones are notably cars, shipping, the electricity power station in particular now that the cable is broken for a number of extra months. I think it is 18 months before the cables will be connected. We have got pollution of ... points with the potential emissions of the crematorium, there is a whole host of things that are itemised as being potential hot spots that individual departments should be working together with in order to bring about a betterment in environmental terms.

Deputy J.H. Young:

Deputy Luce?

The Deputy of St. Martin:

Yes, Minister, the sensors which you use to come up with your recommendation, is it normal ... I mean I am personally aware of how one tests seawater and it is quite usual to have an area where you test in the worst place to get the worst result, which is quite right. Is that the way you test for air quality as well?

The Minister for Planning and Environment:

I think it is a way of testing. I mean you go to pollution hot spots and you assume that if they are the worst, then if you can find mitigating factors to change behaviour to re-route people or whatever, and to drive cleaner cars or what have you, then the problem X if you like will be sorted out and as an add-on the practice will spill over to ordinary other areas that are not as polluted.

The Deputy of St. Martin:

Have you been made aware of any mitigating circumstances in the results that you have had for your air pollution tests?

The Minister for Planning and Environment:

I am not sure that I have as yet, but it is early days and one of the things we were calling for was further testing.

[15.00]

Chief Executive Officer, Department for the Environment:

Yes. One of the parts of the strategy is the joint work between ourselves and Health, and Health Protection undertake a lot of the monitoring for air quality so it might be ... air quality monitoring often takes place either in fixed installations around a geographic area, obviously there is the ability to have more mobile monitoring as well, depending on various issues but it might be appropriate to ...

The Connétable of St. John:

I think we would like to hear about how the data is gathered and collected ...

Deputy J.H. Young:

Firstly let us hear Deputy Luce's point and then ...

The Deputy of St. Martin:

No, well there was a couple of things. I just had 2 specific questions which I am sure Val can answer. The first one is how many sensors have we worked with so far and do the sensors that we use fall inside an E.U. (European Union) regulatory framework for a particular type of work?

Head of Health Protection Services:

Well, as you are probably aware, the Health Protection Service has been monitoring air quality in Jersey for over 20 years now so we do have quite a lot of data across the Island. What we have done is over a period of time moved some of the monitoring equipment around, so that we do not just leave it in one place and just assume that is the worst hot spot. What we do do is carry out a variety of testing. We have 2 fixed stations, one of them is based in Halkett Place, essentially because that is our sort of hot spot street canyon, looking at vehicle emissions if you wish, and also it is an area where because of the structure of the Island, you know you have got close streets with high buildings on both sides, the air pollution is not very easily blown around by the wind as it would be in an open space. So we look at Halkett Place as one of the hot spots and over the years we have had a variety of other places looked at. Havre des Pas was one of them

that used to be. At the moment the real time analysers there are actually ... have just been ... last year were moved to the side of Howard Davis Park, so they are in the street area at the side of the park there where there again is congested traffic. We are aware from the monitoring that we do that traffic emissions are the biggest source of pollution to the atmosphere in Jersey. In addition to the 2 fixed sites which essentially have real time analysers in the very sophisticated equipment is downloading information all of the time. You may be interested to know that next month all of this data will go live on to our website so members of the public will be able to look at the website and see what it is like at those 2 stations at any time of the day, which is going to be very helpful for people with respiratory problems because they will be able to get an idea of what the NO₂ (Nitrogen Dioxide) levels are, which is particularly important for people with asthma or chronic bronchitis, et cetera. The other type of monitoring we do is by diffusion tube. This is a less sophisticated kind of method. Essentially they are little plastic tubes with a filter in and they absorb the air as it passes over them, just passively basically, but they are fixed at the height of human respiration so they are about 4 feet off the ground, that kind of thing. Again those services are being carried out all across the Island in the rural parish areas, we have got them all over the place. At the moment I have a list of ... there is 12 locations that we have got them in at the moment. We leave them there for a few years, we do not keep shifting them around all the time because we need to establish a trend before we move them. But, essentially, you know out in the rural parishes as you can imagine open agricultural land, the levels are going to be extremely low and hardly detectable. Once we move on to the road side stations then obviously that is where we start to detect this kind of pollution. What we are measuring in the background sites there is nitrogen dioxide, an acid gas, and I say it is particularly nasty for people who have got asthma or a respiratory problem, it really irritates them. Also we have B.T.E.X (benzene, toluene and xylene) tubes. They are hydro-carbon tests, if you like, so they are looking at the emissions again from vehicles. We have them at the airport, we have them around the various street locations and we have 6 sites looking at hydro-carbon emissions at the moment. So there are 6 sites for hydro-carbons, 12 sites for NO₂ by diffusion and 2 fixed stations with a number of parameters - carbon monoxide, nitrogen dioxide, particulates, because obviously we are looking at dust levels. One of the controversies recently was a report that said we had terrible air quality and it was like the centre of London, which is not quite right. Unfortunately the data did have a lot of caveats in the report but unfortunately people did not read that. Essentially the particulate levels do look high but when you do a characteristic breakdown of the actual pollution that has been collected on the filters, in actual fact there is quite a lot of sand and salt so there will be silica salt particles which obviously you would not inhale and even if you did, certainly salt would just dissolve in the mucus membranes. But we do have particular problems and again it is associated with vehicle emissions. They are obviously our line sources, we do have a look quite closely at the point sources which are obviously the establishments that have already been mentioned, E.f.W, crematorium, the Jersey Electric power station, and essentially a lot of our monitoring is carried out in regions around those plant. At this point in time we notice a very, very marginal amount of NO₂

shift around that but none of the other parameters are particularly affected, unless they had an outage and there was some sort of massive emission because they had had a breakdown.

Deputy J.H. Young:

Thank you for that. Thank you for that very full and helpful explanation. Phil, you wanted to come in?

The Connétable of St. John:

Yes, I have got concerns. You have been telling us where these stations are. Both of them are close to the sea, Havre des Pas and the Howard Davis Park, one of the worst areas in St. Helier is in the sump, which is the Ring Road basically, around Stopford Road and the old gasometer. What kind of sampling is there there? Because at times when it is a very still day, it is very high levels and it is difficult for anyone with respiratory problems. What kind of monitoring is there done in that sump of St. Helier?

Head of Health Protection Services:

Okay. I will just run through very, very quickly. We have monitoring stations at Le Bas Centre, New Street, Union Street, Central Market - 3 locations around the Central Market - the Weighbridge, Liberation Station, Broad Street, the Parade, Les Quennevais, Beaumont, Rue des Raisies, Georgetown and Travel Blank ... where the Travel Blanks site ...

The Connétable of St. John:

So you have only got the one ...

Head of Health Protection Services:

Yes, so there is only one in that location.

The Connétable of St. John:

There is nothing really on the Ring Road where there is a dip in the landscape at the top end of town there. I asked that question 2 or 3 years ago of your predecessor, Minister. When are you going to move these sites around so we get what I call a better result because these ... a lot of these sites you had them there for a considerable period of time and you say you do not move them very often.

Head of Health Protection Services:

Every 3 or 4 years.

The Connétable of St. John:

Yes, every 3 or 4 years. We do not seem to get ... we do not seem to move a great deal with it. If we get a few hot days in the next couple of weeks we are going to have problems in those areas

yet again and I do not recall those areas being tested, although we raised it with Freddy Cohen 2 to 3 years ago.

Head of Health Protection Services:

I think I would have to look back in our historic data to see what we have done in that area, because as I say we have over the years ... we have been monitoring for over 20 years so I do not doubt that there would be data for those areas but we would have a look. We also have hand held devices that we go out and about ... if we receive a complaint from somebody who is suffering particularly we do go out and check just to get an idea. But, you know, absolutely, I mean if this is an area that we have not monitored in the past and do not have any data on we are more than happy to put diffusion tubes in that area.

Deputy J.H. Young:

Thank you. I wonder if I could just come in there. You said, I think, that you are going to publish data on the website. Can I ask you, is that current data you are going to publish or historic data?

Head of Health Protection Services:

Okay. The publications ... you have got a document there, the 2012 one has just been uploaded and the results of 2011 documents. There is an annual report goes on ...

Deputy J.H. Young:

I see. I beg ... I misunderstood, I thought you meant ...

Head of Health Protection Services:

But then from the monitoring stations we have 2 with real time analysis, so it is analysing as we breathe basically, that will go on to the website next month and then ... and it is day to day, every half hour you will be able to see what it is at this point in time.

Deputy J.H. Young:

But can you see the relative trends, so let us say there was the station at the gasworks site, the old gasworks that the Constable was referring to, would you be able to go on the website and see the change in those pollution levels over time historically, rather like one can go on to the weather records of the Jersey airport and you can see temperature, wind. Is that what you are proposing to do?

Head of Health Protection Services:

Well, the annual report there would be able to give people what the annual averages are over long periods of time because there is an annual report from any year that is done for us and we do put that on the website, as I say, 2012 is already there. So you can look at the trends but certainly the information for the real time analysers is really so that people with health problems can actually go

on and say: "Should I go to the market today or should I stay away from that area?" depending on how the levels are going.

Deputy J.H. Young:

Okay, it sounds as if from the work that you have done in monitoring the biggest number one source is vehicle emissions. Have you done any estimates of the proportion of Jersey's population who are subjected ... who live in the close vicinity to those sources of vehicle pollution? Have you done any analysis of that?

Head of Health Protection Services:

I do not have the exact numbers with me but certainly when we actually locate our monitoring equipment what we do is it is population based because it is about human health from my point of view.

Deputy J.H. Young:

I suppose what I was trying to get at, is it that 50 percent of the Island's population are subjected to these particular levels or is it a lower percentage? Could you give an opinion on that or is that something you would need to check?

Head of Health Protection Services:

I would need to check that really and come back to you.

Deputy J.H. Young:

Okay. Thank you. Steve?

The Deputy of St. Martin:

Yes. Could I go back to one of the 2 questions asked at the beginning? Is the equipment that we are using allowing us to compare the levels we have in Jersey with other places in the E.U. and other city centres?

Head of Health Protection Services:

Yes. The equipment that we use can be used to compare like for like. However, we are looking at modernising our particulate monitors because in the E.U. they have moved forward with a new methodology, a new international standard for testing the actual laboratory analysis and we will have to improve the heads basically. There is a little filter head on the equipment and they are going to have to be upgraded so we are in the process of working on that now.

The Deputy of St. Martin:

Is that expensive?

Head of Health Protection Services:

I do not think it is. I mean, it is several thousand pounds but for us to keep in step with everybody I think it is money well spent and we will certainly looking at doing it for sure.

The Deputy of St. Martin:

In as much as you are able to, how do our levels compare with other towns with 30,000 or 40,000 people?

Head of Health Protection Services:

Well obviously I know very well about Guernsey and we compare very favourably against ... Guernsey and Jersey are very, very similar. The levels are about the same. Hot spots, street canyons, quite similar levels. Rural background sites, similar levels. So it is very, very comparable with Guernsey.

The Deputy of St. Martin:

But it is a more inland location than Europe or England for example.

Head of Health Protection Services:

Yes. In the U.K. ... we have very good air quality by comparison say with an urban or a city centre in the U.K. for sure.

Deputy J.H. Young:

So if you went to Southampton, you would find that a lot worse, a lot higher levels than say, as a coastal town ... a coastal city, south coast, you would find the levels a lot higher?

Head of Health Protection Services:

The levels in Southampton are higher than they are in Jersey and Guernsey for most of the parameters that we have, yes, sure.

Deputy J.H. Young:

Is that difference in level sufficient that we can be relatively relaxed about that source of pollution in your view?

Head of Health Protection Services:

I would never be relaxed about it because if there is a pollutant in the environment then obviously I would have concern about it but certainly our air quality is very good generally. We have a few hot spots that we need to monitor and keep an eye on and try to improve, certainly our air quality is very good generally but we must not be complacent.

Deputy J.H. Young:

Minister, I wonder if I could just bring this to a close this session, this particular on air ...

The Connétable of St. John:

Before you do that I want to ...

Deputy J. H. Young:

Yes, okay. I really wanted to because I think what ... the information the very helpful information we have had has helped focus in on the policy issues. Minister, you said that there is no proposition that you are seeking to ask the States on any policy, there is no implementation proposals going to come forward unless any Members press for this. What is your view on how much weight we should put on dealing with vehicle emissions that are definitely ... we hear they are causing elevated contamination levels for people who live close to roads in town?

The Minister for Planning and Environment:

It is obviously a concern, particularly when you think of school playgrounds, for example, Rouge Bouillon school is right next door to the roundabout, we do not have any testing facilities in that particular playground area. Reports of benzene inhalation from the vehicles for mothers pushing their prams, so it is very, very low levels so it does not rise too high, are an issue in other jurisdictions. I think it is as and when really if other sites are brought to our attention that could require further testing then obviously we will make recommendations for that to happen. Long term it was suggested that perhaps discussions could be undertaken with the Transport and Technical Services Department in order to reconsider or consider for the first time what the introduction of M.O.Ts (Ministry of Transport tests) to try and clean up our vehicles or to try and kind of assist a move towards people purchasing vehicles that do not pollute as much. Different fuels and the rest of it. All of these things are things that we will be doing and the strategy points to it and are encouraging what they are doing.

[15.15]

So I think that although we have not specifically said it is going to be A, B, C or D it is inherent in the document that all of these things will be undertaken as fast and as soon as we are able to.

Deputy J.H. Young:

You will be following those up?

The Minister for Planning and the Environment:

Well absolutely, that is the whole point of the report.

The Connétable of St. John:

Is it all right to move across to another area?

Deputy J.H. Young:

Yes, yes. You want to close the air quality part?

The Connétable of St. John:

No, I want to stay on air quality ...

Deputy J.H. Young:

Oh, no, no, fine. Please do.

The Connétable of St. John:

... but I want to move over to radon in buildings, et cetera. We had a meeting ... well, we have had several meetings over the last year or so, or 18 months, and I would like to know where we are within your department on moving forward on doing testing and also from Mrs. Cameron, her current view on radon testing because on the earlier occasion if I recall correctly she did not think it was a high priority so I would like to ...

The Minister for Planning and the Environment:

I think we probably have had a change of heart in Environmental Health and Health over doing testing. Certainly when Deputy Le Claire suggested that perhaps the Environment Department should be doing more to check properties, other than those that are caught by our building regulations for new builds, with radon traps and things to be built in areas where you are aware of foundations or in an area that does have the potential to generate radon gases in basement areas. I think there has been a bit of a change of heart and I think some work has been undertaken by the Health Department in order to fill that gap.

Deputy J.H. Young:

Can we hear from Mrs, Cameron on that?

Head of Health Protection Services:

As you are aware we have conducted a number of surveys over the years since about 1985. The surveys have been quite small and primarily directed by budget constraints. But certainly we have undertaken surveys across the Island over the years and we obviously have quite a lot of information now about the fact that radon is fairly widespread across the Island. It does not follow any particular parish or town or whatever, it is just intermittent all over the Island. As the Minister said, since I think it is 1997, 1998, the building regulations have required all the new builds to be fitted with radon sumps. Obviously one of the things we have found when we visited properties is that some people who have purchased a property do not know what it was and they have either blocked it off or they have connected a toilet to it, it then discharges sewerage into their basement or whatever and they have had to have some advice on that. But certainly new buildings are fitted with radon sumps. We have talked around further education campaigns and properties we visit

now we leave leaflets about radon so that people can get a test themselves if they want to because it is quite acceptable for a member of the public if they are concerned about radon levels in their own home to apply to the Health Protection Agency, or Public Health England as they are now, for a kit and they can carry out their own tests so that they can ensure that they know what their levels are. So I think we have discussed what campaigns we can do around education to ensure that members of the public in Jersey are aware that it is an intermittent issue across the Island. A lot more about home usage, when we are carrying out visits to houses, if we spot somebody who maybe has everything sealed up and they are likely to have dampness and that kind of thing as well but we do talk to them about good ventilation, et cetera. So there is a whole combination of things happening there. I think generally speaking it is intermittent across the Islands. On the Island generally the levels are fairly low, but we have come across properties where the levels were certainly well above the action level and advice and support has been given to help householders to remedy the problem. How we then move forward as to sort of Island-wide recognition of the problem is it has to be joined up, I think, across States departments. I think we mentioned before the energy policy is talking about tight houses and that kind of thing, we want ventilation so it is kind of at odds. So we need to have a lot more inter-departmental discussion I think really.

Deputy J.H. Young:

I was going to ask you about that. There is concern among ... not concern, a question to what extent is there a conflict of the trends towards tightly sealed buildings and energy conservation and the need to ensure that radon gases can be vented?

Head of Health Protection Services:

Yes.

The Minister for Planning and Environment:

Radon and radon prevention measures are for indoor air quality and that has been referred to in our exterior air quality survey and report and that is the next body of work that will be undertaken.

Deputy J.H. Young:

How are you taking this forward, Minister? You have obviously got 2 ministries here. Have you got some kind of review group or some kind of group to ensure that this dialogue is ongoing?

Head of Health Protection Services:

Yes.

Deputy J.H. Young:

Who leads that?

The Minister for Planning and Environment:

I think it is led by ourselves.

Deputy J. H. Young:

Environment?

The Connétable of St. John:

Can you be more specific, please?

The Minister for Planning and Environment:

Well, this is a body of work that we have not undertaken as yet. It is being referred to as the next thing to be done. The Department of the Environment has got the overarching, as far as I am concerned, interest in the environment so it is centrally placed to pull on board other departments that do have an interest from a professional point of view in the same subject. So we are really in the driving seat to do this work and anybody who is interested will be party to it.

Chief Executive Officer, Department of the Environment:

We have an officer group with Health Protection and Environment officers which then forms ... obviously meets as an officer group but also can meet and then brief both respective Ministers as appropriate. Certainly that is how the strategy preparation has occurred and clearly once we get into further implementation issues we envisage that same work relationship.

Deputy J.H. Young:

Well, I think we will be coming ...

The Connétable of St. John:

I just want to finish that because ... can you give me the side effects of the radon and how serious it is over here compared to somebody who smokes cigarettes or whatever?

Head of Health Protection Services:

Yes, of course. I think we have already done quite a piece of work around radon. Obviously it is a radioactive gas, if the particles get lodged in the lungs they can eventually lead to the possibility of lung cancer. We have tried to extrapolate the data, it is extremely difficult because we are a very small population but based on the extrapolations against what the U.K. data would have there is the possibility of one cancer death per year that could be linked to radon. Having said that, it is vastly exacerbated by cigarette smoking. A person who smokes tobacco is 10 times more likely to get lung cancer and have that exacerbated ... the radon exacerbation. It is a synergistic relationship between smoking and radon. Somebody who does not smoke is at very, very low risk of contracting an illness, but if you are a smoker you are 10 times more likely so in that context ... but extrapolating the data, the number of lung cancer deaths we have, we have about 60 a year in

Jersey and we think one of them could have been exacerbated by radon but all of the others are most definitely linked to tobacco smoking. You get the odd one that may be just a complete unknown quantity.

The Deputy of St. Martin:

Yes. I was just going to ask the Minister, Minister, as you probably well know we have looked at radon on and off for the last 12 months or so and it is the impression we have pulled from the Minister for Health, and I think we have just had it reiterated there, that it is a very, very low risk. Do you regard ... do you not think that there might be other priorities that we should be looking at or is radon really top of the list? Even though it is a very, very low risk.

The Minister for Planning and Environment:

I did not think I would suggest that it was top of my priority list.

Deputy J.H. Young:

Okay, this issue of risk is obviously significant. You spoke about the risk and described it very clearly for us, thank you, on radon related to lung cancer. Would I be right in thinking that people breathing particulates and so on from vehicle emissions would also be subjected to illnesses of the lungs?

Head of Health Protection Services:

Most definitely, yes.

Deputy J.H. Young:

Would it be possible that some of those cases of lung disease you spoke about would be triggered in some way or influenced by vehicle emissions? Would you put ... does that put vehicle emissions at least equivalent to radon?

Head of Health Protection Services:

I would say they are more important.

Deputy J.H. Young:

More important?

Head of Health Protection Services:

I think so because the biggest amount of air pollution in Jersey is attributed to vehicle emissions and there are a number of parameters associated with vehicle emissions that can lead to ill health. Not necessarily lung cancer but certainly, as I said, triggering asthma. We have already mentioned particulates, we have mentioned nitrogen dioxide and also benzene. Benzene is a

carcinogen so naturally that is why we have an interest in it, although the levels are very, very low but certainly particulates and nitrogen dioxide are the most important parameters that we measure simply because they have the biggest health effect. Nitrogen dioxide, as I mentioned earlier, is an acid gas. If it is somebody with a respiratory condition, a pre-existing condition like asthma, chronic bronchitis, that kind of thing, if they are subjected to fairly low levels of nitrogen dioxide they will have a reaction to it. Particulates, obviously you are inhaling small particles, they can get trapped in the lungs if they are particularly tiny and again they can lead therefore to other health conditions so there are a whole range of respiratory diseases that are associated with vehicle emissions. Radon is particularly associated with cancer because it is a radioactive emission but the other things have got all sorts of impacts on human health.

Deputy J.H. Young:

Thank you for that. Obviously clearly we have got to regard both as significant risks. I wonder now could we move now to discussion on the Island's liquid waste strategy. Minister, one of the things that we have been ... learnt in our discussions with T.T.S. Department and Ministers, in fact, members of panel have had the benefit of a tour around the current plant at Bellozanne and had some discussion with them about how ... about what their future plans for liquid waste treatment in the Island are. Can you tell us are you actively part of their strategy setting future, which would help us design new plants to help us help the Island towards achieving the level of water emissions that it needs to achieve. Are you part and parcel of that process?

The Minister for Planning and Environment:

I should be. When I first became Minister, it was agreed with the Council of Ministers that a ministerial oversight group would be set up to look at the liquid waste strategy. That group has not met with me on it. They may well be meeting on their own with other parties but I have never been invited and I think it is a serious omission. But it is an omission that has been committed in other areas as well because we also, as the Council of Ministers, decided to set up a long-term strategic planning group, particularly to look at infrastructure and obviously liquid waste is a large contributor to that area in terms of our requirements for large financial spending. And again, although a group supposedly has been set up, I have not been invited to a meeting. As far as I am aware, no meetings have been arranged.

Deputy J.H. Young:

That is a cause for concern, Minister, is it not?

The Minister for Planning and Environment:

I think so.

Deputy J.H. Young:

Do you have a view about our standards of processing liquid waste at the moment?

The Minister for Planning and Environment:

Our standards, I think the plant at the moment is limping along but in the main, I think it is due to how it is being used but I would not want to say that too loudly because of the obvious connotations that would be written into that statement by T.T.S. I mean, what is absolutely abundantly clear is that if the Island did follow the process of separating out the lightly soiled rain waters, which was part of an Island Plan programme, then the black waters that are produced by housing and whatever from our normal effluent processes, the Bellozanne plant, in my view, would be more than sufficient in terms of capacity to deal with the effluent volume. The problems at the moment are being caused by, I think, the unsuccessful complete separation of those 2 current water pathways.

Deputy J.H. Young:

This is rainwater running off or getting into combined drainage systems into the plant.

The Minister for Planning and Environment:

Absolutely.

Deputy J.H. Young:

And overloading it?

The Minister for Planning and Environment:

Yes. In some ways, and in other communities, that is seen as a positive effect, particularly if waste plants either lightly treat the effluent waters or do not treat them at all because with a high kind of input of lightly soiled waters into badly soiled waters, obviously increases the dilution of the polluting material to a point at which authorities are able to turn a blind eye to the disposal of those waters into the sea without any further treatment.

The Deputy of St. Martin:

Are you hinting there, Minister, that we are turning a blind eye and putting polluted water into the sea?

The Minister for Planning and Environment:

No, I am not saying we are but I am saying that some of the things that go into the sea at the moment should not be going into the sea and that is certainly what my officers have got regulatory powers to control.

[15:30]

I would have thought from that perspective, the Minister for Planning and Environment and his officers would have been a vital part of any management group that was set up with Ministers to

determine what the best course of action is for either a refurbishment of the existing sewerage system or indeed a move into more enlightened processes that do not carry with it those problems.

The Connétable of St. John:

Can I come in there? Minister, have you also got responsibility of what gets put on the land, i.e. the residue from the liquid waste plants which gets dried then turned into some kind of a pellet, put on the land and that contains things like cadmium, chromium, mercury, et cetera, only in small quantities, but still it does get put on the land. That in turn finishes up probably back in our water courses. Are you responsible for licensing that?

The Minister for Planning and Environment:

I think we are responsible, albeit somewhat indirectly and there is a sludge matrix, which is a body of work which guides the farmers and other users of this material as to when it is able to be applied, at what strength and what depth and a whole stack of other things.

The Connétable of St. John:

Are you aware that when it is put on land, quite frequently it is put on land near reservoirs, i.e. our water catchment areas.

The Minister for Planning and Environment:

I am not sure about that; if that is completely true, and we do have a whole load of regulations that govern what can take place within the water pollution control areas. Next door to reservoirs, I would have thought, would be in areas that are covered with more restrictive kind of controls to encourage farmers or others to desist from that practice, if it is indeed something that they still do.

The Connétable of St. John:

Can I challenge you on that? Can you tell me how well it is policed? Because I am aware where it is put in my parish.

The Minister for Planning and Environment:

Is it in a water pollution control area?

The Connétable of St. John:

Water catchment area, yes.

The Minister for Planning and Environment:

All right. I need someone to talk to technical ...

The Connétable of St. John:

I have challenged the department over the years and therefore, who polices it, please?

The Minister for Planning and Environment:

Tim might take this one.

Director - Environmental Protection:

Yes, the operation is being policed under us against the Water Pollution Law. So certainly if you have got instances of sewage sludge being ...

The Minister for Planning and Environment:

There is a framework directive to discourage that process but if indeed these things happen, the proper course of action is to report it through the officers to the ...

The Connétable of St. John:

But surely, in the beginning, all land near a reservoir, all water catchment areas, should be exempt from having any of this material put on it. Surely?

Director - Environmental Protection:

If I can answer that, you are absolutely correct. The department has developed a traffic light system, which is now online to all farmers ...

The Connétable of St. John:

When did that come into being?

Director - Environmental Protection:

The farmers have had that for the last, I think, 3 or 4 years, but it has been online now for the last 4 or 5 months. So any farmer can go on to that. It is on the States website. They can look at the field; if it is a red field, obviously it is near a stream or a reservoir, as you say, and that bans the application of sewage sludge or slurry to that field. Only the green fields it can be applied.

The Connétable of St. John:

Is that available to anybody?

Director - Environmental Protection:

Anybody can look on that.

The Connétable of St. John:

The agriculture industry?

Director - Environmental Protection:

Yes, yes. But if you have got specific examples, I would be keen to hear them. We can look into them.

Deputy J.H. Young:

Your sampling that you do, do you sample only in response to complaints or do you do proactive monitoring of ground waters in the Island?

The Minister for Planning and Environment:

I thought there was a license that had to be applied for for anybody to put this material on the ground and if licenses are not given then presumably people should not put it in those areas.

Deputy J.H. Young:

Is that correct? That a farmer needs to apply?

Director - Environmental Protection:

Yes. Well, the processes are controlled by T.T.S. so the farmer applies, the field is then sampled for its ability to uptake these heavy metals and levels of heavy metals within that field and it is applied accordingly.

Deputy J.H. Young:

What about sampling of ground water generally? Do you publish information on that?

Director - Environmental Protection:

We sample, I do not know how many stations, but we sample groundwater throughout the Island. For heavy metals, to a certain extent, but that will bring us on to the Water Framework Directive and our move in that direction if ...

Deputy J.H. Young:

Okay, perhaps we should ...

The Connétable of St. John:

Just while you are on that ...

Deputy J.H. Young:

Okay, yes.

The Connétable of St. John:

You talked about sampling; so therefore, do you sample the crops which are grown in this land afterwards? Because we are talking about heavy metals here and that gets taken up in the plant. Do you sample that and, if you do, over how many years afterwards is the sampling going on?

Director - Environmental Protection:

That would be Health Protection, but I do not think there is any sampling of the actual crops. We would rather sample the soil and it is the ability of the soil to withstand the amount of loading that is put on to that field.

Head of Health Protection Services:

I am sorry, we ...

The Connétable of St. John:

Well, I am worried ... I have been concerned for a number of years about taking things like mercury, like cadmium, et cetera, chromium and that gets put on to our soil. All right, it is reasonably small quantities, but if you have hot spots, all the products that come out of this land, which are sold to the public of Jersey, do those not get sampled at all?

Head of Health Protection Services:

We do not carry out any sampling of agricultural products. I mean, that would be the agricultural team that would look at agricultural activities. Once it is in the food chain, we do take samples of food routinely, but it is once it is in the supermarkets or in the shops. That is when the food safety aspects come into play and we do have some very small numbers of samples tested. But certainly as far as the spreading of sludge on land is concerned, it does not normally fall into the Health Protection area. We can give advice on it for sure, but we are not involved. Normally it is water resources and agricultural colleagues who deal with that.

The Minister for Planning and Environment:

The sludge matrix is quite clear in most regards in stipulating when it is possible to put the sludge materials on to the land and certainly it gives an indication as to which crops may or may not be grown and how long after you have to leave the field before you grow crops. So, for example, it is frowned upon practice and would be deemed to be illegal in health terms if you spray or try to dispose of sludge materials on salad crops or whatever, which obviously are for the plate. The sludge matrix does allow for the materials to be drilled into the ground for the growing of heavier crops or for grass. So I think within that context, practice as far as it goes, does not kind of raise undue concerns in my mind, albeit that there is perhaps a potential for poor use or inadequate use of those methods. The other thing that has to be taken into account is that whereas in the U.K. where the water authorities and the river waters are used as a transport system to take away

industrial effluent, which does lead to a rise and a build up of heavy metals and other contaminants within the sewage processes, in Jersey that does not particularly happen and most of our sewage sludge is dried. The Transport and Technical Services Department spent hundreds of thousands of pounds on sludge driers and most of that material, having been dried, from the waste process, then gets burnt in the incinerator and those figures can be properly audited from the T.T.S. Department as to the quantities of sewage sludge material that goes to be dried to be put back as fertiliser.

The Connétable of St. John:

That goes into pellet form and they pay the farmers £37 a vergée to take it and it is put on the land by the department. Firstly, I believe it is a bad practice but is this not a cheap way for the department concerned to get rid of its waste, instead of disposing of it all by furnace.

The Minister for Planning and Environment:

No, I do not think so at all. I think the nutrient capacity of the sludge materials are obviously useful in allowing farming practice to make savings in terms of the inorganic fertilisers that would otherwise have to be imported.

The Connétable of St. John:

Now, on the nutrient side, have you got figures to back that up? Because having seen some of the land that it has been put on and having stopped them midway through a particular 6-vergée field, 50 per cent had it on, because of the water scenario. The other 50 per cent did not have it on and the product at the end of the day with the grass in the first 6 months and 6 or 9 months after that when they put the late potatoes on; there was absolutely no difference in the product in that field. So are you sure what you are saying about the quality of the material being good for the product?

The Minister for Planning and Environment:

Yes, I am fairly sure.

The Connétable of St. John:

Are you fairly but you are not 100 per cent? If could you tell us then what goodness there is in this material?

Director - Environmental Protection:

If you are going to grow spuds, basically, there is RB209, which is a very complicated set of formulae the farmer then applies. Historically, what has happened to some extent is because of the high land swap within Jersey, you are a spud farmer, I am a cattle farmer, you can then use my field to plant your potatoes in. I have just applied slurry or sewerage sludge and that was not taken into account on a few occasions. What the department has done is trying to tighten up that

process. So as from the end of this year, all farmers in Jersey are required to have a nutrient farm map, field by field, which means the farmer claiming single area payment will have to make a return and say what the nutrient values are that have gone on to that field. The whole emphasis is so that the nutrients go on when the plants can uptake it, so that is why there is a slurry closed season. But more importantly it should be a win-win situation whereby the potato farmers going on to the field ... he knows exactly what nutrients have come out and from the crops what nutrients have gone in and therefore he will have a saving on the inorganic fertilisers then to be applied. To take your point, it is not the over application and that is what we are trying to stop with the nitrate problem, the phosphate problem in Jersey. It is that the nutrients a plant requires are given to the plant at the time of planting.

The Deputy of St. Martin:

How do you cope then, I might ask, with applying those slurries to potato crops? Because you cannot apply slurry immediately before a potato crop. You can only do it after a potato crop, which is then 9 months before the next potato crop.

Director - Environmental Protection:

Slurry or sewerage sludge?

The Deputy of St. Martin:

Slurry. You were talking about applying the slurry and getting the plant to uptake it but in actual fact you cannot apply slurry before potato crops.

Director - Environmental Protection:

No, but that slurry then would be taken in ... the nutrient loading of that slurry, if it was applied when that field was in grass and under cattle, shall we say, before it was ploughed up for the potatoes to be planted, then the remnants of that slurry would be taken into account before I come along and plant my potatoes.

The Connétable of St. John:

Would it not be injected though? Would it not be injected in the soil?

Director - Environmental Protection:

You can inject it. I mean, that is the other way of ...

The Connétable of St. John:

Well, they do not do slurry any longer over the top. It is usually injected, is it not?

Director - Environmental Protection:

No, it is spread.

The Connétable of St. John:

Well, I have seen it.

Deputy J.H. Young:

I would like to now move us back to the issue of water quality standards, leaving the liquid waste plant at Bellozanne into the sea. Can you tell us, do you set standards for those and what those standards are?

Director - Environmental Protection:

Yes, we set standards on the actual discharge into St. Aubin's Bay of suspended solids, B.O.D. (biological oxygen demand) and nutrients, so nitrates.

Deputy J.H. Young:

How often do you sample those? Or are they continually sampled?

Director - Environmental Protection:

I think we sample 12 times a year on the discharge.

Deputy J.H. Young:

Is that enough?

Director - Environmental Protection:

Yes.

Deputy J.H. Young:

Would you not expect some more ... well, you know what I am saying, almost sort of permanent monitoring of those things? Is there not such a ...

The Minister for Planning and Environment:

There is an issue. I mean everybody knows that in relation to the quantity of nitrates within the waste waters, that it is way over the limits. There have been issues with my department and T.T.S. for years now that things need to be done. This is why we were in the process of coming forward with a new liquid waste strategy and this is why, going back to my previous point, it is absolutely fundamental that Environment should be party to the longer term strategy because it is pretty clear that there is not much point in saying, "Right, your sampling is inadequate", and you already know that you are above the limits. What is extra sampling going to do? It is going to tell

you, you are above the limits, but you know that already. The key issue really, in my mind, is to sit down with the people who are involved with the process and to determine clearer processes that do not end up polluting the waters to a level that would cause a problem.

Deputy J.H. Young:

Minister, can I ask you to clarify? We were told there were 3 measures: suspended solids, biological oxygen demand and nutrients ... sorry, nitrogen levels. Have you concerns over all 3 then?

[15:45]

The Minister for Planning and Environment:

I have.

The Deputy of St. Martin:

Could I just ask a question specifically about the nitrates, Minister? We are told that the permitted level of nitrates in drinking water coming from Jersey Water is twice that is allowed out from Bellozanne into the sea. Would that be correct?

The Minister for Planning and Environment:

That is probably correct but the department have taken steps through our water management systems in order to try and discourage the application of fertilisers and whether they be from sewage pellets or inorganic ones, at times where those soluble elements would run into the water to cause an increase in the amounts of nitrogen that people drink.

The Deputy of St. Martin:

But the point I am making, Minister, is that you set a level for Jersey Water for drinking water at a certain level of nitrates and you then expect T.T.S. and their Bellozanne plant to remove half of those nitrates. You potentially could just pump a whole load of fresh drinking water straight into Bellozanne and it is going in at twice the level that Bellozanne is expected to put it into the sea. Is that correct?

The Minister for Planning and Environment:

I do not know about twice the limit. It would be more than.

The Deputy of St. Martin:

Is there not a case for putting our emphasis at Jersey Water's door rather than T.T.S.'s door?

The Minister for Planning and Environment:

I would say it is not just on Jersey Waters, it is on how the water is collected and the water falls from clouds on to the land. What we put on the land has some effect on the water before it gets stored into the catchment areas, to the reservoirs. There are processes that the Island does support through the desalination equipment to dilute the amount of nitrates, should we wish to do that, or indeed to produce extra water, which is generally mixed with effluent from Val de la Mare. There are pumping systems that pump water from one reservoir to another reservoir in place by the waterworks company to ensure that the wholesomeness of the water is tied down to the best average figures that we can supply for the Island.

Deputy J.H. Young:

Do you have a dialogue with the water company there?

The Minister for Planning and Environment:

I do not specifically but the officers do ...

Deputy J.H. Young:

But the officers do?

Director - Environmental Protection:

Oh, absolutely.

Deputy J.H. Young:

Is there any evidence that you have seen that the nitrate levels, for example, in ground water that gets into our drinking water has been reduced as a result of your intervention? You know, on farming land? Have you got figures to show that?

Director - Environmental Protection:

Yes, certainly. The levels of nitrates in surface water is going down, however there is a lag time between the surface water and the ground water so they lag behind. But we have a graph, if we look at the amount of farmed land by Jersey Royal Potatoes, that has obviously gone up with the other company coming in and the actual levels have gone down.

Deputy J.H. Young:

So would you say that is as a result of better management and better practices and so on?

Director - Environmental Protection:

Yes, I would hope. We have got a project called the Diffuse Pollution Project. I would hope that has had an impact. That is engaging with farmers as stakeholders. It has involved a lot of farmer training, on farm management plans we have had. You are right; to solve all the ills on nitrates sewage treatment works and drinking water, we need to attack the problem at source. The major contributor to that problem is agriculture and hence the Diffuse Pollution Project was formed. It is not for government alone to attack that problem and the integrated catchment approach we are adopting involves other stakeholders. You mentioned T.T.S. but also Jersey Water. Two weeks ago we sat with the Jersey Water board and we said, "Well, look, it is in your interest as well to have good quality water coming in, less treatment costs, higher profits for yourselves, so let us work on this problem together" because the Diffuse Pollution Project is showing results. But I am convinced personally that if we all pull together we can get these nutrient levels as low as possible.

The Connétable of St. John:

On that, Chairman, could I put the question, we have got all these nutrients going out to sea. We are monitoring and particularly monitor St. Aubin's Bay and the Royal Bay of Jersey because of the oyster farms, et cetera, but at the end of the day, how are we comparing with our counterparts in France because at the end of the day, there is far more pollution coming into the sea from our neighbours and we cannot control that, so where else are we monitoring and are we putting in some ... are we asking the sewerage board, sorry, T.T.S. to try and achieve numbers which mean nothing because our French counterparts are polluting the sea around us.

Director - Environmental Protection:

You are exactly right. Our previous approach has been based on the Urban Wastewater Treatment Directive, 10 mg per litre, a fairly draconian approach but it is based on the European standard. We do not know the standard that St. Aubin's Bay can accept or assimilate. We do not know how that compares with offshore and that is why, after the review of marine waters, we went into the integrated catchment approach or the Water Framework Directive approach. Straight after your review, we knew the replacement sewerage works was online so let us get some baseline data on the carrying capacity of St. Aubin's Bay. How much nutrients does it take to turn it green? Let us base our regulation of the S.T.W. (Sewage Treatment Works) on those figures. So that report is coming out next month. There is ongoing work until September and in September we are going to have a visioning exercise of all the stakeholders to say, "How would you like St. Aubin's Bay, southeast coast to look like and what are we aiming for in any replacement sewage treatment works?" But an important question you raised is, "Well, why if we are regulating on nitrates, shall we say, and a level of nitrates further out to sea by our French colleagues is higher, then what are we battling against?" There was an indication early on in our sampling that St. Aubin's Bay is more dilute than offshore so to attack that, we sent a boat out to the Minquiers, sampling every mile, I think it was, to look at the graduation. So all that data is going to be fed in.

The Deputy of St. Martin:

Well, that data has been fed in already, has it not?

Director - Environmental Protection:

No, we ... the report will be produced in July by WCA Consultants, who are the Scrutiny consultants. We have also got a group on called Cascade Consultants and we have encouraged T.T.S. and they are actively taking part in it for the sewage treatment works of pulling all that data in together. Because over the years, we have got C.R.E.H. (Centre for Research into Environment and Health) data, the eutrophic status reports, produced by T.T.S. We have got the proportionality of stream inputs and S.T.W. reports, we have got our new Water Framework Directive. So let us pull all of this together, let us look at what other monitoring we need to do, which we have done and T.T.S. have paid for that and see what story it is telling us under this catchment approach.

Deputy J.H. Young:

So when will you be publishing that? Sorry, I missed that. You said that you were doing all this research ...

Director - Environmental Protection:

The WCA report will be out ... and that is the preliminary classification of St. Aubin's Bay, in July. The final report should be ready by September when we have the stakeholder meeting with all stakeholders to decide on where we take it from here ...

The Deputy of St. Martin:

So the information on nitrate levels between here and the Minquiers is not available yet?

Director - Environmental Protection:

We have got it, the consultants have not produced a document to say this is what it shows.

The Deputy of St. Martin:

But you have got it.

Director - Environmental Protection:

Yes, we have got that data.

Deputy J.H. Young:

Is this the work that you use from these monies that we were told that came under the Medium Term Plan, there was going to be a fund set up for water research? Scientific ... that is part of that project, is it? Or is it just ...

Director - Environmental Protection:

Yes, a portion of that is part of that project.

Deputy J.H. Young:

So do you feel that with the resources you have got, you have got enough to answer all the scientific questions you need to answer ...

Director - Environmental Protection:

Yes.

Deputy J.H. Young:

... about our water standards of both what we put into the sea and our ground water and so on. Have you got enough resources?

Director - Environmental Protection:

Yes, that is the plan. No ... and you know, it brings us on to the review, which I was not keen setting forward, so you know, the funds now, it is great, we can move that forward. We have produced a fairly detailed business case on how that money will be spent, how we think it will be spent. I will be keen to hear your views on that. One element will be to push forward the S.T.W. work so that is correctly sized for the Island ...

Deputy J.H. Young:

Sorry, S.T.W.?

Director - Environmental Protection:

Sorry, Sewage Treatment Works, replacement works.

Deputy J.H. Young:

Yeah. I think the Minister wants to get in there. I think the Minister wanted to speak.

The Minister for Planning and Environment:

Yes, all I am saying is that this line of approach kind of fundamentally misses the ethical, moral and environmental issues as to what treatment processes we should be supporting. So it is all very well to say whether we have got enough money to do monitoring here, there and everywhere to establish where there is a problem, all right? But the key thing is whether or not you might be creating the problem in the first place or not doing your duty in coming forward with solutions that do not generate problems, in the second place.

Deputy J.H. Young:

You are speaking in code, Minister. Would you like to explain a bit more clearly ...

The Minister for Planning and Environment:

Well, personally ...

The Deputy of St. Martin:

Well, I think I have deciphered the code.

The Minister for Planning and Environment:

... this Minister is on record at other meetings to say that personally, I would like to have a clean end of pipe solution, which is a coded way of saying that what comes out as effluent, does not have any potential environmental problems associated with it. That generally will point you in the direction for revision of the liquid waste strategy, in a direction that minimises the amount of effluent that is produced and tries to improve on its quality to minimise the pollutants within it.

Deputy J.H. Young:

Do you think that is obtainable, Minister?

The Minister for Planning and Environment:

I do. I do. Absolutely. It happens in other places and it should really at least be discussed in Jersey.

The Connétable of St. John:

So you are saying you want Utopia?

The Minister for Planning and Environment:

I am not saying I want Utopia. I want to be as close to it as possible.

Deputy J.H. Young:

How much is Utopia going to cost? Have you done a cost benefit ...

The Minister for Planning and Environment:

We have got enough money to move in this direction.

Deputy J.H. Young:

What are we talking? Millions, billions ... tens of millions?

The Minister for Planning and Environment:

Certainly less, certainly less than the projected £200 to £230 million for a complete upgrading and bringing up to the standards of the liquid waste system that we have got to the level that was envisaged when people first started on the work 100 years ago ...

The Deputy of St. Martin:

Sorry, Minister, that is an awful lot more money than we have been led ...

The Minister for Planning and Environment:

No, I said, "Less than." It is not an awful lot more money.

The Deputy of St. Martin:

£230 million sounds like a lot of money to me.

The Minister for Planning and Environment:

Well, you have to read the reports that have been done.

Deputy J.H. Young:

Who by, sorry?

The Minister for Planning and Environment:

By the departments, T.T.S. and Treasury.

The Deputy of St. Martin:

So there is a report that T.T.S. and Treasury have put out that says it is going to be £230 million ...

The Minister for Planning and Environment:

There is, there is. But it has not been openly raised.

Deputy J.H. Young:

So you would be against piecemeal, bit by bit work on the plant ...

The Minister for Planning and Environment:

This is what the States do, probably speaking out of turn, but the States time and time ... end up embarking on expensive solutions that are poorly thought out and do not necessarily weigh up and perform according to best environmental standards, having made a decision to move in a particular direction with the high price tag, the only way to get your monies through is to chop the project up into several bite-sized chunks and then having done the first chunk, make your second or third claim to say that you need to have any further expenditures asked for and found on the basis that you will have wasted your money on the first one. And that, I think, is what is potentially waiting to happen if we do not have proper round open table discussions as to the efficiency of the methods for improving our liquid waste management system or proper attention to the financial aspects with the type of equipment that is available to do the job at a fraction of the cost.

The Deputy of St. Martin:

But do you not think, Minister, some of the reason for the expense is, for example, the level of nitrates ... the regulation level of nitrates that your department states.

The Minister for Planning and Environment:

No, no. If you follow that route, you might as well say, "Why do we not have any treatment and why do you not pass raw sewage back into the sea?"

The Deputy of St. Martin:

Well, there is a difference between nitrates and raw sewage, Minister, but the point I make is if we were to discover sometime in the very near future that the nitrate levels rise the further you get away from St. Aubin's Bay, surely spending money on nitrate reduction is a drop in the ocean.

The Minister for Planning and Environment:

No, I do not agree. I do not agree and that is why I mentioned the moral and the ethical point in this respect. It is fundamentally wrong as the Minister for Planning and Environment, as a person who is interested in the environment, to waste resources. So burning £20 notes or defecating in the sea or whatever or wasting raw resources and materials and committing the Island to an expenditure to replace those materials by importing them is absolutely, fundamentally, environmentally dishonest and we should not be doing it.

The Connétable of St. John:

Can we move on ...

Deputy J.H. Young:

Yes, I just want to close this session by asking the views you have just given us, have you expressed those at the Council of Ministers?

The Minister for Planning and Environment:

I have as far as asking for requirement for the Minister for Planning and Environment to be part of the ministerial oversight group, which ...

Deputy J.H. Young:

Which has been denied.

The Minister for Planning and Environment:

... initially I was given 18 months ago, but as I said, we have not met.

Deputy J.H. Young:

Okay, I think ... you wanted to move on?

The Connétable of St. John:

Well, no. I just wanted to find out where we are today with the A.F.F.F. (Aqueous Film Forming Foam) and the pollution down on the Five Mile Road. I know it has got to the sea down there, that is the fire fighting foam that got into the water courses. Where we are today on that and also given that the Val de la Mare reservoir was drained a year, 18 months ago now, what happened to the residue of the sediment that was in the bottom of that reservoir?

Director - Environmental Protection:

I think it remained in the reservoir. I do not think it was ...

[16.00]

The Connétable of St. John:

No, no. It was cleaned. I just want to know what happened to the residue.

Director - Environmental Protection:

I am not sure.

Chief Executive Officer, Department of the Environment

Do not know. I can find out the answer to that question.

The Minister for Planning and Environment:

I do not know but I think you are raising a similar point, right? Because as part of the assessment processes, some people would be saying that if that material has been sufficiently diluted within the soil nitrates, then it is not polluting or as polluting an issue as it would have been had the concentrations been higher and ...

The Connétable of St. John:

Can I stop you there a second? I am not sure if you are aware, but A.F.F.F. does not break down. All of it stays in the system.

The Minister for Planning and Environment:

But it can be diluted.

The Connétable of St. John:

Once it is in the body, it stays there. Am I correct?

Head of Health Protection Services

It is a bioaccumulative compound. Having said that, there is recent scientific evidence that suggests that provided somebody is not exposed to further contamination ... so if they stop drinking the water and go on to another supply, after about 5 years, their body will start to excrete the compound. I mean, you will never get rid of it all together because it is in the food chain, it is everywhere as well in very tiny amounts but people are exposed to it all over the place. So I think that is the thing. But certainly, if there has been an exposure from a particular incident, then if that exposure then is removed completely, it would take the body around 5 years to start to get rid of what they have bioaccumulated.

The Connétable of St. John:

When has this last bit of research come out?

Head of Health Protection Services

You are probably aware we have a similar sort of situation on another island and certainly what we are doing is keeping in very close contact with researchers around the world. It ... I think the latest research I looked at was 2012 and we have been sort of working along those lines. So the idea is that if people have an exposure in say a borehole or their water supply, whatever, if that supply is then changed, it takes about 5 years for the levels to come back down again.

Deputy J.H. Young:

Right, I am going to move to ... Steve wants to do one final area to do with water ...

The Deputy of St. Martin:

Yes, I just wanted to go on water pollution, Minister. Could I just ask you, have we done any work further to the results of the sanitary survey that came out last year on St. Clements and Grouville Bay?

The Minister for Planning and Environment:

I do not know. This is ...

Director - Environmental Protection:

The sanitary survey was produced ... we are currently producing a code of conduct for the shellfish industry. As part of the Water Pollution Law work we continued monitoring the outfalls and bathing waters. We have not found anything untoward. Part of the M.T.F.P. (Medium Term Financial Plan) expenditure will be based on trying to work out the linkages between the S.T.W., the cavern overflows, and the shellfish beds, it will be used to try and look at the components of faecal pollution within the area of the shellfish beds, human or avian. That work has started. What they are doing at the moment is just having a data gather of all the sampling we have done.

The Deputy of St. Martin:

Who is, sorry?

Director - Environmental Protection:

Cascade Consulting and also to look at all the work we have done and look at the best science behind it, how we can explore those further.

The Deputy of St. Martin:

But did you find any results in the sanitary survey that you needed to follow up on, specifically?

Director - Environmental Protection:

No. No ...

The Deputy of St. Martin:

So the 2 very high results that came in Grouville Bay were not followed up on?

Director - Environmental Protection:

Of actual water quality?

The Deputy of St. Martin:

Yes. There was an E.Coli survey that was done as part of the sanitary survey which showed 2 very high results in Grouville Bay. They were not followed ...

Director - Environmental Protection:

We backtracked those, we could not, again, find anything.

The Deputy of St. Martin:

Right. Good. Thank you.

Deputy J.H. Young:

No doubt that is a matter you are keeping under ongoing review?

Director - Environmental Protection:

Yes, it is part ... I recognise that the Scrutiny review, that was one of the recommendations. So part of that business case for the spend is to make a portion of that for the shellfish pollution work.

Deputy J.H. Young:

Right, I think I am going to ... thank you for that, we have had a very comprehensive and wide-ranging discussion about liquid waste and water, which I am sure we will be coming back to other

days. Final subject and very, very different flavour to this. This is just really administrative. We put on the agenda the Energy Efficiency Scheme, which is a scheme that really, I think, drew to our attention part of the energy strategy that you have published. What we have got is a couple of reports which seem to be quite early. One of those published in 2011 for, it looks like the first couple of years of this scheme and then some statistics. As we understand it, Minister, this was the scheme that you inherited from the previous Minister, I think, was it?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

Have you had the opportunity to review the set up, the way that scheme is set up and working? I ask that because one of the questions we asked, it says this is a trust but we have been advised by ... when we met with Sir Nigel Broomfield, he has pointed out to us that it is not constituted as a trust. That did surprise us so I wanted to check that with you. Is it just really a kind of committee that does that work?

The Minister for Planning and Environment:

I think that is probably right. I think there are lots of interpretations of the word trust and the U.K. authorities would consider that our trust law is not really a trust law. So it is not properly a trust in those generally understood terms.

Deputy J.H. Young:

Right, so they are not trustees.

The Minister for Planning and Environment:

No.

Deputy J.H. Young:

They are people that you have appointed to work with the department in ... does that involve both setting policy and administrative arrangements of how these grants and so on are distributed?

The Minister for Planning and Environment:

No, I ...

Deputy J.H. Young:

Or do you set the policies?

The Minister for Planning and Environment:

No, the policy setting comes through me and through the department ...

Deputy J.H. Young:

So you set the policies?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

So the committee, if I can call it that, the Eco-Active committee is really an administrative committee in terms of processing and so on?

Chief Executive Officer, Department of the Environment

Yes, the Jersey Energy Trust is ... I would sort of give as the governance board that we have got in place. They look at and report in terms of how the grant money is spent. It gives us an independent view ... obviously the money sits within the department's budgets. It is managed under the current financial directions, under me as the accounting officer and under the Minister for policy. The Jersey Energy Trust board gives an element of independent oversight, for want of a better word ...

The Connétable of St. John:

So there are some articles of association or by-laws set out ...

Chief Executive Officer, Department of the Environment

Yes, we have a ministerial decision setting the group up as to what it was intended to do back in 2007, 2008?

Director of Environmental Policy:

2009.

Chief Executive Officer, Department of the Environment

2009. Okay, get the right year. So we have got the ministerial decision, there have been subsequent ministerial decisions in terms of its membership and its role, so it was initially there to give some independent oversight and some independent expertise in helping us set ...

The Connétable of St. John:

Could we have a view of the, should we say, articles of association, for want of a better word?

Director of Environmental Policy:

Yes, the ministerial decision that the Minister signed off when the group was set up has got that. All their oversight functions there, so, yes, absolutely.

Deputy J.H. Young:

Does it set its own administrative procedures? Or do you set them?

Chief Executive Officer, Department of the Environment

We set the procedures for the Energy Efficiency Service. That sits within the department. As I said, it operates within normal procedural parameters that we operate within and the financial directions in terms of giving money out.

Deputy J.H. Young:

Okay, and review processes, are they subject to independent review at any time? Audits and so on?

Chief Executive Officer, Department of the Environment

It is as any other States function is, it is subject to or the ability to be audited, either externally or internally through our internal audit processes or if indeed that needs to go further, it can be done.

Deputy J.H. Young:

Has there been any audits on it since it ... I mean, 2009, so we are, what? We are in, you know, its fourth year, are we not?

Chief Executive Officer, Department of the Environment

It is the use of ... I am just trying to think if there is an internal audit report ... clearly we have audit reports as to where the department sits within financial directions for various parameters, so it gets covered to a certain extent by that. Has it been ... I do not think there has been a specific internal audit on the scheme as a whole, but there are many States functions which are not internally audited. They get prioritised out so ...

Deputy J.H. Young:

Because it spends quite a bit of money, does it not?

Chief Executive Officer, Department of the Environment

It does, yes.

Deputy J.H. Young:

Would you like to estimate a figure, what has been spent by this scheme since it has been started?

Chief Executive Officer, Department of the Environment

When it was set up, there was a grant fund of £1 million to be administered. That is slightly less now. The grant fund has been reduced through comprehensive spending review. Obviously there is some overhead built into that grant scheme as well.

The Connétable of St. John:

So what is it today, for instance?

Chief Executive Officer, Department of the Environment

It is in the order of about £900,000, I think.

Director of Environmental Policy:

Just under.

The Connétable of St. John:

So that is per annum ...

Chief Executive Officer, Department of the Environment

Per annum.

Director of Environmental Policy:

Yes.

The Connétable of St. John:

So that is roughly £3.5 million, £4 million.

Chief Executive Officer, Department of the Environment

Yes, correct.

Director of Environmental Policy:

It is about that that has gone on grants, yes.

Deputy J.H. Young:

I suppose one of the key questions for me is obviously that is money being spent on private homes.

Director of Environmental Policy:

Yes.

Chief Executive Officer, Department of the Environment

Correct.

Deputy J.H. Young:

Has there been any independent checking of any of the work?

Chief Executive Officer, Department of the Environment

There has, yes.

Deputy J.H. Young:

And who ... what sort of people do you get to do that?

Director of Environmental Policy:

I can answer that if you like.

Chief Executive Officer, Department of the Environment

Yes, that would ... if you like, yes.

Director of Environmental Policy:

So we quality assure 20 per cent of all works and that is random, so the contractors would not know whether they are going to be quality assured or not and that is carried out by 3 separate people. It might be carried out internally by some of our technically able people. It might be carried out ... or it did used to be carried out by a company called Ener.je, who were a technically qualified energy company locally and also Jersey Energy carry out quality assurance for us as well. So we would randomly pick properties that have had works done on them and be quality assured that way.

Chief Executive Officer, Department of the Environment

If I add my own comment on that, it is a very high percentage for quality assurance. One in 5 is a very high percentage.

Deputy J.H. Young:

What is the criteria? Are they asked to check what work has been done and whether the amount of monies paid out is, if you like, the right order of costs for the job?

Chief Executive Officer, Department of the Environment

Ultimately, yes. We are using public funds to give people a turnkey service, so really to make sure that money ...

Deputy J.H. Young:

The job is being done properly?

Director of Environmental Policy:

As tendered. So what will happen is, when works are identified in a property, a bill of quantity is outlaid of what work needs to be done and then orders will be raised against that. The contractor will do the work and then it will be signed off again by the householder. So for example, if it is identified that a loft is going to be insulated, the contractor will go ahead and do that and the order would be raised against that and the householder will have to sign off at the end of that process that they did indeed have a loft insulated and whatever else might be associated and then 20 per cent of those jobs will also be independently quality assured. In terms of heating systems, we also ask building control to sign off all of our works so they go in and make sure that they are building by-law compliant.

Deputy J.H. Young:

Right. So that is the routine procedure ...

Director of Environmental Policy:

Yes, yes.

Deputy J.H. Young:

That is standard.

The Connétable of St. John:

Could I put the question in then, please, to the Minister? Minister, given that £4 million of taxpayers' money has been spent in this area, is it not time that you had a full audit of how that money has been spent and that way we as a panel would be able to see that report and possibly put questions at a future time.

The Minister for Planning and Environment:

Yes, yes. I think an audit could be done, bearing in mind though, we do produce statistics on the numbers of units and whatever that we have done with our money on a year-to-year basis.

Chief Executive Officer, Department of the Environment

Yes, I would confirm ... I have had a number of discussions with the Chief Internal Auditor for the States in terms of areas where our major expenses are. If I look at the countryside renewal scheme, that is another big area of grant giving in the past and that has been internally audited. Again, the offer has been made, if the internal audit service wants to have a look at this then clearly it is a big area of budget for the department and we are more than willing for it to be audited

at any point. So, invariably, it is not us auditing it, it is the Chief Internal Auditor and her resources that has to be applied so it is on the list. Whether it ever gets to the top of the list is a matter for her and her team, but, yes, we are more than willing.

Deputy J.H. Young:

But it could be done.

Director of Environmental Policy:

Oh, yes.

Chief Executive Officer, Department of the Environment

Oh, absolutely. Yes.

Deputy J.H. Young:

Would you support it being done?

Director of Environmental Policy:

Absolutely.

Chief Executive Officer, Department of the Environment

Yes, we would. Yes.

Director of Environmental Policy:

More than happy.

Deputy J.H. Young:

Minister?

The Minister for Planning and Environment:

Yes, obviously. Yes.

Director of Environmental Policy:

If any Scrutiny member would wish to come in and meet the team and we could take them through our processes and our client relationship management systems, all that sort of stuff. We would be more than happy to receive anybody.

Deputy J.H. Young:

I mean, that is very kind of you to offer that. I think we would probably like to rely on an auditor to deal with that for us.

Director of Environmental Policy:

I am sure but in terms of if you have detailed questions about the scheme because each case can be very different, so you know, if you ever wanted to take it further, we would be more than willing to help.

Deputy J.H. Young:

I suppose the only other one of my questions is value for money. Are we asking our quality assessors to form a view not only of the price paid for what was done was sound but was it value for money? Was it the right thing?

Director of Environmental Policy:

Well, we tender for all our work so the contractors that are part of our scheme would have completed a tender process so we know what they will be charging for work. So we know the price of a boiler of a certain size or something a bit like that. So we know what that work should be. Obviously each case will be different because you might need to change a flue direction and put up scaffolding, so that will have an effect on the overall cost of the job but we should know what those costs will be per job. So it is not open-ended. Those prices have been tendered. We know how much we pay for a loft insulation per metre squared or whatever it would be. We have carried out tender processes at the beginning and we re-tendered in 2012 and that will take us to 2015 and that was carried out with the assistance of the States of Jersey Procurement team.

Deputy J.H. Young:

Do you want to come back?

The Connétable of St. John:

No, no. That sounds fine.

Deputy J.H. Young:

Steve?

[16:15]

The Deputy of St. Martin:

No, I am fine.

Deputy J.H. Young:

All right. It is 4.15 p.m., we have overrun by 15 minutes. I think that we have covered those subjects, you have covered them very well indeed. So unless my colleagues have other questions, I would like to formally thank you, Minister, for coming along with your team and helping us so comprehensively this afternoon. I will close the session. Thank you very much.

[16:15]