



# Environment, Housing and Technical Services Scrutiny Panel

**THURSDAY, 3rd September 2015**

**Panel:**

Connétable A.S. Crowcroft of St. Helier (Chairman)

Deputy D. Johnson of St. Mary

**Witnesses:**

The Minister for Planning and Environment

Director for Environment

Director: Policy, Projects and the Historic Environment

Business Manager

[10:34]

**Connétable A.S. Crowcroft of St. Helier (Chairman):**

Welcome. We have the tapes rolling. I think ... welcome the Minister for Planning and Environment to the Environment, Housing and Technical Services Scrutiny Panel for our quarterly hearing. I am the Chairman, Simon Crowcroft, and the Vice Chairman, David Johnson.

**Deputy D. Johnson of St. Mary:**

Afternoon.

**The Connétable of St. Helier:**

We have Stanley as our clerk and Danny is watching the spooling tape. Do you want to introduce your team for the tape?

**Minister for Planning and Environment:**

Yes. Thank you, Chairman. Deputy Steve Luce is my name and I am Minister for Planning and Environment.

**Minister for Planning and Environment:**

Can I apologise for the lack of my Chief Officer, Andy Scate, who is absent due to some family issues?

**The Connétable of St. Helier:**

Thank you. We thought we would start, if we may, by asking you about the M.T.F.P. (Medium Term Financial Plan) because that is looming for debate in October 6th, I think. Deadline for amendments 21st September. I have that in my head for some reason.

**Minister for Planning and Environment:**

Cannot think why.

**The Connétable of St. Helier:**

We have had comments to you, because we sent you some questions and you replied to those questions. We thought we would start off by asking you about some of these. An easy one, I think, under Capital Projects, we asked if any had been delayed or not provided for and your report refers to: "Capital funding bid for £200,000 a year that was in the budget and has now been removed" and the next bullet point refers to a Sea Fisheries vehicle ... a States Fisheries vessel. I was not clear whether this capital infrastructure referred to the Sea Fisheries vessel or something else.

**Director for Environment:**

The second point there certainly does refer to the Sea Fisheries vessel.

**The Connétable of St. Helier:**

Okay.

**Director for Environment:**

Yes.

**The Connétable of St. Helier:**

That is countryside infrastructure?

**Director for Environment:**

No. That is a separate budget, I think, yes.

**The Connétable of St. Helier:**

They are separate? Okay. So what is that £200,000?

**Director for Environment:**

The £200,000 was a separate capital bid which was initially allocated for countryside access, so footpaths, the management of footpaths, the management of associated car parks that we have.

**The Connétable of St. Helier:**

Wow. That has been dropped?

**Director for Environment:**

Yes.

**Minister for Planning and Environment:**

It is a very difficult situation, Chairman, where we, as a Government, have to prioritise the money that we have available to spend and where we want to spend it and, as I am sure you appreciate, and will know, priorities for Government start with Health. They then move to Education and then the economy and then St. Helier, which I know we will come to speak to in the course of time in the next few minutes. It is really difficult to make cases - specific capital cases - for countryside improvements when you are faced with major decisions like building of new hospitals and building of schools for the education of our children. As much as one would like to have monies available for this type of capital work, it is one of those that was taken off the list as it was a low priority or lower priority than a lot of other things and it is very difficult to argue, as we all know, against good cases and genuine cases and needy cases, for Health and Education. There are some alternatives that we can look at and, I would point you towards a footpath scheme in St. Peter's Valley where we have, as part of a planning obligation from Granite Products, the scheme for a large footpath which I very much hope is going to come to fruition. It has been funded partly by T.T.S. (Transport and Technical Services) but I have certainly said myself that personally one of my ambitions is to increase the number of footpaths around the Island. We have a fantastic coastal network. I would like to see that extended into the interior of the countryside and that the one in St. Peter's Valley I am particularly keen to ... or hopeful that it will come to fruition. But all I can say on this particular item is that, yes, there was a bid there for £200,000 per annum. It is not there now and we will have to see what we can do in the way of working with other people to try to see where we can continue to do work. I mean, we are part of a ... the environmental part is part of a number of others; National Trust being another major sort of landowner and I know they have,

in fact, only yesterday received some monies from the Round the Island Walk, Collas Crill Walk and they are going to use some of that monies to look at their footpaths so we do have other ways of doing some work here but it is not as we would like but I think we just have to accept the fact that when it comes to monies being tight and lists of priorities being made, the environment, unfortunately, has historically and at the moment, I guess, will continue to play a slightly less important role than Education and Health.

**The Connétable of St. Helier:**

This relates to our final question which we put to the department which was: "How far are the answers provided to our questions consistent with the strategic plan as amended?" The slightly cryptic reply we got from the department was that: "The answers provided relate to the strategic plan." So it did not answer the question: "Are they consistent with the strategic plan?" You mentioned Health, Education, Economy and as you know we amended the plan so that the top of each of the desired outcomes we put a new desired outcome about environmental sustainability and so that is the top of the list when it comes to Education. Our kids, our children need awareness of the environmental issues under Health. Environmental issues need to be there with Health strategy and policy. Just to pick up the thing about the countryside footpaths, you know, what better way to get fit than encouraging ...

**Minister for Planning and Environment:**

Indeed. Absolutely.

**The Connétable of St. Helier:**

... more people to use the network of countryside paths?

**Director for Environment:**

I think it is probably worth noting that that £200,000 per annum would not be the only funds allocatable to the maintenance and upkeep of countryside paths. They ... 67 miles of footpaths that we maintain thereabouts. We have a budget of around £47,000 a year, all of that, which is pretty low in the great scheme of things.

**The Connétable of St. Helier:**

It is not enough, I am sure you mean. Is that why you had a growth ...

**Director for Environment:**

One could certainly argue, hence the growth of it. We are, as a department, particularly good at squeezing quarts out of pint pots, have been historically but, yes, it is arguable that it is not enough

to continue doing it to the extent that we would like to do it but we will try not to let the quality reduce beyond a specific level but we are in a real position where we have no ...

**The Connétable of St. Helier:**

The case for expanding the network on a budget of £47,000 is presumably pretty ... unless it is going to come from planning gain, which is what the Minister has referred to, you are not going to be opening any new countryside paths in the next few years, given ... unless you can get the money from the private sector.

**Minister for Planning and Environment:**

Yes. That is absolutely right. I would go back to your points about your amendments to the strategic plan and I would just say that we are very grateful and pleased to see those and pleased to see them implemented. We have also recently had some amendments to the last paragraph of any proposition that comes to the Assembly whereby we are now going to be looking in a more holistic way at the way that propositions affect, not only the financial and manpower requirements but other requirements as well. The point I think I would like to make is I do think that what is happening is we are slowly - and it is slow and it does take time - but we are slowly starting to change the mindset of people when it comes to thinking about the environment, thinking about your health, thinking about other things just as a normal way of life thing so that when we consider a project, you know, 10, 15, 20 years ago we did not consider the sustainability of it or the environmental impact or stuff but that is now starting to come more to the fore. I am not saying it is completely to the fore but there is no doubt in my mind that we are slowly getting to the point where everything we do now we are starting to take a slightly different approach and I accept fully what you are saying about footpaths being important for health and I think we will see that the Minister for Sports is very keen to expand the work that he does because we all know that when it comes to the health of the population getting people actively involved in sport is hugely important and we have got health referrals now, which play a big part of the sport budget. They are awfully important to the Health Department as well. So there is a big game being played here. We are the leaders. We are part of a team and there are others involved with us as well. Nothing would please me more than to be able to increase the number of footpaths and I think, as Willie has alluded to, there are ways of doing that and when you come up with an idea to try to increase your planning gain and I know the Constable and I have been and will continue to discuss how we can do that for the benefit of St. Helier but once you open up an opportunity there will be other people queuing up to take advantage of that opportunity as well and I think the footpaths will be one. So there may be some instances in the future where we would be looking for gain to benefit St. Helier but we may, in fact, say: "Well, part of this maybe we should look at a footpath here or there?" I certainly have some ideas where they could go but funding them will be a problem.

**The Connétable of St. Helier:**

Okay.

**The Deputy of St. Mary:**

Yes. I think you have stolen my line to a certain extent. I mean, the amendments made to the strategic plan were with a view to making the environment also an overarching umbrella within which other priorities were determined and that is borne out by the review we did on Environment as well. Leading on from that, in practical terms it just seems, to me at any rate, that as you rightly say it does touch on other ministries, as it were, and that being the case, it seems to me equitable that other ministries should make a contribution in financial terms and Environment should not be looked at in isolation.

[10:45]

As you say, it is of benefit to Health and Education then ... before ...

**Minister for Planning and Environment:**

I mean, a small example would in your own Parish where very recently you, to my mind anyway, installed a fantastic short footpath opposite your school which I think is hugely beneficial.

**The Deputy of St. Mary:**

Yes.

**Minister for Planning and Environment:**

I can say I am really impressed with the design. I think it works really well. I wish I could do, and I would certainly be trying to do more like that in my own Parish and I would encourage others to ... if we could encourage children to walk to school, that is a start but you quite rightly, as a parent, would not encourage your child to walk to school on a road which is dangerous but if we can provide facilities like you have managed to get in St. Mary recently between your large housing estate and the school, that is great.

**The Deputy of St. Mary:**

I think the Parish considers itself fortunate we had our funding granted before the present restrictions came in.

**Minister for Planning and Environment:**

Yes.

**The Deputy of St. Mary:**

Maybe the next one we will not be quite so lucky but, okay.

**Director for Environment:**

I think what the amendments to the plan did was seek to identify where we already have very good linkages between specific prioritised strategy and environmental thinking. These examples of, for example, the Eco-Active Schools Programme where it ... the amendment to the strategy is to highlight then that that is there and to give more impetus to that and ensure that we have a continuation of sustainability being considered within the school curriculum, for example. That has ramifications across the board, as you say. You had the Health curriculum as well so it is a very useful amendment from a departmental and operational perspective because it allows us to think we have support in those areas.

**The Connétable of St. Helier:**

Can I come back to your response on the M.T.F.P. because the other thing that caused us most alarm, I think, was your admission that in 2016 you will be losing a member of your Environmental Management team and certainly from our first meeting with the Environment section, the presentation from Louise Magris, which was a real eye-opener to the panel and I think that presentation should be seen more widely. But what it shows is that Jersey's environment is coming under increasing pressure from population, particularly, also from the greater use of the Island and yet the Environment section is really struggling to do its work and here we are next year losing a key member of that already very small team.

**Director for Environment:**

I think that is a fair point. That is the start, essentially, of planned savings in accordance with the M.T.F.P. but also the incoming V.R. (Voluntary Redundancy) V.S. (Voluntary Severance) programme as well. I think, during the course of 2016 to 2019 we will be losing 11 people through natural wastage, for want of a better term, throughout the course ... it is our duty to try to minimise the impact of that on the population and the environment. There are ways and means of doing that but they are not going to be simple.

**The Connétable of St. Helier:**

But how can you do that? How can that be consistent with a strategic plan which says that the environment is going to be at the forefront of our thinking and, for example, in education if you do not have the officers to go into the schools to do the work then how are we going to put the environment at the top? That is something I just do not ... we have a response from T.T.S. which we will be following up in a couple of weeks with the Minister. They are looking at losing 21 posts.

I cannot wait to find out who these people are but that is a big department. You are looking at losing one of your team, is it ... I do not know how many are in your Environment team?

**Director for Environment:**

We have around ... the whole department is about 120 people and there is a 50:50 split so 60 on each side.

**The Connétable of St. Helier:**

But people actually looking after Jersey's environment, promoting it, safeguarding it; is a relatively small team compared to some of the other departments.

**Minister for Planning and Environment:**

I would not want to give the impression that we are losing staff and reducing the service that we provide. I think we have looked very hard at the people who are due to retire and those who have applied for V.R. (Voluntary Retirement) but those who are due to retire, if the post has not ... if we have not replaced them it is because we feel that we can maintain or improve our service in a different way. So I think it is very important to say that our intention is certainly not to reduce the work that we do. That is important.

**The Connétable of St. Helier:**

But you said in here that: "Because of the M.T.F.P. some services will have to change or reduce in scope" and then it says ...

**Minister for Planning and Environment:**

Well, maybe I ...

**The Connétable of St. Helier:**

"Some services currently provided could be ceased or delivered" ... this is talking about regulation self-certification. When we ask you the question: "Can you meet the priorities in the strategic plan?" there are ... well, there are 3 areas where you talk about ... there is a question mark.

**Minister for Planning and Environment:**

Well, yes. I mean, I would highlight one particular area where we are losing ... I believe we are losing a member of staff and that is in the last few years we have spent a lot of money and put a lot of resource into helping to insulate and do better jobs of energy efficiency with people who are not able to afford to do that work. Now, we are assured now that we are just about completed the work with that sector. We are moving into the able-to-pay sector but that will be a different challenge altogether.

**The Connétable of St. Helier:**

No, we saw that post because that is listed.

**Minister for Planning and Environment:**

We have a post that is going there ...

**The Connétable of St. Helier:**

Yes. We did not ...

**Minister for Planning and Environment:**

... because with that line of work, that strategy, if you like, is now complete.

**The Connétable of St. Helier:**

Yes. We thought we would not make a fuss about that one or, in fact, the historic buildings officer. That does not ... need to follow that up but there are 3 specific posts mentioned. The one that really concerns us is the loss of environmental management because that, as I said from the start of our work, seems to be an area where we have got to, as an Island, do better rather than manage with what we have got or even downsize. I suppose the question really is: is there an opportunity to try to increase the staffing in your ...

**Director for Environment:**

I think to perhaps go to ... the one you are referring to is the Environmental Management Rural Economy section.

**The Connétable of St. Helier:**

Yes.

**Director for Environment:**

Yes. We are losing, again through retiring, an agricultural adviser. You are right. It is a very important role. It fits ... it is a cross-departmental benefit role insofar as it benefits both environment and the E.D.D. (Economic Development Department) section who form part of Environmental Management Rural Economy in the advice that goes out to business. Now we are losing him, like it or not and the case is, well, how do we then improve or how to we then maintain the advice that goes out to the farming community? I think we have got to be very careful as to what advice we do put out to the farming community. The requirement for advice has changed over the years. There is a lot more advice coming from, for example, the assurance schemes, the Red Tractor-type schemes and the type of advice that is required from the department per se is changing. What we have got to be very careful is that we can retain sufficient inhouse expertise of

which we are trying to ... or we are trying to develop throughout the course of the process of losing that particular player, to ensure that we are not disbenefitting the ...

**The Connétable of St. Helier:**

Clearly it is a matter of you are the experts on how you deploy your posts but I would have thought, given the pressure that the section is under, that that post could be used really usefully in the team, not necessarily as an agricultural adviser but somebody in the Environmental Management team strengthening what we are doing as an Island, rather than ... it is an opportunity I would have thought.

**Minister for Planning and Environment:**

Although I think there are alternative ways of achieving the same end and certainly I would not want you to get the impression that we have not spoken to the industry about how we manage this change and we certainly have and the young farmers in particular that I have spoken to, the younger farmers, if you like, have said they are very keen to continue with any assistance that we can give them when it comes to training themselves and training the staff. They would very much like to see us continue and even increase the courses that we can put on to allow them and the members of their staff to increase their own knowledge and their own ability to do particular jobs. So I think what we are doing is maybe looking to the industry to get themselves trained up and to have the advice in their own brains, if you like, rather than have to look to us to advise them on certain issues.

**The Connétable of St. Helier:**

Okay. Can I just quickly move on to the one area where you do admit there is a problem? That is funding the St. Helier, the fourth priority of the strategic plan.

**Minister for Planning and Environment:**

Yes.

**The Connétable of St. Helier:**

You have already referred to using planning gain and I just really wanted a bit of meat on this bone. What is the timetable for delivering this funding?

**Minister for Planning and Environment:**

I might just ask Kevin to speak to us about that but before I do I would just point out that, again, Planning is taking the lead in this and I am very proud to be leading but I am sort of captain of a ship which has got a number of other people crewing it and we are all in this together in a way

and, Constable, you are one of the important players. The other one, of course, is the Minister for Transport and Technical Services.

**The Connétable of St. Helier:**

T.T.S. said the same thing in their comments that they do not have the money for it either.

**Minister for Planning and Environment:**

Yes. But we all need to work together on this but certainly when it comes to adopting planning obligations into something much bigger and stronger and more important, we have a man working on it. Kevin is going to tell us about it.

**Director: Projects and the Historic Environment:**

Okay. I think in terms of the ... the strategic priority of the Council of Ministers is around improving St. Helier and I think there is a recognition that the first part of that process is to scope out what that project actually means. You will be aware, from the work that has been undertaken thus far, part of that is about engagement with the community and we have undertaken some stakeholder workshops, done some wider consultation and indeed that consultation is continuing with specific targeted groups. But I think out of that what will emerge is a range of work that needs to be undertaken. Some of it will be specific, related to particular proposals that can be delivered on the ground. Some of it will be the development of policies and proposals that might follow on from that. So in terms of the resourcing of those pieces of work, I think until we scope out exactly what is required underneath that strategic objective it is difficult to put a figure on what is required. I think that is the first point to be made. As the Minister has already indicated, and what we have seen from the outcome from the consultation work that we have undertaken thus far, some of the issues that are emerging are related to things like travel and transport and open space, public realm and again, as a department, whilst we have a role in seeking to regulate and protect and provide for those elements of infrastructure in St. Helier, we are not necessarily the department that is responsible for delivering those. Indeed, the Parish have a role in that, as do T.T.S. so I think the resourcing of this particular initiative is something that needs to be looked at across government because we will all have a role to play in delivering that. Part of that might be looking at what we do at the moment and prioritising our existing programmes of work and we have already spoken today about some of the work that has gone on in St. Mary at the moment. Had that strategic priority existed at the time that funding was being considered for highway improvements throughout the Island perhaps St. Mary might not have got a look in before St. Helier but I think it is around government departments looking at their priorities, looking at the Council of Ministers' strategic priorities and looking at how they can mesh together and work in an integrated way to deliver what the Council of Ministers has set out to do. I think there will be a focus on using existing resources upon St. Helier and I think that applies not only to capital spend

or revenue spend but also to the work of officers so the resource that exists within departments to support that strategic priority because I think one of the challenges that we have in developing this work is that whilst this work may flag up some priorities related to St. Helier, those priorities might not necessarily be shared by other departments at the moment and I think it is our job to talk to our colleagues in government, at both an officer and at political level to say: "This is the work that is coming out of Future St. Helier. How does this fit with your current programmes and priorities? What can we do to change those priorities, working together?" But I think there will be some opportunity through the planning system, as the Minister has already mentioned, to use planning obligation agreements to ...

**The Connétable of St. Helier:**

But that is the thing I was specifically asking about. What is the timetable for getting that on the statute books, because it is not quick. When are you going to be able to ...

**Minister for Planning and Environment:**

I think the first thing to say is, and I have sat down and will continue to sit down with my planning officers and say to them: "How can we make best use of what we have currently?" which is planning obligation agreements. But, of course, they are very specific and only can refer to areas in the close vicinity. What we have to do in the longer term, and this is a much bigger piece of work and which will involve quite a lot of consultation, is the next stage that we go to, whether we go to something like they have in the U.K. (United Kingdom) which is the C.I.L. (Community Infrastructure Levy) and how we adapt that potential. We have the ... well, I have the ability to go down the road of maybe using a persuasive or an encouragement argument. I can use officer's discretion, so a bit like we do in planning obligations at the moment but the officer could have enough discretion to decide whether we would implement an obligation or not and then, of course, we have the third one, which I have to admit is the one that probably interests me the most because I feel it is the fairest, which is some sort of levy where we might issue or decide on a fee structure for a particular type of application. We will contribute X and a different type of application will contribute Y so the developers know before they start a scheme what their community levy would be.

[11:00]

But there is no shirking away from the fact that a lot of people associate the word "levy" from tax and I am not going to go away from that. We do not want to look upon it as a tax but we do have to look at ways around the Island of creating funds for the benefit of the community and whether that is green, open amenity space, whether it is traffic calming in St. Helier but we do know that St. Helier is a priority and will be a priority and that is a much bigger piece of work. But I would like to

feel - I do not know whether Kevin would have any views on how quickly we are going to be able to roll that out but it is certainly going to be not something we will achieve in 6 months.

**Director: Projects and the Historic Environment:**

Yes. I think there are 2 issues there. One, as the Minister has already mentioned, we have the planning obligation tool that exists at the moment and so we have got the legislative ability. We have got the planning guidance to be able to use that at the moment. I think up to now we have tended to use it to support the necessary infrastructure that is needed to support a development, so things like offsite drainage, offsite ... in some instances minor highway works, bus shelters and things like that. I think there is opportunity there to use that in a more aggressive way, potentially, to deliver greater benefits from some private sector developments with the existing legislative framework that we have at the moment.

**The Connétable of St. Helier:**

So you do not have to change the law to expand the use of planning obligations?

**Director: Projects and the Historic Environment:**

I think the planning obligations at the moment still need to be related and proportionate to the development. I think what I am saying is that as we have used these increasingly in the planning system there is opportunity to get them to deliver a wider range of benefit but still related to the development. I think the Minister is keen to do that particularly in relation to St. Helier. I think moving to something like a community infrastructure levy would require legislative change.

**The Connétable of St. Helier:**

But what I am hearing is that work has not really started on that yet, which is a bit concerning because we are already a year in. You are saying it cannot happen, Minister, in 6 months. So when is it going to happen?

**Minister for Planning and Environment:**

We have an officer working on it.

**Director: Projects and the Historic Environment:**

We do, yes. I think the States have considered this issue to some extent when they considered policy H3 in the last Island Plan, which really sought to take development value out of ... take value out of land when it was granted planning permission, which is really what we are talking about here in a community infrastructure levy. Now the States shied away from that in that the last revision of the Island Plan, policy H3 was withdrawn from the Island Plan. As part of withdrawing that particular policy from the Plan there was a commitment for Ministers to explore other

mechanisms that might be used to capture uplift in land when it secures planning permission. That work is being picked up by the Strategic Housing Unit because you will recall policy H3 was about delivery of affordable housing and so the Strategic Housing Unit is exploring that particular piece of work at the moment and my colleague, Ralph Buchholz, is split between my team and the Strategic Housing Unit at the moment. So that work is in train. It is being led under the auspices of the Minister for Housing but it is going ahead and clearly it could have wider application depending on what options are pursued. So that is in train at the moment.

**The Connétable of St. Helier:**

I am just slightly concerned about this idea of discretion, planning officers. We know that a very large capital project in St. Helier was given permission with no planning obligations whatsoever even for the immediate surroundings. We do not need to go into why that happened but is there any way of having a more transparent process so that everybody knows, including the developers, including the public that when a big scheme, the next big scheme, whether it is in St. Helier or not, is approved that it is quite clear to the public what money is coming out of that scheme into the community because I think we need that. We need to know on what basis that is calculated otherwise it looks a bit like planning officers talking, you know, with the developer in a smoky room ... or not smoky room anymore but you know what I mean, and there is no transparency there.

**Minister for Planning and Environment:**

I think that is one of the reasons why I alluded to my preference for the levy because you can then put a ... a bit like the way we proportion planning fees on an application. Depending what type of an application it is, you multiply by the square meterage et cetera. I take your point exactly on board about the officer's discretion. Our officers do a really tough job and they do a really tough job really well. But there is, because they are being able to use their discretion, always this challenge to them as to why this might happen and that might not happen. If we can get away from them having to be finding themselves in that situation I would be very pleased to be able to do that. As Kevin has already said, I think we can go so far with planning obligation agreements and then we come to a bit of a halt where a developer may quite rightly say: "Look, this is way outside planning obligation. It is far away from my development. It is not necessarily affected by the number of people I am going to put on site. There is no ... and it does not refer to traffic or ...". So I appreciate we do need to get on with this piece of work because this will be the piece of work which allows us to develop other parts of St. Helier away from where developments are taking place. I take your views on board about that particular development which did not have any ... very little obligation. That was certainly not helpful.

**Director: Projects and the Historic Environment:**

I think one way that that can be addressed is through the production of development briefs for key sites where we set out the expectations that we have in terms of a development coming forward and that can include some of the contributions that that might make in terms of planning obligations. We have done that for all of the re-zoned housing sites, for example. We have done it for key sites in town so there is a development brief for the Jersey Gas site. There is a development brief that exists for the land that Le Masuriers own in Bath Street and all of those set out some of the planning obligations that we would expect which are ... mostly relate to things like offsite, public realm infrastructure in those particular cases. Clearly when a planning obligation agreement is entered into that is a binding agreement between the Minister and usually the developer to provide various public gains. That is a public document. That is part of the planning application. We keep a register of those in the Planning Department so there is clear transparency about what developments will deliver. In an advanced way we can do that through development briefs and clearly once an obligation is entered into that is a matter of public record.

**The Connétable of St. Helier:**

Okay. David.

**The Deputy of St. Mary:**

Sorry, could I just go back a couple of paces?

**The Connétable of St. Helier:**

Sure.

**The Deputy of St. Mary:**

On resources, you mentioned about co-operation between departments, that joined-up thinking which is good to see. Is there a danger or is it happening that environmental officers are being sidelined to other departments to the detriment of this particular department?

**Director: Projects and the Historic Environment:**

No. I mean, I talked about my colleague working ... doing some work for the Strategic Housing Unit. We see that as beneficial in the sense that we get integration across-government. That particular piece of work was around developing new strategy and policy for provision of housing. Clearly, we, through the Planning Department have a key role to play in that and so by him being involved in that particular piece of work, there is a great deal of integration between the two departments. So that is incredibly beneficial and I think things like the Future St. Helier project we have a political structure where my Minister is leading that, clearly working with the Constable, Minister for Transport and Technical Services and we have officer teams that sit below that which

reflect the same makeup. So we get co-operation across-government and with our colleagues in the Parish as well. I think those things lead to beneficial integrated working.

**The Deputy of St. Mary:**

Fine. I was just concerned that your staff numbers have been artificially reduced by being swiped by other departments sort of thing.

**Director: Projects and the Historic Environment:**

Yes.

**Director for Environment:**

I think what Kevin is suggesting is true across the department though. I think it is widely acknowledged that if we are to become involved in specific issues of importance of State, if you like, across Jersey at an early stage with other government departments and we can become ... our officers can become part of a team involved in delivering something of strategic importance at that early stage, then it is less work for us ultimately in the long-run and so we would not necessarily see the de-siloing of our workload as a bad thing in terms of delivering an ultimate strategy. It probably does better for the Island ...

**The Deputy of St. Mary:**

Fine. I am obviously fully supportive of the co-operation.

**Minister for Planning and Environment:**

Certainly cross-departmental working is happening now. Certainly I can see it at all different stages, certainly within our department and we have ... Planning and Building is working closely with the Environment section. Within the Planning and Building section we are looking to ways that we can move officers more easily between subsections, if you like and certainly inter-ministries is working much better as well. I mean only this morning I arrived at 8.30 a.m. with the Minister for Transport and Technical Services and we stood outside. We spent 5 or 10 minutes in one of the T.T.S. offices before I went upstairs, discussing something about the Future St. Helier and I think at every opportunity Ministers and officers are talking much more openly. Certainly we have an officer that has just moved from Planning to be seconded to Property Holdings for a short ... for a couple of years and we are immediately finding that his knowledge of the Planning Department is helping our work with Property Holdings and with T.T.S. for that matter.

**The Deputy of St. Mary:**

Property Holdings are paying the bill, are they?

**Minister for Planning and Environment:**

Yes. Well, they probably are ...

**Director: Projects and the Historic Environment:**

Yes, they are. They are.

**Minister for Planning and Environment:**

... but we look upon it as ... you know, whether we were going to pay the bill or whether they are going to pay the bill, it is government paying the bill but we are getting much better ... the work that will come out of it will be an improvement because what we are getting is a conduit between Property Holdings and Planning which we have not had previously and it is immediately showing some benefits purely because this officer knows how ... the ins and outs of the Planning Department and how it works.

**The Deputy of St. Mary:**

Okay. That is good to hear.

**The Connétable of St. Helier:**

Thank you. Changing subject and given the sun is shining for a change, we are interested in solar power in Jersey and I think it has been commented on publicly but certainly I have noticed when I travel particularly to Europe, to a town in Germany; every single roof has got solar panels on it and yet you come here and solar panels are still something of a rarity in Jersey. So the Panel is interested in the possibility of looking at this as a topic.

**Minister for Planning and Environment:**

Yes.

**The Connétable of St. Helier:**

The three particular questions to start us really I had was is there a problem in the planning process that is discouraging people from putting solar panels on their properties particularly if they are listed? What grants are available as certainly has been the case in the U.K. to encourage greater use of solar panels and is there a problem with the amount of money you get for putting your surplus or putting your electricity into the grid? Is there a problem in the price per unit? I thought if we could start off with those?

**Minister for Planning and Environment:**

Okay. The first one, which is the quickest of your three questions is the grants question and the answer is quite blatantly no. We have not given any grants and I cannot see at the moment any

ways that we would give grants to people to ... certainly not government money but there may be ways that we could return to that from a different direction which we will come to in a minute. The planning process, certainly something that we are looking at and I believe is going to be in the new Permitted Development Order, the short-term one. Is it this year, the one that is coming this year? There are two changes.

**Director: Projects and the Historic Environment:**

Yes. I am not sure whether it is in the current round but there is clearly permitted development rights at the moment which you can secure, I think it is up to about 50 per cent of your roof surface for dwelling houses with a solar panel without requiring consent.

**Minister for Planning and Environment:**

The intention is to increase that to 90 per cent without planning permission. The other one that we are looking to increase to allow people to do without planning permission is we are going to increase the amount of square meterage of solar panel you can put in your back garden, for example to, I think it is nine square metres which equates to three normal-sized panels so there is a reason that there is a specific number. But there are two items there which we are going to get in immediately and Kevin will talk to us about the listing. I do not know about putting solar panels on listing buildings though.

**Director: Projects and the Historic Environment:**

The current situation is that would require consent and it would just be assessed on its merits in terms of the impact on historic fabric but clearly the number of listed buildings in the Island, relative proportion of buildings in the Island is relatively small. We have something like 40,000 dwellings in the Island of which probably about 2,500-3,000 are listed.

**The Connétable of St. Helier:**

That will include B.L.I.s (Buildings of Local Interest) would it, when you say listed?

**Director: Projects and the Historic Environment:**

Yes.

**The Connétable of St. Helier:**

Yes. So if we wanted to put them on the Town Hall we would need your permission?

**Director: Projects and the Historic Environment:**

You would but we would just assess that on its merits.

**The Connétable of St. Helier:**

Okay.

**Minister for Planning and Environment:**

The third question that you raised was the cost of buy-in and this is a subject of continual discussion between myself and Jersey Electricity and it will not be a surprise for you to hear that I feel that being able to pay more for buy-in would be a lot more beneficial and would make the financial case much easier for home owners to make for photovoltaic cells.

[11:15]

The difficulty that I also appreciate that Jersey Electricity have is that they have at the moment access to a hugely consistent and well-priced product from the French national grid in the form of nuclear electricity and they feel, and they feel they can make the case for if they pay more for micro-renewable or sustainable energy created by individuals, what they are basically doing is reducing the dividend available to their shareholders, mainly us, and if you extrapolate that further you find yourself making a case for saying: "What we are going to do is have to put the price of electricity up to maintain that dividend in order to subsidise buy-in from people who can put up solar panels." Then you find yourself making the case to say: "The people who cannot afford to put the solar panels up in the first place pay more for their electricity so the ones that cannot afford to do it end up paying for the ones that have more money." It is a really difficult situation and I cannot pretend that it is going to be easy to solve but all I can tell you is that we are talking to Jersey Electricity about it all the time and I think we have to find a sort of middle ground somewhere where Jersey Electricity find a way of helping people to install sustainable energy products on their property. It will not be easy. As I said, Jersey Electricity are suppliers of electricity. Trying to find ways to help home owners to create their own electricity sort of goes against the grain for them a bit because they obviously want people to buy electricity from them. But I am pleased to say that there is no question that J.E. (Jersey Electricity) know the way we are moving forward. We have to be more sustainable. They themselves are looking at some sustainable projects of their own so there is no question that they accept that not only are we committed to reducing our carbon emissions but we are also committed to reducing our energy consumption which is along similar lines but slightly different in as much as, you know, with our energy coming from nuclear. That is not great in carbon emissions and what we need to do is also look at ways of substituting oil and coal and other oil-based energy products.

**The Deputy of St. Mary:**

It is a subject matter in itself and I have been ...

**Minister for Planning and Environment:**

It is, yes.

**The Deputy of St. Mary:**

... privileged to see a Cambridge University thesis on it as well. Of course the French Government is determined to reduce its nuclear capacity, has it not, which might have a general effect on our prices? In fact, I think also the ... it has not been publically recognised but I think E.D.F. (Électricité de France) have been fined, have they not, for taking a subsidy from the French Government on it? I am just concerned that as matters stand at the moment that relatively cheap electricity prices may not be there for an awful lot longer and solar would be a good alternative.

**Minister for Planning and Environment:**

I think there is a general recognition, certainly when you look from the Jersey coastline towards the French coastline you realise, especially if you have a clear evening as it starts to get dark, the number of lights flashing on the top of wind turbines on the Cotentin Peninsular increases almost weekly. As we all know the French have a number of plans for not only onshore but also offshore tidal arrays, the largest and probably the nearest one in chronology will be somewhere north of St. Brelade to the southwest of the Minkies. That is certainly the project which is furthest in train but we need to be under no illusions that in the next tranche and in the next 2 tranches of bids for offshore wind in France will possibly see ... we may well see some proposals to possibly put wind turbines much closer to our coast and that will be in areas relatively shallow between us and the French mainland. But just to come back to Jersey, which is the important bit, I think there is a realisation, and I spoke about it just now, from Jersey Electricity that we must look at the alternatives and we know that not only we need to encourage them with the solar but wind and they have some ideas of their own that they would like to experiment with and again, as I said before, and you quite rightly said, we may be in a situation in the decades ... I think it is a long way off, where there is no more nuclear but we have to be ahead of the game and Jersey Electricity are very good at being ahead of the game. But they will need to look at alternatives and where are we going to find our energy from and we are committed, as a Government, to Kyoto. We are going to reduce our carbon emissions but that means we also have to reduce our energy consumption as well and sustainable energy is going to be one of those ways of doing it.

**The Connétable of St. Helier:**

Do you think it is the relatively low price that people can get for putting the electricity back in the grid that is the disincentive or is it simply that it is not something people are interested in doing in Jersey so much?

**Minister for Planning and Environment:**

I think there are a number of factors. Certainly the cost of installation has been prohibitive. As we all know the cost of freighting material from Portsmouth to Jersey quite often is more expensive than freighting it from China to the U.K. mainland. We certainly, as a Ministry, are indicating to the construction industry and we would like them to look at re-skilling some of their workforce. We know, as we look for more energy-efficient homes, that the more conventional ways of building structures will change and we know that panels and heavily insulated panels may well be the way forward, certainly for social housing. Guernsey have been very successful with that. As we look to insulate our homes more, we know that conventional methods will change so we may find that block layers and people like will not be quite so busy. Certainly they are very busy at the moment but we know moving forward there is new technology and the construction industry are going to need to gear up their workforce to cope with that so there are some opportunities there and I think that might be another reason why things are slightly expensive. We do not have a large number of people on the Island, although they are arriving, or they are being trained up. They are ... the business is starting to diversify into that. But that is another issue. But I think the buy-in tariff is usually one of the first things that people go do because you do a very simple calculation. You say: "This is my cost. This is what I am going to produce. This is what Jersey Electricity are going to pay me for those units that I have produced." You do the two numbers and then you work out how many years it is going to take to pay it back and when you start seeing ...

**The Connétable of St. Helier:**

Do you know offhand how different that is from Europe?

**Minister for Planning and Environment:**

I have got no idea how that would change from Europe.

**The Connétable of St. Helier:**

No. That is something we will look into.

**Minister for Planning and Environment:**

But when you are faced with 30 or 40-year payback and you are potentially 40, 50, 60 years old you might be saying to yourself: "I do not see this has particular financial advantage." It may well be that if that small infrastructure stays with a property and you sell it on, well, there is an additional value to the property because it has its own energy-generating potential. But certainly as we move forward with the new bylaws which are coming in this year and next year we know that properties will need less energy because the whole idea of changing the bylaws is that they will require less energy to heat and I know we have got climate change on the agenda here. But certainly as the climate tends to change we know we are going to have colder spells, longer colder

spells and longer hotter spells and in both instances a more heavily insulated property allows you to stay cool in hot weather and stay warm in cold weather.

**The Connétable of St. Helier:**

Thank you for that. Right. David, do you want to lead on water next?

**The Deputy of St. Mary:**

Yes. A couple of months ago we had a very interesting presentation from you gentlemen on that and again, we want to do a review on it. The feedback we get from our queries on the M.T.F.P. are that ... and from their prediction on intending to table the water strategy debate by the States in early 2016 and it may require ongoing funding and so the first question is are the funding considerations hampering that at all?

**Minister for Planning and Environment:**

I will hand over to Willie in a second but I would say that as with everything in life, if we had unlimited resources financially I am sure we could achieve this much quicker because you just go out and employ more people and get the job done as fast as you possibly can. But obviously we are constrained as regards to the amount of money available. It would - there is no question - be a strategy which would be coming to us quicker if we had more resource but it is not available but the strategy is in train and you have had the presentation. It is quite a complicated and comprehensive strategy. There are lots of different things, lots of different facets to it that we have to bear in mind but we feel confident that we will be able to deliver it by the middle of next year. I do not know if you want to say more than that?

**Director for Environment:**

I think that is right. I was just going to pick up on that. I think the resource is one issue. The timing is a second issue because the timing is ... the latest approximation, resource-driven approximation is that it will be mid to late 2016 that this will be coming to the States for discussion.

**The Deputy of St. Mary:**

Right. In relation to the panel's own work I think we have mentioned before we would like that to be a topic for consideration. We would also like to be, if not in harness would you, at least one step behind so ...

**Director for Environment:**

We would welcome that certainly.

**The Deputy of St. Mary:**

Well, think about it. Can you give any indication when the process will start?

**Director for Environment:**

The process is starting.

**The Deputy of St. Mary:**

Has started?

**Director for Environment:**

There is background work on the go. We have already released the significant water issues management report, which has gone public. The next part is very much on the go. What we are having to establish now there is ... the next part which would be: "What are the operational obligations of the strategy? How do we deliver that?" has indeed had to be reconsidered because of impending financial restrictions or potential impending financial restrictions so we have asked the team to consider what the alternative options are around that. What can we deliver with X thousand as opposed to what we can deliver with Y thousand? That is the process that we are in at the moment and hence the potential for delay a bit in terms of when we come to the States, as I say, with a view of working together with Scrutiny it would be certainly very beneficial to try to get as much input as possible as we go through the system. I know it is a process that we have tried to adopt over the last few years, involving you up front so we have certainly worked on that process. The resource issue, yes, of course it is diminishing as the Minister suggested. We could do a lot quicker if we had a lot more money but that is exactly the same as every other area of business within the department and we, as a department, have got to sort of tailor our resources accordingly in order to try and deliver the best that we can with what we ultimately end up having in terms of both cash and people resource.

**The Deputy of St. Mary:**

So again for the panel's work in a way, when do you think we might hear from you with something concrete for us to get our teeth into so we can ...

**The Connétable of St. Helier:**

We had the autumn down as ... consultation starting in the autumn.

**Director for Environment:**

Consultation period. I think that is probably still fair to say we would be able to discuss in the autumn where we currently are. I know you have had the current and the ...

**The Connétable of St. Helier:**

That is later this autumn then, is it? I know we are not quite in the autumn.

**Director for Environment:**

Yes. It would be later autumn than earlier. Yes. I think it would be disingenuous of me to suggest a specific date at the moment but I think if we could perhaps come back to you on that matter that would be beneficial to us.

**The Connétable of St. Helier:**

Okay. Thank you. We are now going to move on to ... jumping around our list a bit to keep interest, keep you on your toes. We have talked about regeneration of St. Helier. We talked about the funding at least. This is Future St. Helier projects. Perhaps what we have not talked about is ... I was slightly struggling to know whether we are going to need more resources in terms of officers because I imagine that the people who are currently working on it - I know what Kevin is - were fully employed up to the point where the States decided to make St. Helier their full strategic plan. So stuff has to give. Are there going to be, for example, lead project officers later on?

**Minister for Planning and Environment:**

Yes. Certainly from a Planning perspective we, as I said before, are very pleased to be able to lead on this and in that regard I am very pleased that Kevin is our lead officer. I am not unaware that his policy team is challenged because it has lots of work to do and we are going to address or we are addressing the number of staff that he has available and we will find ways within the department of making sure that we can prioritise that work. I suppose we are all a little bit disappointed that we did not make a little bit more ground before the summer holidays started but I think we accept that the consultation we have done with the public over that particular ... one particular weekend but we have other consultations with them since, has gone well and Kevin has certainly committed to coming back. We are going to start ... not start afresh but start with a new initiative, if you like, after this summer break which we are just about there and I know Constable, yourself, and myself and the Minister for Transport and Technical Services are also committed to some quick wins and I would like to feel that now we are back or now that most people are back we can start away and really start to see some initiatives showing some proper physical changes because that is important. But certainly Kevin is leading and it is a strategic priority. If Kevin comes to me and says: "I need more assistance with this" well, we will have to find a way of helping him with that. I do not know if you want to say anything, Kevin?

**Director: Projects and the Historic Environment:**

Yes. I think the key issue will be in terms of developing proposals and securing resource to implement those proposals.

[11:30]

That is likely to arise in departments other than ours so I would suspect and I would imagine that my colleagues in T.T.S., for example, I know they are under similar pressures as we are but if specific proposals emerged to deal with issues related to Travel and Transport so highway infrastructure, we would need to have discussions with our colleagues in T.T.S. to understand what their priorities are, what their capacity is and we may need to look at whether we would need to buy in some additional officer resource to enable us to both develop proposals and implement those proposals and you will be familiar, Constable, with the work that we did under the Urban Renewal Subcommittee where we purchased effectively a resource, a highway engineer that was dedicated to that programme who then worked with colleagues in T.T.S. to implement a number of ...

**The Connétable of St. Helier:**

He was a very “can do” individual.

**Director: Projects and the Historic Environment:**

He was.

**The Connétable of St. Helier:**

I was going to come on to this because I think we have been talking about lack of funding for both T.T.S. and for Planning. If there is no funding available when there is a project ready to run then how are we going to get someone of the calibre of Gary, who did the Obelisk Scheme, for example. You will remember that he was so creative that he surprised us all by putting, when he got the lions mouths working at the fountains, put lights coming out of the lions' mouths without telling anyone and just be the first time you saw at night you realised that this gifted engineer had added that extra value. It is people like that who are really committed to urban regeneration, who know the traffic side as well that we are going to need to buy in.

**Director: Projects and the Historic Environment:**

Yes. I think that is something we need to look at. I think we approached this not necessarily from a position of not having any resource but it is about looking at how we use the existing resource that we have got to deliver what Ministers and what the team wants to achieve.

**Minister for Planning and Environment:**

Yes. We have got some very capable people in charge of the consultation thus far and we will get to the point where consultation will stop and we will start on the implementation so that there will

be people who will be available to take certain bits of work but I take Kevin's point on board. Constable, you will know only too well that I think we both realise the pressure that the Minister for Transport and Technical Services has when it comes to resources, and particularly in traffic management, pedestrian areas and I think at the end of the day if we do need to find somebody specific in that direction we will have to put our heads together and see how we can do that. Because having to cut back because we have got some financial constraints is fine and we will do what we can where we can but there will be times where we say: "No. This role is really important and it needs to be funded" and we will need to find ways of funding it. Again, it will go back to a prioritisation where we will say: "No. Future St. Helier is a strategic priority. It is a priority for the department. It needs to be a higher priority than something else and we will have to look at how we change the way that the workforce operates."

**The Connétable of St. Helier:**

Good. Thank you. Do you want to go on to the next item, climate change?

**The Deputy of St. Mary:**

Yes. All right. The time we did an Environmental policies review earlier this year our adviser obviously interviewed you in Switzerland. You were credited as saying that climate change was arguably the highest risk and challenge facing Jersey. Since then there has been this report issued by the T.C.P.A. (Town and Country Planning Association) on future-proofing Jersey and I imagine you had a view on that.

**Minister for Planning and Environment:**

Yes.

**The Deputy of St. Mary:**

In general terms does that match your ambitions? I have a few individual points later on but I just wondered if you can comment generally on the thrust of it?

**Minister for Planning and Environment:**

Climate change is a global issue and you just start at the global and you work down to Jersey, here at a much lower level. Again, we are part of a team of people. This climate change is not going to be tackled just by the Planning and Environment Department. It is going to have to be tackled by T.T.S., by the Parish of St. Helier. We are all involved in this together and I think we need to recognise that. But we are happy to lead, again, on the challenges of climate change. We know that changes are happening. We know that they are happening ... they are not happening super quickly, fortunately for us. They know that ... or we know that the changes are happening in such a way that will allow us time to get to grips with the issues that need to be tackled. Again, we

get back to the realisation and everything that we do, the change of mindset I think, is slowly starting to happen. Everything that we do is ... we are slowly starting to think more about the climate, about the environment and sustainability. I am hopeful that in the next few years we will see a change in the way we look at propositions and we will continue to think about the way the climate and the changing climate will affect how we operate. This is ... we do not need any kneejerk reactions. We just need to have some commonsense and we need to think carefully about how we move forward and how we need to accept these things are happening. I know there is climate change deniers out there but we cannot change the statistics that will tell us that we are getting more extremes of weather on a more regular basis and it is those extremes, short as they might be in time; they may only just be a few hours but it only takes a very short period of time for the top of a large spring tide with the wrong barometric conditions to make a big difference and we need to be aware of that and I think we are. I think we are starting to come to the realisation that it is not something that we can prove and it is not a question of putting it off but we find with any long-scale plans that go out 20, 30, 40, 50 years, very easy to say: "Well, we will start that next year because it is a long term thing. We do not need to worry about it today." But I think the initial realisation we must have is that, no, this may be a 50-year plan but we need to start it and we need to start thinking about how we are going to move those small changes which, over the decades will mount up to big changes.

**The Deputy of St. Mary:**

You make that sound ... I do not expect you to remember everything that was said in the report. Covering individual points, I mean, on a practical one you made reference to sea defences and a particular U.K. recommendation is an additional metre by 2100. Now there has been comment in the press that the plan is in hand to raise all defences by, is it just one foot at the moment?

**Minister for Planning and Environment:**

Yes, and I think we should ... obviously there will be questions that you will put quite ... more rightly to the Minister for Transport and Technical Services when you meet him but I am given to understand that the small increase in the sea wall they are intending for the Bel Royal is part of a larger increase that could happen. They will not just put this ... I forget how many millimetres it is, 300 millimetres or something. They will not be just put on the top without thinking about what might happen in the future. I think it will be done in a way that can be added to. It will be done in a way that may reshape the top of the sea wall so that if the water comes up it does not go up and over. It comes up and out. Yes, I think there is realisation that over the coming decades, as you say, in the next 80 years we may well see what could be serious rises in sea level but we have got time to make the changes to help with that and to ... what I would say is, as I just said before, it is time we started. We cannot put it off any longer but we do not need kneejerk reactions. We just

need to be sensible and apply some commonsense to plans that come forward and say: "Right. We have to think about climate change for the future and we have to adapt our plans accordingly."

**The Deputy of St. Mary:**

As I say, I would not expect you to remember everything recommended there. One appears to be to ... where ... yes. Suggest future development outside coastal curb necessary in St. Helier would be beneficial to reduce potential damage and that presumably is not in keeping with the general strategic plan. Some of it says it is not a recommendation so you will obviously not give countenance to.

**Minister for Planning and Environment:**

We were talking about this before we came. Kevin made the good point. I do not know if you want to reiterate the point, Kevin but certainly St. Helier has faced challenges from the climate almost since year dot and, as Kevin pointed out, it is not many hundreds of years ago that the sea was lapping at the walls of the town church. But the areas that we have reclaimed, I think, are more climate-proof, if you like. As we have evolved the reclamation it has become more climate proof and certainly the parts which we have most recently reclaimed I would think are more climate proof than some we did 20 or 30 years ago. But certainly St. Helier is our capital and will need to be looked after and there is no reason at all why we cannot do that. We have time to do it. We will be, as we know now, already T.T.S. is starting to think about where the defences need to be buffered and increased and I have every confidence that they will continue to do that. Harbours similarly. I know we are about to be incorporated but they have signed up to, as part of the incorporation plan they will follow the lead from T.T.S. There is obviously a large area of St. Helier there, the old St. Helier harbour which has been there a long time but that will need to ... they will need to address how they look upon that from something like a tidal surge.

**The Deputy of St. Mary:**

You say that the report does touch on the fact that certain areas are within different ... under different control of different bodies and that needs ... there needs to be some cohesion among them.

**Minister for Planning and Environment:**

As I said right at the outset, we are not alone in this and we know that. We had quite recently a summit with people from France and the other channel Islands, Brittany and Normandy, in Mont Saint Michel and this was a subject that we spoke about at quite some length and certainly our Norman and Breton cousins are taking it very seriously on the side of the coast ... the west side of the Cherbourg Peninsular is not dissimilar to St. Ouen's Bay without the sea wall and they have some areas there where tidal surges could have quite serious impact and they are addressing it.

They have some plans and, like us, they are starting work and they intend to take the ... use the time available between now and the decades to come to make sure that they have protected their population.

**Director: Projects and the Historic Environment:**

I think the point you make about the linkage between spatial distribution of development and sea defences ...

**The Deputy of St. Mary:**

Spatial is a word they use a lot, yes.

**Director: Projects and the Historic Environment:**

Yes. Clearly, it has to be ... it is an iterative process and as part of the work that we are doing to look at a climate change adaptation framework is sitting down with our colleagues in T.T.S. to talk around the issues about Jersey's existing sea defences and how they might be maintained, developed into the future. I think from our perspective that needs to be a discussion that involves the entire community because it is not just a matter of patching up the existing sea defences. We need a shift in thinking about climate change as an issue for the whole community and I think there needs to be some discussion at a community level about the future and how Jersey is going to respond to this. It has got economic implications and social implications and that needs to be considered as a community in terms of how we take things forward.

**The Deputy of St. Mary:**

I think you are echoing, or maybe they are echoing you in the report about the community level. In fact, I am not seeking more work on behalf of the panel but there is a quote here which says: "In relation to future governance the Scrutiny Panel could play a useful role in the oversight and development and progress of climate adaptation process." I mean, if it gets to the stage of having an adaptation policy committee I am sure the panel will be happy to weigh in if required.

**Director: Projects and the Historic Environment:**

That would be helpful, yes.

**Director for Environment:**

That is useful to know, thank you.

**Minister for Planning and Environment:**

I think the issue is going to be important enough that one would hope that successive governments will continue to agree with what is written down. I cannot see that the next session of

the Assembly would change their view on the climate change and start to reprioritise so we did not continue to put money into sea defences, for example. I think it is one of those issues, along with possibly energy, that regardless of your views on certain things you would continue to work on these. But the short-term one and you talk about the rise in ... in raising the sea walls, but certainly in quite a few low-lying parts of the Island we have great sea defences and every once in a while at regular intervals we have a hole in them with a slipway, which is very convenient for the tide to roll up and over the top. One of the first things I am sure that T.T.S. will be looking at is temporary ways of ... we have had it at Havre des Pas for a number of years now where they have finally got a very quick and easy way of just putting some sleepers in the top of the slip ... but I mean, things like that are going to be quite quick and easy to implement and there will be other parts which will be more challenging. But as I said, we have time. We have the inclination and we are going to get on and start to address these issues.

**The Deputy of St. Mary:**

Thank you.

**The Connétable of St. Helier:**

Yes. Thank you. We wanted to just get an update on the Rural Economy Strategy, find out how work is progressing on that.

**Minister for Planning and Environment:**

Okay, I will hand over to Willie. Before I do that, I would say that work has been ongoing on the Rural Economy Strategy for some time now and certainly there was an expectation, I think, within the people writing the strategy that the resources available would be continuing. That is not going to be quite the case and I have certainly told them or indicated that resources are going to be restricted and we are going to have to use what we have better and differently. The reason that the strategy has not been published - or the draft strategy has not been published - thus far is that there is sort of a rewrite going on, inasmuch as it was supposed to come into effect on 1st January next year and we will not be ready for that, purely because the resources available have changed and we are having to change direction.

[11:45]

**Director for Environment:**

I think a realistic draft timescale was reported to next year, given the timescales of the review. You are right, we have had a discussion between Economic Development and our own department, Environment, because Environment's management of the rural economy, which is the department tasked with drafting with this, spans both departments. We have got issues of

resources in terms of grant funding going out, we have got issues of people in terms of their ... for example, the question you mentioned earlier on would have been integral in terms of drafting part of the Rural Economy Strategy. We have got to try and establish, politically speaking, what we want in terms of funding going out to the rural economy for a start and practically how we do deliver that, do we deliver it more inhouse, can we do it effectively inhouse, can we do it more effectively by outsourcing some parts of the workload in order to deliver it. I think ultimately we will be looking at an extension. We are going to be pushing the existing policy areas forward over the coming ... the end of this year, certainly, sorry, into next year. We want to try and tie in the Rural Economy Strategy with the M.T.F.P. At the minute, obviously we have no idea of what the 2017 to 2019 budget is going to be, which is restrictive, but what it also means is our team have got to sort of try and make plans that cover all eventualities. I think we need to try and establish also what use our Ministers would like ... or what extra advice our Ministers would like to take from the farming community. There has been existing consultation with regards to the current work on the Rural Economy Strategy, but that has been done over the last X number of months. It may well be that the current political thinking is that we could do with more updated advice coming from the countryside. I certainly know the Minister for Economic Development is keen to take advice and the Minister for the Environment might be keen to do the same, so it is a case of updating. I would say quarter 2 next year will be a period for draft, but we do need to take into consideration that we have got both financial and resource-related issues to come together.

**Minister for Planning and Environment:**

It is one of those difficult ones for us, inasmuch as the financial resource for R.E.S. (Rural Economy Strategy) comes out of the Economic Development Department. We write the policy, we come up with the strategy and the policy and the implementation, but it is funded by Economic Development.

**The Connétable of St. Helier:**

The grants?

**Minister for Planning and Environment:**

Yes, and specifically the major parts of that are the Single Area Payment, which goes to people per vergee, and the Quality Milk Payment, which is the major constituent of the funding that goes into the dairy sector, but there are other monies that go towards the R.J.A. (Royal Jersey Agricultural) to help the running of the A.I. (Artificial Insemination) Centre and some training and other bits and pieces, and certainly we are in discussions with the dairy sector specifically about the best way they feel those monies could be spent. Certainly dairying globally is under enormous pressure at the moment. We know the price of milk has never been so low across the globe as it is now, and there are some major challenges. We are determined that the dairy industry will be

maintained in Jersey. It is hugely important to us for any number of different reasons, so we continue to talk with the dairy farmers about the best way that what monies are available from E.D. (Economic Development) can be spent within their industry.

**The Connétable of St. Helier:**

Okay, thank you.

**The Deputy of St. Mary:**

A point of clarification, there have been press announcements about certain grants being given to farmers, though I appreciate come from Economic Affairs rather than yourselves. That is built into the M.T.F.P., presumably, is it?

**Minister for Planning and Environment:**

The monies that have been given most recently to one specific farmer to assist with the sale of local produce in local supermarkets has come from Economic Development. I think you would have to speak to the Minister for E.D. as to how he has found that money, but certainly I was very supportive of the case for finding ways to make sure that local growers could sell their local produce, locally-grown produce, in local shops. It is becoming increasingly difficult - and it does year on year - to sell fresh produce through supermarkets. The quality of the pack house and the rules and regulations that you have to abide by, health and safety and everything else now, are really quite onerous, hugely expensive to implement the quality of the pack houses, immaculate, but also very, very costly. The local business which has gone out of business recently, which we are seeking to replicate, was a major player in local growing and the facilities that they had in place were expensive to substitute for. This particular grower that has taken on the local supply is doing a good job. He needs our support. It is not a part of the industry which is as profitable potentially as exporting Jersey Royals, but certainly as far as being the Minister with the responsibility for the department, I think it is enormously important that local growers are able to continue to sell their produce in local supermarkets. In order to do that, those products have to be packaged through a pack house which comes up to supermarket specification, and that specification these days is hugely expensive to achieve, but we have managed it. I think we will all be very grateful in the future; local people can go into shops and see locally-grown products packaged and for sale.

**The Connétable of St. Helier:**

I suppose one advantage of the slippage of the strategy is that assuming the Water Strategy does not slip and comes forward, the obvious crossover between the Water Strategy and what the industry is putting into the water courses, there is an opportunity to make sure that is very strongly ...

**Minister for Planning and Environment:**

Absolutely. There may well be some opportunities and it is certainly something that has been discussed and I have indicated I want discussed. The way that the Single Area Payment is given out at the moment, it is quite simple to administer, but it may well be in the future we look upon that grant money as something slightly different and we say the public deserve maybe a bit more for this money we are giving to farmers, and in return for the Single Area Payment, there will be some requests as to how those fields are treated when it comes to chemical fertiliser or sprays. Certainly I have some ideas as to how we might change the Single Area Payment system to help with the nitrate situation in water. It is only right that the strategies should work together. I mean, it would be completely wrong if we found that we were giving out monies under the Single Area Payment which worked against the way the Water Strategy was being formed, so the 2 will go side by side.

**Director for Environment:**

In service reviews of both, and of the work that is associated with nitrates work that Environment Protection are doing, that is something that we are looking to try to amalgamate, to establish how the 2 areas can work even better together in terms of assisting each other.

**The Connétable of St. Helier:**

Okay, thank you. Aquaculture: there was a licensing strategy expected by the end of the second quarter. How is that going? Is this another one that is being affected by resources or ...

**Minister for Planning and Environment:**

It is slightly affected by resources, but certainly from a planning perspective, I have asked for some work to be done, and it is being done, because I keep a check on it regularly. I am looking for or I have identified a way, hopefully, of allowing people who want to apply for concession areas for the growing of shellfish not to have go through the planning process, because not only do they, at the moment, need to apply to the Department for the Environment and speak to the fisheries officer and get sanitary surveys done and other things like that, which are hugely expensive, they also have the additional red tape of going through the planning process and applying for temporary structures on the beach. Although it does not apply now, in the past we have had to go through Government House, because the beach was owned by the Crown, and they would have to be signatories to the planning application and it was hugely complicated. So what I am trying to do is to put in place - and will do - a much simpler method of applying for a shellfish concession, so that it will only be a one-stop shop. That will be the fisheries section, the marine resources section of the Department for the Environment, and certainly I will be looking to find ways of changing the way we get new people into the industry. It is a challenge. The industry is not without challenges. The price of shellfish in the continental markets is not good at the moment, but there are

opportunities and I would very much like - and I have indicated before - to see new entrants come into the industry. They need assistance and we need to make it as easy for them to come in as possible. If they can abide by the rules and regulations, we need to find ways of encouraging them to do that. It is not without its challenges, but we would like to do that if we can.

**The Deputy of St. Mary:**

Just a technical point on that, the regulatory function of fisheries generally has always been with Environment. The fishing industry, as such, is presently with Economic Affairs and due to be transferred over.

**Minister for Planning and Environment:**

The legislation is currently with Economic Affairs and was due to come back to marine resources. It was only quite recently all within the Department for Agriculture and Fisheries and I think it was probably 2 or 3 Ministers ago the legislation for fisheries transferred to Economic Development, but it is on its way back to us.

**The Deputy of St. Mary:**

It is a query about transfer of functions generally, that it has been sort of blocked, so my ...

**Minister for Planning and Environment:**

I think transfer of functions generally is still very much on the cards. I think it is a question of making sure that all the T's are crossed and I's are dotted, and I think a lot of that involves Scrutiny. I think when all the Scrutiny sections are ... and I am trying to think of probably ...

**The Deputy of St. Mary:**

It is Corporate Services Scrutiny, yes.

**Minister for Planning and Environment:**

Corporate Services would scrutinise it, because it is the Chief Minister's proposition. I am not aware that there is a complete green light at the moment with that, but certainly we want ...

**The Deputy of St. Mary:**

Am I right in thinking that your department is responsible for the regulatory function, so already ...

**Director for Environment:**

We regulate the legislation on behalf of the Minister for Economic Development.

**The Deputy of St. Mary:**

Okay, right.

**Director for Environment:**

So the legislation sits with the Minister for Economic Development. If and when this transfer function transpires, it will be a lot more simple for us to do that, insofar as we would not necessarily have to consult with 2 Ministers for all aquatic processes, if you like.

**Minister for Planning and Environment:**

In reality, it is working very well at the moment, inasmuch as, for example, there are some changes coming to bass fishing and some of those changes I can do by order, some have to be legislative. I am also an Assistant Minister, Economic Development, and with the permission of the Minister, I will be presenting the changes to the bass fishing. That is just a transitional thing, but until such a time as the responsibilities are transferred, I will continue to operate in that way, but it will be much simpler, as Willie said, once we can get the whole ...

**The Deputy of St. Mary:**

Simpler all around, I think.

**Minister for Planning and Environment:**

... shooting match back into our department.

**The Connétable of St. Helier:**

We were going to talk about the branchage, but I think time has beaten us, so we will have to wait until the second branchage visit has been ...

**Minister for Planning and Environment:**

I am grateful, Constable, because I have got my own branchage visit this afternoon ...

**The Connétable of St. Helier:**

Oh, right.

**Minister for Planning and Environment:**

... and where I shall be going from here.

**The Connétable of St. Helier:**

It has been running pretty well for centuries. It will probably wait for a couple more months.

**Director for Environment:**

We do not, as a department, administer the legislation, but we do have guidance that is out there, which I did not know if you are aware, so I have brought some along. We can give you a paper copy and point you in the direction to that, on the latest work on that.

**The Connétable of St. Helier:**

I mean, it is probably a matter for ...

**Minister for Planning and Environment:**

Is there a particular issue with the branchage that you wanted to discuss?

**The Connétable of St. Helier:**

No, no, it is something I am just interested in whether it needs adjustment at all in terms of timing and ...

**Minister for Planning and Environment:**

It will be interesting to hear - as I am sure we will both hear on our respective second visits - whether the earlier cut this year to ...

**The Connétable of St. Helier:**

And the fines.

**Minister for Planning and Environment:**

... get the Island much better and beautiful for the Island Games has proved to be a bonus or not.

**The Connétable of St. Helier:**

Yes, yes.

**Minister for Planning and Environment:**

Certainly it worked really well for the Island Games, but the additional few weeks between the first and the second cut ... although it is always challenging, because we have had a lot of rain in August which has made the hedges grow like mad, other years you get hardly any regrowth between the first and second.

**The Connétable of St. Helier:**

I just wanted to ask a general question really, and I have not discussed it with the Chairman's Committee, but we helpfully give you the questions we are going to ask before these meetings, but

I am assuming the public do not get these questions and it just occurs to me that it might ... that is the case, is it not?

**Scrutiny Officer:**

Areas. They get the areas for questions.

**The Connétable of St. Helier:**

Oh, the areas? Yes, just something to generate ... we are grateful to the media for coming, but we do not get a huge amount number of the public coming to our hearings.

**Minister for Planning and Environment:**

No.

**The Connétable of St. Helier:**

I wondered whether a bit more advance publicity about what we are going to be asking would be a ...

**Minister for Planning and Environment:**

I have no issues whatsoever if you wanted to make the questions very specific or a generalisation. The publication of that is fine by me, absolutely.

**The Connétable of St. Helier:**

Okay. I will discuss it with the Chairman's Panel first, because I do not want to create any precedents, but I think most of the Scrutiny Panels would support that ...

**Minister for Planning and Environment:**

Yes.

**The Connétable of St. Helier:**

... as being better able to get public interest.

**Minister for Planning and Environment:**

Certainly we have got nothing to hide, and the more we can publicise the work we are doing, the happier we are, so if we can get more people to attend and listen to our explanations, we would be happy.

**The Connétable of St. Helier:**

Which is not to downsize the importance of the people who have come today, of course. We are very grateful to the people who have come. All right. Thank you, Minister, very much, and your team for the interview. It was very useful, it has given us lots to think about and we look forward to seeing you next quarter.

**Minister for Planning and Environment:**

Absolutely.

**The Connétable of St. Helier:**

Thank you.

**Minister for Planning and Environment:**

Thank you very much.

[12:59]