



Scrutiny Office

**Environment, Housing & Infrastructure Scrutiny
Panel
Quarterly Hearing with the Minister for the
Environment**

THURSDAY, 6th OCTOBER 2016

Panel:

Deputy D. Johnson of St. Mary (Chairman)

Deputy T.A. Vallois of St. John (Vice-Chairman)

Connétable S.A. Le Sueur-Rennard of St. Saviour

Witnesses:

The Minister for the Environment

Assistant Minister for the Environment

Chief Executive Officer

Director for Environment/Deputy Chief Officer

Business Director

[10:34]

Deputy D. Johnson of St. Mary (Chairman):

Good morning, everyone. Welcome, Minister, Assistant Minister and staff to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Perhaps for the record we can go round introducing ourselves. I am David Johnson, Chairman of the panel.

The Deputy of St. Mary:

Thank you everyone. Welcome to a meeting after all the horrors of the M.T.F.P. Starting with some basics. Work programme: what is your timetable for bringing legislation to the States, which if approved would enable the introduction of charges for food business operators and landlords of rented buildings, that the rent is safe and the food is safe.

Director for Environment/Deputy Chief Officer:

From our environmental health perspective we are looking to start to raise charges in 2018. No change since the last discussion I think, which is the introduction first of food and then looking to move that on to the costings around housing. So we have got £800,000 worth of recovery by the end of the M.T.F.P.

The Deputy of St. Mary:

As far as legislation is concerned it will ...

Director for Environment/Deputy Chief Officer:

Legislation, that is going to the States this coming year. Between May and June, I suspect, will be the dates at the moment.

The Deputy of St. Mary:

Okay, thanks.

Chief Executive Officer:

We have got to get a fairly brisk speed on with that legislation in the sense that we want to get the charging in under the timeline that Willie has just outlined; so we are looking at drafting, as we speak, so going through ... we want to get into the States Assembly, it would need to be middle of 2017, with a view of getting that through the process and approved. So we have got a legislative base then to charge. So it will have to be to 2017 approvals.

The Deputy of St. Mary:

We look forward to receiving the draft. Leaving that aside then, what are the department's current priorities as far as work and legislation is concerned?

The Minister for the Environment:

We have got a number of issues on the agenda this morning, Chairman, but I think, just trying to pick a few others out of the hat, environmental health, we have just mentioned. That department has moved over from Health to the Environment and we are slowly integrating that completely. There is some more work to do there. The Planning Department, planning online is something that we are working very hard on at the moment that we are hoping to bring in as soon as we possibly can. There are certainly some savings and efficiencies there for us. But not least the fact that architects these days do 95 per cent of their work with computers it is only right that we evolve a way of working with them so that nobody has to submit anything on paper anymore. Planning online is that project and it will not only help us to work quicker and more effectively but it will help architects as well. Historic: we continue our work on listed buildings. I am very hopeful that next year we will finish the work on the final listings of all the properties in Jersey. All the properties that we propose to list are on a list at the moment and we are working through that list to go through the legalities of doing that officially. We have a new States vet. He is integrating himself very well into the community at the moment and it would be my intention to meet certainly the dairy industry with him and have an official introduction although I am aware that he is going around and seeing everybody himself. So he has come with some new ideas. He is a great guy and we are looking forward to getting stuck in with him. There are any number of initiatives within the department that we are doing and I see bass is on the list, certainly that is a piece of legislation coming to the Assembly in the very near future. That is potentially a minor tweak but that is some work that we are doing. We have got lots of big plans for next year. But most of it is covered in the list that we are going to go on to talk about. I do not know if there is anything else within the business plan.

Chief Executive Officer:

Some very broad headings: water, climate change, energy. We are still working very strongly on all those 3 areas, and then across the planning regeneration field there's a multitude of priorities and not least the review of the masterplan on the waterfront as well as Future St. Helier, so we have got priorities in every area really.

The Deputy of St. Mary:

From the panel's point of view obviously we like to keep not only abreast of what is going on but where are own priorities are. But among all that, is there anything happening the last few months of this year we need to be attuned to?

Business Director:

Not that I do not think you are already aware of. Some are on the list.

The Deputy of St. Mary:

Leaving those, outside of the list.

The Minister for the Environment:

Outside of the list I think there is the second phase of the review of the general development order, permitted development, which is something I indicated when I first became Minister. We are well into that. We decided the second phase included some work with listed buildings about what people can and might or might not be able to do in the future without permission on listed buildings. That has, as you might imagine, created some discussion. So what we have done is with the second phase of the work we have split it up into 2 halves, and we are moving ahead with the easy bit, if you like. The listed building work is going to roll over to early next year.

The Deputy of St. Mary:

That is on my list here as well.

The Minister for the Environment:

Okay, we will come back to that. But that is certainly some more legislation we will be coming with.

The Deputy of St. Mary:

As far as main headings are concerned, we had a subheading of "Water Strategy" but, as you know, we were due to see the presentation last Friday and it is probably better to leave that.

Director for Environment/Deputy Chief Officer:

We are meeting on Monday, I believe.

The Deputy of St. Mary:

Yes, so we will not waste your time again on that bit. It is something we are interested in and may well wish to review. Moving on, Tracey.

The Deputy of St. John:

We understand that there is a plan to review the waterfront masterplan. I would just like to understand the timetable from the department's point of view for that and whether it will be done by the end of this term or whether it will be a continual process.

The Minister for the Environment:

Certainly there is an indication in the inspector's report that came back from building number 5 that he felt that masterplanning should be something that evolves, that is a living document, that continues year-on-year to be tweaked and changed. But he did indicate that we need to look at

the masterplan. In my deciding to approve building number 5 I accepted his recommendations, as you well know, that we would review. We have taken a couple of months to think about that and we have now instigated the start of that work. My senior officers in policy have started on that and it is our intention that we would certainly be expecting the new masterplan to be in place before the end of next year, that is for sure. But this is not a small piece of work. It is not going to happen this year. It will not be completed this year. But we recently started work on it. The recommendation was there. We know that there are 6 important headings that we need to look at. Some are more down the road than others, if you like. Certainly there is a number of buildings which have been approved in the masterplan. Building number 1, number 4, number 5 have all had approval, so there is a block there which has started to be approved. On the other side of the road, on the south side of the Esplanade, there is some housing which has been approved. There is a chunk in the middle and of course that bit in the middle also includes the road, and connectivity between the 2 sides of the site is hugely important. I suspect that that will create the most amount of discussion in the review of the plan because I would imagine we would want to continue with some housing. We would want to continue with officers. We would want to continue with a mix but not necessarily concentrate on any retail. It is important to keep retail in the heart of St. Helier. But the connectivity issue is certainly something that we would expect to create some discussion. As we all know there is a considerable amount of money in this masterplan that gets accumulated over the development of the site which allows for the sinking of the road. Who knows where that goes but if it did come out of a masterplan review that only a partial sinking of the road or something else happened, that is an interesting option because there would be a chunk of money to take forward to do something else with. I do not know if you want to add anything to that.

Chief Executive Officer:

Yes, I think one of the big issues that we want to try and tackle in this review is to revisit the community engagement around the masterplan, where there is a multitude of opinions, as there always is in planning, as to what should happen and what should not happen. I think, as the Minister said, we are trying to create something which is a bit more flexible and has to respond to market conditions, whatever they are. To be honest, we do not know where they are.

[10:45]

We know there is still very strong demand for residential and there is an increasing demand for residential. We know there is a huge demand and a growing demand for commercial premises. There is a growing demand for public open space and public squares in St. Helier. So the main building blocks of the masterplan are all fairly confirmed, I think. Invariably we are talking about how potentially it looks and what we do with the road, and the connectivity between the 2 sides of the road is very important. The other thing is we have now got a community living down in Castle

Quay areas, which we did not have to that extent back in 2008. So there is a bigger community in St. Helier there now. That is a very important bit; community engagement. Secondly, the mechanism whereby we achieve gain for the community through the development process. That needs to be more formalised in the masterplanning process. That is something which we were relying on different mechanisms previously around that sort of development, agreements with developers and things like that. So I think we need to dovetail this into our work on the community infrastructure levy and to see how we can achieve community gain from the masterplan as a whole.

The Deputy of St. John:

When you say “community engagement” though. What do you mean?

Chief Executive Officer:

We are adopting a process whereby we are refreshing some of the data that we are basing the masterplan on, so revisiting some of the commercial residential data. As I said, that will, I think, pretty much confirm there is still a very strong demand for the products in terms of new buildings. However, we need to have some refresh public engagement, public consultation, as to what people’s ... and the aspirations of the community are around some of these spaces and what we are trying to achieve. Especially about the connectivity issue. That is where I think we can get a multitude of views as to how we can get from one side of town across to the other side of town, and across the road. We are promising some community consultation.

The Deputy of St. Mary:

Is that the main issue that we can see; the connectivity and ...?

Chief Executive Officer:

Yes, the masterplan, from a bird’s eye view, sits fully over the road, the Esplanade and La Route de la Liberation there, so we need to understand whether we still want that in the masterplan. We may still retain that in the masterplan as an option and it may well have other options as well, depending on how the market develops and the demand develops.

The Minister for the Environment:

There are a number of main issues in the masterplan. There is office and commercial climate and I think we are seeing that coming through because obviously we have started building. There is housing. Some of that has been approved and we accept that we are going to need more housing into the future. So we cannot see that changing very much. We need to think about tourist offering and flexibility is really key. When we started I think one of the issues with the original masterplan, it was a whole concept that was adopted *en bloc* and that is how it was going to be. Some of the criticism is that we have started to develop that masterplan piecemeal. It is not

piecemeal but what we have done is we have gone back and started doing one bit at a time rather than doing the whole thing in one block. Andy is quite right; that was in a response to the downturn in the global economy. The money was not there. There were other issues and so what we have done is we have developed it as the demand has come along. As for tourism, it may be that there will still, I hope, be a requirement on the site for some tourism offering, but it may be that it might not be a hotel, it might be catered apartments. It may be a different type of offering. But I am hoping that there will still be some tourists down there. We need to look at the mix. Andy has mentioned green and open space, amenity space, public space. That is really important. The plans that are approved thus far deliver already an open space larger than the Royal Square. So we are getting some of that already. But the issue of connectivity is one of those highlights. That is the one that is still sort of outstanding, if you like. On one end of the spectrum we have the sinking of the road in its entirety from across the street all the way through to the underpass. At the other end of the spectrum we do nothing at all. There is any multitude of combinations between those, and that is, I think, where we need to explore. Certainly we need a lot of public consultation around that.

The Deputy of St. Mary:

I am suggesting you should do it. The less you do the more money there will be available for other things.

The Minister for the Environment:

Yes, on one extreme we sink the whole load and the money to do that is being accumulated through the development of the entire scheme. On the other extreme, if we do not sink the road at all that money is still there so we could then use it for something else but of course how much or how little there will be depends how much we spend on the connectivity issue will affect what is in the pot at the end. But that I suspect will be one of the main discussion points. We have a commercial port. A lot of our tourists arrive at the harbour. As Andy said, we have a community developing at Castle Quay but all those things are separated from the heart of town by a large dual carriageway and we need to address that. I am not happy that the tourists offering when they get off the boat involves a walk and then somehow having to cross that busy road, whether it's on top of the underpass or alongside the Weighbridge. It is not great. We need some easier ways to connect people from both sides to the other. There are engineering ways of doing it. Some of them are hugely expensive, some of them are not so expensive. That is something we really need to concentrate on.

The Deputy of St. Mary:

Before leaving that, how much ... I am not saying you are looking at this in isolation but it is a project in itself. It must affect the general overall plan for St. Helier, does it not? I mean offices moving south and that sort of thing.

The Minister for the Environment:

Absolutely. I mean it has to be part of the Future St. Helier project. It is an important part of the Future St. Helier inasmuch as there is a lot of housing on the site. I mean Zephyrus and Westward have both been passed. That is a large number of units. But we do not want people living in town if they cannot access easily the shopping and the amenities. We need to look at that.

Chief Executive Officer:

I think it offers us a real opportunity to reconfigure some of the older properties, commercial properties, in town. We have seen more and more applications coming forward now for conversion into residential in some northern parts of town and reclaiming some bits of St. Helier back for residential living again. That absolutely dovetails together and businesses are needing more modern premises, bigger floor plates, generally bigger open plan areas. Importantly they are all asking for greater environmental standards as well, in terms of their running costs and operational costs. We are seeing a shift south in terms of they can see new products and they can go to live in a new office building, which is easier to run, cheaper to run. So, yes, it has a big knock-on effect to the rest of St. Helier. I think we can then create more residential properties through conversions and get the vibrancy back into St. Helier in some of those areas which it does not currently have.

The Minister for the Environment:

We are seeing that start to happen. One that has very recently been completed in Bath Street, opposite the Bank of Scotland, where that old building has been converted into some very nice accommodation. At the moment we have got a big scheme going on the top of Don Road, near the Colomberie site there. That is going to be good as well. Most recently the new Co-op store at the bottom of Grenville Street and Colomberie has got commercial on the ground floor and it has got accommodation above. Those units sold like hotcakes. So there is a demand and we are finding that in developing and moving the financial sector down towards Esplanade Quarter that other offices which tie it, the buildings are tied, are coming forward for accommodation, and that is all in the plan. It is starting to work. We are coming on to planning in a minute. But we are seeing an increase in the amount of housing we can offer in St. Helier. That is part of the plan. We need to balance that with green open space, amenity space and better facilities for people walking and cycling.

The Deputy of St. John:

With regards to the waterfront masterplan then, the last one was approved by the States Assembly. Will this one be coming back for review and results?

The Minister for the Environment:

I would have thought so. It is difficult. We will see. We will see how it goes. I mean is there any point in coming back to the States Assembly if everybody is in agreement?

The Deputy of St. John:

How do you know everyone is in agreement?

The Constable of St. Saviour:

How do you know everybody is in agreement? Just among yourselves?

The Minister for the Environment:

Well, you do a consultation.

The Constable of St. Saviour:

Yes, but we have been to places where there has been consultation and for some unknown reason the people we ask are not listened to.

The Deputy of St. John:

But you can make the same argument. You do consultation for legislation but you would not bring the legislation forward to the States, would you?

The Minister for the Environment:

No, because you are obliged to do it.

The Deputy of St. John:

So are you obliged to bring the waterfront masterplan?

The Minister for the Environment:

I am not obliged to bring the waterfront masterplan.

The Constable of St. Saviour:

You are not?

The Minister for the Environment:

I am not obliged to, no.

The Deputy of St. John:

Well, that leaves the Council of Ministers to bring it then or it will be a decision for yourself?

The Minister for the Environment:

I would think it is a decision for myself.

The Deputy of St. John:

Just trying to work out where the boundary sits.

The Minister for the Environment:

It has always been the Council of Ministers.

Chief Executive Officer:

Technically it is supplementary guidance on the back of our Island Plan, which is already approved. The Island Plan has to come to the States for approval. Any supplementary planning guidance technically does not. Then we will have a judge as to how big that guidance is and really it is a matter for Members. If there is enough political desire for it to be discussed in the States Assembly I think that is where we will end up. If there is not then maybe we will not. But I think it does ... it will ebb and flow depending on what it says and what the detail of the review shows, I think.

The Deputy of St. Mary:

Just as a personal comment really, and we have had the benefit of workshops with Infrastructure and they work very well rather than just a straight presentation. The Members themselves feel they are putting more into it and the fact they are involved helps government as well, I would have thought.

The Minister for the Environment:

I must not be flippant about it. Deputy Vallois is quite correct. There has been a lot of discussion both at political out in the public. There is a lot of discussion about the waterfront. But at the end of the day we started down this road. We had a vision for the future. We want to provide the best facilities we possibly can for our financial services industry. It employs an enormous amount of people on this Island and if we are going to retain, and I mean some people say: "Oh, the industry has not grown" we need to look at what has happened around the world in the last 5 years. A lot of places have shrunk. The fact that we have maintained and managed to push forward and we are now seeing some confidence is fantastic news for our industry. Now whether we would have done that without some of this investment, some of this vision for the future, I do not know. But certainly for me, personally, you walk down on to the Esplanade now, and I have had the benefit of going behind the hoarding of building number 4 and I can see what is coming. I very much hope

when the building is finished in the very near future and the boards come down and the public can see what we are doing, they will start to appreciate how we are going to make that part of St. Helier much better, how we are providing facilities for an industry which is vitally important to the Island. We are providing the sort of buildings that they expect to go into. If you go to London it is standard now to have this quality of building being offered. We need to do this work. We know that in moving the industry down that way we are providing homes to be regenerated in St. Helier. So it ticks lots of boxes. There are lots of people who like to have a pop at the waterfront and what we are doing down there. But it was a brave decision at the time and we need to carry on. I am not saying the private sector are not delivering offices as well, and they are.

The Deputy of St. John:

Are we doing too much following what cities do elsewhere rather than following Jersey's identity?

The Minister for the Environment:

What do you call Jersey identity?

The Deputy of St. John:

It is an Island. There is only so much you can have on it. There is that ability to have the sea there, the field right next to you. You do not have as much of a city mentality in the Island as you do in countries.

The Minister for the Environment:

I accept it is a difficult balance. But we cannot go back and change time. We have developed a financial services industry on the Island which the Government rely on, which a large percentage of the population rely on because it is not just the ... it is the service industries, it is a crucial part of our economy. We need to do whatever we need to do to keep it here and to keep it vibrant, to keep it with a confidence to move into the future. I think the waterfront is part of that.

The Deputy of St. Mary:

The next topic we have is the environment figures and we obviously can talk about that all day. But I just highlight a few of the points. Sadie, would you like to start off?

The Constable of St. Saviour:

Yes, your traffic strategy; do you think it is going to work?

The Minister for the Environment:

The first thing to say is it is not my traffic strategy. So the first answer is it is an Infrastructure strategy but, as you know, Deputy Noel and I work very closely together and it is a challenge. I have always put my hand up and said trying to encourage Jersey people out of their cars on to

public transport, on to bikes, to walking is difficult. We have got to continue to work at it. The targets for reducing congestion have not been met, they have not been close to being met. But that does not mean we must not stop working at it.

The Deputy of St. John:

Does that mean the policy is failing though?

The Minister for the Environment:

Is the policy failing? If I say it is I will be quoted as saying it is failing. The policy I would not say is failing but it is not delivering the targets that it was set. It is a challenge. I personally think that the congestion is better than it was, but the statistics do not bear that out. I think we have got just as many people in cars as we ever had, but that is ...

The Constable of St. Saviour:

Have you ever thought of restricting ... one of the West Indies countries, you cannot have another car unless you have got the number to go with it, sort of thing.

[11:00]

We just keep importing vehicles for people and it just says another one. Do you think we could bring in that legislation? We bring in legislation for a lot of things.

The Minister for the Environment:

You can look around the world and you can see a number of different ways, very drastic ways, which they ... in Paris I think when the pollution gets to a certain ...

The Constable of St. Saviour:

At certain times, yes.

The Minister for the Environment:

They let cars ... an odd number go on one day and even numbers the next. I think it is Bermuda where you are only allowed one vehicle per house and it does not matter how many houses you own, you still only get one vehicle. People can only drive one car at a time so multiple ownership is not necessarily an issue, just because you own 6 cars you cannot obviously drive them all at the same time. But I think it is just a combination of things into the future. The bus service has never been as good as it is now. We have more buses on more routes going more often. Infrastructure are investing a lot of money at the moment. There are bus shelters going up all over the place. That will help to encourage people on to buses because nobody wants to queue for a bus in the pouring rain in the winter. So that will help as well. I personally think we need to do more to

maybe encourage more school children on to buses, and I say that only because certainly when I come into town in the school holidays there is not a congestion issue and the moment the schools start there is. But only at a certain time of the day.

The Constable of St. Saviour:

Welcome to my Parish, and you have to drive through it.

The Minister for the Environment:

I am fortunate enough to have to drive through your Parish in the morning, Sadie. So maybe we should be concentrating our efforts on school traffic. Certainly the decision to put a lot of schools in a very small area of your Parish was something that was done a while back but we cannot go back and change that.

The Constable of St. Saviour:

It could have helped through.

Chief Executive Officer:

Transport policy in terms of getting people out of cars is incredibly difficult to do unless you have such a bad problem people do not want to do it. We are all consumers so we are all part of the problem. It is still relatively easy to jump in a car in the Island get into town.

The Constable of St. Saviour:

We are only 9 by 5.

Chief Executive Officer:

Those sort of places who are often quoted where they have had a really big shift from car use to public transport use is the congestion going into their towns and cities is of such a problem people will not put up with it anymore and they will switch to another means of transport. You are often in politics trying to respond to a problem which does not quite exist yet, so we do not ... we have at some points in time queuing of vehicles on main entry routes into St. Helier but it is 20 minutes, 30 minutes. If that was a 2-hour queue time people would get on the bus or they would walk or cycle. We are approaching it, I think, as a government from a variety of ways. One of the other areas is there is investment going into cycling and cycle paths and investment and such like that.

The Constable of St. Saviour:

Excuse me - they know here - I have been fuming this morning and I am really not in a good place to ask questions. But the help that has been given to cycle paths and to different state schools is not in my Parish and I have - as you all know, because you all drive through it - the congestions. I do not have a safe cycle path. I do not have a safe walking path. So those safe areas where the

money has been spent are on not so busy areas. Everybody who comes through my Parish, because they have children at that school, and because I have the schools now, I would like to have seen some help for St. Saviour. There is no point in telling me a crossing at the top of St. Saviour's Hill and Deloraine Road - and it is Deloraine Road - is going to solve everything because it is not. Yet you have wonderful cycle paths in different places.

The Minister for the Environment:

I think the thing to say there, the first thing is if you have got some ideas please come and see us because we would love to talk to you about it.

The Constable of St. Saviour:

Excuse me, we have been 5 years ago, this is my second term, and my first term went ... not to you, it is one of those things.

The Minister for the Environment:

The second thing I would say is that ...

The Constable of St. Saviour:

It is a nightmare.

The Minister for the Environment:

... the 2 paths that I think you are referring to, one is obviously the Eastern Cycle Track, and the second one I suspect is the new path, which is not just a cycle path but also a footpath.

The Constable of St. Saviour:

A footpath for horses and everything, yes.

The Minister for the Environment:

And access to the countryside strategy path in St. Peter's Valley.

The Constable of St. Saviour:

Wonderful.

The Minister for the Environment:

But both of those come out of planning obligation agreements where we have developers who contribute money to do these schemes. The Eastern Cycle Track is on average about £1,000 a unit when you come to a certain development size. The one in St. Peter's Valley falls out of an approval to La Gigoulande Quarry, granite products, to start a change of use process where they are going to start infilling the sites in the future. I could not agree with you more. I continually

spend my life thinking about how we might encourage people out of cars and bus lanes are something. I come up with crazy ideas in St. Saviour how we might reroute traffic and let buses go down the road and no cars. Certainly one of the ways to encourage people out of cars is to have them sat in their car for an hour while a bus or taxi or something else is travelling past them at speed and they think: "I could be on that vehicle. I could be on that bus. I could get to work half an hour sooner." The difficulty we face in Jersey of course is that we are very ...

The Deputy of St. Mary:

We do not have the room for a bus lane, have we?

The Minister for the Environment:

We have built up to the edges of all our roads. We do not have large wide roads where we can put a bus ...

The Constable of St. Saviour:

I have to say, sorry, my sweetheart, really I should not be at this meeting because I really am in a mood. Belvedere, and I am being honest, the development of the old dairy site, Dandara is supposed to have given money for a cycle path. Now you can look back into that but as far as I was told when I took over as Connétable that that was already in the pipeline. Now I am on my second term and I am still waiting for help, for crossings, for safety, and I have nothing in my Parish. My parishioners keep saying: "When are we getting this?" and I said: "Well, it is there." Tracey was with us in St. Saviour's Parish when I first went to meet everybody. She was one of the Deputies. She has now moved. It just shows you how long we have been waiting for something in St. Saviour. It is not your fault, my darling.

The Minister for the Environment:

I am not aware that there was a cycle path involved in the old dairy site.

The Constable of St. Saviour:

No, but money was given from the dairy to go towards a cycle path, which does not even exist.

The Minister for the Environment:

Well, I know certainly they invested in a pavement from that side of the road up to Five Oaks.

The Constable of St. Saviour:

Yes, they did.

The Minister for the Environment:

There is an offering for green open space in the bottom of the site. I appreciate that will not be accessible or visible to everybody, but there were some schemes that came out of that. We will certainly look at...

Chief Executive Officer:

Yes, we can look at ...

The Constable of St. Saviour:

I need safety. I know this is not the place.

Chief Executive Officer:

I was going to mention like other things that we can get people, but I do not ... I think across society, getting people out of their cars 5 days a week on to buses is probably not likely to happen for some but one day a week is a likelihood. The sort of health implications of society now, getting people to cycle and walk more, there is a lot more proactive messaging on that, to get people to do this for a carrot reason rather than a stick. I do not think we have the sticks really there in terms of the ... there is not the pain for a private commuter in the Island to force them out of their cars. So the congestion times are not long enough and the charging regime in our car parks probably are not high enough to force them on to other modes of transport.

The Deputy of St. Mary:

That is the point, it is a charge regime.

The Minister for the Environment:

I think I am right in thinking that we did have the ability to do some quite draconian parking charging but the States Assembly would not do that because they felt that was a bit too much. But going back to the good news stories. Infrastructure, as I am sure you know, recently launched a scheme to encourage people to buy electric bikes. That has gone down a storm and a number of people I have spoken to have said, and I would never ride a bike, but I have tried one out and these electric bikes are marvellous and I am committed now. I think that is really encouraging. Infrastructure had to bring forward year 2 into year 1 because year 1 flew out of the door. The more people we can get from cars on to bikes the better. If it is electric bikes that do it well it ticks the box.

Chief Executive Officer:

And something just for short journeys. If you are driving into town from St. Ouen, actually can you leave the car on the edge of the ring road and walk the rest of the journey. Can we de-traffic town? So that is something under Future St. Helier. It is an opportunity...

The Deputy of St. Mary:

But are there areas you can make a park.

The Constable of St. Saviour:

The Parish Hall have stopped that, have they not, at St. Ouen?

Chief Executive Officer:

Seeing modal shift across 4 or 5 of our journeys is pretty difficult but the last 100 yards, the last 200 yards, if you are popping round to the shop or the corner shop can you do that by walking or cycling? I think it is getting different people to use different ... just getting people to think: "Do I need to use the car a bit more? Shall I cycle or walk today?"

The Minister for the Environment:

We have spoken about England. I have got quite a lot of experience of Cambridge where they have a really good park and ride system. They also, if you try to drive into Cambridge on a weekend the traffic lights are on red 90 per cent of the time and they made that conscious decision because they want people to be so inconvenienced. If they want to take their car into Cambridge on a Saturday afternoon they will spend most of their time sitting in traffic. People very quickly think: "I am not putting up with this, I will get on the bus." Park and rides, I was always very committed to. But I have to say I am changing my view slightly inasmuch if we had to build a car park for cars in the outskirts of St. Helier we are going to be taking agricultural land almost certainly to do that. You think we would probably be better to try to encourage people to do it slightly differently. In St. Martin's we have a nice car park which is now starting to fill up with people who park in the morning and get on the bus and come to town, which we want to encourage. But the Parish have invested in that car park and it is not being used for what we would like because it is full of commuters. It is another one of those.

The Deputy of St. John:

But it is nothing new. These types of things are things that have been mentioned time and time again over the years. I mean in your actual figures you have turned round and said that you want a 5 per cent reduction in the use of motor vehicles on our roads by 2020. At all times. It is in your report, Minister, it says a 5 per cent reduction in the use of motor vehicles on our roads at all times by 2020, that is the next 5 years. So if there has only been an achievement of 1.6 under the Sustainable Transport Policy what makes you think 5 per cent is achievable in 5 years?

The Minister for the Environment:

I am not going to labour the point. This is a report published by my department which draws on data from across the Island.

The Deputy of St. John:

But surely you have to have confidence when you put the numbers out there. I mean you think you are going to achieve it, you have confidence in the plan and the way it is going to be achieved. But what I hear is it is reliable on people to change their behaviour, and I agree, people do have to change their behaviour but ...

The Minister for the Environment:

I would say the Sustainable Transport Policy was not my policy but I certainly signed up to it, that is for sure. It had some quite draconian measures in there and the Assembly, in their wisdom, decided that they were not going to allow us to do things like increased parking charges. If there is going to be a deterrent for people coming into town one of the things at the top of the list must be how much it is going to cost them. How easy will it be for you to get in? Okay, they will put up with a bit of congestion if they get there and it does not cost them a lot of money that is not so bad. But increasing parking charges by 2, 3, 4, 5, times, but I am not proposing to do that and I am not going to do it because the States said we could not, but if we increased parking charges by 5 times we would reduce the number of cars coming into town.

The Deputy of St. John:

Yes, but then you have got the bigger issue of all these private commercial businesses that have got plenty of parking within their own area that can afford that type of money ...

The Minister for the Environment:

If you are talking about a parking tax ...

The Deputy of St. John:

... but yet will still carry on driving in.

The Minister for the Environment:

... let us talk about parking tax then.

The Deputy of St. John:

Are you going to bring in a parking tax? How many different charges are we going to have?

The Minister for the Environment:

As many as you like.

The Deputy of St. John:

No, none, thank you.

The Minister for the Environment:

Certainly something I have said, and I will continue to say, is I think surface car parking in St. Helier is something which should not be allowed and if it is going to be allowed it should be taxed very heavily. Cars need to be underground, if possible, or they need to be stacked. But just the surface level parking in St. Helier is not making best use of our resources and we need to do something about that. The private facilities in town is something we could look at and a tax may well be a way of encouraging those private owners into developing those sites or multiple use or better use of.

Chief Executive Officer:

Certainly other places have used work place levies on private businesses if they are providing parking spaces for their staff. That is something that is wrapped up into charging as well.

The Deputy of St. Mary:

There should be a tax for benefit in kind as well.

Chief Executive Officer:

With all behaviour change policies, and it does not matter whether it is vehicles or something else, you need carrot and stick and unless you have the sticks in your policies you can only go so far with a carrot.

Director for Environment/Deputy Chief Officer:

Marginal gains across a miscellany of improvement measures.

The Minister for the Environment:

When I became Minister I offered to the Chamber of Commerce regular meetings if they wanted to have them, and they certainly do. I meet regularly with the construction subcommittee and their retail subcommittee, and only this week I was at a lunchtime meeting with the retail subcommittee and one of the things they press for is how are our customers getting to us to buy our goods. There are pressures all round. I think we need to accept a lot of people who come into town to buy would like to drive to the shop they are going to, park outside, go inside, come out with their shopping, and get back in their car and go home. Now that would be what they would like. We cannot deliver that obviously but I mean in the report further along there are some plans for Ann Street Brewery site. Some people will criticise that we are going to put a car park at Ann Street Brewery, do we need to be providing more car parks because that encourages people to want to drive into town, which encourages congestion? It is all swings and roundabouts.

The Deputy of St. John:

But should you be so reasonable as the Minister for the Environment trying to push for environmental policies and trying to push an energy plan, a long-term energy plan to reduce carbon emissions and all those types of things? Should you be so reasonable?

The Minister for the Environment:

You want me to be unreasonable?

The Deputy of St. John:

No, I am just saying there are a lot of scare stories that go out around the world about the issues with climate change and carbon emissions and all those types of arguments, which is laboured in your report as well.

[11:15]

I am saying that should there not be a bit more of a tough stance towards behavioural change?

The Minister for the Environment:

Certainly from the environmental and the carbon and the emissions point of view we are making good progress there. I am not too disappointed with that side. I think people like this ... there are 2 things that are happening. People are going for smaller engines that have less emissions, and people are going for electric vehicles, the hybrids and electrics. In fact only tomorrow I have got somebody coming to see me at Howard Davis Farm about electric car club. It is starting to take off. It is difficult to purchase vehicles that are not better for the environment now than they ever were before. So from an environmental perspective I am happy that our - happy is the right word - the amount of fuel we import, liquid fuel we import, on an annual basis continuing to drop and I can see it continuing to drop into the future. So we are using less, we are burning less, we are emitting less. So I am happier with that. The fact is we are developing vehicles that might emit less emissions but there are not less vehicles.

The Connétable of St. Saviour:

With your Planning hat on as well as your Environment, bless you, do you not think that solar panels on new buildings could be a norm now?

The Minister for the Environment:

I would very much like to think so. This year the law came in and made it easier for people to put solar panels on their roofs and to put solar panels in their back garden. You can now cover 90 per cent of your roof without planning permission for solar panels. So we are encouraging that. I am going from this meeting to a meeting with the electricity company to discuss what they call

availability charging, which is how we connect private sustainable energy sources, be that solar or wind, to their grid. So we are getting there. But we are very fortunate. We have a very consistent and a relatively inexpensive electricity supply in Jersey and that in itself does not encourage people to move to sustainable energy as quickly as they might. If we were paying twice or 3 times the amount we pay in Jersey ... some of our Channel Island neighbours pay 3 times as much. If we were paying 3 times as much I think we would see a much increased demand for more sustainable energy.

The Deputy of St. Mary:

As I mentioned at the beginning, we could have spent all day on the figures. We had more questions but perhaps we should move on to another subject. Can I move on to the bass fishing? Now as you recall last time it did engender quite a bit of public interest.

The Minister for the Environment:

And the public interest has not gone away, Chairman, I can assure you. I still have many phone calls.

The Deputy of St. Mary:

I am sure. Propositions were lodged last May, debated in June, regulations were passed. The law is if they were to be amended it is the States Assembly that do it. The purpose of these 2 new ones is to enable you to do it by order.

The Minister for the Environment:

I might explain a bit more about that. Certainly the 2 pieces of legislation which I am coming to the Assembly with in the near future would seek to allow me to amend by order instead of by regulation. Those are specifically the length of net that somebody can set from the beach and the number of hooks that somebody can set on a trot. You will be aware that current bass restrictions restrict recreational fishermen to one fish per day. You will also be aware that the trots and nets is a seasonal thing which happens over the winter. It does not happen in the summer, we have tourists and other people on the beaches. So that season usually opens on 15th October. You are also fully aware, I am sure, as I am, and I take it very seriously, that nets and trots are a traditional low water fishing method of Jersey men over the years.

The Deputy of St. Mary:

Including some Senators, as I recall.

The Minister for the Environment:

Yes. I always have to think very, very carefully when I modify legislation, which affects traditional methods of fishing. In this particular instance there is no doubt that the nets and the trots are used

specifically to target bass. So I do not feel guilty about removing that. The other thing is that recreational fishermen, as I said, are restricted to one fish per day and at the moment a recreational fisherman can set a trot with 50 hooks plus. So the main driving reason behind my proposals is that I.C.s, the International Council for Exploration of the Sea, which is the body that advises the E.U. (European Union) on quotas, have come out with their report and recommendations. So some are on bass and they will be recommending to the European Union that nobody should fish for any bass next year at all. So there should be zero across the board. That is both recreational and commercial.

The Deputy of St. Mary:

They will be recommending?

The Minister for the Environment:

That is what they will be recommending. In light of that I thought it was a wise or unkind, in a way, to allow fishermen to start something in the middle of October, which I was fairly likely to stop at 1st January. I wanted to indicate as early as possible, to be fair to them, that this was what was coming down the line so that they did not go off and invest in a whole load of new nets or hooks or lines. So what I have done is, I have done 2 things. The first thing is I have asked the law draftsman to come up with a legislation which is to allow me to change that from regulation to order. I have also said, to say that I can be fair and this does not come out of the blue and surprise everybody, I have also said that if I am successful in doing that I would immediately put a zero limit on the number of hooks that can be set on the beach and the amount of net that can be set from the beach to catch these fish.

The Deputy of St. Mary:

As soon as it comes in you will by order ...

The Minister for the Environment:

I will. If it comes in I will by order put that in place. It may be that next year it may be relaxed. I think it is extremely unlikely. My expectation is very much that I will be moving again, even harder, on the commercial ... well, on all fishermen for catching a bass. It is much easier for the commercial sector, catching a bass is by licence and I can change the licence very quickly. That does not require any States agreement. But what I am doing is seeking to put something in place specifically for bass stocks, which means that I, on behalf of the States, can act quickly if at the end of December the E.U. recommend that we close all bass fishing altogether. Certainly the recommendation which came out 2 years ago now for 3 fish per day for recreational fishermen was something we never got to because we spent a long time changing the legislation and putting ourselves in the place to make that change. By the time we had the legislation passed and had been to the U.K. and come back the E.U. had acted further and gone from 3 fish to one fish, which

is why we went from no restriction to one fish. I know some fishermen found that quite tough. In the U.K. they had gone from no restriction to 3 to one. But what I am trying to do here is specifically for bass and it is just to put things in order so we can act quickly if we need to.

The Deputy of St. Mary:

I understand. You say it is different for bass but obviously the trots will catch other fish as well. Are you able to tell me, as a layman in these things, sort of are there other fish caught in these methods?

The Minister for the Environment:

No, I can tell you there are other fish caught by these methods but I also need to tell you that the target fish, when people use trots or use nets on the beach, the fish they are targeting is bass. I cannot find a way to say to myself how I can allow a recreational fisherman to set 50 hooks on the beach but if he sits on a rock with a fishing rod he is only allowed to take one fish home. I also think that it is becoming increasingly difficult to say to a fisherman: "You can use 50 hooks and you can catch 50 bass, that is very unlikely, but you could catch 50 bass only one of which you can take home." Those other fish would, in theory, be left on the beach, which is not any use of the resources at all.

The Deputy of St. Mary:

One of the main complaints in our legislation from the recreational sector was that it was the commercial sector that was killing the sport, as it were. But are you saying that the restrictions being introduced for recreational fishermen are catching up commercial because there will not be a licence to catch any bass?

The Minister for the Environment:

No, what I am saying is if the recommendation from the E.U. or if the E.U. decide to restrict bass fishing to zero next year I am in a position to move quickly with commercial because I have the ability via their licence and their permit; it does not come under the same sort of legislation where I need to come back to the Assembly to talk about nets and trots. I think Willie might help me out, but I think there are 4 or 5 different pieces of legislation which I have to go to cover nets and trots ...

Director for Environment/Deputy Chief Officer:

Five measures, I think.

The Minister for the Environment:

The size of the mesh and all the rest of it. It is much easier with commercial because it is just permits on their licence, and you change the permit.

Director for Environment/Deputy Chief Officer:

But you are creating a more even playing field across the board by introducing these new 5 measures that the Minister is alluding to.

The Deputy of St. Mary:

That is what I am getting at. One of the complaints was that the recreational sector felt they were being penalised because of commercial but you are saying in fact that ...

The Minister for the Environment:

If we go to zero across the board nobody will be catching any bass at all. While everybody will be unhappy about that I think they will all be happier than they are at the moment where one sector feels it is being targeted against the other sector. Within the recreational sector the people who fish on the rocks have been very upset that we were allowing people to set nets and trots.

Director for Environment/Deputy Chief Officer:

This has been the subject, as you know from the conversations that we have had before in this issue of many Fisheries and Marine Resources Panel discussion and it has created hot debate. You are right, the equity of the issue has been one of those specific areas of debate. What we cannot lose sight of, I think, and if we adopt the ICES recommendations which would go to zero, is that it is all for the long-term benefit of not only the stock but for obviously those who rely on catching the stock into the future. There is very little point in continuing to catch small numbers of undersized fish when what we are looking for is a sustainable catch for the Island's fishermen in the future. So, yes, equitability for the long-term benefit really.

The Deputy of St. Mary:

What we are saying is if these regulations go through and you are by order able to amend them, bringing it down to zero, you would only bring it down to zero at the same time as you brought down to zero ...

The Minister for the Environment:

No, sorry, if that is the understanding I have misinformed you. What I would seek to do is the moment I have the ability, would be to take the nets and the trots to zero and that would happen, I would hope, this month or early next month. The new E.U. recommendations will come out in December for a 1st January imposition. Now some people might say: "Well, why do you not let the nets and trots carry on until 1st January", I took the view that it might be fairer to them to say I am closing this fishery, I do not think it is fair.

The Deputy of St. Mary:

Okay, but on 1st January the commercial sector will have the same restrictions as recreational, will they?

The Minister for the Environment:

On 1st January the recommendations that come out of the E.U. will be available to us to look at and decide what we want to do. We are not obliged to follow E.U. recommendations. But certainly if the recommendation from the E.U. was to ban all bass fishing, whether recreational or commercial, I would find that very difficult to resist. On the basis that we accept that stocks are a challenge and we want to do our bit.

Director for Environment/Deputy Chief Officer:

We operate in the spirit of complying with European quotas on fisheries anyway at the moment. That is different in some other jurisdictions I know.

The Minister for the Environment:

It is very difficult to go to the U.K. to have sensible discussions with Ministers over there about fishing and moving forward with fishing when you are not taking notice of the E.U. recommendations. So I think, as Willie said, it is important for us to ... even though we do not need to or we are not obliged to, to follow E.U. recommendations where we can.

The Deputy of St. Mary:

I appreciate all you said. One final thing is what are the E.U. regulations. I mean there is this school of thought which thinks that the U.K. fishing industry were dealt a bad hand when the E.U. sectors were given out. Am I right in thinking that whatever Brexit brings in fact we have our own agreement with the French, the Granville agreement, is it? That would continue whatever, will it not?

The Minister for the Environment:

Our complex situation will not get any less complex, inasmuch as we have our own licensing we have an agreement with the French over the Granville Bay Treaty, which works very well and we would seek to retain that. But we have to also remember that we are part of the U.K. fleet inasmuch as we have a fisheries management agreement with the U.K. as well. So we have 3 distinct ...

Director for Environment/Deputy Chief Officer:

It is tripartite. Our agreement is with the U.K. but the Bay of Granville agreement is between France and the U.K. to which we are a party. So it is complex. The issue being if and when Brexit is triggered and happens and carries on, there is a very real question as to what happens with the

Bay of Granville agreement at that point. There is no suggestion at the moment it is changing but everything will be looked at in terms of Brexit.

The Deputy of St. Mary:

Let me not go down that line then.

The Minister for the Environment:

We will not solve it this morning.

The Deputy of St. Mary:

Okay, right.

The Deputy of St. John:

Back to planning. You advised us previously with regards to aims to reducing the planning approval times. I think it is from 5 years to 3 years. I was just wondering how the work is developing, if it is developing.

The Minister for the Environment:

It is developing. I might be looking for some help here.

[11:30]

We are certainly moving forward with it and I have indicated that is something I want to do. I have also indicated that I want to look at the possibility of charging for renewals and charging for some of those things that we do not charge for at the moment. Certainly renewal of an approval is something. At the moment the approval is for 5 years. I would like to bring it down to 3. I would also like to look at the charging. If somebody has not built out after 3 and they come back to us and say: "Can I just continue this approval?" "Yes, you can do that but ..." At the moment we only charge them unless there are some major changes. If the Island Plan is charged, for example, in between one and the other there may be some work we need to do. But I am looking for amended plans and that type of thing. What I am trying to do is to encourage people to build what they apply for and I am also trying to get them to apply for what they want first time out. I am not particularly sympathetic to people who apply for one thing knowing they are going to apply to add something here and some windows there and a little extension there, and eventually after 4 or 5 iterations end up with what they wanted in the first place. I would be much happier for people to apply for what they want initially. But the 5 to 3 is happening. It is not going to happen ... I hope it is going to happen. As you might expect it has met with a little bit of resistance and I have had some representations already about that. But we will continue to consult with the industry. We are consulting with them about the infrastructure levy, but we will be consulting them a lot more about

the infrastructure levy very soon. We might come on to that. But, yes, 5 to 3 is something I personally still want to drive forward.

Chief Executive Officer:

In terms of timescales, the normal way of doing this sort of thing, we have issued some guidance which we have consulted on and consulted on. I will get the exact timescale but I have not got that in my mind at the moment but I would say by the end of this year we should be in a position to move forward with that.

The Deputy of St. Mary:

This year we are talking about, are we?

Chief Executive Officer:

I think so, yes. The reason for doing it is to try and speed along the development process and so if you are ready to apply for something for permission we want to see it happening. Especially when we are trying to effect change in St. Helier is a good example. If you are permitting something and you potentially are waiting 5 years for these changes to happen it is pretty hard from other policy sides to ...

The Deputy of St. Mary:

I do not think you need to justify it to the panel. We just want to know ...

Chief Executive Officer:

Yes, I think it is the end of this year, but let me just confirm that when we get back to the office in terms of talking to the team who are doing that piece of work.

The Deputy of St. John:

The main objective is to build more but there is an opportunity there for income in terms of extra conditions or ...

The Minister for the Environment:

Yes, it is as much income as it is ... I do not know how to put this really. If the applicant knows that he is going to have to pay to re-register an approval for another 5 or another 3 years, my hope would be he might just think a little bit more carefully about it, and think: "I might get on and do it." Having said that, I am extremely wary of what I do not want to happen is for people to have half developed building sites all over the Island. Where an approval, when it has been given, when has that site started development is a real tricky issue and we have spent much time discussing it. The moment you start to do something which requires approval you have started your development, in which case you do not need to apply to renew. I have been to too many places

where the planning authorities have thought they have come up with some clever schemes but you end up with lots of building sites either with just foundations or half built properties or properties with no rooms on.

The Deputy of St. Mary:

Yes, I am aware of how you just dig a trench and you say: "Started." Can you not build in the conditions, completion by a certain date as well?

The Minister for the Environment:

We can. We can look at all sorts of things but as much as I would like to reduce it to 3 years, and I hope I very much will, I just need to be wary that we consider all the possibilities that might come out of it.

Chief Executive Officer:

Yes, it is really hard to put completion conditions on because you are in effect then trying to control something which is outside of the control of the planning system. So people often need their funding in place to complete the development there. Someone needs to sign a lease or they are going to buy the house or rent the house or ... so there are a lot of other externalities that make development happen. Even if the Planning Authority said: "Right, we need to ... once you have started it needs to be done in 3 years" I think fundamentally we would not be able to control that for human rights reasons and natural justice.

The Deputy of St. Mary:

Charge down your fee, could you not?

Chief Executive Officer:

That is what sort of makes us think we do see a number of permissions that come on to the books and they keep getting renewed time after time after time and that does not help anybody. It does not help us in planning what we think is going to be built for the Island and what we need to build new or otherwise.

The Minister for the Environment:

I think that is the crux of it. We get criticised from Government and the department get criticised or somebody will turn up and say: "1,000 flats have been passed. Why are you still making flats?" The problem is we pass things but there is no obligation for people to build. It is very frustrating for us as a department that likes to plan ahead and look at demand coming down and how we can fill that demand and how we can move the Island's population forward. Where we grant approvals, and then people just do not go out and build them. They just leave the site there with an approval hopefully increasing in value and with a potential to sell on. From our perspective that is not

helpful at all because we put it in our books and we say X number of units have been passed there and there. But if people do not go out and build them it is just ... you may as well not have the figures really.

The Deputy of St. John:

That moves us on to the next question quite smoothly in terms of the infrastructure levy because you have mentioned this previously. Where are you with regards to that?

The Minister for the Environment:

We are moving forward with it. I have an officer working on it and we have now got to the stage where we have appointed a third party to help us with that work. I took the view quite early on that this was going to be quite contentious. No surprise. Many parts of the industry are not happy about this coming forward. I am yet to convince them and I will convince them because it is a good scheme. It will be better for them in the end but they need to be convinced. We thought the best way to do that would be to introduce a third party between the planning system and the planning officers and the industry. This third party have been engaged and they are working on it now. What they are doing is they are working on the viability of the scheme that I am proposing. The last thing I want to do is to spend a lot of money on something which is not going to work. We need to know that there is some viability in this proposal for moving any further. So the people we have engaged are working on the viability of the scheme. Is there the money in the building system to do what we want? Is it going to achieve what we want? Is it viable? I will have that work done hopefully for Christmas and then we move into a phase of engagement hopefully next year, and it is going to be quite serious consultation with the industry because we are going to have to explain to them in great detail what we are trying to achieve, and how it will be better for them. I cannot believe that a developer will not be happier to know upfront, before he starts, what his costs are going to be rather than have a system like we do at the moment where he will look at his scheme and his return. At the end of that, almost right at the end of the planning approvals, he may have some planning obligation agreements which potentially could cost him a lot of money and affect the viability of the scheme at that stage, when he has done all the work. Surely it is going to be so much easier to have a list in front of him and say: "Right, I am going to build X number of units or X number of flats or this type of development" and there is a cost alongside that says: "If you want to do this your contribution to Island infrastructure will be X" and he can build that cost into all his other costs.

The Deputy of St. Mary:

Going back to the root of Tracey's question. You told us earlier in a presentation what was happening, you were going out for consultation, we understand that. I mean the latest study, you had to get that back before Christmas you say?

The Minister for the Environment:

Yes.

The Deputy of St. Mary:

Is there any doubt that he will come back and say it is viable?

The Minister for the Environment:

I do not know. I mean to say this is a scheme that I have come up with. I personally think there is money in it because if developers have money to do planning obligation agreements now there is no reason why they will not have the money to do a community infrastructure levy or Jersey infrastructure levy. We need to remember that the levy will, I hope, be varied. The percentages will change depending what type of thing you are wanting to do. Certainly if it is social housing that will attract probably a zero levy or very, very tiny. We are going to use it to encourage certain types of building and if other types of building want to come forward the contribution will be coming into a fund which will help us to do the work with Future St. Helier that we want to do, or some of the other infrastructure work.

Chief Executive Officer:

We are going to need some various detailed scenarios for different detailed scenarios. Undoubtedly granting of planning permission increases land value massively or increases a site value massively so the concept of the community benefiting from that granting of permission and increase of value I think is the underlying concept. However, as we all know, sites and developments and existing situations come in all shapes and sizes. So from a greenfield to a residential value is a massive thousands of per cent increase in value versus a commercial site to another commercial site permission, then there may not be so much creation of value. So we are going to need, through this piece of work, be very clear what we are applying when, what is the viability test and what the level is. We cannot apply it at such a level that it turns off development because that would be counterproductive to the policy, and it cannot be at so low a level that it does not achieve anything. We have got to pitch it in the right level to make sure that viability is still there and it takes into account the various sites that we have seen.

The Deputy of St. John:

Is there not a potential for a loss of that goodwill from some people? So for example, like in a Parish they might build a big house, they might go to the Constable and say: "Have you got any specific issues that you may want me to help out with because I am building this particular thing here?"

The Minister for the Environment:

There is no reason why the Jersey infrastructure levy could not have a part of it developed specifically for a Parish. I mean that is certainly something I would like to do. I take your point on board. I have considered that already. It may well be that certain types of developments in certain Parishes may have a percentage of the infrastructure levy that goes straight into the Parish for the benefit of parishioners as much as the Island.

The Deputy of St. Mary:

Going back to the general timeline, as it were, your consultant is out there, he is going to report to you this year.

The Minister for the Environment:

We know about the viability by the end of this year and then next year is the big piece of work going out there and talking to the industry and moving forward with all the ... there are any number of different types of scheme around the place. Not just in the U.K., but in other countries as well. We need to find the best combination. We need to convince the industry to come on board. We need to show you the work that we are doing. We need to get buy-in from everybody and then we move forward. But my hope would be that I could get this done while I am still Minister.

The Deputy of St. Mary:

Okay, so the due process is going to be quite a long time, is it?

The Minister for the Environment:

This is not a quick process. I indicated a year ago plus that I wanted to do it.

Chief Executive Officer:

Whenever we have a conversation about capturing value from the uplifted land value it is ...

The Minister for the Environment:

It does not get off to a good start.

Chief Executive Officer:

It is not an easy conversation to have with any interest who has got a land interest or property interest. Obviously those interests want to retain as much of that value for their own industry. We are saying we want to tap into a bit of that for community benefit. It is a really difficult negotiation and conversation to have so, yes, there will be more on this to come, come next year.

The Minister for the Environment:

I think the engagement of the third party intermediary is a big step and by Christmas we will know whether the scheme that we have in ... or a scheme is viable. I think if we get the green light, which I hope we will, I think that is a big step forward and we can keep the momentum going next year.

Chief Executive Officer:

I think we have been pretty clear, we want to see this invested into things which benefit the community as a whole. So we have mentioned transport already in this sort of consultation process and public realm. These in their own right add value to the developments who are contributing so that is another bit of conversation we have here. We do not capture a lot of planning gain from developments in the Island at the moment. We do get some bus shelters. We do get a bit of public transport in places. We get a bit of public art in place but we do not fundamentally get a lot of planning gain for the community. So this is what we are trying to ...

The Minister for the Environment:

The other thing we need to remember is planning obligation agreements apply to the specific area that a development is happening. You cannot say to somebody: "I want you to pay for something in St. Lawrence" when you are building in Grouville. Your P.O.A. (planning obligation agreement) has to apply in your locality. What we are hoping to do with the infrastructure levy is to say: "If you are in the coastal national park there will be a considerably larger levy than if you are in St. Helier" because what we want to do is to use that money for mainly St. Helier but another infrastructure. I say "St. Helier", Sadie, I mean not the ... the area. It is important for people to know if they are going to be given to development in the national park, for example. That will be a tough approval to get but if they do get it they will be expected to contribute to infrastructure generally for the community because we have a policy which is going to say in the future: "We want to keep our coastal national park countryside beautiful." To do that we have to try as hard as we can to restrict as much development in those areas as we can so we can concentrate on St. Helier. It is only right that people who develop in those areas that see a massive uplift in their value of their profit put something into town.

The Deputy of St. Mary:

One final point on planning. You mentioned in the Assembly the other day there was a Green Paper on property taxation in 2014. Now there were some references in the Assembly the other day suggesting it was still sort of active.

[11:45]

I thought it had been parked for ever. Can you tell me on that?

The Minister for the Environment:

I was discussing that with somebody only this week. I think that really needs to be put to bed because I still could not put my hand on my heart and say it has finally gone away. Certainly the property taxation bit applying to what we are doing here, I am very happy is no longer there. But I think we do need the Treasurer to stand up and say the review of property taxation has finished and concluded. Certainly the industry have voiced that to me. They said: "Oh, we have got this property tax going on here and we have got infrastructure levy here."

The Deputy of St. Mary:

There was some suggestion that it could be resurrected ...

The Minister for the Environment:

I was always told that there will not be a property tax alongside an infrastructure levy. So I look to the Treasurer to ...

The Deputy of St. John:

So it is creating some uncertainty within the market then, is it?

The Minister for the Environment:

No, certainly the property tax review was something which the industry did not like. They did not like the idea of an infrastructure levy either. But I do not think the 2 are linked.

The Deputy of St. Mary:

The property tax covered lots of other things as well.

The Minister for the Environment:

Yes, it did, and I think that is where the issue is. I think the infrastructure bits have certainly gone but there were bits of that property tax review which were very, very separate and different. Maybe some of that work that is maybe going on.

The Deputy of St. Mary:

As time is getting short can I move on to another topic, if I may? The rural economy. I appreciate this straddles both Economic Affairs and Environment. Wearing my hat for the moment as member of the Economic Affairs Panel, we did have a presentation on that which I know was confidential so I am not going to raise anything there on that. Last time we were given anything it had yet to be approved by the Council of Ministers. Can you confirm where we are?

The Minister for the Environment:

I can. It was due to go to the Council of Ministers and C.M.B. (Corporate Management Board) but those meetings were postponed. They were postponed because at the last minute the Minister for Economic Development was lobbied and felt that he needed to do a little bit more work, and had a bit more look and asked for further representations on certain parts of the plan. I have to say I was not particularly happy about that but in all this, this is an Economic Development driven strategy inasmuch as it is Lyndon's money and Lyndon calls the shots. It is not my money. He is the Minister that puts the money into the scheme. I need to get him to sign off. So I can encourage as much as I like but until he is happy we move forward we will not move forward.

The Deputy of St. John:

What impact does it have on yourself as the Minister for the Environment?

Director for Environment/Director for Environment/Deputy Chief Officer:

The strategy?

The Deputy of St. John:

The strategy and the delay in the strategy.

The Minister for the Environment:

What happened last year was I was hopeful we might have pulled a new R.E.S. (Rural Economy Strategy) in at the beginning of this year but it did not happen. It was rolled over. I certainly would be very upset if it was not in place at 1st January this year. The reason for that is that I am hoping very much that we will move from the scheme that does not just give money to people for every vergée they have irrespective of what they are doing for it. I would like to see us getting a bit more of a guaranteed environmental return for that investment. I do not think it is going to be any great shakes for the industry. I do not think it is going to ask them to do very much, anything very different from what they are doing at the moment. But it does show that we are giving them some money, asking them to conform to certain standards, which are not going to be particularly onerous but it does show that we are getting some environmental return for our investment. The plan at the moment, the one we are currently on, does not do that. So from an environmental point of view it is a disappointment for me that we have not moved to the new plan. But I accept that it is not my money. It does not come out of my department's budget. Lyndon needs to be happy before he moves forward.

The Deputy of St. Mary:

You touched on a salient point, which is the, again - I am authorised to say this - Economic Affairs Scrutiny Panel believes it should review it. Now if it is not yet out in print we are going to be hard pushed to review before the end of the year.

The Minister for the Environment:

Absolutely, and again that is disappointment inasmuch as, you know, I would not expect Scrutiny to review something as important as this in 5 minutes. I would welcome review because things like this need to be discussed and challenged and Scrutiny can do a good job of that. Certainly I spent quite a bit of time, some time ago now, going through every section of the plan with officers at Howard Davis Farm, and I was happy and the document transferred to Economic Development. The officer responsible was trying his best and we were very close to ... as I say, meetings were arranged, points to be discussed at Council of Ministers, and they have had to be pulled. I believe that further responses have been asked for and the hope would be those responses will come in and be considered and we will move forward again.

The Deputy of St. John:

This might sound like a really basic question. It sounds like Economic Development are the input, they are inputting the strategy and the outcomes are very much based around your responsibilities in terms of ensuring environmental gains and all those types of things. There is a big outcome basis reliant for you rather than E.D.D. (Economic Development Department) and I think it is a usual misnomer in the States with regards to focusing so much on the inputs that the outcomes either never happened or dramatically reduced for whatever that reason may be.

The Minister for the Environment:

Economic Development are there to develop the economy and developing the economy or in the countryside may not go quite as hand in hand with protecting the environment. Take that whatever way you will. But Lyndon's job is to try to help farmers stay in business and develop their businesses from an economic point of view. My job is obviously to try to work with the environmental aspect. I think we have got an opportunity here to work together, which we do anyway, but across Europe and across the world where schemes like this have developed in the past, where money is given to farmers, common agricultural policy, for example. They are all moving towards an environmental gain for the input and money and I think that is what we are looking for here. Is we are saying rather than just give you a wad of cash for only 3 or 4 fields or however many, you get a payment ... single area payment was a set amount of money per vergée. We are going to say to you in return for that we now are going to expect you to come to certain environmental standards. We want you to run your farms to a certain level. We want you to have renewal plans. We want to know how much nitrate you are putting on. We would like you to consider biodiversity. Any range of things. I mean we know we have got some challenges in our countryside, in Jersey specifically, and everywhere else. But around the world now these sort of schemes are having to show some environmental return for government input, and I think that is only right. Lyndon felt he needed a bit more discussion around it and so he is having that discussion.

The Deputy of St. Mary:

I hear what you are saying, thank you in particular for saying it. You will expect the thing to be scrutinised. Going back to the ... as I say, it seems to me inevitable therefore there will be a delay in implementation of it. Is that going to have any practical effect on the farming fraternity? Are there not payments due out at the beginning of the year which might have to be on hold?

The Minister for the Environment:

From a payment perspective the money must be in Economic Development, so they are in a position to pay money out. It is just a question of under what strategy they pay it out of.

Director for Environment/Director for Environment/Deputy Chief Officer:

I think the rural support structure is that in question; we will meet it in terms of a tiered approach to rural payments. That I think is what will be specifically reviewed by the Economic Affairs Scrutiny Panel and I understand that that panel will pull in players from the Environment Scrutiny Panel as well. But until there is an understanding of how that funding could be allocated there is nothing to scrutinise essentially.

The Deputy of St. Mary:

It applies to the point, yes.

Director for Environment/Director for Environment/Deputy Chief Officer:

Absolutely. So we have officers working on that and my understanding is over the next couple of weeks they will come up with an agreed government structure, which can then be scrutinised and properly pulled apart and put back together again, if necessary.

The Deputy of St. Mary:

So the Ministers will agree within 2 weeks, will they?

Director for Environment/Director for Environment/Deputy Chief Officer:

I would say ... I could not possibly tell you.

The Deputy of St. Mary:

But the concern I have on ... I have not spoken to any farming fraternity on this, but if there are payments due under the present system, which in fact was rolled over, we had to give you time to do it ...

The Minister for the Environment:

I think it is important to say, Chairman, that nobody has had money withheld.

The Deputy of St. Mary:

I appreciate that.

The Minister for the Environment:

The normal monies used, that farmers were expecting, have all been paid out but what has happened is that we have paid out ... continuing to pay out money under the old scheme rather than the new scheme, in my hope that the new scheme would have been in place 1st January this year.

The Deputy of St. Mary:

I accept that.

The Minister for the Environment:

I was certainly ready for that but it has not happened and it is now, as you have quite rightly pointed out, far too late to have it properly reviewed by Scrutiny and in place for 1st January next year.

The Deputy of St. Mary:

So the question I have is if under the present scheme farmers are expecting some monies to be paid out early next year are they going to be withheld until the new scheme comes to being or what?

The Minister for the Environment:

No, I do not think it would be fair to turn round to farmers at very short notice and say: "We are changing the scheme and the monies you were expecting to help on your business over the spring or the early summer is not going to be coming forward." That certainly would not be economically helpful at all, and I cannot see the Minister wanting to do that.

The Deputy of St. Mary:

That was my concern.

The Minister for the Environment:

I am aware that a lot of ... well, every farm pretty much, has its own financial business plan and if they expected money at a certain time of year it will be vital that they get it when they expect it.

The Deputy of St. Mary:

Thank you for that. That is what I like to hear. Following farming I ... V.E.D. (vehicle emissions duty), the budget last year, an amendment was made about holding the V.E.D. on tractors to their

levels rather than increasing them. I think yourself or the third Minister saying that you want to overhaul the system in the present year and come out with a new scheme.

The Minister for the Environment:

Yes, certainly. It is that time of the year again and I have to say, with concentration on Medium Term Financial Plans the budget stuff has ... not slipped my mind but I have not been concentrating on it as much as I could. It is obviously now very much in the forefront of our thoughts but I have to tell you that I did speak to the Minister for Infrastructure yesterday about whether there were going to be any new changes to the V.E.D. to help agricultural tractors and the answer was that he had not had time to do any. I did remind him that farmers buy new tractors these days which are very much more environmentally friendly than they ever used to be. They have catalytic convertors and their emissions are similar to large commercial trucks, and they are ticking lots of boxes from an emissions point of view. It is very unfair that the Minister is still imposing a V.E.D. duty which changes depending on the cubic capacity of the engine. He took that on board. I am sure if he had had more time and resource he would have done the work. But I would very much like to think that my officers will remind me in good time for next year. I do not think we will see any changes this year unless ... but the research needs to be done. Certainly I did look at it a little bit last year and I am not sure that the emissions data on these tractors is as extensive as it might be, which does not help the case. But certainly I am aware that some of these very expensive tractors that come on to the Island these days do emit vastly less in the way of carbons that they used to.

The Deputy of St. Mary:

So we might still be under the same regime come budget?

The Minister for the Environment:

I suspect we are going to be on the same or very similar regime for next year.

The Deputy of St. Mary:

So I have to watch out for proposed increases.

The Minister for the Environment:

I have to say, I have not had my door being bashed down by farmers over it. But it would be ... I mean farmers still enjoy a reduced cost on diesel; red diesel is cheaper. Of course fuels generally in the last 12 months have not been as expensive than they had previously. But that does not mean we should not ... we go again with our efforts for next year and we must look at that into the future.

The Connétable of St. Saviour:

Could I just ask you if you could do me a favour as I have a vested interest in? With the organic, and it is very expensive to be organic. Years and years ago when there was quite a few of us the licences were paid. Could you inquire into whether that is at all possible? I pay nearly £700 to be organic and that has to come out of my ...

The Minister for the Environment:

Organics is something which comes up regularly and I discuss with people regularly. This time last year I was pushed quite hard to help organics. We have got an organic plan which is not really moving ahead because I have not managed to get everybody in the room to agree. But I did agree to pay for registrations and so much per vergée. It has been pointed out to me that one of the things I said in giving this money last year was I wanted all organic farmers to go to Jersey Business and that was part of the agreement that they all signed. I am told that none of them have gone to Jersey Business and I am being asked by officers to look at that again. But having said that, I have told my officers that does not mean that we will not be giving organic farmers some money this year. But it was always clear to me that one of the ways to help the organic sector most was to try to help them to get money for their product. Some people do not want to be helped, some do. I would like them all to go to Jersey Business and see if they cannot benefit from some business advice as to how they can make more for their products. That is really important. You are a different situation, Sadie.

[12:00]

The Connétable of St. Saviour:

I appreciate where you are coming from. I am certainly different. I mean I would like my licence paid for to try ... because I only have cows. So I am governed by what the dairy will pay.

The Minister for the Environment:

No, I think in the past we paid licences recently.

The Connétable of St. Saviour:

You used to pay, it was lovely.

Director for Environment/Director for Environment/Deputy Chief Officer:

When we met the industry as a whole and discussed that about a year and a half ago, is that right? And we agreed to go and look at that as a viable alternative because alternative payment mechanisms did not differentiate between those that were very small land holders and those that were much bigger.

The Connétable of St. Saviour:

As I say, I only have cows so I am governed by what the dairy will pay. It is not a problem but to have to pay a licence of nearly £700 out of whatever you are going to make is a hell of a chunk to take out when you are doing everybody a favour.

Director for Environment/Deputy Chief Officer:

It was seen as an equitable approach across the board to pay a licence.

The Minister for the Environment:

Organic is difficult.

The Connétable of St. Saviour:

I appreciate that.

The Minister for the Environment:

It ticks lots of boxes for us environmentally because the chemical inputs are zero and food miles are reduced. But we have to accept in our organic sector it is not very big, we have everything from a very small lifestyle organic farmer who just does a few literally vergées and does it because he enjoys it, up to commercial farmers who have large amounts of land committed to organics who export everything to large organic buyers in the U.K. We have everything in between and trying to come up with a strategy which ticks everybody's box is really tricky because some people do not actually run it as a business. So when I say go to Jersey Business to advise they say: "Why? I am not interested. If I am not doing it to make money. I am doing it because that is the lifestyle I want to enjoy. This is what I want to do." So it is a challenge.

The Connétable of St. Saviour:

Well, it might become a necessity.

The Minister for the Environment:

Yes, in fact I spent some time discussing organics the last couple of weeks.

The Connétable of St. Saviour:

Thank you.

The Deputy of St. John:

In the response you gave out with regards to the SOS report on the nitrate levels in the sea, you mentioned the sewage treatment plant and I am aware that D.f.I. (Department for Infrastructure) are putting in a new sewage treatment plant. My question really is: what requirements did you provide or specifications did you provide in order ... like, you know, the very basic specifications

needed or improved specifications needed to ensure that we have the right facility? As the regulator surely you have a specific requirement.

The Minister for the Environment:

I do not know if you want to talk to that, Willie, but I can add ...

Director for Environment/Deputy Chief Officer:

The old discharge consent is the basic requirement for compliance. That was not particularly working well, as we have seen through the failure over the numbers of years and is well publicised. We have had enforcement and regulatory stories to tell there. We are in discussions with D.f.I. at the moment as to what constitutes a sensible pragmatic discharge consent limit, bearing in mind the quality of the water that comes into the sewage treatment works and bearing in mind what the likely problem in the bay, so the receiving water is going to be for nitrate quality coming out. Nitrates is essentially the issue. We do not have an issue with suspended solids. We do not have a problem with heavy metals. We do not have a problem with any other potentially toxic chemicals or biological pathogens, et cetera, coming out because modern sewage treatment deals with them adequately. So nitrates is the issue. That will form the basis of the discharge consent that is applied to that facility upon the award of the licence.

The Minister for the Environment:

What we need to remember is that the restriction on Jersey Water is that they are not allowed to put water into the mains above the level of 50 milligrams per litre. But the restriction we put on T.T.S. (Transport and Technical Services) is that we do not allow them officially to put water into St. Aubin's Bay over 10. So even if you flush your toilet or run a bath and do not use it you are using water which conforms with the regulation from Jersey Water and you are sending it to Bellozanne completely unused, and T.T.S. are excepted to take the nitrate level from 50 or just below 50 to below 10. That is something we need to look at. That is obviously quite draconian. They are there to treat sewage. They are not there to take 80 per cent of the nitrate out of the water. They can do it and we know they can do it but it is a very expensive piece of bolt-on kit. Jersey Water can do it before they put it into the mains. That is a very expensive bit of bolt-on kit. In both cases I think the payment for either one of those options, Jersey Water or D.f.I., would be coming back to the public to help fund that. So what we need to do is to continue to work in the farming industry to continue to reduce our levels of nitrate, so less of it ends up at Jersey Water, so less of it ends up at D.f.I., so less of it ends up in St. Aubin's Bay. All parties are working together. The nitrate working group is now the Clean Water Group and we are making some real progress with the industry, not only on nitrates but on chemicals generally. We very much look forward to the new sewage treatment works. I keep asking the question regularly but I am told at the moment it is ahead of target, not behind, which is encouraging, and there is a big plan and it is all moving forward. But nitrates continue to be an issue. We accept that.

Director for Environment/Deputy Chief Officer:

The old discharge consent was one that was defined on the back of World Health Organization standards, and regulatory thinking has moved on from that perspective in terms of the localised water quality standard, hence that lends us the ability to work better with the operator in this instance to define what the limits of their kit is essentially. What their kit is able to do, what the receiving water's problem could be, or what is the problem out there. That allows us to impose a more modern thinking discharge and so on.

The Deputy of St. John:

But you have not got any specific basic minimal requirements that you lay out before somebody goes and purchases or obtains a plant of some ...

Director for Environment/Deputy Chief Officer:

Yes, we do but they are all based on the output. They are based on what goes out into receiving waters. So the kit that they buy and how they build and construct their infrastructure must comply with that at the end of the day from an environmental regulating perspective.

The Minister for the Environment:

There will be a number of different options that D.f.I. could have pursued in treating in their new works that they propose and, yes, as Willie says, we want to know exactly what is coming out of the end of it and there will also be bylaws and all sorts of other restrictions on how they construct and what have you. But at the end of the day there is still a choice for them to make as to which type of system they go for. I mean the type of system we have at the moment is not the type that we are going to build. The one we are going to build is very much a more simple and effective system. The system we have at the moment does prove very expensive and difficult to maintain.

Director for Environment/Deputy Chief Officer:

More based on gravity essentially.

The Minister for the Environment:

Of course our treatment works works up at the Valley at the moment, which costs a huge amount of money to pump, whereas the new works will start at the top and then we will work out a position to ...

The Deputy of St. Mary:

I am conscious of the time. Thanks for working overtime, as it were. So we had a paragraph for water strategy, which just as well we did not include it because we have already gone over time but we look forward to your presentation next week and we will perhaps have a few more questions for you later. Thank you all for coming.

Director for Environment/Deputy Chief Officer:

You will have the right people to answer that as well. It is a complex area.

The Minister for the Environment:

Thanks very much.

The Connétable of St. Saviour:

Thank you, my love. Thanks.

[15;06]