



Environment Scrutiny Panel
Quarterly Meeting with the Minister for Planning
and Environment

FRIDAY, 14th MARCH 2014

Panel:

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

Deputy S.G. Luce of St. Martin

Connétable P.J. Rondel of St. John

Deputy J.M. Le Bailly of St. Mary

Witnesses:

Deputy R.C. Duhamel of St. Saviour (The Minister for Planning and Environment)

Chief Executive Officer

Director for Environment/Deputy Chief Officer Department of the Environment

Business Manager

Director for Development Control

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[14:03]

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

Good afternoon, everybody, and welcome to this afternoon session of the Environment Scrutiny Panel at our quarterly meeting with the Minister for Planning and Environment and his senior team. Just to introduce members of the panel, myself, Deputy John Young, Chairman of the Panel.

Deputy J.H. Young:

Thank you very much, Minister, for coming to see us and welcome, and welcome to members of the public and representatives of the media to this session. We released an agenda of items that we wanted to talk to you about, Minister. There are about 7 items on it and we have reserved 2 hours. We want to spend probably a good proportion of the time, at least three-quarters of an hour, probably, on the Planning Officers Society report called *Shaping the Jersey Planning System for the Future*, dated December, the one that you have put on your Planning website and published on 6th February, Minister, with your press release. The report, unfortunately, does not have an index but we have drafted one out and we want to try and go through it in sections. I do have a few spare copies if members of the public want to be able to follow the discussion, so apologies for my scribble. Perhaps we should give one copy to the Minister. We will follow the structure of the report, if we can, Minister.

The Minister for Planning and Environment:

I have brought my copy.

Deputy J.H. Young:

Thank you. The report is a mixture of both-high level issues about the way the Island Plan is produced and also the balance between environment and economic considerations in setting planning policies, and then the role of the Minister and a lot of very important material about procedures in the department and so on. I would like to begin, Minister, if you could perhaps tell us about the evolution of this report. Can you tell us how the report came about, who commissioned it and what your objectives were in commissioning it, please, Minister?

The Minister for Planning and Environment:

Yes. That, broadly, was commissioned by my officers. Inevitably, in other planning jurisdictions it is always the case that they are open to constant review and criticism and I saw this as a mechanism to allow those criticisms to be met and analysed and to give me pointers as to how the department can be rearranged or reorganised or geared up to do things that, perhaps, need doing in a slightly different way.

Deputy J.H. Young:

The choice of Planning Officers Society, Minister, who made that and why?

The Minister for Planning and Environment:

Generally, I think the ultimate recommendation came from the officers but, broadly, we wanted people who not only had the expertise to involve themselves with planning issues but also to be seen as independent from those critics that might have otherwise been argued to do the job and been local-based or Island-based.

Deputy J.H. Young:

Minister, the panel that came to do this review, what sort of background are they? Are they all planning officers working for English local authorities?

The Minister for Planning and Environment:

My officer said he will fill you in on that.

Chief Executive Officer:

Yes, Chairman, if I can add why we used the Planning Officers Society; it is their consultancy arm, Planning Officers Society Enterprises. We need to rewind the clock a few years. Back in 2010, we commissioned a review of the planning system with a view of trying to understand some of the

outcomes of the some of the reports we had had at the time back in 2010, Committee of Inquiry and the like. There is no sort of independent planning auditor, so to speak. One of the things I guess we struggle with in the Island is, we are not judged. Planning authorities in the U.K. (United Kingdom) are judged in a league-table-type approach in terms of performance and other plan-making behaviours. We contacted the Royal Town and Planning Institute back in 2010 along with Planning Advisory Service, which is a sort of U.K.-led agency. The recommendations at the time were that the Planning Officers Society was probably the best sort of independent arm's length organisation that we could have used through its consultancy arm. It is the consultancy arm that works predominantly or totally for the public sector, so they are independent, they are a trusted industry body, so to speak, if I was going to give them a title. The team that they bring in; they do have a practical and practising planning background. So the team they bring in, generally, as you would expect, as professionals get into the later stage of their career or retire, they do more work on a consultancy basis. Certainly the team that we had over, one of them is an ex-chief planning officer from a U.K. planning authority. Others have held senior planning positions in public authorities, so they also get involved with lobbying with the Town Planning Institute, Town and Country Planning Association, in central government in the U.K. So they are pretty much plugged into where policy changes are going but they are also plugged into practice. So it was an honest attempt, back in 2010, to try and get an independent auditor, so to speak, who are professionally based in planning, so that is where we ended up in 2010. The big ask of this report was for them to health-check where we had been back in 2010. We wanted a report to say: "Have we done what we promised to do back in 2010" so we asked the team to come back and re-health-check us, for want of a better phrase.

Deputy J.H. Young:

Could I, Minister, ask you: the terms of reference were set by your Chief Officer, is that correct?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

The panel were provided with a list of people to consult with by yourself.

The Minister for Planning and Environment:

I do not know that they were provided with a group, generally they decided who they wished to interview and interviewed.

Deputy J.H. Young:

Would you accept that the list is predominantly departmental officers and outside stakeholders working in the development industry, basically?

The Minister for Planning and Environment:

Do you think there were any shortcoming in the list of interviewees?

Deputy J.H. Young:

Would you accept, Minister, that the terms of reference seemed to me to include what you might call executive matters and you would not expect to be dealt with by a civil servant, really, but also included some policy things?

The Minister for Planning and Environment:

Yes, up to a point but, as you know, it is the Minister's prerogative to deal with the policy side of the issues and a lot of those things are political.

Deputy J.H. Young:

Yes, I particularly highlight the question about the balance between heritage, environmental protection and economic developments, whether or not that compared to the Island's strategic aims. Minister, would you accept that that requires political input, that question?

The Minister for Planning and Environment:

Yes, I think it probably does up to a point, but then again the remit for dealing with the overlap of these areas is mine.

Deputy J.H. Young:

Was there input from the Council of Ministers in the approving of that?

The Minister for Planning and Environment:

No, and within the report there is a body of the recommendations that suggest that, in order to put forward a stronger proposal for redevelopment measures or strategic plans, that one of the recommendations, as you will know, suggests that perhaps we widen the process a lot more outside of the purview of the Minister for Planning and Environment to take into account those very people that you are referring to.

Deputy J.H. Young:

Perhaps your Chief Officer could elaborate and explain what is mean by that, please.

Chief Executive Officer:

Yes. Well, if I might just add why we did the review, why these terms of reference and why now. We did a review back in 2010 and we found that very useful to inform changes, certainly a lot of processes, procedures. There were over 100 recommendations in that initial report. What we really did want to do is make sure that we had an audit and have we done what we have done. So there is a chunk of this report to look back around the recommendations that we had been given, not just from the previous Planning Officers Society recommendations but the Committee of Inquiry recommendations and the major *Shepley Review* that was done on planning. So there was, I would call it, a concern back in early 2013 that we had not delivered on some of these recommendations within the department and there was an informal conversation between Scrutiny and other States Members on that. We very much took the view that we wanted somebody to come in and audit us on that because, to a certain extent, we could say what we have done but we needed to always counter the question: "Well, you would say that, would you not?" So we wanted someone to have oversight over our shoulders. The other issue that we have raised here is, within early 2013, there was a feeling that the policy framework that we apply in the Island is too big. The Island Plan, as you know, is a very weighty document. There was a sense that we were just doing too much. We had too much guidance. We were producing too much supplementary planning guidance, too much planning policy so there was a question about its usability. The other issue was that we were getting ... certainly from applicants, there was a general feeling, reported/unreported, that we were overweighing some of our decisions. We were not taking the economic circumstance of the Island seriously enough in some of our decision-making. So that is what promoted that other point in the terms of reference. So, firstly, let us have a look at our policy framework, the guidance that we use, is it too much, is it too little, are there any lessons that we can learn from their experience elsewhere, are we really getting the balance on our decisions correct. Are we overweighing heritage too much against other things or are we really taking the economic situation into account? Then a practical thing: have we really done what we promised to do. So it had 3 parts to it.

The Deputy of St. Martin:

Notwithstanding the size and complexity of the Island Plan, is it not a disappointment that this latest report is still highlighting the need for a stronger connection with the priorities of the Island's agreed strategic aims? Surely, the really basic stuff is something that we should be focusing in on.

Chief Executive Officer:

Yes. It has generally come back and said that on the whole, looking at the auditor decisions that they looked at, the balance is right. There are many examples of where we have put economic considerations before heritage, and vice versa, so there is often a balance to be played. One of the challenges we have got is to engage communities and elected representatives earlier in the

process to make it more usable and that is something we appreciate from our side. The Island Plan amendment we have just been going through is a really good example; it is a lengthy and weighty process to go through. There is a question about how usable that is for all parties. I think as members you will have a view as to whether we can improve that or not.

[14:15]

So I think we also, more mindfully, need to connect the Island Plan to the Strategic Plan, I do not disagree with that. If the Strategic Plan is saying X, Y and Z I think we need to make sure that it is more translatable into the Island Plan and make the Island Plan more usable, I think, because it is a big document.

Deputy J.H. Young:

Would you not accept that the Island Plan is a land use plan for 10 years and yet the Strategic Plan produced by the Council of Ministers is a 3-year plan and, if past experience is anything to go by, is a moveable feast; it shifts around all over the place. Would you agree that that is a fair ...?

The Minister for Planning and Environment:

That is absolutely right and that is referred to within the report. I think I would probably like to ask a question to Deputy Luce to highlight which particular strategic aims of the Council of Ministers and the States as a whole, he feels is not being sufficiently addressed by the Island Plan policies?

The Deputy of St. Martin:

Well, Minister, if you look at the bottom of page 2, the first recommendation that comes under the executive summary says: "This report highlights the need for a stronger connection with the priorities of the Island's agreed strategic aims."

The Minister for Planning and Environment:

Yes, it does but in reference to what? I am asking you to clarify one ...

The Deputy of St. Martin:

Well, it is not for me to clarify. It is your report that is saying it needs to be done.

Deputy J.H. Young:

Perhaps, Minister, we can go into a little bit more detail on that. One of the problems we certainly have with this report: it is not a terribly well-structured report and it is difficult to relate the summary to the other areas, so this is why I am trying to follow through in the sections.

The Minister for Planning and Environment:

I think it would be useful to add in this respect that the comment that has been made by the Planning Officers Society is to highlight the difference in the duration of the 2 different approaches. As has been mentioned earlier, the Island Plan goes over an established 10-year period and the move towards creating our strategic aims is tied into the 3-year term because, quite clearly, if we are to take a strategic direction as seriously as the name suggests, then the strategic aims should be put forward in a way that enables them to mesh completely with the Island Plan aims because, in essence, the 2 are the same.

Deputy J.H. Young:

Minister, would you accept that the Strategic Plan and the Council of Ministers at the moment is silent on the question of environmental policies? I think this particular report suggests that environmental considerations are implied because they say: "It must be recognised many Jersey residents are passionate about the importance of the coast and countryside and the natural and historic environment and the need for their protection but, at the same time, of course, strong voices for the need for homes, investments and the maintenance of a strong economic base." Would you agree that emphasised the importance of the Strategic Plan, if it is to dovetail in, having clarity on the subject of environmental ...

The Minister for Planning and Environment:

Absolutely, and that is why this Minister, myself, as part of the new Council of Ministers, fought very hard and successfully to introduce long-term strategic planning as one of the strategic aims. To that extent, I suppose a question would be: what is being delivered over the 2½ years of the Council of Ministers in that regard? I am happy to report that we have made some progress, perhaps not as fast as I would have liked to have seen, but we have at least got it on the agenda and we are taking measures to put forward a policy framework which will encourage a closer working relationship between the 3 broad areas under the sustainability driver heading. So, in essence, the economic considerations, the social considerations and the environmental considerations of all polices in the States will be taken in a comprehensive fashion.

Deputy J.H. Young:

What, in the future, Minister?

The Minister for Planning and Environment:

In the future. We are working towards that, yes.

Deputy J.H. Young:

Is the new report that we have all seen about *Planning the Future* or something from the Chief Minister?

The Minister for Planning and Environment:

Yes. That is right. We have got as far as getting agreement on the framework. What is required in order to finish that document off is the higher-level vision things as to what type of Island Jersey is expected to be, which will also drive the process forward. So I think, although it has been referred to within the report as, quite rightly, there should be closer connections to getting everybody to work together, I think if a wider review had been undertaken of the work of the Council of Ministers, of which I am part, then I think they may well have been impressed or satisfied that enough progress is being made in the directions that they are suggesting should be made.

Deputy J.H. Young:

Perhaps, Minister, what you are covering here is really the agenda for the next States ... am I right, in trying to have clarity about our policies at a strategic level matching with the Island Plan and so on?

The Minister for Planning and Environment:

Absolutely. Yes. So the key thing is rather a bold statement to the effect that nothing is being done, I think the report was right to highlight the fact that more could be done and, as I say, had the inspectors gone outside of their terms of remit and taken on board other ministerial colleagues they would have, maybe, arrived at a different conclusion.

Deputy J.H. Young:

So just sort of standing back for the moment, when you issued the press release on this you described it as a health check.

The Minister for Planning and Environment:

Yes, it is pretty much a health check.

Deputy J.H. Young:

Obviously, up to now everything we have been talking about is aiming at the future but, in terms of a health check on your ministry, as it were, how do you score yourself: green, amber or red, on the basis of this report?

The Minister for Planning and Environment:

I have got to be green, have I not, really?

Deputy J.H. Young:

Would you allow your officers to express a view?

The Minister for Planning and Environment:

I think, in terms of where we came from and where are now, yes, it has been positive but there are small little bits and pieces that need to be worn down and whittled away but, broadly speaking, I was quite happy to be given a fairly clean bill of health in delivering what I had set out to deliver.

Deputy J.H. Young:

Thank you, Minister. I want to get back to some of the detail. We will come back to this question ...

The Connétable of St. John:

Can I come in there, please, Chairman? The question was: "Would you allow your officers to comment?"

The Minister for Planning and Environment:

The officers are free to comment, yes.

Deputy J.H. Young:

How do you score it? Some of the issues are political ...

Chief Executive Officer:

I think our Minister is very green.

Deputy J.H. Young:

Some of the issues are political and some are for the department and of course your department is often described as very heavy on bureaucracy.

Chief Executive Officer:

Yes. In terms of what we asked this review to look at, I am very happy that they have confirmed ... in the most part we agree in terms of what we have promised and set out to do, we have done or are doing. There are a couple of areas, as they have said: "Do not forget you have still got to do some of this" and there are some recommendations in here which flag up a couple of areas that we still need to do some work on, so they clearly would not be green; they would be more amber, I

would have thought. In terms of our practical application processes I would not say that any regulatory process is ever 100 per cent green. I think that would be for us to be able to say: "Look, there is always an area for us to improve." What we have tried to do here is get ourselves on a path of regular health-checks on the planning system. The intention is that we engage this process on a regular rolling basis so, whether it is every 3 years ... other regulatory systems within the States have a regular audit, regular health check of some kind, independent check. This is the second time we have done this; I would like this on a regular basis so that we are always continually improving or learning from what we are doing. So some of the stuff here I think is green for certain. It has flagged up a couple of areas where we could do better; standard conditions is one of those areas. Some of our processes in terms of how we are using the new computer system is working very well but there are still some improvements to be made on the basis of ...

Deputy J.H. Young:

Is there anything in this report, for example, about having an external user group, some kind of external independent monitoring group? You have spoken about the need for ongoing monitoring. Is there anything in there about this?

Chief Executive Officer:

There is not but, I think our work with our Lean workstreams is highlighting the fact we need to engage with our customers more. If we are truly to design customer-centric services we need to engage our customers more. We do do a lot of customer engagement with the industry and certain guidance, whether that be the Architects Association, the Construction Council; we have regular meetings with the Chamber of Commerce. We had one yesterday lunchtime. So we have a number of meetings with certain industry representatives, but we do not have a customer forum in a wider sense. So it is certainly something that I do not think we should be shying away from. Because feedback into the system ... we designed the planning system which the public wants and ultimately we then design the rules which obviously States Members approve and we then apply. So it is a bit of a intricate process so, yes, that would be one that we would welcome.

Deputy J.H. Young:

Deputy Luce wants to get in.

The Deputy of St. Martin:

Yes, I have to say on the whole, Minister, the report is pretty glowing and there is some good stuff in there, but I do find that the recommendations and other parts of the report are not clear enough; they are not very decisive. For example, if I could take you to recommendation 3.120 on page 22, which concerns community-based planning, which I find quite interesting because I wonder if this

goes against the Island Plan. It says there, they are recommending: "Take no action at this time on ideas of community-based planning" but then, in the second sentence, say that: "We should be looking for the means to seek greater engagement with the local community." I find that is not clear. Could you explain a bit what your take is on that one?

The Minister for Planning and Environment:

Yes. I think you have to be into the jargon that is used in planning circles. I think what that means is ideas of community-based planning that have been referred to, are the extent to which we set up 12 parochial planning departments to sort out their own village developments. I think they are specifically referring not to take any particular action in that regard, but they do make the point that, in terms of the remit that I have, and I am carrying out, to come forward with Master Plans for the built-up areas to ensure that there is as wide a public engagement at an earlier stage so that people living in those areas feel as if it is more their plan rather than something that is being handed down on high or from low by the Minister.

Chief Executive Officer:

If I could add: I think there is a terminology issue. One of the debates we have had with the Planning Officers Society is whether we can learn anything from the Localism Act in the U.K. which devolved a lot more decision-making to communities. Their general view is that it is a bit early to say that, therefore we should not be doing anything formal on that in terms of a statutory basis at the moment. I think we have got localism in action in any case. I do not think we need a statutory basis for that. It is a bit early to see how the Localism Act in the U.K. is going to pan out but, certainly, it is creating, I would think, additional bureaucracy, additional cost and additional uncertainty for the development process, both for communities and developers. So I do not think that potentially is working as well as it was intended.

The Deputy of St. Martin:

We very recently had the review of the Island Plan and certainly from my parish I went to argue on behalf of the scheme which we thought came out of a very parochial system and a village plan, which we have not quite completed. But this recommendation is trying to say that they do not want any action at this time on community-based planning. It seems to me that they are trying to get you to take a step back from the village development and the parochial planning.

The Minister for Planning and Environment:

No, I do not think they are doing that, per se. I think they are, perhaps, although they have not expressed it within 3.120 exactly but it is maybe, reading the lines in earlier paragraphs, supporting that recommendation. They are suggesting that we are a small community. In larger

places, like the U.K. or whatever, it makes more sense, perhaps, to have community-based planning of the type that we would be asking to adopt.

The Deputy of St. Martin:

So notwithstanding what they are saying here, Minister, you are going to carry on down the path that we have got at the moment which is looking for involvement from parishes and community plans?

The Minister for Planning and Environment:

Yes, I think it is essential that we do that because I think the point that they make, which is well made, is that it is not the Minister for Planning and Environment's plan, it is the States Assembly plan and it is the residents and the other members of the Island who help to put it together, so it is their plan primarily. We do not sit in a tower making these plans for our own benefit, we are there to act in response to what people would like to see to develop their communities. But there is a point beyond which the community-based planning argument starts to raise issues with the wider Island-wide planning base. Certainly, some of the comments that came out of the Island Plan commentary in relation to the amendments that are being brought forward for this June/July, were starting to highlight that. In particular, with some parishes perhaps suggesting that they were quite happy to have land rezoned for purposes to support their own residents who lived in that particular parish, but they were not as keen to support the rezoning of that land if it meant that they had to take onboard the rest of the Island's residents to solve an Island-wide problem. I think that is really where this particular recommendation was coming from, seeing ourselves maybe at a dividing point between a more local-based planning and more centralised planning.

[14:30]

The Deputy of St. Martin:

Certainly, Minister, the definition would have to be made quite clear, I would hope in the future, because if we are going to allow the parishes to try to come up with schemes, and we are not going to then allow them to put the people in those schemes that they wish to, I am not saying one way or the other, but I think that is going to need to be made very clear.

The Minister for Planning and Environment:

This is the problem.

The Deputy of St. Martin:

At the moment it obviously is not clear because I know from the experience of my parish, and you will know full well what I am talking about, that we now have a difficulty where we want to do a certain thing in one field and you may wish to do something else.

The Minister for Planning and Environment:

Yes. So I think it is drawing attention to the 2 different ways of dealing with things but making a reference to the scale of the issue and the extent to which it would throw up problems between an Island-wide authority and local authorities perhaps acting for different reasons.

The Deputy of St. Martin:

Do you think that is a fault in the Island Plan? I look immediately to the next recommendation where they are saying that we really need to seek more conciseness in the plan itself. Do you think the plan should be more specific on what we should do in places like St. Martin, for example?

The Minister for Planning and Environment:

I think there is a potential to do that but it would have to be tied up in a better-established village plan which addresses all of those individual particulars in a comprehensive fashion that could be referred to as: "This is the Village Plan for A, B or C." I think the key issue is, I feel, the extent to which the Island wants to support Island-wide solutions to Island-wide problems or whether it wants us to fragment into a number of parts and allow those individual parts to seek to solve their own problems without necessarily solving the Island ones.

The Deputy of St. Martin:

This is not a personal attack at all, but do you think it is a job for the Minister for Planning and Environment to decide whether people who need housing come from that particular parish or come from outside of the parish if you have got a particular housing scheme? Is that a job for an individual Minister for Planning and Environment or is that not a more ...

The Minister for Planning and Environment:

No, I do not think it is a job for the Minister for Planning and Environment in that context. It is clearly for the Strategic Housing Group to determine who goes where, but it is the land use policies that the Minister for Planning and Environment has to have some regard to and the extent to which shovelling all of the development into one parish because they oppose the plans less vociferously than others perhaps, is not necessarily a fair way of acting if you have to adopt a fair-mindedness to solve the problems in an Island-wide context.

Deputy J.H. Young:

Minister, the exchange you had there is obviously very important; it goes to the heart of the current Island Plan and also goes to the heart of the Island Plan process. Is it not possible to have both policies decided by yourself and the Council of Ministers and also a degree of localism in terms of what we empower those communities, the parishes, to do in setting these planning policies?

The Minister for Planning and Environment:

I think that is right and I think my reading of 3.120 says exactly that.

Deputy J.H. Young:

Would you not accept, Minister, that if that is so that does imply you giving some support; for example the report also says that in the U.K., where local authorities have localism arrangements they provide support and grants to communities to help them get these village plans done. Do you provide support to the parishes to help them do this?

The Minister for Planning and Environment:

We provide officer support but I am not providing grants.

Deputy J.H. Young:

Because the report makes the point that in the U.K. monies are paid to support those communities to get onboard the consultants they need to prepare these village plans. That does not happen here, does it?

The Minister for Planning and Environment:

No, it does not, but it could do. I think the key question that we have been alluding to is the extent to which the high-level strategic initiatives of the Island through the Council of Ministers and the government have to be reflected in the lower level stuff in order to achieve a marrying of the 2 different ...

Deputy J.H. Young:

But is that a reason to rule out, as this report does, community-based planning?

The Minister for Planning and Environment:

I do not think it is ruling out community-based planning it is just saying: "Take no action at this time."

Chief Executive Officer:

I think it rules out a statutory basis for community-based planning is the formalisation that that has received in the U.K. What it goes on to say is: "We have a useful discourse with our parishes and our communities already and that seems to work, therefore, let us do it at a more localised level rather than at a statutory level."

Deputy J.H. Young:

Maybe I should ask at this point: how many village plans have you done while you have been Minister? Well, how many have been done with the Planning Department?

The Minister for Planning and Environment:

The process is led by the individual parishes wishing to do it not by the Minister for Planning and Environment wishing to tell the parishes how they should develop their parishes.

Deputy J.H. Young:

Because we know from the Island Plan that there are 2 parishes, St. Martin and St. Ouen, where you need ...

The Minister for Planning and Environment:

Yes, and to some extent, St. John has done some useful work in this regard as well. There has also been a level of engagement with the public in the supporting of community groups in St. Brelade. In the Island Plan it was stated that master plans would be drawn up for other areas, and we have got those on our list of things to do.

Deputy J.H. Young:

Minister, I think we will move on to the question of the community involvement. The report says in the Island Plan process that most people regard it, by the time the draft plan comes to them, as a done deal and there is no point in them making a contribution. It is too late. Do you agree with that and, if so, what would be your preferences for the future to change that?

The Minister for Planning and Environment:

I do not think you can win on this one. I think what has been missed out is the huge opportunities that we have had in carrying out the consultations for the writing of the Island Plan. We speak to everybody we can and ask for their opinions before the important policies are drawn up. That has been a more extensive process over the last 10 to 15 years than perhaps it was previously, so I think the comments made do not necessarily reflect the level of consultation that does take place.

Deputy J.H. Young:

Do you think you have been able to achieve that in your latest review? I remember, Minister, that the deadlines were very short, there were a vast number of documents on the website, you rely heavily on the website. Do you think, looking back, that approach was a way of getting community engagement at an early stage?

The Minister for Planning and Environment:

I think you have got to look at each issue and you have got to weigh up the level of each of those particular actions that will deliver the results. If you ask people to write the report themselves then inevitably you are going to have numerous reports all going off in different directions, and that was not the nature of the exercise. The nature of the exercise for the Island Plan Review was specifically set during the discussions on the previous Island debate in order to address areas that were felt, at the time, needed to be further sorted out because they, perhaps, expressed embryonic ways forward in terms of policy-setting that needed that further input. It was not to come forward with wholesale redevelopment in particular areas of a nature that allows people to, with a blank canvas or a bulldozer, to start to redraw ...

Deputy J.H. Young:

So it was a one-off because it is an interim review. If you were doing the plan afresh completely you would do it differently?

The Minister for Planning and Environment:

I think, whenever you are doing the plan afresh you have to take into account any changes to the strategic dimensions that are being set by Islanders and other Ministers across the board and, inevitably, things change. For example, if in the future, in another 10 to 15 years' time, or whatever, finance disappears from the Island or weakens substantially, then that will be a major driver for a set of policy revisions that would have different consequences to carrying on.

The Deputy of St. Martin:

The last Island Plan was dated 2011, Minister. Where do you think that puts you as regards the timescale for starting the next Island Plan, is it 5 years to get there? Is it going to be sub-2015, 2016, 2017?

The Minister for Planning and Environment:

I think it starts whenever the indications of larger changes start to make themselves felt.

The Deputy of St. Martin:

So the 2011 plan could be as short as 7 or 8 years or it could be as long as 17 or 18 years?

The Minister for Planning and Environment:

I will give you an example: the discussions that are taking place at the moment about repositioning the Island in terms of its capacity for employment, might well be one of these drivers to indicate that larger changes might need to be made to the next Island Plan in order to accommodate those moves.

The Deputy of St. Martin:

It is interesting. I nearly came on to this subject very early in this hearing because, when we were talking about tying the Island Plan into a much longer Strategic Plan over a 10-year period, my immediate thought went to the potential population increase with all the planning that recently had been put on the table, and I wondered how one might tailor the 2. I was trying to work out in my mind how an Island plan can be tailored to a population strategy. Do you see that being possible?

The Minister for Planning and Environment:

I think it is and my take is, as a politician or an individual, as well as wearing a ministerial hat on the Island Plan, is that it is not just a land use plan which responds to these things, but it also is a strategic plan responding to the strategic issues, because the 2 are interlinked as far as I am concerned.

The Deputy of St. Martin:

So if the long-term strategic population figure was, for example, 130,000 you would then feel that your department would need to come up with an Island Plan which would reflect the increase in building that would be required to sustain that level of population?

The Minister for Planning and Environment:

Absolutely. It would but, at the same time, bearing in mind that we do have a remit to look at environmental sustainability in its widest context, I think there would be a general expectation for the Minister for Planning and Environment to make comment as to the sense or nonsense of the Island moving in those directions and the degree to which, if we did move in those directions, that the bad bits, if you like, to growth could be mitigated to the environment's improvement.

Deputy J.H. Young:

Would it not be a 2-way process, Minister? If the Island were to go that way would it not be the responsibility of the Minister dealing with the Island Plan, the land use policies, to at least make the States aware of the consequences of that policy and what would be necessary to achieve it in terms of land use, if it is adopted?

The Minister for Planning and Environment:

It would and that is why we have arrived, in the Council of Ministers, with our policy framework initiative to ensure that the Minister for the Environment gets a voice at the table.

Deputy J.H. Young:

Does that not, therefore, imply as well that the public view should come into that discussion?

The Minister for Planning and Environment:

It must, yes.

Deputy J.H. Young:

Because just using the example of population, for example, if the Island were to set a limit that would turn Jersey into Hong Kong, say over 30 years, would that not be an issue that should be aired or subject to discussion at an Island Plan consultative process?

The Minister for Planning and Environment:

Yes, I think it should but it is a type of Island planning that I would categorise as being strategic Island planning rather than Island planning as a land use document responding to some other department's needs, like housing or whatever, in order to deliver on whatever needs to be delivered.

The Deputy of St. Martin:

Regardless of what we do with the population debate, Minister, it is quite clear from the figures we have been given that we are going to have an increase of somewhere around 14,000 people over the age of 65 between now and 2035. That is going to be a significant increase in the requirements of people of that age, whether that is in nursing homes, retirement homes. Given what we have just said about Island Plans reflecting strategy, do you think that you may need to come back to the Assembly before the end of this plan with a strategy for how we are going to deal with the ageing population?

The Minister for Planning and Environment:

I do not think so because the planning alternatives that are being discussed in order to accommodate care needs have centred of late with States debates on the provision of care systems within existing households, so it is not necessarily as black as perhaps you are wanting me to paint, and suggest that we do not have enough care homes built and everybody is going to be moving out of their individual homes into one of these care homes. In actual fact, the opposite is probably the case. So, in terms of land use planning for provision of these care homes or extra households, I think those 2 things have been taken into account with the existing plan.

[14:45]

Deputy J.H. Young:

What about sheltered housing, Minister, the intermediate housing?

The Minister for Planning and Environment:

Sheltered housing I think is ... I had better watch my words, really, a bit of a fix to tell you the truth. I think we do not have sheltered housing in the same sense as is meant by the words in the U.K. or other European communities. I think, until we agree on what we all mean by "sheltered housing" I do not think we should seek to encourage a greater provision of something which is not necessarily what we all think it is or should be.

Deputy J.H. Young:

But we should agree to what that is?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

Okay, Minister. Thank you.

The Deputy of St. Martin:

Well, I think we can agree to a definition. I think everybody knows what sheltered housing means. Jersey folk know what it means to them. Does that mean we need to come up with a different word for it, Minister?

The Minister for Planning and Environment:

I think we need to have a number of debates or discussions to look at what sheltered housing is and means in other communities and decide, if there is going to be a Jersey definition, to what extent we take onboard those provisions. Some of the sheltered housing provision that I have seen in the U.K. and elsewhere goes as far as providing shops and other kind of leisure pursuits within village-type environments. Now, if we said that we are going to be picking up on that style of sheltered housing provision rather than just a few extra houses for people over a particular age and carers that come in to keep an eye on things, then I think we would have a different Island Plan but we have not got a general agreement, as yet, what is meant by "sheltered housing" and, until we do, I think the jury is out, so to speak.

The Deputy of St. Martin:

Do you think it is important we do that? Maybe I should be a bit stronger and say: "Would you be prepared to come to the Assembly to get that defined in the very near future?" Because it is very important that we do that.

The Minister for Planning and Environment:

I think it was something that was commented on in the Island Plan review.

Chief Executive Officer:

Yes, I think in terms of where we are moving with our work with the Strategic Housing Unit, they will be producing a housing strategy which should encompass both private and public requirements for housing and housing needs in all forms. So what I think is pretty clear is that we do not have a holistic housing strategy that covers all sectors of our housing requirements. It is that document really where the definition should be tied up and need expressed. The Island Plan's job is to express that in land use terms. I do not disagree with the whole idea of needing to define this area and to be very clear on the need that we have got in the Island. That needs to be expressed in the housing strategy so that we are working with the data. We can express that in a land use term if required, then, in the Island Plan.

Deputy J.H. Young:

I think we will be coming back to this subject in the future.

The Minister for Planning and Environment:

I suspect we will.

Deputy J.H. Young:

Can I shift on to the other major topic, which is the balance between economic and environmental and heritage considerations. The report suggests that people in Jersey are passionate about caring for their environment but less passionate about our heritage. Do you have any thoughts on that, Minister? Do you agree with that?

The Minister for Planning and Environment:

I think it really depends on the individual buildings. We have different behaviours from those who say they support heritage buildings from one day to the next. I think it is the usual case with planning that we have to weigh up all of the different material considerations in our decision-making.

The Minister for Planning and Environment:

Yes, but I mean the strategic level. Obviously, your answer there is about individual decisions on individual schemes but, really, I was getting at the strategic point. The report says there is overwhelming evidence of very, very strong community support for making sure our environment is protected, but less so on heritage. There are concerns about conflict between heritage issues and practical, day-to-day living issues. Would you accept that?

The Minister for Planning and Environment:

I think that one is probably overplayed because certainly in some instances I would suggest that the housing issues are seen as a lot higher, and this is modern housing, than protection of open spaces. So I think, although in some areas within the green zone or within the coastal national park, wherever, some of those individual areas probably score a lot more highly in some people's minds than others. But I see particular difficulties, for example, with a solution that it is okay to rezone, for the sake of example, fields in built-up areas or close to St. Clement predominantly, for social housing but not necessarily to have it on the western part of the Island or the northern parishes, who do not bear the brunt, if you like, of the social housing provision to the same degree as the more built-up parishes. As far as I am concerned, from an agricultural land point of view, I think it is as bad if not worse losing high-grade agricultural land. I am of the view that eastern land is probably of a higher value than western land, by and large, but that is on the agricultural side. On the flipside, maybe the wider environmental landscape issues are probably different in the west compared to the east, and I think building on agricultural land generally anywhere is not good, but we do it.

Deputy J.H. Young:

As far as our coasts, the report says that people are concerned to keep the coast as undeveloped as possible. Do you see that in any way separate from the issue of heritage and green fields for housing?

The Minister for Planning and Environment:

No, I think they are similar issues, but we have to be careful again in defining our terms. The coastal national park, for example, designates policies that mainly deal with the coastal escarpments and the cliffs. There have been arguments during the Island Plan debate as to how far you can move backwards into the ordinary countryside areas while at the same time reserving a coastal national park title for those lands. It is a grading issue. It is a judgmental issue, but I think generally people would not naturally put buildings built into cliffs on the north coast or whatever. As you move inland towards the agricultural areas, which I think are as special, things start to be seen somewhat differently. But, all in all, going back to the point about built-up areas and buildings of heritage merit in the built-up area, one man's meat is another man's ... whatever.

The Deputy of St. Martin:

But, Minister, we are heading, according to the report, for 4,500 historic buildings on the list. How many do we need? Are we not going a bit over the top?

The Minister for Planning and Environment:

No, we need as many as justify the listing. The Island has decided through its elected representatives to abide by international agreements which give rise to a requirement, that I have to deliver, to place on a register any buildings that fit the judgment criteria for putting them on that list. That is a valid and viable process in itself. So it is not just a case of saying: "How many buildings do we need of a particular type?" it is saying if the building itself merits listing it will go on the list. What people are doing at the moment is conflating 2 areas of legislation, and that is the planning legislation with the listing legislation, and suggesting that, by listing properties, certain things may or may not be allowed to happen as easily or at all with their building applications, which is not the case. The 2 things are completely separate. But I will take your criticism that perhaps our department has not made that abundantly clear to those persons who have a different interpretation.

The Deputy of St. Martin:

When is the list going to be completed, Minister? I know we ask you this every time we see you, but ...

The Minister for Planning and Environment:

The list is due to be completed by the end of this year. What people have to realise is that the list is being reviewed so the overall number, the total of listed buildings that were intimated as being worthy of being put on the list, has been whittled down somewhat. There have been a few buildings that have come on to the list, but in general it would be less than the original number that was envisaged in the first place. But all of those buildings will have gone through a process to determine whether or not they should be listed or not.

The Deputy of St. Martin:

If we end up with 4,500 on a list, Minister, do you think the criteria is too tight? Do you think we should have that number?

The Minister for Planning and Environment:

Well, it depends how you are judging. If you are suggesting that by having, as Reg Jeune suggested a number of years ago, too many Methodist chapels and how many did you need to list, you only needed one, and perhaps the one he was ministering in, I think that is the wrong

approach. It misses what the international law and obligations we have signed up to is all about. If the individual buildings merit listing, we put them on a list.

The Deputy of St. Martin:

Yes, I cannot disagree with that. All I am saying is, Minister, if we end up with 4,500 maybe the criteria for making the list is a little bit too long.

The Minister for Planning and Environment:

Well, it might be, but equally it might well be that we are an outstanding heritage provider for that particular style of building.

The Deputy of St. Mary:

Why have we got to comply with somebody else's requirement?

The Minister for Planning and Environment:

Because we have signed up to an international agreement. I take your point. If the Island representatives and the government choose in the future not to follow a particular international agreement, then all well and good. But I think it must be fundamentally wrong, having gone and signed up to these agreements, not to then deliver what is expected by signing up to that agreement.

The Deputy of St. Mary:

Would it be more prudent to identify special features of the building rather than put a blanket coverage on the whole of the building?

The Minister for Planning and Environment:

This is exactly what we do. There are different gradings, non-statutory gradings, within the listing process, but people have to realise that the buildings will be listed as a building that merits it or does not, for whatever reason.

The Deputy of St. Mary:

Very often there is a notable feature on a building which means the building is blanket listed. For instance, it might conflict with somebody that wants to change windows within that building, and that is not really part of the notable feature. You can easily change a window in a building which is listed to look aesthetically the same without destroying any of the notable features.

The Minister for Planning and Environment:

Yes, but within the listing process it does not sign you up to a blanket prohibition to change. Some people on the heritage side would suggest that it does and their detractors would wish to promote that, perhaps, as a way of taking the listing process completely out of government control and perhaps even not having one.

The Connétable of St. John:

Minister, I was taken aback last week at a meeting I had with you and officers from your department and Heritage in relation to historical buildings, when you told me that the parish church of St. John was a listed S.S.I. (site of special interest). There were 2 in the Island, St. John and St. Helier and it had been so for many, many years. That being the case, can you please explain, I did ask the other day and I did not get an answer, why over the last 25 years when the church steeple at St. John has had an awful lot of work of stripping and repointing on at least 2 occasions, your officers were not involved. In that particular case your officers did not get involved whatsoever, to my knowledge. More recently we have done work on the west end of our church. We have done a lot of repairs. We had a church window out, which had to go back and have a lot of work doing to it, and also some historical oak doors. At no time did anybody from your department contact my parish hall and say: "Hold on a moment, X is happening." In the first instance, obviously with the steeple, which was the last time it was done 4 or 5 years ago, why were your officers not involved? If you have got responsibility as it is an S.S.I., why did they not pull us up at the time? Why were we not pulled up this year when we did the work on the doors? Can you answer that, please? Your officers could not answer it the other day.

Deputy J.H. Young:

Briefly, please.

[15:00]

The Minister for Planning and Environment:

Briefly, yes. There are discussions taking place at the moment with the Dean as to the jurisdictional influence that we have under the Listed Buildings programme and the law and his ... what is the word ... overseeing of church property. That is probably all I could say at the moment, or should say.

The Connétable of St. John:

Could I help you?

The Minister for Planning and Environment:

I think you have got a point and it is something that needs to be resolved. Obviously, in other jurisdictions it makes sense that the Island's churches are perhaps some of the oldest buildings meriting listing and going as far as to have preservation, and we really need to make sure that we are in a similar position.

The Connétable of St. John:

Could I help you then, Minister? You were the Deputy Minister under your predecessor. Was there not an agreement between yourselves or the previous incumbent to your position and the church, because we do not need to duplicate work, and I have done a bit of research since, where your predecessor was quite happy to allow the synod or the church court and the rectorats of the various parishes ... there was sufficient rigour within those areas to allow the churches to be controlled by the church court. That being the case, yes, it can be listed, but do we really need to be going down the road where we have got 12 historical churches now, and with all the work that will go into it by your officers to try and list it, when we have a church court who are doing the job that your officers should have been doing?

The Minister for Planning and Environment:

I think people would argue from this side of the table that the ecclesiastical court is not necessarily made up of heritage experts, so you do need that advice. The previous Minister tried to ensure as far as possible that the historic advisers from our department were at least invited to meetings to discuss any work that may be undertaken on these church properties. Recent meetings I have had, as recently as yesterday as I mentioned, with the Dean is to seek to find a way to secure a better agreement or a similar agreement to ensure that the type of example that you raised about work being undertaken and being given authority to do so by church authorities, without my heritage officers being present to advise, does not take place. Otherwise, it does make a nonsense of the listing process to have some of our best buildings being able to be changed in a way that does not take advantage of the historic advisers.

The Connétable of St. John:

Can I assure you they have been changed for the better.

The Minister for Planning and Environment:

Yes, I am sure they have been but it is a question, as was put to me yesterday, of jurisdictional denomination.

Deputy J.H. Young:

So have we got an agreement with the Dean or not?

The Minister for Planning and Environment:

We are working on an agreement with the Dean.

Deputy J.H. Young:

But not yet? So these issues are going to occur?

The Minister for Planning and Environment:

No, they are in train now. I met with him yesterday and there has been an exchange of officer advice and the Dean and myself are coming to a resolution shortly.

The Connétable of St. John:

On another issue, if I could move on, on the national park, I spent a lot of yesterday, along with officers from your department and others, at a seminar at the Radisson Hotel to do with the coastal national park. The concern that I have, the north coast has 3 quarries in that national park. Although one of them is outside of it, the other 2 are within the national park. We are the only parish, for instance, within that national park where heavy industry occurs; in fact, we are the only parish in the Island where we have heavy industry, where we are moving granite around and cutting and everything else. I have concerns because we have real blue collar workers going back generations working within that national park, and yet there is absolutely no allowance within your national park for 2 of the quarries either to expand or to ... well, if anything, because of the way it is designed, and I hope you are going to put my mind at rest, will they have to apply to you if they want to increase the size of their quarry and would that be looked on favourably, given that we are talking about blue collar workers here that have been in that trade continually now for several centuries?

The Minister for Planning and Environment:

Yes, I am sure they will. There have been other applications from other quarry owners in different parts of the Island where permissions have been granted for the continuation of quarrying activities.

The Connétable of St. John:

But they are not in national parks.

The Minister for Planning and Environment:

No, and it is a similar issue to listing of buildings. Having industrial buildings or activity inside a coastal park area does not imply that, by designating the coastal park area, there will be a long-term closure of those industrial facilities. You only have to look at the legislation for the U.K. national parks to see that what I am saying applies. We have got no plans, and I certainly have no

plans, to do it in any other different way. I think there is a current misunderstanding that people think that if areas of land are designated to be special, in whatever capacity, and they appear in relevant schedules, that it is the intention of the Minister for Planning and Environment to curtail what is happening or has happened in the past. What happens is that by putting these buildings or areas into a special state I have to take into account when applications are made, as they are freely able to be made by anyone living or working in those areas, to weigh up any changes that may be to the detriment or the betterment of the area. It is just another set of considerations that have to be taken into account. It is not preservation, although from a heritage point of view and some of the heritage people, they would like to see it as that.

Deputy J.H. Young:

Minister, obviously that is subject to a process of application and so on. What you are saying is it is a current issue. Obviously, coming back to this seminar, I did not get an invitation so I did not go. Can you tell us: is it a piece of P.R. (public relations) spin or does it have a real purpose?

The Minister for Planning and Environment:

It has a real purpose. The States agreed with the last Island Plan that we could designate a coastal national park and that the areas within it were worthy of that designation. What the States did not do, which is what they normally do, is to look at the extent to which monies would have to be found or methods found in order to deliver that coastal national park in a state that they would wish to see into the future.

Deputy J.H. Young:

What you are saying is the Constable should not interpret new policies, the policies are the policies ...

The Minister for Planning and Environment:

The policies are the policies.

Deputy J.H. Young:

... but you are trying to get, what, better use of the park? Is that what it is?

The Minister for Planning and Environment:

The meeting yesterday that I attended in part over the lunchtime period, was to ascertain the extent to which funding streams or conservation volunteer schemes or banging on the doors of rich individual's schemes, or whatever, to find ways to fund some of the work that might be deemed to be necessary in order to improve the landscapes if they needed improving, or to allow

some of the areas to remain in the state that is sufficient to put them on the designation in the first place.

Deputy J.H. Young:

That sounds interesting, Minister. Were you able to take to the table new money to do this?

The Minister for Planning and Environment:

No, I was not.

The Deputy of St. Martin:

Could I just ask, Minister, how a coastal national park, and I have seen the areas very roughly on a very small map, differs from what we have at the moment? How does the national park differ from the coastal backdrop areas?

Chief Executive Officer:

It is the same area. The area that is identified in the Island Plan in 2011 as the coastal national park is the dark green area, in effect. What we have at the moment at this base level is a planning policy that affects that area. It is a planning tool at the moment. The debate we are now starting is: what do we really want to achieve as an Island? Do we want to do more with our coastal national park? Some of the work may well be greater co-ordination of landowners: we as a landowner state, there are the national trusts, there are a load of other significant landowners in that area. Some of it is about common land management practices, common approaches to allowing people to access, branding and information, how you can access the park, walk through it, where do the bus routes go, where are the cycle routes, some of this. Some of it is about usability, some of it is about land management. Invariably, the further down that continuum you get the more money you can spend doing it. One of the debates we have got to have is how much money can we live within and, therefore, what does that mean for the national park?

Deputy J.H. Young:

But you are there with no money in your pockets.

Chief Executive Officer:

Well, we invest a bit of money at the moment. We obviously spend money into the network of paths that we manage and maintain. We work with T.T.S. (Transport and Technical Services) in that regard. We work with the National Trust in that regard. So a lot of people spend money in the park.

Deputy J.H. Young:

Right, so it is existing resources.

Chief Executive Officer:

Some of this is about harmonising what we all do to see if we get ...

Director for Environment:

It is also about trying to establish the fact that the work is being done in the benefit of the national park as opposed to just piecemeal.

Deputy J.H. Young:

I think I am going to move ...

The Connétable of St. John:

Before you do that, I need to ask a question because, historically, we had a national park in St. Ouen, basically. By having extended it, if anyone heard the Constable of St. Ouen speaking yesterday, they would know he has a problem with policing. By extending it and depending on what you put in place, that policing problem is going to be extended to 7 other parishes. Our Honorary Police will not be able to be policing things when you are allowing dual purpose use, i.e. at the moment we are seeing the odd bicycles along the footpaths. Footpaths in general run right across from east to west and in general you can just about handle the odd bicycle on there. If that gets increased, you are going to need to do a lot of work with all those private landowners who gave their permission in the first place but, further than that, you are going to have to do an awful lot of work with the Honorary system, and probably the States Police but in particular with the Honoraries, who will have to police scenarios and incidents that will be happening. You may have heard the Constable of St. Ouen speaking yesterday. He was quite forthright in what he was saying about the concerns he has. They have problems now; by multiplying it 7 times you could have an awful big problem. So you have got an awful lot of work to do before ...

Deputy J.H. Young:

Without getting into the detail, have you got this issue in hand? Is this process going to address this Constable's concerns?

Director for Environment:

Without getting into the issue, yes, and it is by means of something I was going to go into later on, which was the countryside access strategy for Jersey, which is a consultation document going forward this year. All these people you mention will be consulted on it.

Deputy J.H. Young:

I want to close ...

The Deputy of St. Martin:

Before we do, could I just have one very final small piece? I take it that the department are aware of the damage being done by mountain bikers, for want of a better word?

Director for Environment:

Aware, and aware of the cost to replace it or to refurbish it as well, yes, absolutely.

Director for Development Control:

It is an issue that was discussed in a number of groups yesterday at the coastal national park meeting and it is an issue of pressure and activity and accessibility. While we all want to encourage accessibility to the park, there will be limits on what it can take in terms of the population it can hold.

Deputy J.H. Young:

What we are hearing is there is a problem now and there is a danger the problem will get worse and, therefore, it requires stronger management intervention. Is that what you are saying?

The Minister for Planning and Environment:

I think it needs management intervention, for sure, but there are different ways to provide that management intervention. It is not necessarily at this point in time just a case of banging on Treasury's door and saying: "Right, pump extra taxpayer monies into it." What was discussed a number of years ago was the extent to which perhaps alternative ways of achieving the management that would be required would be to increase the ordinary users' involvement in keeping it in the state that served his or her best interests by way of park rangers putting forward their services on a voluntary basis. It is early days yet, but what is fundamentally clear in my mind is that the States, just as they did in agreeing to endorse listed buildings through an international obligation, by designating it a coastal national park area, as we all have done, it does come with certain financial strings attached. If people did really mean what they meant in allowing us and giving us the green light to go ahead and implement this, they really have to accept the consequences in financial terms or organisational terms.

Deputy J.H. Young:

Will you be bidding for more money for this to put in place the amount of monies the ...?

The Minister for Planning and Environment:

It might come to that if other alternatives are insufficient to generate the funds that will be required.

The Deputy of St. Martin:

Are we not in danger of making a rod for our own back, Minister? It sounds like it is going to cost more and it may be more difficult for the public to access it after we have finished.

[15:15]

Chief Executive Officer:

The pressure of increased access is not linked to the designation of the park in the first place. I think we have got an inherent environmental asset there that people like using. Whether or not it has a green wash over it calling it a national park or not, we have a lot of people increasingly using our north coast paths especially for a number of access reasons, whether it be horses, bikes or walking. Whether or not that has a green wash on it or not does not really matter. We are seeing an increase in access. Green washing it and calling it a park gives us the ability to have a management plan put in place so that we can try and get a bit of joint and concerted action and consistent action across a number of people with a view of trying to make sure that bikes and horses and pedestrians are all in the right places at the right time. We have got many bits of our footpath network where we have got conflicting users and it is very bad for the path physically, but it is also a health and safety issue for the people who are using the path. These are some of the issues that we have got to work out with landowners whether there is an alternative route for horse riders, an alternative route for pedestrians. It is not an easy job by any stretch.

Deputy J.H. Young:

Were all these groups involved in this meeting of yours, the horse people, the bike people and so on? Were they all there?

Director for Environment:

We had 50 separate land users' groups yesterday, yes.

Deputy J.H. Young:

They are all co-operating with you?

Director for Environment:

They are all discussing with us so far and they will also be included in a consultation of this countryside access strategy, which will take us through from almost now until the next 6 or 7 months to try and get a proper understanding of what people want to do on the land.

Deputy J.H. Young:

This is obviously quite a significant issue and we will be watching developments closely, Minister.

The Minister for Planning and Environment:

Potentially, it is a very good example of the tripartite way of working with sustainability at the heart.

Deputy J.H. Young:

Okay. I think I would like to just draw to a close the session on, obviously, the Planning Officers report. Minister, do you regard this as a successful report? Did it meet your goals? Was it thorough enough?

The Minister for Planning and Environment:

I think, generally, it was but, as my officer said, it is a moving corridor. The process itself remains open to review on a regular basis and the things that have been referred to as perhaps shortfalls will be plugged, sorted out, and ...

The Deputy of St. Martin:

So where the word "urgency" is used, Minister, will those be priority issues to resolve?

The Minister for Planning and Environment:

That is right.

Deputy J.H. Young:

So how should we see this report, as a comprehensive piece of work or just as a kind of start-up attempt leading to further initiatives and further work?

The Minister for Planning and Environment:

I think it is a pat on the back to the officers within the department and the Minister for moving in the right direction.

Deputy J.H. Young:

[Laughter] I am sure you do. I ask, because I think our session was about half an hour, we had with them, which is pretty limited time.

The Deputy of St. Martin:

Can I just ask one final question before we move off, and that concerns the planning panel, Minister. One of the recommendations says that you should consider enlarging and strengthening

the panel. Could you go further than that to tell us what numbers we are talking about and what the "strengthening" is referring to?

The Minister for Planning and Environment:

I think in terms of the membership of the panel, because it is open to States Members to volunteer their services and you cannot press-gang service and should not seek to do that, we struggled to get the numbers that we have got. I think if it came forward that perhaps it was a suggestion that everybody should have a spell as a co-opted member of the planning panel, then I might support that, because I think planning is one of those areas that does affect all States Members in different regards. There is nothing like being a member of a planning panel to bring more of the issues into sharper focus and to enable more balanced comment, perhaps, to be made in relation to the issues that we undertake. But press-ganging people ... and, on the flipside, also we have to take into account that if groups of people are being put together to provide a panel-type of decision-making process, if the panel gets too big and becomes too unwieldy, again, there are certain limits over and above which ... 7 members is probably round about the right size. I think, though, it should be, first of all, Members; I think I have made comment before that I do not think the application panel should be made up out of lay members, as has been suggested.

Deputy J.H. Young:

So States Members, but the report does propose strengthening of the panel in all sorts of ways, does it not?

The Minister for Planning and Environment:

Yes, well, as far as possible but, as I say, it is quite difficult to force people to do things that perhaps they see as too onerous.

Deputy J.H. Young:

Right. But would you accept the report elevates the role of the panel, particularly in the light of the new appeals procedure, which I think I am just about to come to?

The Minister for Planning and Environment:

It does, yes, and one of the changes that I implemented was to ensure that, in order to allow planning application members not to be compromised by being Deputies or elected Members from particular areas, was to bow out of any discussions on any of those applications that were on their patch, so to speak.

Deputy J.H. Young:

That happens, does it not?

The Minister for Planning and Environment:

That happens, but that inevitably means that we probably need more people than less people and I think that is where the answers were coming from.

Deputy J.H. Young:

Well, I think that is the answer to the Deputy's question. There is plenty more material here but time is moving on. It is a public document; I am sure it is there for people to look through and respond on what you have said, Minister, and there are a number of threads where we will be coming back to in the future. Perhaps I should just ask you before I close: what is it your intention to do with this report?

The Minister for Planning and Environment:

Act on it.

Deputy J.H. Young:

Right. Act on what, it that you like or ...?

The Minister for Planning and Environment:

No. I think it is going to be properly reviewed and the areas that need strengthening will be strengthened.

Deputy J.H. Young:

Right. Okay.

The Connétable of St. John:

Can you give us a timeframe, please?

The Minister for Planning and Environment:

Yes. It is all going; that is down, because we are running out of time.

Deputy J.H. Young:

Before you leave office?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

Okay. Right, planning appeals. Minister, obviously we are in a position where the States have approved your new arrangements. When are we going to see the new planning appeals process?

The Minister for Planning and Environment:

The officer has the timetable.

Chief Executive Officer:

Yes. We are currently drafting the law with the law drafting team, so we hope to lodge that in early April; we are pretty much there now with all the work that needs to be done on law drafting, so that is going to be lodged in that sort of timescale. There is a 6-week lodging period for the Minister, so that would bring a debate into the Assembly, on the details of this, in June. We then go through ...

The Deputy of St. Martin:

We have got nothing else on in June so that will be fine ...

Chief Executive Officer:

There is nothing else in June, yes. We are very cognisant of the amount of work that is coming to the Assembly and it is stacking up for July, so we really want to get this debated in June; all being well, with a positive discussion and decision in the Assembly in June, then through the Privy Council group, with a view that we are hoping this will come into effect in January 2015.

Deputy J.H. Young:

The report makes the point that this will require planning inspectors that have got experience of third-party jurisdictions. Are you able to get those?

Chief Executive Officer:

We feel we will be. We have certainly looked at the Isle of Man model and there are inspectors out there who have experience of that; they have a core, obviously, for want of a better description, of inspectors. It is certainly intended that the Judicial Greffe will run a list of inspectors for a number of issues, this appeal system will cover a number of matters, including planning applications, but it will also include building by-laws, trees, heritage, et cetera. So there will need to be a blend of inspectors on that list to be able to be called on to give those judgements, so that will have to be ...

Deputy J.H. Young:

The law change you are bringing, is that an enabling law or will there be later regulations on the procedures of the appeal process?

Chief Executive Officer:

It is an enabling law. Some of the detail will flow through in later decisions.

Director for Development Control:

If I can just assist there, Chairman. It will be in an order which accompanies some law changes, so a change to the principal law and an accompanying order.

Deputy J.H. Young:

What about fees? Will those orders include fees?

Chief Executive Officer:

We have a fees order already within the department, that is the consolidated fees order; everything we charge for is in one fees order within the department, so that will be a change to the fees order in January 2015. We change those on an annual basis.

Deputy J.H. Young:

I see. The report says that when this new arrangement happens, the Minister will no longer make judgements on applications, except by call-in, is that correct, is that still your plan?

Chief Executive Officer:

That is correct, yes. Yes. The Minister, in receiving a recommendation from an inspector, cannot therefore be the first decision-maker in the first instance because he or she cannot then review his or her own decision.

Deputy J.H. Young:

Will that upgrade the role of the Planning Application Panel, so, effectively, become the de facto Minister for Planning and Environment?

Chief Executive Officer:

It certainly upgrades the panel in a sense that all political decision-making at the first instance will go through the Planning Applications Panel. The Minister clearly still exists in a role to either call in applications and receive appeals at the end.

The Minister for Planning and Environment:

Can I just add in there: the panel will not be the de facto Minister because the Minister has a number of other roles that the Planning Application Panel will not carry out. So the Minister for Planning and Environment will still be the Minister for Planning and Environment for the setting of policy and the further review of appeals and so on, so those elements will remain.

Deputy J.H. Young:

At the moment the States approve the membership of the P.A.P. (Planning Application Panel), do they not?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

What about the appointment of the Chairman and the Deputy Chairman of the panel, will that, in your law, be proposed to be approved by the States, or is it just up to the panel to choose their own chair?

The Minister for Planning and Environment:

I am in 2 minds about that one. I think that the chair of the panel at the moment can be passed over to other individuals if the chairman is conflicted, so I see the same thing possibly applying. I do not think it has to be given to any one person particularly, but I am open-minded on that.

The Deputy of St. Martin:

What roles does the chairman fulfil that other members of the panel do not do at the moment currently, Minister? Is there anything specific that the chairman has to do?

The Minister for Planning and Environment:

No, he is just the chairman of the panel.

Chief Executive Officer:

No, we have had a discussion whether under the new system there should be a casting vote at all, or not, for the chairman, and we have concluded that there should not be a casting vote for the chairman, because that is consistent with how other committees and panels have operated under ministerial government. So we are currently in discussion with the Greffe as to how the panel are appointed, so there may well be a change that we bring more details to the States Assembly for appointments to the panel, but we do not envisage the chairman, as I say, getting any more role over and above a member of the panel, in terms of administrative things, for the meeting itself.

Deputy J.H. Young:

I am sure we will be coming back to that. If there are no more questions, I would like to move on to planning and building charges. I think we have had this discussion a number of times, Minister. I think I would just like to start by asking you: why is the Planning and Building Department making a profit from planning and building fees?

The Minister for Planning and Environment:

I do not think we are making a profit out of it.

Deputy J.H. Young:

Well, when one refers to the medium term financial plan update, your figures for your department are showing you in surplus in this area. Why is that?

Chief Executive Officer:

I certainly do not think we are making a profit. We seek to recover our application services from the fee income that we receive but certainly we are not in profit for planning and building.

Deputy J.H. Young:

Are you familiar with the figures that the Treasury have published in their medium term financial plan update? It does show a net income under planning and building services.

Chief Executive Officer:

Yes. It depends on how you account for income over a period of time, so clearly, some years we have more income and some years we do not have income, and it does go in peaks and troughs but, certainly, we are not a profit-making organisation. We do seek to recover our application service costs from the private interests it serves.

Deputy J.H. Young:

Your goal is 100 per cent, though?

Chief Executive Officer:

Yes, it is.

Deputy J.H. Young:

But you are saying those figures are not right where they are showing a surplus?

Chief Executive Officer:

Well, I am saying they do vary, because our income varies quite remarkably depending on the year, so some years we get more income than others.

Deputy J.H. Young:

So it is an accident?

Chief Executive Officer:

I am not saying it is an accident, no. I think it is just invariably our income and our costs are ... I liken the budget sometimes to trying to land a 747 with an empty fuel tank; that is how it feels to try and land our States budget sometimes. Invariably, some years we will have a bit of surplus cash, some years we may be under spent, but if we look at income and costs over a period of time, we seek to recover income and costs, basically, to balance.

The Connétable of St. John:

I am shocked, Chairman, because each planning application should only wash its face as far as the cost; there should not be money carried forward over the costs of the year. So if I put a planning application in, I should not be expected to be funding some other part of somebody else's application, because that is the way you are saying it.

Chief Executive Officer:

That does not happen, no. The vast majority of applications we receive we do not cost-recover on that fee; it costs far more to process than we get in fee. We have had political decisions, and we subsidise householder applications from commercial applications, in the main. The commercial income we are getting from commercial applications tends to allow us to charge less for householders within the system, but we tend not to cost-recover. A good 75 per cent of applications we receive cost us more to process than we get in income.

The Connétable of St. John:

You are making a profit.

Deputy J.H. Young:

Previously, we asked you about whether or not there was any cap on your charges. As I understand it, you have now introduced one.

Chief Executive Officer:

There is now, yes, as of this year.

Deputy J.H. Young:

Just remind us what the figures are?

Chief Executive Officer:

There is a £200,000 cap on a planning application.

[15:30]

Deputy J.H. Young:

So can I ask you: does it cost a planning officer £200,000 to deal with a planning application?

Chief Executive Officer:

On that instance, probably not.

Deputy J.H. Young:

So the big applications cross-subsidise others?

Chief Executive Officer:

Absolutely, they do, yes. That has been a mindful political decision.

Deputy J.H. Young:

What is the biggest planning application that you have dealt with in the last year or so?

Chief Executive Officer:

In the last year, in terms of value, in terms of fee?

Deputy J.H. Young:

Yes.

Chief Executive Officer:

That is probably about a £205,000 application.

Deputy J.H. Young:

What would be the cost of dealing with that, roughly, £1,000?

Chief Executive Officer:

It would be far more than £1,000; it would run into tens of thousands of pounds for cost of processing an application. On the other side, we also charge very minimal fees for some of our householder applications, which cost far more to process than we charge. So some fees we levy at £30, £40, £50 and they cost hundreds of pounds to process.

Director for Development Control:

And there are thousands of those; that is the difficulty.

The Deputy of St. Martin:

Recently the Chamber of Commerce published some figures, and I do not know if you are aware of ...

Chief Executive Officer:

Yes, I have seen those.

The Deputy of St. Martin:

Have you looked at them? Do you find them to be accurate?

Chief Executive Officer:

I find them narrow in focus. The debate on planning fees, I think, is narrow in focus. It is very easy to compare our planning fee to a fee levied in the U.K. In many respects, our fees here are lower than those fees levied in the U.K.; certainly, for general householder planning applications we are cheaper in many respects than the U.K. We are more expensive here on some of our larger commercial applications than in the U.K., and that has been a mindful decision over the past 3 to 4 years to help householders in running their lives, in effect, and improve their homes. Where we differ with the Chamber in that sense is that we should look at the percentage of the planning fee as part of the development cost envelope as a whole. Our fee is only one part of the professional fees that get levied on a development concern. Typically, professional fees are between 12.5 per cent and 15 per cent of a development project. The challenge I put back to the Chamber is whether the planning fee is a disproportionately large percentage compared to other fees. I would argue it probably is not, but we also need to factor in the other elements of the U.K. system, for instance planning gain: the U.K. system asks for thousands of pounds worth of planning gain and planning value back to the community, the Jersey system does not. So, at the moment, in terms of the equation of development costs and the public gain from development, I would argue we are still cheaper than the U.K. because we do not achieve the levels of planning gain that is achieved in the U.K.

Deputy J.H. Young:

Jersey folk like to compare themselves against their nearest neighbours and, in both cases, with both the housing and the commercial, we appear to be nothing less than at least double the cost in Guernsey.

Chief Executive Officer:

That is correct, yes.

Deputy J.H. Young:

Do Guernsey have such different rules from us? Is the way we do it so different they need to be double?

Chief Executive Officer:

Certainly, it is a different mindset. What it opens up is a philosophical debate as to whether an application service should be subsidised by the general taxpayer or paid for by the private interest it serves.

Deputy J.H. Young:

You are saying the Guernsey service is subsidised 50 per cent by their taxpayers?

Chief Executive Officer:

By the general taxpayer, it is, yes.

The Connétable of St. John:

What about the Isle of Man? The figures also mention the Isle of Man.

Chief Executive Officer:

I do not know for the Isle of Man but, again, the Isle of Man may well be cheaper in terms of to the developer applicant, but that invariably then means that the general taxpayer is picking up the subsidy on behalf of developers. We have made mindful decisions over the last 5 to 10 years not to do that and, where private interests benefit from a planning decision, they should pay for that decision otherwise you put the costs back on to the general taxpayer. So there is a wider philosophical point about who should pay for application processing.

The Connétable of St. John:

When I came into the House, this was all being debated all those years back, and the idea was it would wash its face, but not at the cost of other people. Planning applications were supposed to wash their own faces not some areas subsidising others. So when was the decision made for planning applications to be subsidising other areas, other parts?

Chief Executive Officer:

The applications we receive subsidise other application fees so if we charge a developer on a large development/commercial operator more, it means that we can charge a householder less, and that has been the political decision over the term of the previous Minister: to push more cost on to developers of larger schemes and to allow householders to extend and improve their homes at a lower cost.

Deputy J.H. Young:

These figures really are quite marked. You have seen them: £200,000 for the big scheme you spoke of, it would be £43,000 in Guernsey, £45,000 in England and £7,000 in Isle of Man. You take housing figures, there is a similar sort of ratio. Is it because departmental costs are high? If you are saying that there are comparisons of differences in the way they account for different types of work, we surely cannot ignore the fact about cost base in Jersey being high, can we?

Chief Executive Officer:

No, I think the comparison is the fact that the general taxpayer in other jurisdictions pick up more of the cost and, indeed, we ...

Deputy J.H. Young:

In England and in the Isle of Man, you believe, and in Guernsey?

Chief Executive Officer:

Yes, and here we have made the decision not to do that and I think that is where the differences exist.

Deputy J.H. Young:

Was this a decision of the C.S.R. (Comprehensive Spending Review) or whatever it was called, that charges get set at this level?

Chief Executive Officer:

Partly, yes. Partly through our annual fees orders with the previous Minister, but also through the C.S.R. in the sense that there was an acceptance that we would get more income in and reduce the burden on the general taxpayer. So there was a mindful decision to cost-recover those services.

Deputy J.H. Young:

So this was when there was a savings review and, rather than produce savings in expenditure, the fees were up to get people to pay?

Chief Executive Officer:

No, these fee increases were in addition to our savings on expenditure. So the department was given a 10 per cent savings reduction in the C.S.R.; we, in effect, delivered a 19 per cent net reduction on our budget in the C.S.R. period because of additional income brought in as well.

Deputy J.H. Young:

What happened to this money, then? This was extra money.

Chief Executive Officer:

Well, it has meant that the general taxpayer now does not subsidise some of our application services.

Deputy J.H. Young:

Yes, but what happens there? If you said you were not required to do ...

Chief Executive Officer:

Yes. It just means the settlement we get from the Treasury each year is less, we have to make up our costs ...

Deputy J.H. Young:

Right. So the Treasury got the benefit of this?

Chief Executive Officer:

Well, the general taxpayer gets the benefit of income because there is less public expenditure.

Deputy J.H. Young:

So have we shifted the charge from the taxpayer on to the developer and the person doing the development?

Chief Executive Officer:

Correct. Because they are the people who are benefiting directly from the development, either in development profit and gain, land value or by the fact that their house has improved and they will get benefit through ...

The Deputy of St. Martin:

When you say "developer" do you include in that large-scale housing developments?

Chief Executive Officer:

Yes.

The Deputy of St. Martin:

So the person purchasing the house would be suffering part of that cost through subsidising?

Chief Executive Officer:

No, the cost of development should come off the land value prior to getting it to the consumer.

The Deputy of St. Martin:

Should?

Chief Executive Officer:

Well, if the market is working correctly.

The Connétable of St. John:

Can I come in there? So therefore, at the end of the day, there is a surplus, which the Chairman has mentioned, so at the end of every 12 months, every financial year, or is it at the end of every 3 years that there is a surplus shown?

Chief Executive Officer:

Some years, if we are lucky, we have a surplus. That is a good thing for us to have in the sense that we cannot, by law, overspend our budget.

The Connétable of St. John:

So what is the current surplus?

Deputy J.H. Young:

Are you defined as a trading account, then?

Chief Executive Officer:

No. But under the ...

Deputy J.H. Young:

Where does this by-law come from?

Chief Executive Officer:

Under the Finance Law, as the Accounting Officer, I cannot allow the department to overspend.

Deputy J.H. Young:

That is in total?

Chief Executive Officer:

In total.

Deputy J.H. Young:

But there is no restriction in the law that requires you to make a profit on planning applications? Sorry, I misunderstood.

Chief Executive Officer:

No, the planning application service does not make a profit.

Deputy J.H. Young:

Well, figures in the M.T.F.P. (medium term financial plan) speak for themselves. Members, do you want to carry on on this or shall we move on to another subject? I have not got the figures on this now, so ...

The Deputy of St. Martin:

Chairman, I can appreciate the officer's problem in as much as he is never going to know, coming into the year that he is going into, how many applications he is going to have and how much income he is going to have.

Chief Executive Officer:

No. We have to try and guess how much income we are going to get in the next year. That is set in the budget as an income target. Clearly then, work appears throughout the year with a fee attached to it. It may well be the case that we hit December and we get a large application come in that is decided, and suddenly our income is very skewed very quickly because of an application. So, as I say, it is like trying to land a jumbo jet with an empty fuel tank; it is quite hard to balance.

The Deputy of St. Martin:

Before we move away from fees, though, Chairman, if I might ask: there has been a recommendation made that maybe we should be looking at phased planning fees. Have you got anything to say on that?

Chief Executive Officer:

We have certainly been talking to the industry on that and we have introduced a phased planning fee for an outline planning application. The industry were after more certainty from us without incurring a lot of cost on the planning fee, so now they can get an in principle decision for 25 per cent of the cost that it used to be. That then gives them certainty to progress and incur further expenditure if required. So I think we have responded to that. The difficulty with a phased fee is, if you ultimately then say no, trying to get someone to pay their final instalment because they have had a no is incredibly difficult to do. We do not say no that often, we probably approve 85 per cent to 90 per cent of applications that come through our doors now, but it is incredibly hard if you have

a phased fee. If the final 20 per cent is down to the decision and that decision happens to be no, it is very difficult to say: "Can we have your cheque, please?", for the next few hundred pounds/few thousand pounds. So therefore we do not phase them on the basis of the decision, but we think we have responded to the industry to allow a 25 per cent application to come in. So far, we are 3 months into that operation. We spoke to the Chamber yesterday, they seem quite positive about it. Time will tell if that is doing its job, really.

The Connétable of St. John:

Can the Minister supply us with the surplus figure for the last 3 years?

Deputy J.H. Young:

Yes, I was just going to ask that, for the last 3 years: 2012, 2013 actuals and estimates for 2014 income and expenditure in this area, if you could let us have that, please?

The Minister for Planning and Environment:

Yes.

Deputy J.H. Young:

I am going to move now to the Energy Efficiency scheme. Minister, where is the audit report you promised us on this scheme?

The Minister for Planning and Environment:

That is about to be produced and made available to the public.

Chief Executive Officer:

It is with the Chief Internal Auditor, who has been leading this piece of work, it has not been us. Obviously, we cannot audit ourselves, so it is with the Chief Internal Auditor. I believe the work has been done. We are awaiting the report.

Deputy J.H. Young:

What was the scope for the audit report?

Chief Executive Officer:

They have looked at the governance and the expenditure on the grants and our processes that we have got in place to apply the grants.

Deputy J.H. Young:

What about criteria for grants, is that included?

Chief Executive Officer:

I would say that is probably more of a policy matter rather than a process matter. The policy of setting eligibility criteria will be down to policymakers, the application of those criteria could well fall within an audit to make sure that we are sticking to what we have said, that these grants will go to the people that we have said.

Deputy J.H. Young:

What about value for money, is that included there, the terms of reference? Because we have not seen the terms of reference, you see. We were told there would be an audit a year ago and we were waiting for it.

Chief Executive Officer:

Yes, as I say, it is with the Chief Internal Auditor so we are awaiting the report as well.

Deputy J.H. Young:

So this will be published?

Chief Executive Officer:

It will.

Deputy J.H. Young:

We will look forward to that with interest. Can you give us a final date, a commitment as to when we will see it published?

Chief Executive Officer:

I cannot answer on behalf of the Chief Internal Auditor, but I believe the work has been done, so it is a matter of weeks, we are hoping that that will be with us. I have not got a date, is the honest answer.

The Connétable of St. John:

So will we have it by our next quarterly hearing?

Chief Executive Officer:

I would hope so, yes.

Deputy J.H. Young:

Well, could you pass on, if you are speaking to the Chief Internal Auditor, our interest in the matter, if they do not already know, and we certainly want to see the report and have a look, because this

is certainly relevant to the energy strategy, Minister, which you are taking to the States, we now understand.

The Minister for Planning and Environment:

Yes.

The Deputy of St. Martin:

Can I just ask one question on that, please, Chairman? Minister, in your *Pathway 2050* document, chapter 3: "Reducing demand for energy", it says that you will: "Introduce more stringent energy targets for buildings and, by 2014, a 60 per cent improvement on 2011 targets for newly-constructed dwellings." Have we managed to achieve that?

The Minister for Planning and Environment:

I cannot say at the moment. I think we have, but we will do you a schedule.

Chief Executive Officer:

Yes. The last by-law change required 20 per cent less delivered energy to properties, so those by-laws have been in operation now for 2 years. I think what the *Pathway 2050* document signals is that we want to push that further. We are somewhat behind other E.U. (European Union) jurisdictions in terms of where ... and invariably our building industry reflects the building materials and construction materials that get imported to the Island. So these materials and construction techniques are available in Europe, so we have just got to make sure our regulations, to a certain extent, catch up with that. That is going to be something that comes out in the next couple of years.

The Deputy of St. Martin:

60 per cent is a lot to achieve. What is the basic ingredient in that 60 per cent? Are there different types of insulation walls ...

Chief Executive Officer:

Fundamentally, yes, delivering less energy means we need to insulate our properties in a more efficient way, therefore we need less energy to heat and cool them. So that is where the majority of the focus will be. The big gain is in energy demand management; reducing our needs for energy is where the big gains on cost and carbon can be made, then what we have is there is more of it to go round, in simple terms.

[15:45]

Deputy J.H. Young:

Can I clear up a couple of issues which are still lurking in my mind? When we did the energy review, you told us that it was really intended that this energy efficiency body was going to be a trust. That did not happen, did it, Minister, it was never formed as a trust?

The Minister for Planning and Environment:

I do not think ...

Deputy J.H. Young:

So what has its current status, effectively, been and what is it now?

Director for Environment:

Are you confused as to the Jersey Energy Trust and the Energy Efficiency Service? The Jersey Energy Trust is the overseeing body.

Deputy J.H. Young:

Are you happy to show us the trust deed?

Chief Executive Officer:

No, we have clarified this on a number of occasions: while it is called a trust, it is not a trust in law.

Deputy J.H. Young:

So it cannot be a trust if it is not a trust.

Chief Executive Officer:

No, it is just called the Energy Trust, we could have called it something else.

Deputy J.H. Young:

So what is it ...

Director for Environment:

The naming is linked to Energy Savings Trust in the U.K., which delivers a cost ...

Deputy J.H. Young:

Yes, I know, but a trust is a trust, which is a legal body, so it is either a trust or it is not a trust.

Chief Executive Officer:

It is not a legal trust.

Deputy J.H. Young:

Right, so what is it, please? This is what we want to clarify.

Chief Executive Officer:

It is a ministerial advisory body. It is an advisory group that advises the Minister on policy and practice.

Deputy J.H. Young:

Right. So what is its current status? Who is on it?

Chief Executive Officer:

We have a number of parties, we have a chairman ... do you want the names of the parties who are on it?

Deputy J.H. Young:

Well, yes, this is a public body, we need to know on the record who is advising the Minister.

Chief Executive Officer:

Sir Nigel Broomfield is the Chairman, we have got David Lord, who represents the community sector, we have Chris Ambler, who represents the energy sector, and we have Andrea Cook, who is our independent link to the U.K. and Energy Savings Trust.

Deputy J.H. Young:

Right, so that is the link with external expertise.

Chief Executive Officer:

Yes, that is correct. That is obviously attended by a number of officers.

Deputy J.H. Young:

Those are the Minister's appointments?

Chief Executive Officer:

That is correct, yes; that was done under ministerial decision.

Deputy J.H. Young:

Do they set the criteria for grants? You said that the audit would not look at this.

Chief Executive Officer:

No, we use that body as an external oversight body. Clearly, responsibility for the policies and procedures sit with the Minister and myself, ultimately.

The Connétable of St. John:

Can I go back on the Minister's appointments: were they appointed by the current Minister or the previous Minister?

Chief Executive Officer:

The previous Minister, by ministerial decision, set up the Jersey Energy Trust in 2009 and nominated persons. I do not believe we have changed those appointments since.

The Connétable of St. John:

So those were the previous Minister's appointments.

Chief Executive Officer:

The previous Minister, yes, correct.

Deputy J.H. Young:

Do you attend their meetings, Chief Officer?

Chief Executive Officer:

I do, yes. We have a number of officers attending and, again, they provide a useful external oversight, a useful benchmark on our practice.

Deputy J.H. Young:

I just want to be clear: do you approve all of their financial transactions?

Chief Executive Officer:

Well, they do not have their own financial transactions, the financial transactions of the Energy Efficiency Service sit within the Environment Department.

Deputy J.H. Young:

Who approves the financial transactions, then?

Chief Executive Officer:

I do, as the Accounting Officer.

Deputy J.H. Young:

Right, so you do.

Chief Executive Officer:

Yes. They do not have a legal responsibility to provide sign-off to financial matters and those such things. That is part of the Department of Environment's team so therefore it sits within our governance and financial sign-off arrangements.

The Deputy of St. Martin:

Where are we with extending the service to the able-to-pay sector?

Chief Executive Officer:

It is part of the Pathway 2050 discussion. Clearly, the focus of the scheme when it was initially set up by the States was to look at vulnerable households. It has done a good job in that sense and it has delivered a lot of benefit to a number of households. The document does acknowledge we really need to get into the able-to-pay sector, because that is where a lot of energy demand management can take place. So, assuming we get agreement to the 2050 document in June, we would be looking to re-profile its work going into next year.

The Deputy of St. Martin:

So will you not be doing anything until the document is approved?

Chief Executive Officer:

No. I think we need to get States decisions to move forward on those policy fronts because ultimately the States agreed to spend the initial money on vulnerable households. That is what we have done. That is why we have set the scheme up, but the 2050 decision will allow us to spend our energy monies in different areas because, clearly, we need to get into the areas of using our natural resources, tidal and wind energy management, and such like.

Director for Environment:

One of the main facets of the need for the States debate, because it is a 3-layered policy approach at the States debate, is an approval by the States of the energy partnership as the delivery mechanism. So that is going to be one of the priorities after that debate is the set up of the energy partnership who will then make decisions upon how best ...

Deputy J.H. Young:

Just remind us of the criteria that makes you fall from the able-to-pay sector into the less-well-off sector where you get the work done for nothing? What is the mechanism for deciding?

Chief Executive Officer:

I am talking off the top of my head now, because I have not got the eligibility criteria, but we started off with certainly income support, there is an age criteria, an income support criteria. We have been broadening that out into community organisations. There is an acknowledgement that we help a core of people and we slowly broaden out the eligibility criteria to help more people. So they have changed over the course of scheme.

Deputy J.H. Young:

Are they all means-tested?

Chief Executive Officer:

We do not operate a means-testing system. They are, in fact, means-tested to get income support in the first instance, so we talk to our colleagues ...

Deputy J.H. Young:

So they are all income support people?

Chief Executive Officer:

Not all of them, no. As I say, I could give you a breakdown as to who we have helped.

Deputy J.H. Young:

If you could let us have that; presumably it is not a problem.

The Connétable of St. John:

How many of these installations that you have done, percentage or otherwise, have fallen down, where things have gone wrong?

Chief Executive Officer:

There have been a few, a very small percentage; of the probably 1,300 or so households or so that we have helped, I am aware of probably 2 or 3 instances where we have had to go in and rectify issues with contractors and such like. But there is always a percentage.

The Connétable of St. John:

What is the biggest spend on any one of those that has gone wrong?

Chief Executive Officer:

I do not know off the top of my head, but I can give you a figure. One of them probably ran into a few thousand pounds to rectify.

The Connétable of St. John:

Is a "few" tens of thousands of pounds?

Chief Executive Officer:

Possibly, yes. It could have been.

The Connétable of St. John:

Could it be as much as £100,000?

Chief Executive Officer:

No, nowhere near that, no.

The Connétable of St. John:

Could it be as much as £50,000?

Director for Environment:

I think somewhere in the region of £15,000, as I recall. I think you probably know there is one person specifically who has amalgamated a few costs. The one you are referring to particularly we are not at liberty to discuss.

The Connétable of St. John:

No, but I just want to know, so overall, of the number that would have gone wrong since the start, what is the overall figure of all of those?

Director for Environment:

I think it very much depends on what your definition of what "going wrong" is. We have had instances where members of the public have had to come back to us for a secondary installation, but that is very minimal.

The Connétable of St. John:

But where there might be health problems ...

Chief Executive Officer:

Sorry, Constable, are you referring to things such as ... there is one instance I am aware of when some works were done and a carpet was damaged, for instance, by a contractor?

The Connétable of St. John:

No, where health problems have so-called been identified by more than one because of installation, whether it is the foam or whatever else may be causes, or whatever?

Chief Executive Officer:

Well, certainly, I am aware of one case where the recipient has alleged health problems. We have done all we can as the service to try and work with that recipient as to whether there are any health problems or not. We are not aware that there are any health problems.

The Connétable of St. John:

Are there no others?

Chief Executive Officer:

I am not aware of any, but we can find out.

Director for Environment:

There may be one other, but we can break that down for you.

Chief Executive Officer:

If it were to help the panel, we can list out the number of jobs that the service has done since its inception and, frankly, the number of jobs that have potentially gone wrong within that number, I would say, is a very small percentage.

The Connétable of St. John:

I am particularly concerned if there are any health problems in more than one or 2 ...

Director for Environment:

As would we be, obviously.

The Connétable of St. John:

... I would like to know, please.

Deputy J.H. Young:

John, do you want to get in?

The Deputy of St. Mary:

Does anybody from the department visit the applicant before any works are completed or commenced, rather?

Director for Environment:

Yes. We have people going out to check the sites. We have an independent auditor who goes out to try and establish what sort of installation would be useful to try to establish ...

Deputy J.H. Young:

An independent auditor?

Director for Environment:

Sorry, not an independent auditor, an independent contractor who has been out before to go and have a look and see what potential work could be done. That was initially done and we have now brought that back onboard in-house. So, yes, we have people going out ...

The Deputy of St. Mary:

So would that person also be able to verify whether that applicant is eligible for the grant?

Director for Environment:

There would be a degree of discussion with the applicant in terms of the eligibility but, as you have said, the principal eligibility comes from the understanding of the Social Security information that comes through.

Deputy J.H. Young:

I think we will be coming back to this when we get the audit report. So the statement that Mr. Scate has promised, and also if you can let us have a note of the criteria, I think that would be good.

Chief Executive Officer:

Yes. I have eligibility criteria.

Director for Environment:

The eligibility criteria are the same as they are currently posted on the Web, and so that is public information.

Deputy J.H. Young:

Are you happy for us to move on now?

The Deputy of St. Martin:

Yes. We can get back to that.

Deputy J.H. Young:

Yes, okay. We will come back to that. Now, we wanted to check up, because we are obviously running out of time, where we are regarding monies that the States approved additionally in 2012, I think it was, some £300,000. We wanted to find out what you have done with it and whether that has been spent, what it has been spent on. My recollection is that there were 3 elements to it, in fact, according to the M.T.F.P. update, £200,000 on strengthening the Island's environment, master planning £100,000 and countryside infrastructure £50,000, which was to work with the Social Security Back to Work schemes, as I remember, to help deal with the problem of countryside infrastructure. Plus the fact I think you had another £150,000 for the Island Plan. So to take these in order, perhaps, the £200,000 on strengthening the Island's environment?

Director for Environment:

You might recall that a good while ago now you had just been submitted a business case from Environmental Protection for £200,000 and it had 4 principal outputs: one being the first-stage delivery of the E.U. Water Framework Directive and developing a catchment management plan for Jersey. So progress to date, we have contracted Atkins to undertake development of this integrated catchment plan. We are sharing the economic work with Oxera and we are going to be sharing that cost with the Chief Minister's Department, and that is an overall cost of £90,000. We have got a recent bid for funding of post-catchment plan work being considered by the C.M.B. (Corporate Management Board) which failed to get first-round funding.

Deputy J.H. Young:

By who?

Director for Environment:

The Chief Minister's Department. But that work is essentially going extremely well.

Chief Executive Officer:

The £200,000 which was the addition to the M.T.F.P. funding, we have spent some and we have got a business plan to spend over the remainder of this year with our Water Framework ...

Deputy J.H. Young:

So you have to go and ask for it, even though it is in the M.T.F.P.?

Chief Executive Officer:

I guess the term is: "It has got 2 keys on the safe"; we have one key, we need the other key turned for us once we have proven that we have done the work.

Director for Environment:

It is not as simple as you would hope. So that is the Water Framework Directive work. Following the St. Aubin's Water Framework Directive workshop, which you may recall I sent you some information about the outcome of, we have undertaken a sea lettuce study to try and determine the fault of where that sea lettuce is most likely to be generated from. There is also sewerage treatment work aligned with that that Environmental Protection are working heavily with T.T.S. on as far as they had the ...

Deputy J.H. Young:

Is this the monitoring?

Director for Environment:

There is a degree of monitoring associated with that but there is a separate part that you might want to ... we have got £30,000 worth of spend there, and then we have got shellfish pollution pressures, which is the point I think you are referring to there. We are reviewing past data, we have produced a report and a way forward; we have discussed that at a workshop with the shellfish industry. Monitoring of catchment outfall and birds has taken place and we have installed 2 flow loggers. The total cost of that so far has been £13,000. Future work is still to go on: we have got monitoring of catchment and beds. We are using an in-house resource where possible. We are on target there, except we are waiting for the industry now to come back to comment on our proposed forward future monitoring plan. So that is a significant part of work, again. The last output was going to be a technical support officer for our Environmental Protection team; we have employed somebody to give us very high-level administrative work at the moment, that is working extremely well. It may well be that we want to morph that into a longer-term Environmental Protection officer-type staff member, but at the minute we are getting extremely good value from technical administration support.

Deputy J.H. Young:

Do you feel that all that has been very worthwhile, the upgrading, as it were?

Director for Environment:

Without wishing to sound sycophantic, I think without the money that we managed to get through this process, we certainly would not have been able to make anywhere near the progress that we are getting. I think what we have been able to do is start getting useful consultation with extremely beneficial ... I think you may have met the consultants that we have used and T.T.S. have used, jointly in some instances, to try to move forward our processes. Without that cash, we simply would not have been able to do that, so I think there is going to be quite a significant benefit.

Deputy J.H. Young:

Do you think there is merit in you producing some sort of report on how that has gone and the benefits of it? Because obviously the question in my mind is: what elements of that now need to continue on an ongoing basis?

Director for Environment:

Yes. The answer to that is quite a significant portion.

Deputy J.H. Young:

So that is something that you will be doing; that is good.

The Deputy of St. Martin:

I was interested to see that you are spending money monitoring the catchment into Queen's Valley and I wondered, given the problems we have got in Grouville Bay, why you are not spending that money below Queen's Valley?

Director for Environment:

I think there is money being spent on the coast generally to try and establish what the pollution pressures are there. It has got to be a holistic process, given years 2, 3 and 4 down the line, you would imagine that there would be more spend, as you suggest, in the hinterland at the coastline rather than just point source in the Queen's Valley area and then down the coastline.

[16:00]

There will have to be a wider spread, but I think we have got to risk-target where the biggest problem areas are.

The Connétable of St. John:

Given the high water table we have had, for instance, how are you monitoring, or have you been monitoring where they have been putting slurry in this last few months? That is a big area of concern.

Director for Environment:

From your recent emails, I know exactly where you are coming from, that it is an area of concern. 14th October to 13th January, though, are the periods during which we do not want any slurry spread over the land, because historically-speaking we have got an extremely high water table. We can monitor very accurately via hydro-geological work exactly what that water table is doing

and what the streams are doing as well. What we do not want, you are absolutely right, is people to put slurry over our areas that is going to run off ...

Deputy J.H. Young:

So I will ask the Constable here to perhaps spell it out: there is a big problem here, is there not?

The Connétable of St. John:

Yes, we have a big problem, as you know: slurry is being put on the land, we have the wettest winter we have had for years. You boys must have been monitoring what the water table is at any one time. When you see a winter like we have had this winter where it went on right through February and until a week ago or 10 days ago, and yet slurry was being put on the land near people's boreholes. We have got boreholes which are contaminated ...

Director for Environment:

If I could just stop you here. We have got a water code, and this will all be explained to you in an email that is going to come from the department; I would ask for some more information from you to try to make sure that we know ...

Deputy J.H. Young:

But can we stop this now? Because obviously the water table in parts of the Island is still very high and, if we are spreading this material, which is contaminating people's drinking water, that sounds ...

Director for Environment:

I think the question there, though, Chairman is, is it contaminating people's drinking water? We have absolutely no evidence ...

Deputy J.H. Young:

You do not think that is so?

Director for Environment:

Well, I simply do not know that it is so at the moment because we have no causal evidence of that fact ...

The Connétable of St. John:

Well, can I stop you before you go any further. All the properties in the vicinity are connected to main drains and there is a pump-out system on it and it is all working. I say "pump-out"; further down in the valley, which supplies the whole area. The States side of it is working, the only place

that you will be getting the e-coli or the other bacteria in there are from animal faeces, and the only place it has been put on the ground is where they have been putting the slurry on the land.

Director for Environment:

With respect, to the best of your knowledge, no and I think ...

Deputy J.H. Young:

Are you investigating these incidents?

Director for Environment:

We are looking into that issue.

Deputy J.H. Young:

Right. So will you come back to both the Constable and the panel? Steve, do you want to follow up?

Director for Environment:

We are more than happy to update you on that issue.

The Deputy of St. Martin:

Yes. I think my views on closed season are well known and I have always thought it was a very bad idea and totally unsuited to Jersey, but the question I would have for the Minister is: is he happy that dairy farmers are applying the regulations evenly across the board when it comes to closed season? Are they going into the closed season properly prepared or is he aware of a situation where they are not properly prepared?

The Minister for Planning and Environment:

I cannot really say. My only general comment would be that the practices that are being undertaken in relation to slurry spreading are not the long-term sustainable best environmentally-friendly methods of dealing with the slurry spreading. We really should be moving the Island forward in terms of proper crop rotation where these problems would not be ...

The Deputy of St. Martin:

You must accept, Minister, if you have a closed period when it rains every day, if you get to the end of the closed period and everybody's slurry stalls are full, and they have no option but to go and spread slurry, that puts everybody in a very difficult situation.

The Minister for Planning and Environment:

Yes. But the idea behind the monies that were put aside, as far as my knowledge is concerned, for slurry storage, was to enable a more closely-controlled system to hang on to the materials during periods when you would not wish to be putting them on to the land and, therefore, if we do have situations where indiscriminate alleged slurry spreading has taken place to the detriment of borehole owners, it is not necessarily seen in my eyes as being the best kind of thank you message from those dairy farmers who receive the funds to have the storage capacity paid for by government grants in the first place.

The Deputy of St. Martin:

Do you think there is a case for more flexibility in the closed period, Minister?

The Minister for Planning and Environment:

No, I do not think it is flexibility; I think that flexibility is probably exemplified by the investment that has been made in the storage facilities, and I think what we have got is perhaps one or 2 isolated instances of people just going outside to carry on with old-fashioned processes of slurry spreading without paying adequate attention to the rules for slurry spreading that everybody else is abiding by.

Director for Environment:

If I could perhaps add on to that: there is a degree of flexibility insofar as individual farmers can come with a business case to the department to ask for a derogation in that period and, of course, we are quite happy ...

The Minister for Planning and Environment:

Or a bigger slurry store.

Director for Environment:

There is indeed the countryside enhancement scheme funding which has made farmers, generally-speaking, a lot better prepared for the winter period. However, going back to your question of "is everybody across the board prepared in the same way for the incoming restrictions on spreading?" No, they are not. That is typified from, if I put my regulatory hat on, that we do see periodically people polluting boreholes, we do see people periodically doing the wrong thing with their slurry. That is something that we would prefer to attack by means of a carrot approach by the countryside enhancement scheme and education and the ongoing discussion around their storage facilities, but if we have to, and we do, we will take it to court.

The Deputy of St. Martin:

The difficulty with last year, Minister, was that in both cases dairy farmers were desperately short of food because the spring and summer had been so bad, but in one case dairy farmers do not want to put slurry out because they are going to have to spread it on crops they are just about to ensile. In the other case, farmers who are desperately short of food were having to ensile or make these crops with a reduced output because they are not ripe, in order to put slurry on to get the slurry out before the date of closed period. It is really, really difficult and there is no easy answer.

Director for Environment:

It is a knotty problem.

Deputy J.H. Young:

Have you got a working crew looking at all this at the moment?

Director for Environment:

The dairy management board, or rather the dairy liaison group, are a group that continually discuss issues such as this, and our colleagues in EMRE are constantly on top of this as well.

Deputy J.H. Young:

Have they got a political input in any way?

Director for Environment:

Deputy Carolyn Labey sits on that group.

Deputy J.H. Young:

So she is involved there.

Director for Environment:

It is the sort of issue that could well raise its head in the rural executive, which is a new cross-cutting body between Environment and Economics.

Deputy J.H. Young:

It certainly raises lots of questions.

The Connétable of St. John:

If they have a closed period and they have excess, can the slurry not be disposed of at Ballozanne instead of having to go on the land, when you have got a year like this year?

Director for Environment:

Volume would be one issue. To get into the technicality, you would need to speak to T.T.S. about that.

The Deputy of St. Martin:

I am not sure the Constable has asked the Chief Officer of T.T.S. that question.

Director for Environment:

I was going to say, I would be interested to hear what the Chief Officer would say.

Deputy J.H. Young:

We can come back to that.

The Connétable of St. John:

Yes, obviously, but it is your department's responsibility, and I would have thought you would have had that at your fingertips: that, in a time of emergency, as basically this must have been, I presume, otherwise they would not have been putting it so close to these wells and boreholes, that you boys would have known ...

Director for Environment:

Again, we do not know that they have been, to be honest; it is something that we need to investigate.

The Connétable of St. John:

Well, put it this way, I drew it to your attention before it happened in my first email.

Deputy J.H. Young:

Discussions are obviously going to have to continue on this, but I think the Scrutiny panel are concerned to see that we get a regime to at least do what can be done to reduce pollution. I am going to ask the Minister this: what are the implications for domestic water supplies, Minister, in the longer run? Are we content that such a large proportion of the Island does not have domestic water supplies continued, mains water?

The Minister for Planning and Environment:

That is a good question. I do not know. With the mains water provision, there are ways of providing water to households that are reliant upon boreholes that require an extension to the waterworks grid. We do have the older-fashioned practices of rain water barrels, and whatever, and that is another alternative way of providing your water to those areas that are not connected.

The Connétable of St. John:

Minister, you do not know your water is contaminated until it has been tested or it comes out of your tap looking like sewage.

The Minister for Planning and Environment:

No, but what I am saying is that is if you are reliant upon water that you have collected off your roof and you have adequate filtration and other equipment to make sure that the water is clean and your are putting it into an underground tank, that is one way of providing your water in a way that, effectively, unhooks you from the practices that you are alleging are causing problems, by drawing it from the ground close to areas that have had slurry placed on them. So there are other ways ...

The Connétable of St. John:

So the onus is on the owner of the property not on the people who are causing the pollution, is that what you are saying?

The Minister for Planning and Environment:

I am not condoning this practice because, as far as I am concerned, as I said earlier, if these persons are predominantly dairy farmers who have been beneficiaries of the grant aid system through the States to contain the problem over the periods of time when slurry cannot be spread, and that was one of the principal reasons of doing it, I would expect the problem to have been alleviated, while at the same time accepting that there will be sporadic instances where people do break the rules.

The Deputy of St. Martin:

It has also been rather wet in the last 6 months.

The Minister for Planning and Environment:

It has, and we also had, at the request through the waterworks company, to bring forward the ploughing to enable the potato crop to be put in at the right times as well.

The Connétable of St. John:

Would you support free testing for people who are not fortunate enough to have a potable water supply?

The Minister for Planning and Environment:

I think that is one way of doing it, but I would probably prefer them to be given free brochures about rainwater harvesting and the benefits of dealing with the issues that way as well.

Deputy J.H. Young:

I am going to close the discussion at this point. If you can make sure that the panel, and particularly the Constable, receive this information about progress on this, because obviously it is an ongoing issue and may well reoccur.

Director for Environment:

We are waiting for some information from the Constable and we will be getting back to him with a fuller response than he has had so far.

Deputy J.H. Young:

Okay. I am going to speed up quickly, we have got 2 other chunks of money, and I want to close then. Master planning. What master plans have you done? I have not seen too much evidence of it, Minister. You have got money for it now, what has been done?

Chief Executive Officer:

I cannot say on record. We have not done any further master plans because the team have been doing the Island Plan review; it is the same people.

Deputy J.H. Young:

Can you not get consultants to do it, or is it too expensive?

Chief Executive Officer:

I do not think the money will go far enough if we use consultants.

Deputy J.H. Young:

So you are holding it in reserve, are you?

Chief Executive Officer:

Yes. We are intending to do some master planning work later this year once the Island Plan review has ...

Deputy J.H. Young:

You will not lose it?

Chief Executive Officer:

No.

Deputy J.H. Young:

Right. Countryside infrastructure. I remember you told us that you were not able to maintain the footpaths, car parks were falling apart, there was danger and, as a result of that, the States discussed this and in the end a small amount of money went to you and the rest went to Social Security. Is that working?

Director for Environment:

Yes, it is; very quickly, that is working extremely well. We are working very closely with Social Security, and there are is a relatively regular update of what the Back to Work scheme is doing and the benefits it is creating. I do not know whether you are copied into that.

Deputy J.H. Young:

No, never seen it.

Director for Environment:

It would be very useful for you to see it to see what benefits there are. The £50,000 that came our way is used to bolster that work, and so we have been using that along with the Back to Work teams to significantly improve what is going on. I have got a list of the type of work that has been done over 2014, and again, if you would like me to ...

Deputy J.H. Young:

Is it ongoing or is it finished now?

Director for Environment:

It is continuing, yes. We have got a lot of work that these Back to Work guys can do but we seem to have an awful lot of Back to Work guys to come and help us out, and it is one of the best things that has happened in a long time.

Deputy J.H. Young:

How many have you currently got now?

Director for Environment:

What, projects or people?

Deputy J.H. Young:

Well, both.

Director for Environment:

We have got, if not one, 2 teams out there doing things all the time: we have got a never-ending list of projects, whether that be bracken clearance, whether that be putting up these barriers on footpaths, whether it be mending footpaths, putting new steps in, et cetera. A lot of the work down by Egypt, where you have got dead hedges from beetles, et cetera, and you have got anti-erosion strips put in there, that is all done by them as well.

Deputy J.H. Young:

Again, I think it would be good if you could put pen to paper and set out some of these schemes and the benefits.

Director for Environment:

Let me forward you these reports, which are extremely useful. What they also do is show the financial value of the work that is being done.

Deputy J.H. Young:

Is there any suggestion you are hearing from any sources that this money might dry up? I do not know so, but I would like to be assured that it is continuing.

Director for Environment:

From the Back to Work side of things, no, I have not heard any suggestion. I get the understanding that it is a popular thing to be doing.

Deputy J.H. Young:

Good. Excellent. Are the people enjoying it?

Director for Environment:

Yes, well, it would seem to be beneficial. We have had some success with people who have gone on to get work afterwards as well, which is a bit of a result.

The Deputy of St. Martin:

Could I just say, if it is the footpaths going down to Egypt from the top, it is excellent work, it has been very well done.

Director for Environment:

I was quite surprised, I went down there, saw it, and did not realise it was these guys that were doing it. I came back and found out it was.

The Deputy of St. Martin:

First class.

Director for Environment:

Thank you.

The Connétable of St. John:

I have just one other item: Welfare of Animals Law. I wrote to you some weeks back; I will forward you the emails. Could you give us an update of where we are with people wanting to take horses off-Island, export of horses?

Director for Environment:

Yes, we have got a situation whereby we are jumping into new legislation from the U.K. come 18th May, which is a tripartite agreement, which means that horses of higher health status are able to go with less stringent health checks to U.K. and Europe.

[16:15]

That is going to prove beneficial from a point of view of disease introduction to Jersey, France and Europe, and what I know is that we have got some who need a bit more understanding of whether they do or do not need to comply with heightened health measures for horses. There are some situations, from a hobbyist perspective, if people are going across to compete, for example, in the French Equitation Fédération competitions, that they have to be registered. We understand that there may be a possibility of these people being registered over there. We do not want, as a department, to put unnecessary jumps, no pun intended, in people's way, but we need to make sure that we are complying with the requirements. Our States vet, I think, has been in discussions with the person to whom you are referring in your issue, but much more regularly than perhaps the discussion where you sent through the conversation to me.

The Connétable of St. John:

I have heard nothing since, that is the thing.

Director for Environment:

I think there had been a lot of conversation between them, the States and the applicant, to try to iron out the issues.

The Connétable of St. John:

There are several other people who have got concerns.

Director for Environment:

Absolutely. So there is quite useful guidance out there on both D.E.F.R.A.'s (Department for Environment Food and Rural Affairs) website, we have got information out there on our website and people are most welcome to come to the department to talk through their own particular situations. We understand the 48-hour notification and the 10-day link to that, so people are more than welcome to come to us.

The Connétable of St. John:

Because people have tried and they were failing, they were not getting the feedback.

Director for Environment:

I wonder whether that was because our States vet was on a break at the time and they got hold of her States veterinary assistant, who was able to give information up to a point, but we certainly got the most recent information on that.

Deputy J.H. Young:

John, before we close, are there any points you feel we have not covered properly on our agenda?

The Deputy of St. Mary:

I think we have got to most of them. I await the findings.

Deputy J.H. Young:

Steve? Okay. Phil?

The Connétable of St. John:

I think we have covered quite a bit today.

Deputy J.H. Young:

Well, in that case, Minister, I will thank you for coming along with your team. I apologise for overrunning, but I think it was worthwhile to finish off those items. Thank you for that and I formally close the meeting.

[16:17]