

# STATES OF JERSEY

## Environment, Housing and Infrastructure Scrutiny

### Panel

## Quarterly Hearing with the Minister for Infrastructure

**TUESDAY, 7th MARCH 2017**

**Panel:**

Deputy D. Johnson of St. Mary (Chairman)

Deputy T.A. Vallois of St. John

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

**Witnesses:**

The Minister for Infrastructure

Chief Officer, Department for Infrastructure

Director of Transport, Department for Infrastructure

Director of Estates, Department for Infrastructure

Director of Operations, Department for Infrastructure

[11:33]

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

For the record can we introduce ourselves? I am David Johnson, Deputy of St. Mary, Chair of the panel.

**Deputy T.A. Vallois of St. John (Vice-Chair):**

Tracey Vallois, Deputy of St. John, Vice-Chair.

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

Sadie Le Sueur-Rennard, Constable of St. Saviour.

**Director of Transport, Department for Infrastructure:**

Tristan Dodd, Director of Transport, Department for Infrastructure.

**Director of Operations, Department for Infrastructure:**

Ellen Littlechild, Director of Operations, Department for Infrastructure.

**The Minister for Infrastructure:**

Deputy Eddie Noel, Minister.

**Chief Officer, Department for Infrastructure:**

John Rogers, Chief Officer, Department for Infrastructure.

**Director of Estates, Department for Infrastructure:**

Ray Foster, Director of Estates, Department for Infrastructure.

**The Deputy of St. Mary:**

Thank you all and welcome. A varied diet today. Can we start off with the non-domestic waste charges? First of all, can you update the panel as to how we are and how the work is progressing?

**The Minister for Infrastructure:**

There has been a substantial amount of work since we last met and indeed since the M.T.F.P. (Medium Term Financial Plan) debate. We are looking at obviously 2 elements to charges: one on liquid charge for non-households and solid waste charges for non-households. We are shortly going to be taking draft papers to the Council of Ministers. We have shared some of those papers with you already. We will be able to give you some update papers where we are currently later today. We are sending out - I am not sure if it went out yesterday or it is going out today - an invitation to a workshop for States Members to take place on the 21st of this month. So those invites, if they have not already gone out, will be going out today. We are looking at implementation in the early part of 2018 for some of the charges and mid-2018 for the rest of the charges currently, with the full charges coming in as per the M.T.F.P. in 2019.

**The Deputy of St. Mary:**

Sorry, you said some charges coming early 2018.

**The Minister for Infrastructure:**

The liquid waste charges for non-households, it is a relatively ... the provisions are already in the current legislation, they are just dormant. In shorthand, they basically just need an Appointed Day Act to bring the legal provisions into force. For the solid waste charges for non-households there is no primary legislation for that so that needs to obviously go through the States, to go to Privy Council, et cetera. It is a longer process.

**The Deputy of St. Mary:**

So going back you said “shortly”, so when will the actual proposition be lodged, do you know that?

**The Minister for Infrastructure:**

We are looking to lodge after Easter. This is something that is up for debate and something that we are going to raise at the States Members workshop whether or not we split the charges into 2 ...

**The Deputy of St. Mary:**

I was going to ask that.

**The Minister for Infrastructure:**

... and bring one debate forward for the liquid waste charges, and that would be lodged quite soon after Easter, so we can debate it in plenty of time before summer recess. We, again subject to the States Members workshop, are looking maybe to lodge slightly later with the solid waste charges to have that as a second debate on a later date.

**The Deputy of St. Mary:**

But still within the current year?

**The Minister for Infrastructure:**

Yes, still within the current year.

**The Deputy of St. Mary:**

I am sure we are all grateful for the workshops, which are useful, but how about the consultation with key stakeholders. Is that down to your department or Minister for Economic Development?

**The Minister for Infrastructure:**

Yes, and we are putting dates in diaries to commence ... we have had ongoing consultation with various bodies. That is going to intensify after the States Members workshop because the States Members workshop is going to give us that final direction we want to take. So that is the time then we will take the detail to bodies such as Chamber of Commerce, Jersey Hospitality Association, et cetera.

**The Deputy of St. Mary:**

I am glad you mentioned those 2 bodies because at the time of the M.T.F.P. they were not too enthusiastic, as you are aware.

**The Minister for Infrastructure:**

No one is going to be particularly enthusiastic about effectively an additional cost to their business.

**The Deputy of St. Mary:**

But going back to the level of consultation with the Hospitality Association, for instance, have you had much since the M.T.F.P. or is that coming after the workshop?

**The Minister for Infrastructure:**

We have had some interaction but limited because basically we wanted to get to a situation and have a steer from States Members after the workshop because we want to give the industries ... have a debate around more certainty about the direction of travel.

**The Deputy of St. Mary:**

Do I infer from that that the opposition from certain quarters has continued or have you had any ...

**The Minister for Infrastructure:**

As you would expect, businesses are not going to like an additional cost to their business but the States has made the decision in principle to bring in waste charges for those businesses that are effectively non-households.

**The Deputy of St. John:**

In terms of practicalities for the bringing in of the charges are you planning on having the debate on both the liquid waste charge, so the Appointed Day Act, and the solid waste charge at the same time?

**The Minister for Infrastructure:**

That is something that we are going to take to the workshops because we are looking at maybe splitting the 2. Just because the timing issues around the solid waste charge ... the solid waste

charge is a bit more complex as well. The liquid waste charge is, from an administration point of view, a simpler thing to bring in. There is effectively one type of waste, different categories and different methods of transporting it and dealing with solid waste. So it is a more complex area. Again, we are going to take some feedback from States Members to see which they would prefer; to have it maybe split into 2 propositions as opposed to one big one.

**The Deputy of St. Mary:**

Moving on slightly. I appreciate that we are talking now about non-household charges. I think at the last quarterly hearing in November there was some uncertainty as to whether many from the charges levied on commercial will be used to cross-subsidise the extension of the sewage system for domestic. Is that the case or where are we?

**The Minister for Infrastructure:**

The level of charging will hopefully give us a small amount towards a modest programme of extending the sewer network but it would be very, very modest and it would include commercial properties and domestic properties. Because when you are putting in pipes into the ground they will serve both sides.

**The Deputy of St. Mary:**

So it is a case of some benefit for extension of sewage will come from this?

**The Minister for Infrastructure:**

But that is long term. If you look at the liquid waste strategy, that is ... when the strategy was originally written, which was a couple of years ago now, it was an aspiration in 10 years' time. So probably in 5 to 7 years' time is about when we would be able to start extending the sewage network. We need to replace the current Sewage Treatment Works first because there is no point extending at the moment because it would not be able to cope with the additional capacity.

**The Deputy of St. Mary:**

So there is no plan to extend the present sewage network on domestic property for another 5 to 7 years?

**The Minister for Infrastructure:**

In short, no, not in the material term. If opportunities present themselves then we will take those where we can and we do that on a development by development basis.

**Chief Officer, Department for Infrastructure:**

It is a challenge. We are over 90 per cent in terms of connected properties and there is a cost and value for money issue. I think we have to look at more innovative solutions for the areas that are still not connected. A lot of people have done it themselves and put together with their neighbours and their communities and done their own thing, which is when you get into issues of land and utilising land for putting sewers in. So something we are looking at, but as the Minister says, it is not a massive amount. The money we are going to raise from commercial waste charges is just to replace the budget cut we signed up for in the M.T.F.P. There is not additional money into D.f.I. (Department for Infrastructure). This is replacing the money that is going to be redistributed into other States areas.

**The Connétable of St. Saviour:**

That is the liquid side but when you come on to the solids, where is that money going to?

**Chief Officer, Department for Infrastructure:**

Same.

**The Minister for Infrastructure:**

That is the same.

**The Connétable of St. Saviour:**

That is the same?

**Chief Officer, Department for Infrastructure:**

Yes. So we get no extra money.

**The Minister for Infrastructure:**

That was clear when we had the M.T.F.P. debate. It is just a straight ... effectively a net £11 million by the end of 2019 is being removed from the department's budget and the waste charges are coming in to replace those funds.

**The Deputy of St. Mary:**

Moving on to charges generally. As you are aware, this panel has undertaken a review of the nitrates, which is not your direct responsibility, I appreciate, but the question I have is to whether you have plans to use any monies from charges to help support the Environment Department in their pursuit of complying with the water management plan? I am thinking particularly of the fact that, if successful, it will avoid the need for a nitrate removal plant, which will cost £30 million.

**The Minister for Infrastructure:**

That is part of the S.T.W. (Sewage Treatment Works) plans, is the replacement Sewage Treatment Works are being designed to reduce marginally the existing nitrate output. It is not going to reduce it drastically. But it will reduce it marginally from where it currently is. That is part of the conditions that we have from our regulator, which is the Department of the Environment. If it is deemed necessary at the time, after that has happened and the output is monitored, trying to deal with nitrates at source has not been successful then we will have to, with the Department of Environment, with Jersey Water, look at other means.

[11:45]

But that is no longer a £30 million cost, that would be, with inflation, probably near £40 million. We do not want to spend £40 million of taxpayers' money or commit to spending £40 million of taxpayers' money unless we actually have to do so.

**The Deputy of St. Mary:**

No, I appreciate that. But what we are discussing is that by the Environment Department pursuing their aims they are saving infrastructure £30 million or £40 million. Should that not be ...

**The Minister for Infrastructure:**

What they are doing is they are saving the taxpayer that money. What we are doing is we have tweaked the design of the replacement Sewage Treatment Works to have a process that happens at the beginning that helps reduce the nitrates, but we have also tweaked the design to allow for additional storm capacity. Currently we have the Cavern which is 25,000 cubic metres, and we are looking to build another storm facility utilising some of the old plant at Bellozanne to give us another 6,000 square metres.

**Chief Officer, Department for Infrastructure:**

About a third of the Cavern.

**The Minister for Infrastructure:**

About a third of the Cavern, which will reduce dramatically the number of times that safe but partly treated effluent is pumped into the Bay. So those 2 tweaks to the design that we have done in the last 12 months or so will help again reduce the nitrate levels. But we do work in partnership with the Environment team to help combat nitrates getting into the water system in the first place.

**Chief Officer, Department for Infrastructure:**

The science behind the treatment of the new Sewage Treatment Works has been predicated on looking at the total environment of the St Aubin's Bay, the input of nitrogen to it, and the majority of

the studies so far have been funded by ourselves. As you quite rightly say, the Environment Department has a very limited budget for doing these as an ongoing process and it is something we are working with them in terms of moving forward. The last thing we want ... there needs to be good science to prove that we need to spend £30 million on the denitrifying plant if that is necessary. When we have finished our new plant we will be treating a lot more sewage and the sewage is treated to a very high standard and all storm events are going to be encapsulated within the sewage works, so it is a massive betterment in terms of what goes out to St. Aubin's Bay. What we need to do there is for the 5-year period after the commission date is to monitor the effects of that, and we will be paying for that and we will be providing that information to the Environment team, who will be looking at that information to decide. What it cannot do is wait 10 years to get the science right and then make a decision because in that 10 years' period our sewage works then fails and we know it is going to get worse. So you have to build the infrastructure, monitor sea and then change it if necessary moving forward. So it is a partnership we have with the regulator but we will be funding some of that work over that 5-year period in testing the new plant to the output.

**The Deputy of St. Mary:**

I appreciate your department and Environment are interlinked on this and the basic question I was having is that efforts in Environment are going to hopefully result in a saving of the £30 million, £40 million for the plant. So does Infrastructure feel any obligation to finance the Environment to a certain extent? You are saying that is done in other ways ...

**The Minister for Infrastructure:**

Each department have their own budgets. They have a budget to be the regulator, so they already have that money to regulate. We have the money ... provided we get the liquid and solid waste charge we will have the money to operate Jersey's waste.

**Chief Officer, Department for Infrastructure:**

We need good science to prove whether the plant has been effective and whether the plant needs additional elements to stay effective, so that good science is a combination of ourselves and the Environment team doing that analysis. There are so many variables in terms of sea temperature, rainfall, what France are doing; there is a myriad of things that affect the Bay. The Bay is a very difficult area to understand and we have been gaining lots of that information over the last 5 to 10 years and we want to continue to do that, working in conjunction with the Environment team. We are not going to be handing loads of budget across to them because, as the Minister says, they have their budgets and we have ours but what we would be doing is working in conjunction with them doing studies which align with what they need and what we need.



**The Deputy of St. Mary:**

Okay, we have gone as far as we can with that I think. Right, moving on to fly tipping, of which there have been a few reports recently as to that. Is there any further work in the pipeline designed to discourage that?

**The Minister for Infrastructure:**

Yes, there is. We are going to be setting up a fly-tipping task force, for want of a better phrase and that is somewhere where we are going to be helping the Environment Department because we are going to, effectively, be funding that; eventually funded out of the waste charges. But we are going to bring that task force in early and be funding it from our existing budgets, just so we have it up and running and in place. It is going to be using technology such as Love Jersey, which is the app to help people report stuff about fly tipping to us. Fly tipping happens now and it is without charges and it will continue to do so. We need to be vigilant. We need Islanders to help us to identify where it has happened and help us identify the people doing it. We need not be shy. We should be naming and shaming people that do fly tip, as opposed to just imposing fines on them because if you or I, for example, had a contractor to carry out some work on our home and they did not take it to the appropriate facilities for disposal in the correct way, they just fly-tipped it, then I, as their customer, would want to know. I would want the public to know not to use that business again until they change their ways.

**The Deputy of St. Mary:**

You say a task force, how big is this task force?

**The Minister for Infrastructure:**

Yet to be determined but it is probably going to be a couple of members of staff.

**Chief Officer, Department for Infrastructure:**

Yes, we have not decided yet. We are working with the Environment team. They have supplemented their team already with another member of staff and we are looking at providing more people to do the collection and help out and start monitoring the hot spots.

**The Connétable of St. Saviour:**

At this moment in time you are relying on the general public with their phones and their apps to give you a call and you do not have a task force or anything in situ there as well ...

**Chief Officer, Department for Infrastructure:**

No, and we want to continue to do that because it is a far bigger net if the public could help and also all our staff that drive around the Island, they can also help and utilise the Love Jersey app or the mechanism to report it and then we can go out and deal with it straightaway.

**The Connétable of St. Saviour:**

But when you mentioned the task force you do not have any recognised task force up and running for ...

**Chief Officer, Department for Infrastructure:**

Not yet.

**The Minister for Infrastructure:**

No, not as yet. The Environment team do have their rangers at that and carry out similar duties. The Parish of St. Helier, I believe, do have individuals and that is, effectively, their role, so we obviously have spoken to the Parish and gleaned information off them about how they do it. We understand that fly tipping is almost quite predictable in terms of what day of the week it is likely to happen. Certainly, in St. Helier we are led to believe that the most common day for fly tipping is a Friday evening and that is down to people borrowing vehicles from colleagues, et cetera, vans and maybe moving home and deciding that they do not particularly want a sofa or something. But our facilities are not open on a Friday evening and so they end up doing the wrong thing and fly tipping it. That is something that we are going to be looking at, to make it easier for the public to dispose of their waste in an appropriate manner by maybe opening up our household reuse centre on a Friday evening to cope with that issue.

**The Deputy of St. Mary:**

Okay, thank you. You just mentioned a lot of these vehicles dumping will be hire runs, is there a move to contact all these so you have some sort of record of who is hiring on occasion? So, is on the reception desk of a hire company or something like that and they just ...

**The Minister for Infrastructure:**

We are going to be, obviously, rolling out an information campaign to remind Islanders that there are alternatives; currently you can dispose of their waste responsibly. We do not charge and we have no intention of charging for household for the disposals of waste. We are reminding people that those facilities are there, making them more accessible in terms of the hours that they are available to the public.

**The Deputy of St. Mary:**

Okay, and I am assuming you have concerns with the introduction of these non-domestic waste charges that might increase.

**The Minister for Infrastructure:**

I am sure that there will be instances of fly tipping incidents and fly tipping now and they will continue on in the future. We need to make it that it is not acceptable in society to do that and the more Islanders can help us then the better Jersey will be.

**The Deputy of St. Mary:**

Okay. Moving on to the specific case that was reported in December about the dumping there, has that been successfully sorted?

**The Minister for Infrastructure:**

What is the specific case you are talking about?

**The Connétable of St. Saviour:**

The asbestos.

**The Deputy of St. Mary:**

The asbestos; sorry, the asbestos I am talking about.

**Chief Officer, Department for Infrastructure:**

The Environment Department ...

**The Minister for Infrastructure:**

Yes, it does not come under my department at all, that is an enforcement of the Environment Department. I believe that the site has been cleared. I have no reason to think otherwise but that is really a question for the Environment Department.

**Chief Officer, Department for Infrastructure:**

I do not think they have found the people responsible.

**The Deputy of St. Mary:**

That is about the culprit, has that been ...

**Chief Officer, Department for Infrastructure:**

I do not think so but do not quote me on that.

**The Deputy of St. Mary:**

Okay. Right, moving on to another topic, office modernisation, during our review of the M.T.F.P. we are advised that part of the funding for the modernisation will come from disposable States assets and during recent Corporate Services Panel's quarterly hearing the Minister for Treasury and Resources advised that States assets could be sold to fund a new hospital. Can you explain or clarify?

**The Minister for Infrastructure:**

I think we are talking about 2 different groups of assets; for the office modernisation programme we are talking about buildings, surplus buildings being used to fund the office modernisation project. What the Minister for Treasury and Resources was referring to in the debate about the hospital funding is other assets that were on the balance sheet of the States of Jersey, primarily being the investments in terms of investments in Jersey Telecom, Jersey Electricity, Jersey Water, those types of assets, I believe, that the Minister for Treasury and Resources was referring to and not physical buildings.

**The Deputy of St. Mary:**

I have an extract from the transcript of the quarterly hearing with the Minister for Treasury and Resources on 6th February and his final point, just to be clear: "Strategic assets are an option, the sale of some surplus properties from the States portfolio are the other." We are talking as in the sale of States properties.

**The Minister for Infrastructure:**

Currently all disposals of States properties go back to Treasury, they do not stay in my department. But the office modernisation programme, there were some key properties identified in that that would be utilised to fund the replacement offices.

**The Deputy of St. Mary:**

Okay. Still on office modernisation, when is the Minister for Treasury and Resources due to bring that funding option forward for the project?

**The Minister for Infrastructure:**

Honestly, that is a good question, we do not know but we are working closely with Treasury. We have suggested a number of different alternatives. We now think we have one that works for us and for Treasury and for the Island as a whole but we are still in discussions with the Treasury Department to make sure that it is the right solution.

**The Deputy of St. Mary:**

Any idea of a timetable then? I know you say you are in discussion but ...

**The Minister for Infrastructure:**

The office modernisation programme, the work that we have been tasked to do, has, effectively, been completed. The outline business case has, effectively, been completed, apart from the section on funding. As soon as we have clarity between Treasury and ourselves about a preferred funding route, we will be able to complete that piece of work.

**The Deputy of St. Mary:**

At the moment the ball is in Treasury's court.

**The Minister for Infrastructure:**

It is a joint project, so between ourselves and Treasury we are working on fine-tuning what we think is a sound, suitable funding stream for the office modernisation programme. That does combine some property sales, as originally envisaged but some funding sources have been ... effectively, the taps have been turned off or are not available and one is borrowing from the Strategic Reserve, that has, effectively, been taken away now. The other one that is not being pursued would be to piggy-back on the back of the borrowing for the hospital to utilise those excellent low interest rates to fund the office modernisation programme. Neither of those routes are going to be pursued but we think we have a suitable alternative that will work and it has been proven to work previously for other States buildings.

**The Deputy of St. Mary:**

Thank you. You used the expression "fine-tuning your discussions", does that denote ...

[12:00]

**The Minister for Infrastructure:**

But we think we have a solution that works. I believe that Treasury, on the whole, think it is a solution that works.

**Director of Estates, Department for Infrastructure:**

Yes, it is something that we have had discussions at officer level, I think we need to raise it into the political environment within the next month or 2 and putting it into a programme because the Medium Term Financial Plan identifies the need for a funding source for the office strategy project but does not define one. We need to raise that into the cycle of decision making that happens this year in order to ensure that we have something secured for the budget to enable us to progress in 2018 with works on site, which is where I would like to get to. In that intervening period we can do

quite a lot of work, peripheral work but we will get to the point where we, effectively, run out of money to be able to progress much further. Just to clarify something that the Minister raised in terms of funding, to make it absolutely clear, the disposals that we envisage from the office modernisation programme will assist in funding the overall programme but will not be sufficient to fund it in its entirety. An injection of funding is needed to develop new office facilities but that injection of funding will generate a significant savings for the States as well. The business case, which is what we have completed and what is requiring in its funding source to be added to to complete it as a document, demonstrates that there is a long-term benefit to the States for a short-term injection of investment and there is a long-term benefit and it stacks up as a business case.

**The Deputy of St. Mary:**

Okay, anyone else?

**The Deputy of St. John:**

Can I ask in terms of office modernisation capital planning in general as regards to capital assets? Where does the long-term capital plan sit? That was put into a document, I think, about 3 or 4 years ago about long-term capital planning. Does that still stand or is that now just pushed back and it is whatever the discussions with the Minister for Treasury and Resources is?

**The Minister for Infrastructure:**

That is a Treasury question, it is not a D.f.I. question.

**The Deputy of St. John:**

No, but it is to do with States assets and Property Holdings.

**The Minister for Infrastructure:**

There are 2 different elements there, the overall long-term capital plan is a Treasury document. As far as I am aware it is still in existence, it is still being followed, still being adhered to. The property side of things is, effectively, a sub-plan within that and that fundamentally has not changed. It is about having the appropriate properties to provide the appropriate services to Islanders; that is the first thing. When there are surpluses, to see if there is an alternative use and if there is not an alternative use to dispose of those assets and that has not changed. We know the obvious sites that we are going to be exiting over the few years, so there is no change there, for example, South Hill, Queen's House and St. Saviour, et cetera. With the office modernisation it will be also be Cyril Le Marquand House. Those are properties that we know that will become surplus and we will be moved on to other uses or disposed of.

**The Deputy of St. John:**

Okay, so in terms of the capital plan that sits squarely and firmly within Treasury.

**The Minister for Infrastructure:**

Yes, because it is a capital plan that does not just cover property, it does not just cover the infrastructure assets that I am responsible for, it covers all of the capital requirements for the whole system.

**Director of Estates, Department for Infrastructure:**

If I may just assist from an officer perspective, we have been deep in discussion with Treasury to ensure that there is process moving forward that captures the remaining of this M.T.F.P. period and then looks forwards for a significant period for both our build assets and other capital replacement in terms of equipment and I.T. (information technology) and other asset management that needs to happen. So there is a lot of work being undertaken at the moment to develop that going forward. It is not something that has been abandoned, it is something that is being re-energised.

**The Deputy of St. Mary:**

Moving on slightly in the same area, of specific properties held by Property Holdings, what plans do you have for Piquet House which has been subject to a few enquiries.

**The Minister for Infrastructure:**

Ideally in an ideal world I would have sold it until the former Deputy Young stopped us from doing so and that property would have been looked after by its new owner in providing a valuable education service to the Island. Since then we have looked at a number of occupiers that would comply with the States decision, one of them was Visit Jersey. That did not transpire because they did not have the budget to do the necessary works to the building to get the configuration that they wanted to. They did have sufficient budget to pay the rental on that building. We then looked to do a joint venture with the British Legion, discussion got quite detailed and quite extensive until the autumn, beginning of winter, last year when, for their own reasons, the British Legion decided it was not the direction they wanted to travel in. Since then we have been looking for other uses for it and strangely enough with the owners of the building next door, we are in discussions with them for them to do a joint venture with the British Legion to see if it could be used for the benefit of the British Legion. Those discussions are in an early phase so we are waiting ... we have given them until April to come back to us?

**Director of Estates, Department for Infrastructure:**

I think it is also fair to say that from our original assessment of community uses the Citizens Advice Bureau are still an option and they have been included in discussion and have been provided with

information on the building and they are taking that to a meeting, I understand, towards the end of April to determine whether they have an interest. So we have 2 lines of enquiries at the moment to satisfy Deputy Young's proposition P.16/2014. Hopefully one will come to conclusion.

**The Deputy of St. Mary:**

Have any other States departments expressed interest? As you know, I mentioned once before, that the court service ...

**The Minister for Infrastructure:**

The only ones that have come forward to us is the courts. Unfortunately, they have not come to us with what their requirements are, they have just come and said they would quite like to have that building. So we are trying to encourage them to come to us with what their requirements are because we think there are other ways of satisfying their needs, because, again, they will not have the funding available to bring the building up to the standards and make the alternations that they will want to make. We do not have that budget either. So we are encouraging them to come forward and tell us what they need and work with them to provide what they need.

**The Deputy of St. Mary:**

My understanding is one of the reasons they were interested is that there is no meeting facility for people in the family law division.

**The Minister for Infrastructure:**

The problem with Piquet House and 11 Library Place is that it is not suitable without a substantial amount of work to be a public building. There is no disabled access for one. When you get inside the building it is difficult to get between the floors for the same reasons. So it is not necessarily the best building to start with if you want to make an extension to the courts.

**The Deputy of St. Mary:**

Okay, that is for the extension of the courts, but you mentioned the Citizen's Advice Bureau might have an interest, presumably the court system could liaise with whoever is using it if there is a cross benefit?

**Director of Estates, Department for Infrastructure:**

If there is a user that does not require all the space then we would not be adverse to subletting the space for another use that again complied with the proposition in the States. So subletting, not at a proper rent, but subletting is not beyond the possibilities.

**The Deputy of St. Mary:**



All right, it is down to departments to tell you their needs then? Okay. Moving on to a different building: Fort Regent. Now, that was raised in the last Assembly when you, Minister, advised that it would need to be knocked down in the next 18 months.

**The Minister for Infrastructure:**

The swimming pool building, yes.

**The Deputy of St. Mary:**

I should have clarified that, yes. How is that demolition going to be funded?

**The Minister for Infrastructure:**

Currently it is not funded, I would just like to put on record that it is the responsibility of effectively our Minister for Sports and the Department for Economic Development, Tourism Sport and Culture. I do not know if I have them in the right order. I was much easier when it was called E.D.D (Economic and Development Department). It is their responsibility looking at this since it was transferred from Education to that department. Having said that, obviously because it is a building we would end up managing the process, so we obviously would be involved. That is something that is going to have to be a discussion at the Council of Ministers because in the information that I have been given and the information that we have passed on to the Council of Ministers I am in no doubt that we do need to remove that building some time commencing in the next 18 months.

**The Deputy of St. Mary:**

So just to go back a stage, you say that the Department for ...

**The Minister for Infrastructure:**

As in any other ... as in, for example, a school, the school has a responsibility of the day-to-day management for the Department for Education, similarly for Fort Regent the day-to-day management of that facility is the Department for Sports.

**The Deputy of St. Mary:**

That is the management but I thought the maintenance responsibility was your department?

**The Minister for Infrastructure:**

We look after part of it but they look after the rest of it. So when it comes down to substantial works on the building, we will carry out those but it will be on the department's behalf.

**The Deputy of St. Mary:**

So the Department for Economic Development will fund the demolition then?

**The Minister for Infrastructure:**

The future plans for Fort Regent were from the Council of Ministers and from ourselves to the Assistant Minister for Economic Development because he wanted to lead on that so we are partners in it but we are not leading that process.

**Director of Estates, Department for Infrastructure**

With regards to the physical demolition of the pool and also the cable car station, which has a building that while it has now been made safe is one we want to remove. The work would be undertaken by the Department for Infrastructure because we have the appropriate skillset to do that, hence the budget will end up with the Department for Infrastructure so we can procure the works. In doing that, that would be in conjunction with the department who has the operational requirement for those buildings. I think we are all fairly clear that neither buildings are ever to be brought back into use so demolition is the only real direction we can go. In terms of the pool in particular, part of the difficulty is, from a States asset management perspective, preserving the value of the asset, a physical structure, in terms of potential future development on that site. This is a matter that has been raised twice now with different Ministers for the Environment with regard to being able to protect the site for future development, that is not possible however we believe this is a matter for the Council of Ministers to consider that the pool is at a point where demolition needs to happen sooner rather than later.

**The Deputy of St. John:**

Just quickly, if I remember correctly, there was an allocation of funding for demolition, was there not?

**The Minister for Infrastructure:**

There was an allocation of funding ...

**Director of Estates, Department for Infrastructure**

There was £750,000. That was an allocation based upon a fairly scant assessment of what was needed to take down the superstructure based upon a standard demolition process. We are obtaining further and more detailed information on the demolition to be performed in its totality. The £750,000 is not going to be sufficient but what it will do is provide us with the ability to move forwards the preparation for demolition vis-à-vis the planning application and we will need to undertake certain works to secure the building in advance of demolition. So it will allow us, if we are given the approval and the funding, to progress this year the preparation for demolition such

that when funds will be available either later this year or next year we will be able to let a contractor demolish the building.

**The Deputy of St. John:**

So you are still holding that £750,000?

**Director of Estates, Department for Infrastructure**

There is a small amount of spend that was taken but there is about £720,000 left.

[12:15]

**The Deputy of St. Mary:**

You have just mentioned that you have spoken twice to the department to perhaps securing the present building in some form.

**The Minister for Infrastructure:**

No, it is not the building, the value of the site.

**The Deputy of St. Mary:**

The site.

**The Minister for Infrastructure:**

In planning terms.

**The Deputy of St. Mary:**

I would have thought there might be a mechanism whereby before demolition took place you could put in an application that would at least enable something similar to be reconstructed later, but you are saying that is not possible?

**The Minister for Infrastructure:**

I do not think we have had agreement of what that outline planning application would be for. Would it be for apartments, would it be for a hotel, would it be for a hotel and casino, would it be for another swimming pool? It would open up a whole raft of wish lists that would be unfunded and we just effectively burn time. We know that we need to act soon and therefore we need to make the decision of whether or not we proceed at risk of losing that planning value to the site.

**The Connétable of St. Saviour:**

I am getting a bit confused now because you are saying that possibly a hotel, possibly apartments and yet it is coming under Sport. Surely Sport and Leisure are the ones who will decide what they want to put to planning on that section that is being demolished and yet you are sitting there saying we are talking about a hotel, about apartments ...

**The Minister for Infrastructure:**

If you put in an outline planning application you have to put in what you are going to replace it with.

**The Connétable of St. Saviour:**

Yes, but surely that would be Sport and Leisure.

**The Minister for Infrastructure:**

It would be and they have not come ...

**The Connétable of St. Saviour:**

No, that is what I am saying, but you are discussing about hotels, about apartments, surely that would be Sport and Leisure's ...

**The Minister for Infrastructure:**

It would be Sport and Leisure, I was just giving you examples, Constable, of what the type of things that people may want to see there and you cannot just put an outlining planning application in to replace a building with another building, you have to specify what that building is going to be.

**The Connétable of St. Saviour:**

I have a feeling the public would prefer a pool but that ...

**The Deputy of St. John:**

But some of things are things that have been suggested in the 19-odd reviews that have been done on Fort Regent.

**The Minister for Infrastructure:**

But what is apparent is we cannot leave it as it is.

**The Connétable of St. Saviour:**

It is still Sport and Leisure's baby, so to speak.

**The Minister for Infrastructure:**

It is, yes.

**The Connétable of St. Saviour:**

Right, okay.

**The Deputy of St. Mary:**

Just following on from that, and I appreciate you are going to say it is their baby so you cannot answer, but have there been any plans or consultations that reference the fact that we as a States are trying to do something with it?

**The Minister for Infrastructure:**

When I was responsible for the Fort Regent Steering Group, we did publish in August/September 2014 a rediscover Fort Regent document and in there it suggested that that site should be used for a hotel. That is one of the examples. In previous reports - I think one of the major reports was done in 1999 - there were similar suggestions for its use. We cannot go on doing the same again and again and again, as Senator Green would say, because we end up with the same results. Time has now caught up with us and we do need to do something with that building and demolish it.

**The Deputy of St. John:**

In the long-term capital plan it was indicated that there would be a need roughly for £50 million for Fort Regent and that a business case was to be done by the end of that year and that further work was needed to be done in terms of revenue contribution, capital receipts and joint ventures. Are you aware whether any of that was done?

**The Minister for Infrastructure:**

The work that we did on the Rediscovering Fort Regent came with a range of figures. From £50 million to £80 million was what we needed to implement that vision and the split between what would be Government money and what would have been private money was a negotiation, dependent on what the private market would provide. That discussion did not get any further because Fort Regent was not included in the plans for this current M.T.F.P.

**The Deputy of St. Mary:**

Okay, we have discussed so far or concentrated on the swimming pool building. Now, as far as Fort Regent as a whole is concerned, I think the Assistant Minister for Economic Development recently told the media that the Fort could be closed in the 10 years, due to health and safety concerns. I suspect this is a problem for the Council of Ministers as a whole, because Fort Regent covers all areas ...

**The Minister for Infrastructure:**

It is a problem for the Island as a whole, I would suggest.

**The Deputy of St. Mary:**

That is fine, okay, rather than just your department. I mean ...

**The Minister for Infrastructure:**

No. You have an ageing asset there, whereby things like the electricals have been in place for some 50 years, you have got a roof that we know that the membrane will have to be replaced sometime in the next 5 to 10 years. You have got similar things with the age of the other infrastructure, items like the plumbing, et cetera. That facility will need substantial amounts of money spent on it to maintain it and to refurbish it.

**The Deputy of St. Mary:**

I do not deny it. What I am trying to get at is that it is a States asset and there are a lot of departments involved. It is of benefit not only to infrastructure, it covers tourism, therefore health, sport obviously. A States decision needs to be made as to the general funding of it. Is the Council of Ministers actively pursuing a course of some kind?

**The Minister for Infrastructure:**

I am no longer the political leader for that facility. You need to speak to the Constable of St. Brelade.

**The Deputy of St. Mary:**

Sorry, say again?

**The Minister for Infrastructure:**

You need to speak to the Constable of St. Brelade.

**The Connétable of St. Saviour:**

Sport and leisure again.

**The Deputy of St. Mary:**

Okay, all right. So the onus or the initiative, if there is to be one, comes from there?

**The Minister for Infrastructure:**

We will facilitate whatever decision is made, but the decision is not my department.

**The Deputy of St. Mary:**

All right, so at the moment, as far as you know, there is no dialogue going on within the Council of Ministers at the moment as to what means can be achieved for funding the whole restoration?

**The Minister for Infrastructure:**

As the Assistant Minister for Economic Development has already said, the intention is to go out for expressions of interest to the private sector both on-Island and off-Island to see if there is any private funding available to carry out rejuvenation of the Fort.

**The Deputy of St. John:**

Can I just ask, while they are continuing to talk about it like they have been doing for 20 or 30 years, how much is your department required to spend just to keep it safe?

**Director of Estates, Department for Infrastructure:**

I do not have those figures. We get can the figures to you. I believe there was a States question that may have those figures. We can bring you up-to-date figures. The costs of the maintaining the Fort are shared between the Department for Infrastructure and Economic Development Department plus sport department, because we have a service level agreement with them. There is sort of external fabric, wind and watertight repairs that we undertake as a department. The sport division, when they were a part of Education, had their own budget for internal repairs, maintenance, decoration and those sort of things.

**The Deputy of St. John:**

So it is a standard landlord/tenant kind of agreement?

**Director of Estates, Department for Infrastructure:**

Sort of, but not in isolation. We work together on things so they do not end up decorating the interior and then we make a big hole in the wall, so we work very closely.

**The Deputy of St. Mary:**

Just go back a pace for me. I appreciate what you say about it being the Assistant Minister for Economic Development's area of responsibility as far as progress is concerned. If there are things happening, is it conceivable that sufficient plans can be drawn up or in time to prevent the pool building being demolished?

**The Minister for Infrastructure:**

In reality, I do not believe there is, but there might be. It depends on what the feedback is from the expressions of interest, but we are speculating, to be fair. But given the timescale, I believe that we need to take action sometime within the next 18 months. I think it is unlikely.

**The Deputy of St. Mary:**

Okay, but if some progress was achieved, you would be happy to hold back a short time to enable that to assist?

**The Minister for Infrastructure:**

We will be able to hold back, depending on the state of the building at the time.

**The Deputy of St. Mary:**

Okay, that is a ...

**Director of Estates, Department for Infrastructure:**

I would add to that, prudently I will prepare - continue to prepare - plans and proposals for the demolition. We are getting to a point where we could enact that if it was the right course of action, so we do not end up waiting for a decision, getting a decision or a non-decision and then having another hiatus before we are in a position to act.

**The Deputy of St. Mary:**

Yes, I appreciate that. Thank you.

**Director of Estates, Department for Infrastructure:**

So with the funds we have available, we will progress.

**The Deputy of St. Mary:**

For Property Holdings, one different building, St. Saviour. Are there any plans, even in a formative stage, as to possible development?

**The Minister for Infrastructure:**

When you are talking about St. Saviour, you are talking ...

**The Deputy of St. Mary:**

St. Saviour Hospital, sorry.

**The Minister for Infrastructure:**

You are talking about Queen's House?



**The Deputy of St. Mary:**

Yes, primarily.

**The Minister for Infrastructure:**

Which is the listed building. St. Saviour's hospital site is split on 2 sides of the road. Both sides are currently operational. The north side of the road contains Clinique Pinel and Rosewood House. The south side of the road has the facility of Orchard House, still currently operational. So you can get an idea where that Orchard House is, it is behind Queen's House, which is behind the Victorian façade. We are actively working with our friends and colleagues at Health and Social Services to relocate Orchard House. The preferred option currently is to relocate it to the north side of St. Saviour to be adjacent to Clinique Pinel and Rosewood House and that would then free up finally the south side of the property.

**The Deputy of St. Mary:**

Okay. Are you saying that until that is freed up, as you say, there are no plans ...

**The Minister for Infrastructure:**

We cannot develop the site around operational activities.

**The Deputy of St. Mary:**

Okay. At that stage, would you be thinking in terms of selling on the open market or hanging on to it for use by ...

**The Minister for Infrastructure:**

It is unlikely to have an operational use. It is likely to be realised in the form of a residential development, whether that is done by the States own development company or by a third-party development company or in some type of a joint venture or just the site sold as is. That is to be decided in the future.

**The Deputy of St. Mary:**

If it got to that stage, you would look at all options and it would not be ...

**The Minister for Infrastructure:**

We would seek to get the best value for the public, which is our remit.

**The Deputy of St. Mary:**

So it would not be a question of just handing it over to another department then or ...

**The Minister for Infrastructure:**

No, we have to get best value for it as we can.

**The Deputy of St. Mary:**

Okay, so there will be an open market bid for it, presumably?

**The Minister for Infrastructure:**

It depends. It may go to our development company, because that is deemed to be the best way ...

**The Deputy of St. Mary:**

If they produce the best price there, yes.

**The Minister for Infrastructure:**

... to maximise the value to the public.

**The Deputy of St. John:**

Can I ask, bearing in mind the States I know have made a decision on where the hospital is to go, but there is still a view that St. Saviour is the best site. Could you explain what the positives and negatives are in terms of that site for building ...

**The Minister for Infrastructure:**

If I refer to a letter. I do not know if the letter has been in the *J.E.P. (Jersey Evening Post)* yet.

**Director of Estates, Department for Infrastructure:**

Pass.

**The Minister for Infrastructure:**

There is a letter that has gone to the editor of the *J.E.P.* from the Minister for Health and Social Services that sets out very clearly why the old St. Saviour hospital site would be totally inappropriate for a modern hospital.

**The Deputy of St. John:**

Could you explain then, if it is not suitable for a hospital site, why would it be suitable for any other development?

**The Minister for Infrastructure:**

Because hospitals are very bespoke pieces of public property that provide a range of services that are essential to our community. The current St. Saviour site does not in any way, shape or form tick those requirements.

**The Connétable of St. Saviour:**

Do you know how long it will be before you remove the facilities that are still being used on that site?

**The Minister for Infrastructure:**

We are probably looking at, with a fair wind ...

**The Connétable of St. Saviour:**

They are well-used, I know that.

**The Minister for Infrastructure:**

... 18 to 24 months minimum.

**Director of Estates, Department for Infrastructure:**

Eighteen months is a realistic target, yes.

**The Connétable of St. Saviour:**

Eighteen months. So then that would, as you said before, free up the whole site so then it can go on the market or can be considered ...

**The Minister for Infrastructure:**

But you appreciate, Constable, that the facilities that are currently live and active there, you would not be able to develop the site around them.

**The Connétable of St. Saviour:**

No, that is why I am asking when you are thinking of removing it and when everything will be free and it can be put on the market.

**Director of Estates, Department for Infrastructure:**

That is right. This is the last operational need. There is some storage and some health equipment, but that is being removed at the same time, so it will be a site that will be clear of activity. We would hope to do that by the end of next year at the very latest, but we would not wait until it was clear before we started looking to the future.

**The Connétable of St. Saviour:**

What will happen to the homes, the houses that are on the site? There is also a bicycle business on part of the land as well.

[12:30]

**The Minister for Infrastructure:**

The residential properties that are on the western side of the site, they form part of the Health and Social Services estate in terms of staff accommodation. They do need some T.L.C. (tender loving care) and that will be part of the proposal, to see how they can be upgraded and further developed, because it is not particularly good use. The density could be improved on the site et cetera. So it will be part and parcel of the future.

**The Connétable of St. Saviour:**

Then below that, there is an area where they mend bicycles and all sorts of things behind. As you keep going, instead of turning left to go to the hospital, on the right-hand side there is an area, because I have got a friend who has got a head injury and he mends bicycles and things down there.

**Director of Estates, Department for Infrastructure:**

Yes. Those sort of activities ...

**The Connétable of St. Saviour:**

That activity will still be allowed to continue?

**The Minister for Infrastructure:**

They will be allowed to continue, but it will not necessarily be on that site. An alternative location will probably be provided.

**The Deputy of St. John:**

Can I just ask, in terms of value, when you talk about value of the site, are you talking purely monetary terms or are we talking value both socially, economically and environmentally for the States?

**The Minister for Infrastructure:**

Probably in the broadest sense, to be fair, because if it was going to be a residential site, for example, you have to balance it up. Do you make sure it was category B housing and no sort of affordable housing on the site or do you do a combination? It all affects the site values. You might

have more on the category B side to release more funds from the site to invest in affordable housing elsewhere. Every site is different and every site needs to be looked at to see how you can maximise the overall value for both elements from the site. An example of that is how Rouge Bouillon, the Summerland site, is all going to be affordable housing, because that is the best way of maximising the value to the public of that site, whereas South Hill, when that becomes developed, you would probably - almost certainly - develop that site 100 per cent category B housing to maximise the value, then you can reinvest that money into other assets.

**The Deputy of St. Mary:**

All these points, there will be the consultation and approval of States, presumably, before the States will debate?

**The Minister for Infrastructure:**

It might not necessarily need a States debate. It depends on what Article is used. All properties are part of the Standing Order 168, so there is always an opportunity for States Members input, but you would not necessarily need a States Members debate on it.

**The Deputy of St. Mary:**

As long as we are aware of it then.

**Director of Estates, Department for Infrastructure:**

I think if the States of Jersey Development Company were involved, there is an absolute requirement to refer matters to the Regeneration Steering Group under the protocols that have been agreed by the States, so that avenue will obviously be followed in that case.

**The Deputy of St. Mary:**

Okay, thank you. Moving on to underspends. Do you have any underspend expenditure from 2016?

**The Minister for Infrastructure:**

Yes, we do. We have approximately £3.3 million. You will correct me if I get this wrong, but we have approximately £3.3 million ...

**The Deputy of St. Mary:**

£2.3 million? That is more than I thought.

**The Minister for Infrastructure:**

£3.3 million of underspends from 2016. We have asked to keep all those monies to use on the intention that they are useful. For example, we have £1.4 million to create a commercial recycling centre alongside the Energy from Waste plant. We have asked for £1 million towards us dealing with asbestos, and there is some good news with the legacy asbestos. We are now starting to, as of this week, move the asbestos out of their temporary, although quite long, container storage into the specially designed and lined pits at La Collette, so we have started dealing with the legacy asbestos, which is fantastic news and something that we have been working on for a considerable amount of time now. Other items, the carry forwards that we have asked to keep are some property maintenance works that were effectively contracted for in 2016 but the contractors could not start until 2017. There is a small amount for some replacement lifts in the Art Centre; again that was contracted for in 2016 but the work has not commenced until 2017. That takes us effectively up with the £3.3 million of underspends that we have got. We are also bidding for additional money. I am bidding for an additional £3.5 million to move the clinical waste incinerator. As part of the original plans for the Sewage Treatment Works we needed to move the clinical waste incinerator. It is right in the middle of the new works and it is coming to the end of its life. So it was due for replacement anyway. We originally had budgeted some £6 million or £7 million for that. We took that off the table because we thought at the time we would be able to export our clinical waste. We applied for a licence last year. Unfortunately it was rejected, so we now have to go back and find a replacement site for a clinical waste incinerator. We have done that. We have got a planning application in to replace it at La Collette. The good news is that we have managed to reduce the amount of clinical waste the Island produces by getting the medical facilities that end up producing the clinical waste to sort it in a more effective way. Before we were effectively treating clinical waste that actually was not clinical waste and did not need to go through a specific clinical waste process. So we have managed to reduce that cost down but we are short of £3.5 million and I am going to my Treasury colleagues to get that funding from them.

**The Deputy of St. Mary:**

Thanks for that. Going back to the underspend and carry forward. You told us you have made the request, has it been agreed or is that still ...?

**The Minister for Infrastructure:**

The meeting is due to take place tomorrow at the Council of Ministers. I believe there is a slight delay, so it may be at the next Council of Ministers' meeting.

**The Deputy of St. Mary:**

Your request for additional funding will sit at the same time, will it?

**The Minister for Infrastructure:**

It will be, along with other departments.

**The Deputy of St. Mary:**

Good luck on both. Sorry, just for the record, the Constable of St. Saviour has to leave for a prearranged ...

**The Constable of St. Saviour:**

I do apologise. People do not die when it is convenient, do they? Thank you very much.

**The Deputy of St. Mary:**

A different form of waste, very briefly, I know there was -- it has been going round for a long time, a bid to take on Guernsey's waste, which presumably is dead and buried, are there any plans or is there any possibility of taking waste in from any other jurisdiction?

**The Minister for Infrastructure:**

The short answer is yes. Guernsey make their own arrangements for the next 3, possibly 5, years, but there are other islands in the Bailiwick; for example, Alderney have expressed an interest to potentially ... instead of shipping their waste to Guernsey where it can be shipped on to Sweden, just to ship it to Jersey and for us to dispose of it. So what we are going to be doing to allow flexibility in the future we will be bringing back, or I will be bringing back, a proposition to the States to allow importation and export of waste. The reason why it is "and export" is because currently we have to shut down the Energy from Waste plant twice a year for routine maintenance, so twice a year for 2 weeks at a time that facility is closed. We keep the bunker open for general refuse coming from out the back of our dust wagons but for bulky waste we end up storing it in one of the cells at La Collette and then feeding it back into the E.f.W. (Energy from Waste) when it comes back online. That is quite expensive in terms of haulers, you are having to move the waste 2 or 3 times and so we are looking to get a licence to be able to export that waste during the periods that the E.f.W. shut down. It will be cheaper for us to export it than it would be to keep moving it to and from. From my own view it is less unsightly because obviously for those periods of time which it is stored in the pits at the cell at La Collette and I would much prefer it just to be shipped off-Island and disposed of as an R.D.F. (refuse derived fuel).

**The Deputy of St. Mary:**

How long do these periods last for when you closedown?

**The Minister for Infrastructure:**

Typically the E.f.W. closes down twice a year for 2 weeks each time but obviously it takes longer to feed that waste back into the stream because you cannot just put it all back in one go. It has to

be fed into the cycle and blended in. So for 2 or 3 months a year we have bulky waste, which is the non-black bag waste in a cell at La Collette, and I would prefer to have the opportunity to be able to export that as it is produced.

**The Deputy of St. Mary:**

Do we know where we would export it too? The U.K. (United Kingdom) mainland?

**The Minister for Infrastructure:**

Probably the U.K. mainland because that is where our shipping routes are. It is just to have that option to give us more flexibility.

**Chief Officer, Department for Infrastructure:**

One of the opportunities we have on importing waste now is this year we have just signed a contract to export bottom ash for recycling in the U.K. So there are no legacy elements left from the Energy from Waste plant. The fly ash which is the hazardous waste goes to the U.K. where it has this landfill site. Again we are looking at that being recycled in the future with a new process that has been helpful. That has been awarded a licence to recycle A.P.Cr. (air pollution control residue), which is the hazardous waste. But the bottom ash, which is not hazardous but we store at La Collette in pits, we have just signed a contract to export that for further treatment and to recycle in the U.K. So there will be no legacy solid waste left after the ... if waste was brought in for energy recovery all the legacy elements go off the Island so there is not a ... that was a big problem with Guernsey waste, locally without that contract in place there was going to be Guernsey "ash" here. But that will not be the case moving forward. So I think it potentially changes the appetite of States Members and for the people of Jersey to look at bringing waste in.

**The Minister for Infrastructure:**

In the last 2 years we have managed to solve the issue about the hazardous ash, The A.P.C. that now is exported. The legacy to store that was finished last April; all gone. We now, as we said, the Chief Officer signed a contract last week for the bottom ash, so that is now exported. The final one of the unholy trinity of asbestos is also now being dealt with.

**The Deputy of St. Mary:**

Going back to the importing of waste generally, you mentioned the possibility of importing from elsewhere, is that ...

**The Minister for Infrastructure:**

Guernsey have made it clear that they will look at a Channel Islands solution again in 3 years' time. So one of the stumbling blocks that we have been led to believe for us being unsuccessful



this time is because they did not have certainty that we could take their waste. So one of the reasons why I want to remove that uncertainty is so when we get to the discussions that will happen in 3 years' time and whether or not they extend their contract for 2 years or look to do something different, that we are not placed in the same situation again.

**The Deputy of St. Mary:**

That I understand. But you were talking about importing from places other than Guernsey ...

**The Minister for Infrastructure:**

We are looking at maybe getting States to approve to import on a regional basis.

**The Deputy of St. Mary:**

Okay. But no detailed proposals as yet?

**The Minister for Infrastructure:**

No.

**Chief Officer, Department for Infrastructure:**

No, I think ...

**The Deputy of St. Mary:**

You need your consent first.

**Chief Officer, Department for Infrastructure:**

It is more of a principle we would like to discuss with States Members, perhaps at the workshop.

**The Deputy of St. John:**

Can I just ask, if you are planning on having a debate on importing and exporting what would happen if you have got an import and you need to export on those 2 weeks of the year?

**Chief Officer, Department for Infrastructure:**

That is how we ...

**The Deputy of St. John:**

You would export their waste as well?

**Chief Officer, Department for Infrastructure:**

We would not import it. What it is, is we run a ... it is a £108 million plant and we, I think ... it is incumbent on us to get the best value for money out of that plant for Jersey. Any other plant anywhere else does this all the time; they manage their waste flows depending on the availability and the value for money they can get out of it. I think we get very tied to supporting Jersey and trying to solve its own problems when sometimes from a cost benefit, from an environmental benefit, there are benefits to export when you need to and import when you can. But not at the same time. That would be daft.

**The Deputy of St. Mary:**

Okay, changing topic. Sea lettuce.

**The Minister for Infrastructure:**

That is something I would like to export.

[12:45]

**The Deputy of St. Mary:**

You have answered my question. How far are you going to export it? Is reference to ... or been suggesting like collect it and take it offshore a certain distance?

**The Minister for Infrastructure:**

The trial that we were going to run last year until the unfortunate incident in France where their machine expired, part of that trial was to see if we could get the sea lettuce out of the water to their plant within 36 hours because that is their deadline to be able to treat it. So that was one of the things that we were going to test. The French currently have 2 advantages to us in terms of their sea lettuce. The first advantage is they have this plant that can take some of the sea lettuce and they convert it to animal feed supplements and other products. It is a very expensive process. They have invested tens of millions of euros in it or certainly probably in excess of 10 million euros in their facility. So that is an option. We would not have the scale to replicate that here because they do not just collect seaweed from one bay, they collect seaweed from several bays along almost the whole of the Brittany coast. The other advantage that they have compared to Jersey is that they have land sites they can take the seaweed to. We do not have land sites we can take the seaweed to. We need to learn lessons from the past and when we try to dispose of surplus potatoes at Beauport we ended up creating an environmental ... disaster is probably quite a strong word but an environmental problem. To this day we are still pumping out leachate from Beauport. So we need to learn lessons from the past. We have not got the luxury of having a land-based solution for our seaweed problem in St. Aubin's Bay, so we need to look to either being able to

export it to France where they can process it into another product or to be able to dispose of it offshore.

**The Deputy of St. Mary:**

My basic question was: are their plans to take it to a certain distance offshore and hope it will not come back, as it were?

**The Minister for Infrastructure:**

We are planning on a trial this summer whereby we take it offshore into the offshore currents so it will not come back to Jersey. But one of the issues that we need to monitor and look at is that seaweed floats and a large quantity of seaweed we need to see how it acts in the currents offshore to make sure it disperses because the last thing we want to do is to create a shipping hazard for smaller craft and an environmental problem. So we need to act responsibly but we do need to look at every possible solution there is to the sea lettuce issues that we have in St. Aubin's Bay. Fundamentally, at the end of the day, we need to look at the source, which is the rainwater runoff, et cetera, from Jersey into St. Aubin's Bay.

**The Deputy of St. Mary:**

The source is not just Jersey, I appreciate too. So I appreciate what you say there and back to the idea of taking it a certain distance out to sea, obviously that will have to be done in conjunction with the Environment Department and presumably others.

**The Minister for Infrastructure:**

We are in the process of applying for a F.E.P.A. (Food and Environment Protection Act) licence to be able to carry out trials this summer to do that. So, yes, we cannot just ...

**The Deputy of St. Mary:**

No, I realise that. The cost of all this, is that down to your department?

**The Minister for Infrastructure:**

That is another bid that I am putting in to my colleagues at Treasury because we do not have the funding for that. It is an additional cost. So we have put in a bid to get additional funding for this summer to carry out these trials, and to carry out some more research into the issue.

**The Deputy of St. Mary:**

A very basic point, I presume when you put in this request for funding it is taken into account that this is a benefit not just for your department but the Island as a whole and all sectors.

**The Minister for Infrastructure:**

Very much so, but other departments, I am sure the Health Department, Education Department, will also be putting in bids so it is all about priorities at the end of the day.

**The Deputy of St. Mary:**

Yes, but what I am saying is the sea lettuce problem is of direct relevance to tourism, for instance, and health.

**The Minister for Infrastructure:**

It is. It is not my department's problem. It is an environment problem but as most things we end up facilitating the solution, so that is what our involvement is. So, yes, obviously it would help our tourism industry but it would help locals enjoy St. Aubin's Bay more as well.

**The Deputy of St. Mary:**

Okay, so we fight your cause and for tourism as well then. A small matter now. Illegal taxi services. A report to the Chairman of the Jersey Taxi Driver Association announced those who operated illegal services should have their vehicles impounded. It was also claimed that the authorities here had become "slack", to use his wording, with the drivers concerned. Do you have any comment to make on the overall situation?

**The Minister for Infrastructure:**

It is a very difficult ... it sounds like a very simple problem in terms of if you are a taxi driver you have to have a licence, you have to have a medical, you have to provide a suitable vehicle, et cetera. So you have got in-built costs. From their point of view to have someone that does not have those costs providing a service it needs to be dealt with. But it is very difficult to identify when someone is giving a lift to their friends and associates compared to actually running as a for profit activity. That is a policing matter, it is not a matter that comes under my department's remit, but I do sympathise with the police force, both the Honorary Police Force and the States Police, because it is very difficult to prove that somebody is acting illegally. The main reason why we are told that people use what is known as Facebook lifts, as an example, is because of the cost of our night-time taxicab provision. But there is nothing stopping the industry from competing head to head with Facebook lifts, for example. We do not set the fares that the industry charges. We set the maximum fares that the industry can charge. So they are at liberty to use technology and use their initiative to, if they want to, take on that competition and to provide a service that the public, I am sure, will pay a modest premium to use services that are regulated and that comes with some sort of a safety guarantee, so to speak, as opposed to a service that is completely unregulated.

**Director of Transport, Department for Infrastructure:**

In terms of penalties there already are very severe penalties in the law for operating illegal taxis, so where there is evidence if someone is found guilty in court they can receive a fine up to £10,000. So it is not as if there are not penalties available.

**The Deputy of St. John:**

But how do you know if it is illegal?

**Director of Transport, Department for Infrastructure:**

That is a problem with peer to peer-type activities.

**The Deputy of St. John:**

It is just trying to manage people's behaviour.

**Director of Transport, Department for Infrastructure:**

A number of the activities that happen when Jersey events are on are undoubtedly probably legitimate. People giving lifts not for profit and that has lots of advantages to it. It prevents people drink driving. It supports the night-time economy. But the problem is where someone goes past that limit and starts running it for profit and then the States lose tax income, the taxi company ... it undermines the regulation of the taxicabs. It is a very difficult problem and regulators worldwide are searching to find a solution to this and it has not been simple for any of them. We keep that under review, we receive documentation from different organisations and look at what they are doing.

**The Minister for Infrastructure:**

Public awareness so that people have a choice of how they return home after a night out is really providing a choice. One of the things we have done is put a temporary taxi rank, on a Friday and Saturday evening, at Liberation Station and that has proved immensely popular. Again that helps the regulated side of the industry compared the unregulated side.

**Director of Transport, Department for Infrastructure:**

Also additionally in the taxi regulatory performance strategy we are putting in aspects that help support electronic entities, legitimate electronic entities, so that is another marketing strategy that anyone who wants to take on, wanted to launch their own taxi app so that they can compete with the Facebook-type electronic booking arrangements, they will be able to do that. To date none of the taxi companies have really done so in a meaningful way. There have been a couple of attempts and I believe there are a couple more apps under development at the moment, from my discussions with industry, that people are bringing forward. So we support that because you are marketing directing to that cohort who at the moment are using Jersey Lifts.

**The Deputy of St. Mary:**

But at the moment, you are saying that legislation in place to stop or to ...

**Director of Transport, Department for Infrastructure:**

The legislation is there, it is the evidence that is the difficult part.

**The Deputy of St. Mary:**

Yes, this is a problem. Sorry, I am conscious of the time by that clock anyway. Are you briefly able to just identify where we are on the Rue des Prés situation?

**The Minister for Infrastructure:**

The situation where we find ourselves has not changed in terms of we do need to police and control the parking on the estate to make it safer in the coming years. The only mechanism that we have been able to identify for us to be able to do that is to make the roads, which are currently private roads in public ownership, to make them public roads in public ownership because we can police public roads. We have got no policing powers on private roads. So we will be ... we had a briefing yesterday with yourselves. Later today or later this week I will be signing a Ministerial Decision to bring forward the proposition to the States to make the roads on Rue des Prés public roads for public ownership, and that will then allow us to police the roads and make them safer than they currently are. The flipside to that is that we need to ... the estate in the 1960s was always set up to be self-financing in terms of the monies required to maintain the road and maintain the infrastructure down there. To replace the funding stream that we are going to lose by making the roads public roads, because currently while they remain private roads we have a private contractual arrangement with the owners of the premises at Rue des Prés where we can re-charge the costs of maintaining the roads to them. As soon as those roads become public we lose that ability. So to replace that income stream we are going to be bringing in a series of parking permits and effectively on-street parking charges, scratch cards, in other words, on the estate to provide the income to cover the ongoing maintenance for the roads and infrastructure on the estate. We are writing to all of the businesses and the landowners there setting out that process and confirming the ones that provide for parking permits for their visitors to confirm what permits have been allocated and where, et cetera.

**The Deputy of St. Mary:**

For the record, it is not possible to appreciate that safety is your paramount concern. It is not possible to police the estate until such time as it becomes a public road.

**The Minister for Infrastructure:**

Exactly. The roads currently are private roads and therefore we have no policing powers to police the parking on those roads currently.

**The Deputy of St. Mary:**

Okay. So the proposition debating public roads comes in first and then as and when the law is in by supplementary decision the parking charges will come in?

**The Minister for Infrastructure:**

If the States approve making the roads or rues then I will then sign an order to bring in the parking provisions for the estate.

**The Deputy of St. Mary:**

And that area is subject to consultation between you and the ...

**The Minister for Infrastructure:**

That consultation has effectively happened, to all intents and purposes. The businesses have identified which spaces they want to effectively rent plus to be left private parking for their businesses and they are being notified in the next few days.

**The Deputy of St. Mary:**

As you know, the panel has been approached by some members of the Trade Association. We hope to see them shortly so we may come back to you with views. Our time is up, so thank you all for your time and close.

**The Minister for Infrastructure:**

I would just like to thank the panel for taking on board and I believe you have agreed to do a full review on waste charges.

[13:00]

So please feel free to request any information you need. We are here to help and we look forward to working with you on your review of non-household waste charges being brought into Jersey.

**The Deputy of St. Mary:**

I think the panel have expressed a wish to do that. Hopefully no other panel will oppose us.

**The Deputy of St. John:**

They cannot.

**The Minister for Infrastructure:**

In my own view, I think it is essential that you as a panel do carry out the review. It is a good thing and needs to be done. It is probably the most important piece of legislation in my tenure as Minister that I am likely to bring forward so I welcome the review.

**The Deputy of St. John:**

But the introducing of the waste charges is from your department, it will be handled by your department, not Treasury.

**The Minister for Infrastructure:**

Correct. The revenue will stay within my department.

**The Deputy of St. Mary:**

So I guess to reconfirm we are interested in pursuing that, thank you.

**The Minister for Infrastructure:**

Thank you for that.

[13:01]