

# STATES OF JERSEY

## Environment, Housing and Infrastructure Scrutiny Panel

### The Minister for Infrastructure

**THURSDAY, 19th OCTOBER 2017**

**Panel:**

Deputy D. Johnson of St. Mary (Chairman)

Deputy T.A. Vallois of St. John

Deputy M. Tadier of St. Brelade

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

**Witnesses:**

The Minister for Infrastructure

Chief Officer

Finance Director

Director of Estates

[10:16]

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

Good morning, Minister and gentlemen. Welcome to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Thank you all for attending. Can I kick off with a matter we have all been involved in much over the last few months? Sorry, for the record, can I introduce everyone, please, starting with myself? I am David Johnson, Chairman of the panel.

**Deputy T.A. Vallois of St. John:**

Tracey Vallois, Vice-Chairman of the panel.

**Deputy M. Tadier of St. Brelade:**

Deputy Montfort Tadier, member of the panel.

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

I am Sadie Le Sueur-Rennard, member of the panel.

**The Minister for Infrastructure:**

Deputy Eddie Noel, Minister for Infrastructure.

**Chief Officer:**

John Rogers, Chief Officer, Department for Infrastructure.

**Finance Director:**

John Littlewood, Finance Director for Infrastructure and Environment.

**Director of Estates:**

Ray Foster, Director of Estates, Department for Infrastructure.

**The Deputy of St. Mary:**

Thank you. I am sorry for the earlier omission. Right, can I begin with just to wrap up the solid and liquid waste charges situation? We are aware that the work on the solid waste proposals is now being led by the Minister for Treasury and Resources. Can you enlighten us as to why that decision was made by the Council of Ministers, please?

**The Minister for Infrastructure:**

It was made by myself, in fact. I asked for the Minister to lead on this as one of the feedbacks from the consultation that we did with non-households. It was quite clear that there were two main elements coming back from that consultation, one that the non-households wanted it to apply to everybody, i.e. households, and obviously that was not within our remit. Specifically, there was a States decision against that. The second area that they wanted to have further discussions on was alternatives, being alternative tax measures as opposed to a user pays charge. So, both those things obviously do not form part of my department's remit. They are more Treasury items, particularly the second one is obviously a Treasury item, and that is why I asked the Minister for Treasury and Resources to lead on the consultation going forward on that basis, to ask the public do they think it is fairer if everybody contributes as user pays, or should it just be still restricted to non-households. It would not actually affect the amount that the non-households would have to contribute because there is no cross-subsidy going on in any of our proposals anyway.

**The Deputy of St. Mary:**

Okay. So, are you suggesting when the new consultation procedure starts, that will be aimed at or seeking to get a feel for alternative suggestions of raising the money?

**The Minister for Infrastructure:**

I think there are 2 things that need to be bottomed out. One is public opinion on whether or not it is fair that non-households should pay for the services that they use, and secondly to get their views on if there is appetite for that to be rolled out to households as well. I think the obvious response would be no to the latter and yes to the former. With regards to alternative measures, they are going to be alternative fiscal measures and, again, I imagine that the public will see that user pay charges for businesses is a fair way for them to pay for the services that they use.

**The Deputy of St. Mary:**

So, for clarification, the further consultation, which presumably will be led by the Minister for Treasury and Resources, will not be simply consulting with the trade, I think, that will be with the public as a whole?

**The Minister for Infrastructure:**

No, it is very much going to be consulting with the public as a whole and it will be obviously led by Treasury because it is about tax, but closely supported by my department and from E.D.T.S.C. (Economic Development, Tourism, Sport and Culture).

**The Deputy of St. Mary:**

Okay, thank you for that.

**The Deputy of St. John:**

Would you see this as a flaw to the Medium-Term Financial Plan in terms of the way we are planning?

**The Minister for Infrastructure:**

Sorry, I missed the first bit, Tracey.

**The Deputy of St. John:**

Would you see this as a flaw to the way that medium-term financial planning is done?

**The Minister for Infrastructure:**

No, I do not see it as a flaw to the planning. I see it as more of a frustration of our political system.

**The Deputy of St. John:**

But in terms of ... because your argument to us when we were doing the review was that it was agreed by the States in the M.T.F.P. (Medium-Term Financial Plan) you would not have that budget and, therefore, that is why consultation had not taken place. So, my question is: surely there is a flaw with regards to medium-term financial planning because if that is the case then a consultation should have happened before it was put in the M.T.F.P.

**The Minister for Infrastructure:**

I would say that it depends on your definition of consultation. If your definition is very narrow in terms of consultation as a Green Paper followed by a White Paper, then no, we did not consult. But if you take the broader view of consultation, engagement with stakeholders and taking their feedback and reconsidering your position, then consultation most certainly did take place. I do not believe it is a flaw. As I have already said, I do not believe it is a flaw of the M.T.F.P. process. It was unfortunate that the M.T.F.P.2 was spread over 2 years in terms of we had the initial year then we had the addendum.

**Chief Officer:**

Just to clarify, sorry, just to clarify on consultation, we consulted very significantly with all the industries that were affected and we changed ... within the parameters we were given we had to raise X amount of money. We talked about soft landing and mechanisms for raising the charge, and that was done with the industries and it was tough miles. What we did not do and in retrospect we should have done was taken the public with us in the consultation. I know you as a Scrutiny Panel did some public soundings, did you not, on King Street about this and I think it is something that the lesson we have learnt is we should have done that. Because the backlash from the industry was that we had not consulted and we had not done this and we had not done that, and actually that was not the case. But it was such a loud voice, a very powerful voice, that it meant that the real debate did not happen. So, lessons learnt for us. We have to consult with the public and the public at large in terms of what sort of Island they want moving into the future.

**The Deputy of St. Mary:**

Okay. Going back to the further consultation, as you know, the Chief Minister replied to the panel's letter as to the overall timetable and refers to undertaking initial consultation over the next 5 months. So, am I right in thinking that this revised consultation process will take place, begin fairly soon and before the election?

**The Minister for Infrastructure:**

I am hoping that will be started prior to the election process but it really is in the remit of the Minister for Treasury and Resources.

**Chief Officer:**

We are currently ... we are trying to set up a group and everybody is busy and Treasury have ... we are trying to deliver a hospital and Treasury is trying to deliver the budget, but we are trying to get a group with E.D.T.S.C., comms, ourselves and Treasury to basically define the terms of reference for the consultation and get the consultation out as soon as possible. We have a strawman document which we have developed, but that needs to go through them and find out if they are happy with that and we need to move forward. So it is a combined consultation because we cannot ... the consultation we have, people come back to us and say: "Why do you not raise a different type of tax?" We cannot answer that question as the Department for Infrastructure so ...

**The Deputy of St. Mary:**

I understand that. I am just trying to get a feel of where this panel might be ...

**The Minister for Infrastructure:**

Obviously, it will be done. As the Chief Officer said, Treasury are extremely busy with the budget and extremely busy with the funding options for the new hospital. Those will be concluded by the end of 2017 so I am anticipating that the consultation for waste charges will start in the new year.

**The Deputy of St. Mary:**

Right. I am just quoting from ... the Chief Minister's letter refers to the next 5 months, so anyway, you cannot be too ...

**The Minister for Infrastructure:**

That is our plan, yes.

**The Deputy of St. Mary:**

So you will keep us informed as to timetable on that, will you?

**The Minister for Infrastructure:**

Yes.

**The Deputy of St. Mary:**

Because, again, we would like to think we have an ongoing role on this while it carries on. Going back a stage, as you know the panel conducted a review on the liquid waste charges and made certain recommendations. I had understood that you responded to those and I had understood that

you were going to be relooking at some of them. Are you going to be delivering a further response, revised response, to those?

**The Minister for Infrastructure:**

Not at the moment.

**The Deputy of St. Mary:**

Will any further response be coming from yourselves or will it be the Minister for Treasury and Resources?

**The Minister for Infrastructure:**

It will be ... well, it is a joint effort, so it will be a joint ... the technical aspect answers will come from obviously D.f.I. (Department for Infrastructure). The other aspects will come from Treasury and, where relevant, E.D.T.S.C.

**The Deputy of St. Mary:**

Okay, but can we assume that the recommendations we have made will be taken into account whoever is actually leading it?

**The Minister for Infrastructure:**

Yes.

**The Deputy of St. Mary:**

Okay.

**Chief Officer:**

We turned the comments round really quickly, if you recall, because we were very short of time and then we got criticised for doing that, so ... but we have commented on the report. We are very happy to update that in terms of what we have done since then and lodging the amendment on the law. So we can provide an update.

**Finance Director:**

It depends how that fits in with some of the stuff that we are doing with Treasury and that dictates, I suspect, as to quite what the ...

**The Minister for Infrastructure:**

It depends what the terms of reference for the consultation is going to be.

**The Deputy of St. Mary:**

Yes, and my final question on that is: do you know how soon you might know when that might be agreed?

**Chief Officer:**

We tried to get a meeting together but we are trying to get the Treasurer, myself and Dan Houseago, you know, the heads of each department, together and that has proven challenging. That will agree the terms of reference for the consultation and the communication strategy, the timetable of events and who will lead on it in terms of actually who that will be. So, we are trying to set that up as soon as possible.

**The Deputy of St. Mary:**

That is all you can say, as soon as possible? You do not know when that ...

**Chief Officer:**

Yes, we have not found a date, Chairman, so ...

**The Deputy of St. Mary:**

Okay, all right. Anyone else on waste?

**Deputy M. Tadier:**

Can I just ask a general question arising from one of your statements, Minister? You said that it was a frustration of our political system, this whole delay and what has happened. Can you elaborate on what the frustration was and what we can do to change that?

**The Minister for Infrastructure:**

Well, it got delayed because we moved on to the next item. In my opinion, that was ultra vires because it meant that by moving on to the next item the Appointed Day Act, which was what we were actually debating, would have happened prior to the next States sitting. So it actually nullified the proposition which under our Standing Orders you cannot do.

**Deputy M. Tadier:**

Okay. Have you raised a complaint?

**The Minister for Infrastructure:**

I have raised that.

**Deputy M. Tadier:**

Who was in the chair at the time when that ultra vires occurred?

**The Minister for Infrastructure:**

I ...

**Deputy M. Tadier:**

Okay, but presumably there is more of a general frustration in the sense that the Assembly can make an in principle decision without detail and then say: "We do not like the detail"?

**The Minister for Infrastructure:**

Well, we did not even get to that stage. We did not get to have the debate. I was the first speaker. There were 4 or 5 speakers against, but we did not actually have the debate and that is the frustration. Our system allowed us to move on to the next item when it should not have done.

**Deputy M. Tadier:**

But you have told us in the past that the States has effectively made an in principle decision telling you to go away and bring these savings and make these ... bring in these new charges and then ...

**The Minister for Infrastructure:**

Yes, it did, Deputy, and that is what we did.

**Deputy M. Tadier:**

Okay. So what is the solution to that?

**The Minister for Infrastructure:**

As I said, my frustration was the fact that the States voted to move on to the next item when we should have had a debate and made people make a decision, whether it was for the charges or against. We should have had the debate.

**Deputy M. Tadier:**

It is also a factor that the Council of Ministers did not have a joined-up position in support of the proposed new charges? Was that a frustration?

[10:30]

**The Minister for Infrastructure:**

I do not believe that we had an unjoined-up position. There were certain ... there were some of my fellow Ministers wanted us to soften the landing even more, which we did that morning. We got

agreement from the Treasury and the Chief Minister to soft land the charges. As far as I am aware, that was sufficient to meet those Members and I believe one particular Council of Ministers member who wanted to bring the liquid waste charges in on a softer basis.

**Deputy M. Tadier:**

Okay.

**The Deputy of St. Mary:**

Okay, thanks for that then. We look forward to hearing your further progress so we can keep in touch with it ourselves. Right, moving on to the next topic, Monty.

**Deputy M. Tadier:**

Yes, it is to do with sustainable transport. Could you provide us with an update on the sustainable transport policies and initiatives?

**The Minister for Infrastructure:**

I have really no more to add than what I said in the States a few months ago in terms of the sustainable transport, the targets that were set back in 2010 for 2015. What we have been doing, obviously, since then we are still working with Liberty Bus, our partners, to enhance that service. We have been doing a whole raft of additional things in terms to improve the cycle network. We have just recently, as you will be aware, opened up the St. Peter's Valley path, which is linked up for the first time, an off-road route for pedestrians and cyclists from the heart of St. Mary right through into St. Helier. We are working with fellow colleagues in St. Saviour bringing in improvements in the Longueville area. It is an ongoing process of encouraging people out of their cars and using other forms of transport but also making our roads safer for all road users, particularly pedestrians.

**The Connétable of St. Saviour:**

Could I pick you up on that making the roads safer? Because at this moment in time I seem to get a lot of complaints on cyclists who seem to be a law unto themselves. They are allowed to go up and down roads. They do not have to stop on yellow lines and they have no insurance. Most of them have no lights. They do not wear helmets. They do not seem to care about other users even on the cycle paths. If people are walking, they will still shout at them and ask them to move out the way. Are you thinking of bringing any regulations in for cyclists to try and bring them into line so that we have ... what I am trying to say is we have people who say: "We are not allowed to go over yellow lines. We have to stop. We cannot go up a one way, but they can." They can actually do what ...

**The Minister for Infrastructure:**

Well, Constable ...

**The Connétable of St. Saviour:**

They can actually do whatever they like.

**The Minister for Infrastructure:**

Well, Constable, they cannot. They have to operate within the law.

**The Connétable of St. Saviour:**

But they do not, do they?

**The Minister for Infrastructure:**

Well, that is an enforcement issue. It is not an issue for my department. We bring amendments and bring legislation in under the Road Traffic Act. Policing of those are for the 13 police authorities.

**Deputy M. Tadier:**

Perhaps can you elaborate? The general question I think I was going to ask you about is the car to cycle scheme and how successful that has been, but if we can talk more generally about cycling, there is an issue about shared space. As somebody who ... I am sure most of us at any given point are pedestrians, cyclists and car drivers potentially, or motorcyclists, whatever, and there does seem to be an issue in the sense that cyclists can find themselves between pedestrians on the one hand where there is not much space, let us face it. If you are using the pathway between St. Aubin and town, it is quite a narrow space and you are sharing that with multiuse, but at the same time they are not necessarily welcome on the roads.

**The Minister for Infrastructure:**

Deputy, part of it is education, which we do in conjunction with the States of Jersey Police to try and encourage people. This is one Island. There is a finite space and we all need to share it and we all need to share it responsibly. So, you are right in terms of there are instances where people do not share that space responsibly, but it is not just cyclists that do not. There are pedestrians that do not, there are car users that do not. We need to encourage a culture whereby we share this Island in a responsible way with each other.

**The Connétable of St. Saviour:**

Sorry, could I just recap? So cyclists are supposed to go the same way as cars and not to meet us coming forward and back and turning corners?

**Chief Officer:**

Correct.

**The Minister for Infrastructure:**

That is correct.

**The Connétable of St. Saviour:**

You turn a corner and a cyclist is coming towards you, so that cyclist is at this moment in time breaking the law?

**Chief Officer:**

Correct.

**The Minister for Infrastructure:**

Correct.

**Deputy M. Tadier:**

But not on New Street, of course. There are provisions for ...

**The Minister for Infrastructure:**

Some areas ...

**Chief Officer:**

St. Helier has a separate provision, yes. Is it worth mentioning ... I do ride a bicycle. I also actually ride a horse.

**The Minister for Infrastructure:**

So does your Minister.

**Chief Officer:**

So does my Minister.

**The Connétable of St. Saviour:**

Snap, yes.

**Chief Officer:**

It is very dangerous I think to say "they", cyclists do this. In every form of transport there are people who do not care about rules and do not care about other people, whether they are in a fast car, whether they are on a motorcycle, whether they are on a bicycle.

**The Minister for Infrastructure:**

Or whether they are on foot.

**Chief Officer:**

Or whether they are on foot. Now, what we have to make sure is we set a standard, and the majority of people behave really well and we have to make sure that we try and stamp out the bad behaviours and we recognise that and we change those behaviours. It is very difficult to say one sector of the community, people who skateboard, are all evil. You know, that is not the case. So, you have to find a way of articulating that there are issues. If you cycle along the front of St. Aubin's on a lovely Sunday morning, you have to cycle very carefully and very slowly because there are children and there are dogs and bicycles and all sorts of things going on. If you cycle along the front at 6.00 on a Sunday morning you can go quicker. So you tune your environment to what you are doing. So, I think we have to be aware of that and, as the Minister says, educate people more in terms of what is good and what is bad practice. I was in London last week and it was harder getting across the new cycle super highway than it was getting across the road because it was used so much. Now, that is a great thing to celebrate but it is actually quite intimidating because cyclists are really quiet and the cars, you know a car is coming towards you. So, there are issues but they are nice problems to have because the alternative is everybody in a car and the Island would have now got to gridlock by now and we would have had more problems with obesity. So you have to balance up the needs of everybody.

**The Connétable of St. Saviour:**

I will tell my parishioners that.

**Chief Officer:**

Please do.

**Deputy M. Tadier:**

On that basis, I know because you are cyclists and it is close to your heart you will have thought about this extensively, but town still remains largely unwelcoming to cyclists.

**Chief Officer:**

It does.

**Deputy M. Tadier:**

It is very difficult to cycle effectively in town. So while the cycle paths coming into town are welcome, do you have any plans immediately to take steps?

**The Minister for Infrastructure:**

There are plans being developed or policy being developed by my officers for both coming in and out of St. Helier and around St. Helier, but it is work in progress and it is difficult because you have a lot of conflicting uses of those roads. You have businesses that need access. You have people that live in the town who need access. You have pedestrian access. You have cycle access. There is no quick fix panacea but gradually with the Future St. Helier developments, et cetera, we will make improvement.

**Chief Officer:**

But there has to be better co-ordination between what we do and what the Parish of St. Helier does. Their cycle scheme I think stepped in some directions but it was not very co-ordinated with us, if I am honest. I think there is fundamental changes. Some roads I think need to go the other way for us to get better circulation through town. My son goes to Hautlieu now. He used to go to Les Quennevais. Getting through town cycling is a real challenge to find a safe route for him to do it in both directions. I want to do that because the traffic round St. Saviour and St. Helier is just bonkers. So I think it is a real prize if we can get that to get people off ... you know, if you look at stuff like St. Peter's Valley path and stuff, you have then got safer routes for children to use. They can get to town safely now, but to get from town to the schools is another step we have to do and make it coherent and simple.

**Deputy M. Tadier:**

Okay. Just more generally talking about car parking, can you tell us about the success of the new parking app?

**The Minister for Infrastructure:**

Well, you are absolutely right there, Deputy, it has been a tremendous success. I just had some feedback this morning. We have some 650 users per day now using the app. As of Monday, the 23rd, it is rolling out to our other car parks, so yes, it has been a tremendous success. It gives another option, and I say it is an option, for Islanders to pay for their parking in a more flexible way.

**Deputy M. Tadier:**

Good.

**The Connétable of St. Saviour:**

Are you going to allow people who do not have mobile phones and the app to still use the car parks later on or are you hoping to phase that out and say everything will have to be done on your mobile phone?

**The Minister for Infrastructure:**

Well, to repeat what we said, and this is what we mean, we are not phasing out any of the other payment methods. People will still be able to use scratch cards but they may choose to go to the pay by phone app because it is more convenient and it has extra facilities that will make their lives better.

**The Connétable of St. Saviour:**

Yes, but they will still be able to use ... because a lot of people do not like apps on their phones. They still will be able to use ...?

**The Minister for Infrastructure:**

We have been very clear in that that you will still be able to use pay cards.

**The Connétable of St. Saviour:**

Yes, I just wanted to reiterate that was still going to happen because I see it is roller coasting and it is really doing well, but I just wanted to make sure that the people who do not want to have that app on their mobile phone or do not have a mobile phone can still use the car parks.

**The Minister for Infrastructure:**

Yes, Constable, they will still be able to use the car parks. They will still be able to use on-street provision when we roll out the pay by phone app to on-street parking. They will still be able to use scratch cards.

**The Connétable of St. Saviour:**

Okay, thank you.

**The Deputy of St. Mary:**

Yes, we have your press statement here. Sand Street, which I use quite a bit, the system there seems to work very well there. Was that considered?

**The Minister for Infrastructure:**

That system, the number plate recognition system, does work very well. It is a very popular car park, but you cannot use that technology on the street.

**Deputy M. Tadier:**

But there is also a problem with Sand Street in the sense that there is number plate recognition but I think you still have to queue up at the end to validate your ticket ...

**The Minister for Infrastructure:**

That is right.

**Deputy M. Tadier:**

... which is kind of a contradiction.

**The Minister for Infrastructure:**

So, pay by phone will be rolled out in Sand Street as well. You will still have the current options with Sand Street but you will be paying by phone.

**Deputy M. Tadier:**

Can you move to a position where it is just you go into a car park, you leave the car park and you are billed automatically? Is that what we are aiming for?

**The Minister for Infrastructure:**

Well, using the app, effectively, yes.

**Deputy M. Tadier:**

Or just automatically? I mean, if you register ...

**The Minister for Infrastructure:**

Technology will move on. There will be SIM cards or the equivalent of SIM cards built into every single vehicle in the future and so, yes, technology will allow it in the future.

**Deputy M. Tadier:**

Okay.

**Chief Officer:**

The great benefit of pay by phone or the app-based system is it gets on-street parking under the system and none of the other technologies did that. The other technologies, because of the infrastructure costs, only really work on the multi-storey car park, so stuff like the car parks on the Avenue would not have been viable on that. So pay by phone is very much more of a comprehensive solution and one we can play tunes on.

**Deputy M. Tadier:**

Yes. It is not on our question plan but would you like to answer a question about Jersey Lifts and the new app they have out? I have downloaded it on to my phone. I have not used it yet.

**The Minister for Infrastructure:**

Well, you are ahead of me. I have not downloaded it.

**Deputy M. Tadier:**

It seems like the principle, whether it is for taxis or for car sharing in general, seems entirely sensible that you can just ask for a lift and then anyone who is free comes to get you, especially if that is done in the informal economy and it is legal, of course. There are concerns that ...

**The Minister for Infrastructure:**

If it reduces the amount of vehicles on our road, then it is a good thing, and it is a more social thing if people are sharing their vehicles. But, as you say, it has to be done legally.

**Deputy M. Tadier:**

Jersey Lifts and the app, does that have a legal basis? Is there anything to stop people using it?

**Chief Officer:**

I think it is only about if you get paid for doing it. If you actually undertake the work, then you are then ... and you are gaining reward from it, then you are effectively breaking the law. If you are sharing costs, then you are not.

**The Minister for Infrastructure:**

If you are sharing costs, you are not. If you are doing it for profit, then you are in breach of the Motor Traffic Law because you are plying the trade of a public service vehicle.

**Deputy M. Tadier:**

It seems like a grey area at the moment because there is a payment method included in Jersey Lifts. Whether or not that is cost recuperation for the cost of the journey is not clear to me, so it might be something which I am sure different parties would like to look at because ...

**The Minister for Infrastructure:**

It is something that Home Affairs are looking at, but again we ... D.f.I. are not a policing body. In this guise we are a transport body so we set the legislation for public service vehicles. If people fall into that net then they become regulated, but if they operate illegally outside that, then that is an enforcement issue.

[10:45]

**Chief Officer:**

One of the reasons we have pushed the taxi industry, and it has been a difficult journey, into a new way of working and an app-based way of working is because technology has moved so fast that Jersey Lifts is here now and there are other apps here. We know about Uber and these other things. They could not have just stayed where they were. One of the options the Minister had was to do nothing because technology would have done this anyway. So what we actually... it probably does not look it when you look at the P.R. (public relations), but what we have actually done is try and help the industry, despite themselves, get to a point where they are fit for purpose to compete against these things. The more people share a car the better it is for the environment.

**The Minister for Infrastructure:**

Just as an aside as a matter of interest, I believe that one of the taxicab ... one of the private hire firms are actually thinking about using the Jersey Lifts app.

**Deputy M. Tadier:**

Yes, okay, that is good. Well, it is something to keep an eye on, I think.

**The Deputy of St. Mary:**

Carrying on, I have a few relatively by themselves small questions on motor vehicles. I apologise in advance if they are ...

**The Minister for Infrastructure:**

It is okay.

**The Deputy of St. Mary:**

... they do stray into the policing area, which you say is not yours. Speed cameras. Has any more progress been made about that or are there ongoing discussions about ...?

**The Minister for Infrastructure:**

As you know, 2 years ago now I set up an annual road safety workshop with the 13 police authorities, because we have the States of Jersey Police and each of the parish honorary police forces, and the 13 road authorities, being obviously D.f.I. and, again, the 12 parish ... effectively, the roads committees. Once a year we meet and we have a day discussing what are the next steps in terms of making our roads safer. I issued back in December last year a road safety action plan, as opposed to just a strategy document, for 2017 through to 2019. We are working our way through that. One of the things that was discussed at those workshops was mobile speed cameras.

**The Deputy of St. Mary:**

Moveable ones you mean? Yes.

**The Minister for Infrastructure:**

Moveable ones, yes. They were not supported by the majority of the people attending the workshops. As I am sure you would have read in our road safety action plan, they are not included in that work stream.

**Deputy M. Tadier:**

Do you know why they were not supported?

**The Minister for Infrastructure:**

A whole raft of reasons. Some reasons were that they have proved not necessarily to work in the U.K. (United Kingdom) in various areas. In parts of the U.K. their main purpose is to generate income as opposed to reduce speed and make our roads safer. There was a whole raft of reasons that people had. People had different reasons but they were not supported.

**Deputy M. Tadier:**

Were they asked if they supported the police using speed cameras?

**Chief Officer:**

They use them now, do they not?

**The Minister for Infrastructure:**

Yes, they use them now.

**Deputy M. Tadier:**

Yes, but were they asked that? Because if you ask people if they like tax, they will say no, but we do not abolish tax on that basis.

**The Minister for Infrastructure:**

What was discussed at the workshops was a whole range of road safety measures that we could take up, not ones that we could stop doing.

**Deputy M. Tadier:**

Okay.

**The Deputy of St. Mary:**

So it is not accepted generally that they are a deterrent?

**Chief Officer:**

What happens in the U.K. - I lived in the U.K. until 2004 - is you put fixed speed cameras on a road. The police then do not police that road and people drive down that road at excessive speeds to the camera, slow down, go through the camera, then speed up. The only people you catch are the people who do not know the camera is there and the people who are visiting the area. So what you do is you get a different type of behaviour. So accident levels drop, people suss out where the cameras are, then accident levels increase again, so it becomes a worse condition for the local residents than it was before. You get some strange behaviours, particularly in rural areas.

**Deputy M. Tadier:**

But there are probably a limited number of spaces in Jersey where you can speed consistently, I guess. For example, the Avenue is almost self-policing in the sense that there is no point in speeding on the Avenue because of the traffic lights. So it is not like ...

**Chief Officer:**

There are not much places to speed in Jersey full stop, I think, is there? The police know where those places are and ...

**The Connétable of St. Saviour:**

But it happens.

**Chief Officer:**

Yes, bicycles do terrible things as well, do they not?

**The Connétable of St. Saviour:**

Well, they are modernised now. When we were young, well, when I was young, the bikes were quite heavy so you never went anywhere. But a bicycle now is so lightweight and now those with engines ...

**The Minister for Infrastructure:**

It is too fast.

**The Deputy of St. John:**

Can I ask on the cycle path speeding and lower speed limits, higher speed limits, is there any kind of feedback between the enforcement agencies - so we have 13 of them - to yourselves about black spot areas, particular issues at certain times of the year and those sorts of things? What do you do with that particular information?

**The Minister for Infrastructure:**

The information from accident black spots or accidents that are reported, we get that data and that data is collected and that goes into prioritising the infrastructure side of the equation. In road traffic safety there is what we call the 3 Es, which is enforcement; the environment, which is our remit, which is physically making the roads safer, changing the angle of a bend or something like that or removing some type of obstruction that is dangerous or putting some crash barriers in; and then there is education. To feed into what we do in terms of road infrastructure improvements, that data is used.

**The Deputy of St. John:**

But can I ask what holds more weight then in terms of data or information? Is it the actual information from the enforcement agencies or members of the public making complaints or concerns about specific areas?

**Chief Officer:**

It is a combination.

**The Minister for Infrastructure:**

It is a combination and you also have to work within the physical parameters of what is available.

**Chief Officer:**

When we have complaints about speeding, we tend to work with the parishes if it is a parish road and ascertain the reality of that, because we have had lots of complaints historically at Bellozanne about lorries speeding. Then we have actually done the test and they were not. They are just big and close to you and they feel as though they are speeding. So, you have to basically get the proper data and information, then you make a judgment in terms of what the best solutions would be.

**The Deputy of St. Mary:**

Still on speed limits, you mentioned parishes. Is there any joined-up thinking between the parishes to get a universal speed limit? We have these strange situations where ...

**The Minister for Infrastructure:**

An Island-wide speed limit review was discussed at both the previous 2 workshops and because of the nature of the people attending the workshops, you do not always ... you get the same authorities and you get the same police forces. They are not necessarily the same people in the room each time. We could not get agreement on what was the way forward, but we did get agreement that each parish should go away and with their roads committee see what is best for their roads, their byroads, and work with us on the main roads within those parishes. Some parishes have done that

historically. St. Clement has done that many years ago now. St. Brelade has recently just finished their review and we are putting through the changes now for getting an order drafted. So, different parishes are at different stages of their reviews and that will end up coming together with effectively a new series of limits for speed around the Island.

**The Deputy of St. Mary:**

I hear what you say and I understand my own parish has done that, but obviously one parish joins another. Is there a follow-up whereby each parish has a subpanel with its neighbour to ...

**The Minister for Infrastructure:**

That is why it comes back to us, Deputy. For example, St. Brelade is a good example. They did a parish review and obviously it came back to us and we had to ensure that where a road, say, started in St. Brelade and went through St. Peter - because to get out of St. Brelade you have to go to St. Peter; it does not border any other parish - we made sure that the roads did not, say, start at 30 and end up at 40 or start at 20 and end up at 30. There was consistency on the parish borders.

**The Deputy of St. Mary:**

So you have input into that where there is a ...?

**The Minister for Infrastructure:**

Yes. At the end of the day, the parish bring forward a proposal but the only person that has the authority to make the order is the Minister.

**The Deputy of St. Mary:**

Okay. You can bring pressure on them to co-ordinate, can you?

**The Minister for Infrastructure:**

We work together to make sure that what ends up going through the order is sensible.

**The Deputy of St. Mary:**

Okay, I will leave it at that, I think. You might say this next question is more for Home Affairs, but the use of mobile phones has been raised in the States. It is not an offence to use a mobile phone if the engine is still running as long as you are stationary.

**The Minister for Infrastructure:**

As long as the vehicle is stationary it is currently not illegal to use ...

**The Deputy of St. Mary:**

So you do have situations where - and I have seen it - someone stuck in a traffic jam is on their phone. Is there a movement to change the law to legislate against that?

**The Minister for Infrastructure:**

I have not received any requests from Home Affairs to do that.

**The Deputy of St. Mary:**

It initially will come from Home Affairs to yourselves, would it?

**The Minister for Infrastructure:**

It is more on policing powers and what are we trying to achieve at the end of the day? Are we trying to make our roads safer or are we trying to penalise people for using their mobile phones when they are in their car, when they are not actually moving anywhere? So, the purpose ... you have to go back to what is safe, and that is what should drive our policies.

**The Deputy of St. Mary:**

If they are in their car using a mobile phone while the engine is running, they are in control and things can be happening round about when they obviously cannot be concentrating?

**The Minister for Infrastructure:**

Well, if they are stationary then they are not going to ...

**The Deputy of St. Mary:**

Well, not really.

**The Minister for Infrastructure:**

Well, as soon as they are not stationary then they are breaching the law.

**The Deputy of St. Mary:**

Yes, but, as I say, there are situations where people are in the middle of a dual carriageway stuck and the traffic moves on 50 yards and they have not noticed.

**Chief Officer:**

I think it is another ... you have raised some interesting questions and it is about the change of technology, the revolution in technology we are facing. When I was a kid in cars, people used to smoke pipes. Now, I reckon smoking a pipe is as complex as using a mobile phone and it was not against the law. So, the world is changing all the time and you can currently smoke a pipe in a car

legally ... can you? As long as you are in the car on your own and you do not have any children with you.

**The Deputy of St. Mary:**

No children.

**The Connétable of St. Saviour:**

No children.

**Chief Officer:**

Yes. So you can smoke a pipe in a car. That is barmy, is it not?

**The Connétable of St. Saviour:**

Yes, but people drink coffees and sandwiches and you pass them and they are still driving and they are still drinking, so that is obstructing the view, too.

**Chief Officer:**

Absolutely.

**The Deputy of St. John:**

Is that not because there is no bigger conversation about this, though? Is it not because people are picking up small elements and saying: "This is an issue, this is a problem," more likely because they have heard it from the U.K., rather than having an actual overall this is what the expectation of someone driving a car would be and either criminalise a particular area or areas. Is that really the issue?

**Chief Officer:**

Yes.

**The Deputy of St. John:**

Should we be having that conversation?

**Chief Officer:**

We should and we are, to be fair. That conversation happens and it is happening across the western world because these issues are happening more and more. Cars have got more sophisticated. They are easier to drive. They go faster. They are quieter. What happens is people become more disrelated from the environment they are in. When it is a terrible, rainy day you are sat in your car and you are still warm, you can still see, everything is fine. You do not think there is a problem and

actually there is because there is less grip and there are vulnerable road users about. So, there is a big change in terms of how we view transport and I think we have to really learn from other places and develop our own strategies as well.

**Deputy M. Tadier:**

It is a slightly philosophical question but I think we are having fun here and we can broach the subject, perhaps. Do you think there is a point in the future where having the automatic right to be able to drive a car will be considered strange in that it will not just be that anyone can jump in a car?

**The Minister for Infrastructure:**

I think we are straying away from the role of scrutiny.

**Deputy M. Tadier:**

No, I think it helps develop our thinking as parliamentarians and as a Scrutiny Panel to know what is coming on the agenda. If we are in a position where the majority of people should not automatically have a presumption that they ...

**Chief Officer:**

Autonomous vehicles are here now. Everybody says in 5 years' time, but probably in 10 years' time they will become commonplace. So a lorry going down a motorway, the driver of that lorry is probably asleep in the back and he is probably only used for when he comes off the motorway to do the deliveries.

**Deputy M. Tadier:**

I have seen that episode of "The Simpsons" where that happens. **[Laughter]**

**Chief Officer:**

Let us be honest, that is what happens in an aircraft now is the pilot does the taking off and the landing but does not do anything else.

**The Minister for Infrastructure:**

He does not even do that necessarily.

**Chief Officer:**

No, exactly. So you are absolutely right, there is a fundamental shift and I think over time there is also ... even in Jersey but in the U.K. there is less and less people taking driving licences and driving tests because people of a younger generation value their time more being on their smartphone on public transport than they do driving their car. So there is this complete revolution going on.

**Deputy M. Tadier:**

Yes, but also in terms of planning, I know some new planning applications, for example, in the U.K. that they will have ... I do not know if it is part of the planning bylaws but they have carpools for big residential areas, so the presumption of each apartment having a car space is long gone out the window and you just have access to a car when you need it. Is that on your horizon in terms of ...?

[11:00]

**The Minister for Infrastructure:**

Yes, that is a question for the Minister for Planning.

**Deputy M. Tadier:**

Well, I thought there was joined-up thinking between departments, but perhaps not.

**The Minister for Infrastructure:**

Yes, but I am not the Minister for Planning so I cannot bring in bylaws to that effect.

**Chief Officer:**

We would be very supportive of that.

**The Minister for Infrastructure:**

Yes.

**The Deputy of St. Mary:**

Yes, okay. Moving on very quickly, my last question on speeding: the points system. Is that anywhere near fruition?

**The Minister for Infrastructure:**

No, it is not near fruition. We are waiting to hear back from the Law Officers. They are doing a review overall about their capacity and our capacity to bring that law forward. We are due to hear back from the Law Officers in November with a target of us by 2019 having the draft law available for us to move forward.

**The Deputy of St. Mary:**

Is this a point system that ...

**The Minister for Infrastructure:**

It is a quite substantial piece of work. It sounds quite easy, we just bring a point system in, but it is actually a lot more complex than that. It is going to take a couple of years to get to that process.

**The Deputy of St. Mary:**

Okay, I will leave it for the moment. I will move on to office modernisation.

**The Deputy of St. John:**

Office modernisation. In March you advised us that the outline business case had effectively been completed apart from the section on funding. Treasury was yet to decide if there was the funding room. However, the draft budget evidence states that decisions are supposed to be made on whether the new central hub building will be a new build or whether you will utilise and refurbish the existing States building or other office accommodation. Does this imply that you have gone back to the drawing board on the location of the central hub?

**The Minister for Infrastructure:**

D.f.I. have not. We are in the same position as I reported back to the panel in March. We have effectively completed our piece of work, other than the funding element. I think what we are waiting for, with the new chief executive coming in, is to see what preferences, if any, the new chief executive will have in terms of how government services will be delivered in the future and whether or not a central hub building is core to that, which I believe it will be.

**The Deputy of St. John:**

Should it really be dependent on one individual as to whether we have proper, fit for purpose office accommodation for the public service?

**The Minister for Infrastructure:**

No, but the funding methods and who goes into that building is very much an operational-led item than a politically-led item in terms of the actual individual make-ups: is it all departments into the hub; is it the majority of the departments with a few utilising other space, because it is more relevant to the services that they are providing?

**The Deputy of St. John:**

But surely we are basing it on some form of best practice for ensuring efficiency and effectiveness of the public, rather than just saying: "It is up to them"?

**The Minister for Infrastructure:**

No, that is not what I am saying. It is that we have done our piece of work. From my point of view, the preferred site is the preferred site. I would like to see that building built and for it to be utilised

to the greater good for the public. We do not have a funding stream approved for that project to go forward. I believe that we will see some movement on that in the new year.

**The Deputy of St. John:**

In your first answer, you stated that D.f.I. were still of the position that there would be a central hub building, your initial plans. Does that imply that other people are not?

**The Minister for Infrastructure:**

We would have commenced already if we had had a funding route. It is the funding route that has not been clarified yet.

**The Deputy of St. John:**

So in a nice way, Treasury are holding it up?

**The Minister for Infrastructure:**

I do not know why we do not have funding at this moment. We have put forward a number of possible solutions. Treasury, as a department, obviously has a lot of projects on the go at the moment. We have mentioned 2 already, obviously the budget and the funding of the new hospital. They only have so many hours in the day and resources to tackle those issues.

**The Deputy of St. John:**

But how long has this office modernisation project been sitting on the table? How long have the States been talking about it? Well, certainly since I have been in the States anyway, but at what point does it become a priority? It was supposed to be part of a whole reform of the public service, so at what point does it become a priority?

**The Minister for Infrastructure:**

It is a priority; it has been a priority. As I already said, from our point of view, we completed the work at the first quarter of this year and we cannot go any further unless we are given the budget and the funding source to proceed with it.

**Director of Estates:**

We have not put it in a drawer and left it alone. We have been doing quite a lot of work on looking at the business case and improving the business case, particularly in terms of the benefits that are delivered, quantifying them, and we have a degree more analytical work behind the evidence that is within the business case. It does not change the fundamental position that accumulating people who work together in one building, where they are currently in disparate buildings, those buildings are inefficient and they have alternative uses and those alternative uses will either release funds for

the public or they will provide a site for some other activity that is a high-priority activity. That is still absolutely fundamentally the underpinning position. The building that was identified in the feasibility study has not changed, its location has not changed. It is the feasibility study sits there and can be activated. There are 2 options within it, because there is an option that meets the criteria of the people going into that building and there is an option which could add another storey to that building, all subject to the planning and the necessary approvals. I think the Minister is correct in saying that while it is one person and I appreciate it is one person, the chief executive in an organisation is a person of considerable influence and will have experience and vision from working within the system within the U.K. that has rationalised office space, so somebody who will bring their own perspective and understanding. Also how systems of government will work going forwards may dictate who is in that building and whether our cluster of people who we expect to house in that building could change. The building itself - and I will reflect on what the Minister said - if we had had the funding, we would have built it. The response back to that might be: "Yes, but it might be the wrong building because now there is a new change in style, in direction and we will have built the wrong building." Fundamentally we would not have built the wrong building because what we will build is something that is a very flexible system, mostly - in fact, almost exclusively - an open-planned building where solutions are based on furniture and clustering people together to do work either permanently or temporarily in project teams. I am still very firmly of the view that we can move the project forwards and deliver the right space in a site that would be a good site, and we think it is a very good site for that purpose. It would be beneficial to take on board the views of somebody who is coming to join the organisation in an implementation position very soon, but I do not think it should hold up the project beyond a matter of months.

**The Deputy of St. John:**

Would I be correct in saying at this moment in time, all the docs are in order in terms of plans for the building and it is just literally waiting for Treasury to identify the appropriate funding source?

**Director of Estates:**

That is almost correct. The Deputy will receive in relation to the hospital project, as will all Members, an outline business case and you will have hopefully been informed a little earlier this week. The outline business case for the office modernisation programme is in a similar form. It is not quite as in depth, but it is in a similar form. We cannot complete that until we know the funding source, because there is some information that needs to be built into that. We made assumptions within it, but we cannot finally complete it. We need to take a completed document back through the processes, the Council of Ministers, but it is a bit chicken and egg. Without the funding, we cannot complete the document, let alone progress the works, and I have no further funding in any available budgets to continue doing work on that project, so it is in abeyance at the moment.

**The Deputy of St. John:**

So there is no particular timetable in place in terms of expectations for when this may be en route to some form of agreement?

**The Minister for Infrastructure:**

Nothing will happen in terms of significant budget allocation for 2018, as you have already seen the budget proposals. I would hope that progress in terms of significant budget to take the project forward to completion will start in 2019.

**The Deputy of St. Mary:**

Just generally, States Members, the ladies and gentlemen beside me, does that mean the work you have done is almost premature? It must be envisaged that there will be funding necessary to advance it, if you are stuck.

**The Minister for Infrastructure:**

Not at all.

**The Deputy of St. John:**

Is it still part of the reform of the public sector?

**The Minister for Infrastructure:**

Absolutely. It is one of the key things.

**Chief Officer:**

Absolutely. My personal view is that you will not get reform of the public sector without a centralised building.

**The Deputy of St. Mary:**

Parish services and rates. Is that you again, is it?

**The Deputy of St. John:**

Just on the parish services, the rates side of things, should the parishes decide not to provide parish services to relevant States buildings, what would it cost for your department to cover this service, if anything?

**The Minister for Infrastructure:**

I would have to come back to you on that.

**The Deputy of St. John:**

That would be interesting. It is just with the whole debate about the parish rates side of things, I am just thinking if the parish were to decide: "We are not getting rates from the States, so therefore we are not going to service their buildings" how much would it cost for the States to service their buildings?

**The Minister for Infrastructure:**

I am not sure what the extent of the services ...

**Chief Officer:**

It is just basic collection, is it not?

**Finance Director:**

Some of our existing buildings already transfer their own waste to our own facilities, so D.f.I. facilities, generally we do our own waste collection. Health, certainly from the hospital, do the majority of their waste transfer themselves. There will be some facilities that obviously rely on parish collections. Certainly in outer St. Helier, you are looking mostly at schools.

**Director of Estates:**

I would also add the States does pay a reasonably hefty rates bill at the moment.

**Finance Director:**

We do.

**Director of Estates:**

It is, from memory, around £300,000 a year.

**Finance Director:**

It is about that, yes.

**Director of Estates:**

It would be quite difficult, I think, to disentangle which buildings we are paying rates on because they are not exempt under the legislation and which buildings we are not and how you would separate the services.

**Finance Director:**

Or indeed which parts of buildings, some of which are exempt and some of which are not.

**Director of Estates:**

Indeed.

**Finance Director:**

So do you only collect the waste from certain aspects of the building?

**Director of Estates:**

This building has a residential unit within it on which we would pay some rates.

**Finance Director:**

Certainly in my former life at Education, there was a number of school premises where there was a rates bill for parking on the site, but not for the school building itself.

**The Deputy of St. John:**

It is very convoluted. Is there a plan to simplify it?

**The Minister for Infrastructure:**

Paying rates on all States buildings was a plan that would have simplified it, yes.

**The Deputy of St. John:**

That is apparently not happening because of the Minister for Treasury and Resources deciding that is not going to happen, as I understand it. He made the decision not to do it, but nothing against him. That is all, I am just saying. He is the Minister, but that is the decision he has made. But in terms of now, it sounds a very convoluted system. The more complicated or convoluted the system is, problems happen.

**Director of Estates:**

In practical terms, Chairman, we receive a lot of paper in the first week of January and then have to turn around an awful lot of paper. One of the catalysts for change was to work with the parishes and with the rating authorities and the chairman of the Rating Board and with the provider of the I.T. (information technology) services to the parishes to see if we could not improve that. We will carry on doing that, whether we pay rates on all our buildings or some of our buildings. The paper chase is ridiculous.

[11:15]

It ties up one of my officers for 3 months, when we could do electronic data transfer. We are close to doing that. So the work we have done - in practical terms, not financial terms - in practical terms

is quite beneficial. We are pretty close. Probably not next year, but certainly the year after, I think we will be in terms of having a much smoother transitional process. So there are improvements that we can take. It is an anomalous situation. We have lived with the anomalous situation for a long, long time. Other than the administration issues, it does not cause us a massive issue, because you get used to what you have lived with. Whether it is fair or unfair is a matter for political debate and decision.

**Deputy M. Tadier:**

It is a slightly strange position, in the sense that the States are prepared to pay rates on their buildings. The parishes, apart from St. Helier, do not want to take the rates at the moment.

**The Connétable of St. Saviour:**

No, that is wrong, to be honest with you. My parish is one of those who was going to benefit and we were all for it and we were all set up for it, then Senator Ozouf put in about the roads being land and that was going to come in at a later date and bits and pieces, so I voted against it. But theoretically we were prepared in the parish for the rates system, for the States paying, but when it came that the roads were going to be land and things like that, it just got silly. But the buildings were already listed in our computer and we are still going for it.

**The Minister for Infrastructure:**

Chairman, we are having a very interesting conversation, but I am not quite sure what it has to do with scrutiny.

**The Deputy of St. Mary:**

Yes, it goes outside this panel's remit, I think.

**Deputy M. Tadier:**

I guess what it does raise, though, of course, is when you have got one parish saying: "We want to collect your rates, thank you very much", the largest parish, of course, where most of the services are based, then the other parishes, for all the complex reasons, does it raise the question of centralising the system and just saying: "Look, we are a small Island. Why can we not ...?"

**The Minister for Infrastructure:**

Are you suggesting that we do away with the parish system, Deputy?

**Deputy M. Tadier:**

If 11 of the parishes do not want the rates which they are providing a service for, then it does raise the question what the purpose of the 11 parishes is.

**The Minister for Infrastructure:**

You may raise that question. I do not.

**Deputy M. Tadier:**

I think the underlying question which Tracey asked is would the department be prepared to basically pick up the bill for providing the services that the parish do in the absence of the parishes?

**Director of Estates:**

The answer is the services have to be ... particularly waste, we will deal with it. We will have to deal with it and indeed we would.

**Chief Officer:**

We know a bit about it as well, so it is not beyond our remit.

**Deputy M. Tadier:**

Certainly with recycling, presumably you could easily run a recycling scheme for the whole Island, kerbside collection, if you wanted to.

**The Minister for Infrastructure:**

We could, if that was the desire.

**Chief Officer:**

If that was the political desire, we would be very happy to do it.

**The Deputy of St. Mary:**

Keep that for another day then maybe. Thank you.

**Deputy M. Tadier:**

It would be good if the people were asked that, I think.

**The Deputy of St. Mary:**

Moving on to a different topic, sea lettuce and the conference. It says here you recently attended the sea lettuce management conference. In fact, I think you were responsible for organising it, so thank you for that. What did you learn about managing it, if anything?

**The Minister for Infrastructure:**

We learnt a substantial amount in the 2 days. There are two things that I took away personally was the fact that we are not behind the game. We are not ahead of the game, we are pretty much ... in surfing terms, we have caught the wave. That was comforting to know, that what we are doing are the right things, the things we are looking at are the right things. There are lessons to be learnt from our cousins in New Zealand, whereby they have tried different things that we were thinking of trying and they have not worked. The most poignant example of that is they had a similar outflow from the sewage treatment works going into a bay where they had sea lettuce issues. They extended that pipeline 11 kilometres out to sea and their sea lettuce did not change. That is one of the things that we were considering and one of the things that people had asked us for: "The outflow from Bellozanne, why do we not put that into deep water?" I think it was 4 miles we were looking at, to make sure it does not come back to the Island. We could do that. It is a £10 million spend, but we would still have the sea lettuce problem, so just that snippet alone from New Zealand saved us a tremendous amount of money. The other thing from the conference is that obviously it has given us a network of experts to tap into and a network of research that is going on in similar parts of the world.

**The Deputy of St. Mary:**

I came for part of it only, I am afraid, but are there any new initiatives imminent which will help?

**The Minister for Infrastructure:**

We are waiting for the official report to come back to us from the body that we had organising the event for us. They are compiling all the different research papers that were presented and all of the outcomes that came from the breakout workshops that happened, so we are waiting to get that, but 2 core things is for there to be an international forum set up for all the different research bodies, because it is the first time that they had all met and allowed that sort of network to form and take place, but also there was a call for local stakeholders to have a similar type of local body so we can easily do the communications and different issues that different bodies have, for example, the traders that trade along St. Aubin's Bay.

**The Deputy of St. Mary:**

In this last summer, the problem has not been as great. Is that partly due just because of climate conditions or of course you have taken a lot of it out?

**The Minister for Infrastructure:**

To be fair, luck was on our side this year. The blooms did not materialise in the same level that they did last year and the year before, but we only have to go back as far as 2013 and there was no bloom in 2013. We do not know what the trigger points for the blooms are and nor does anyone

else currently. That was one of the benefits from the conference, that we can share that knowledge to start to try and understand where the trigger points are for the blooms.

**The Deputy of St. Mary:**

Okay, but you have this year also taken large amounts out of the sea. Are you saying that is not ...

**The Minister for Infrastructure:**

We have done some trials this year, whereby we took approximately 1,000 tonnes out to deep water and disposed of it off-Island, so it obviously does not come back. Also, as we have done every year, a similar quantity has been taken off the beaches and gone to our composting facility at La Collette. We have trialled a number of things. We have trialled taking the seaweed directly out of the water before it gets contaminated with sand and that has enabled us to, on a trial basis, take it straight to land. We have been working in conjunction with the farming community to see about taking some of the sea lettuce directly to land.

**The Deputy of St. Mary:**

But going back to taking it out of the sea, that seems to work, so are you going to extend that in future years?

**The Minister for Infrastructure:**

Obviously that costs more money than we have previously had the budget to do, so providing we get the additional resources to do that, that is something that we intend to extend next year, but that is subject to hopefully a successful bid for carry-forward monies to be allocated to that.

**The Deputy of St. Mary:**

That would be a responsibility for Infrastructure rather than Environment, would it?

**Chief Officer:**

Yes. It is probably worth saying it is very complex. Sea temperatures have a massive effect and the rainfall patterns in the spring, particularly when - whether it is in France or whether it is in Jersey - potatoes are planted and the fertiliser is applied. We had a very dry spring this year and there has been a big change in terms of how the industry apply nitrates, so they have been applying nitrates in a far more scientific way and applying them around the potatoes. I think there has been a lot less nitrates in the streams this year, weather effects locally and also the weather conditions, France has not had the same deluges and flushing of highly concentrated nitrates into the bay of St. Malo. Lots of things have happened which meant that it was a better year than the year before and year before. I think the sea trial was really interesting in that it was felt to have a big effect, considering we moved

quite a small amount of seaweed, but again, it is something we need to monitor and just keep the science going so we do not get blinded by one solution when it is a function of lots of solutions.

**The Minister for Infrastructure:**

The removal of the sea lettuce out of the bay and putting it to disperse in deep water is treating the symptom. We have to look at both. Obviously we work with our colleagues at Environment, but we are working with the farming industry and with Jersey Water to try and reduce the level of nitrates going into our watercourse.

**The Connétable of St. Saviour:**

I know this keeps coming up quite a lot. I am a farmer, but I do not grow potatoes, but for some unknown reason - and I know a lot of the streams feed into the reservoirs - places in the rural areas like St. John, L'Etacq, St. Ouen, they do not have the sea lettuce and yet St. Helier does and they are not growing that many potatoes in St. Helier.

**The Minister for Infrastructure:**

If you look at the geography of Jersey ...

**The Connétable of St. Saviour:**

I would say that the water is feeding in.

**The Minister for Infrastructure:**

Yes, something like 70 per cent to 80 per cent of the watercourse ends up in St. Aubin's Bay, and St. Aubin's Bay itself is sheltered, it is shallow, the sea temperatures are high.

**The Connétable of St. Saviour:**

And the reclaiming.

**The Minister for Infrastructure:**

So you are not going to get the sea lettuce happening elsewhere in the Island to the same extent that we do in St. Aubin's Bay.

**Chief Officer:**

For example, if the run-off went off to the north coast, because it is straight into deep water, then it would disperse. The sea lettuce develops in that top 18 inches of water and if you get sunlight and heat and calm conditions, that is when it starts proliferating. So we have got a perfect place in St. Aubin's Bay to do that. You are right, in other areas there will still have been sometimes nitrates in

streams and problems, but it does not cause the effect, because I think St. Aubin's Bay, it is one of those bays which - they have many of them in France as well - this problem occurs.

**The Connétable of St. Saviour:**

But the reclamation has altered the run of the tide though, has it not?

**Chief Officer:**

It has. The hydrodynamics of the bay are quite complex. It has always had problems of sedimentation and silt. If you talk to people who have been here longer than me and are a bit older, they will say the corner by St. Helier was quite stinky and it always had problems. So it has always had that issue, and I think the reclamation has accentuated that, for sure.

**The Deputy of St. Mary:**

We will move on then. The sewage plant and planning permission, you have appealed against the decision because of the lack of covers. When is that decision likely to come?

**The Minister for Infrastructure:**

I do not know what the timeline is. I am not sure if the Minister for Planning has appointed an independent inspector yet, but we are hoping that we will have a decision certainly by the latter part of this year or early next.

**The Deputy of St. Mary:**

You are doing no work on it at all until that application is heard?

**The Minister for Infrastructure:**

We are doing the works that we have got permission to do. Obviously we cannot move on to do the stages where we do not have permission, but we have got current permissions to effectively remodel the shape of Bellozanne Valley, which we have been doing. I think we have taken out some 150,000 tonnes of stone.

**Chief Officer:**

Yes, the preliminary works are pretty much complete now, so we are now ready for the main contract. I think it is worth pointing out we are not against covering tanks. I think the way this has been dealt with is quite odd, really. We are trying to build the best sewage works we can for the Island of Jersey for the next 50 to 100 years, so it is going to have more capacity. We have been blighted with smell issues and odour issues. My office is there; I have lived there when I first came to Jersey. I know exactly what the issues are. Over a period of time, we have mitigated those issues with the sewage works for the existing one and the new one will be another step change in terms of

abatement of smell. We spent £30 million on the anaerobic digestion system to use a different process, which meant there was a minimum amount of smell. If those primary tanks cause a smell, we will put a cover on them, but currently we do not believe that they will cause a problem. Now, in Bellozanne over the last 6 to 8 weeks, it has been very still. When it is still, you get a temperature inversion and you get smells in the valley on an evening and on a morning. My office, you come into it in the morning and there is no smells outside of the office smells, so there are some peculiar things going on there.

[11:30]

Now, if that was from primary tanks, we would cover it, but we are not sure where that smell comes from. There is some hypotheses that it may be from the sewage works, but it may be from the sewage network and from Firth Tower, because there is a massive trunk sewer underneath the avenue, which on a morning, when everybody starts using that facility, that level increases and the problem starts. All the air that has been trapped there overnight is then pushed out. We are doing more analysis now to find out where that smell comes from, but the last thing I want to do is spend a significant amount of money putting covers on tanks, on primary tanks, and then that does not solve the problem, because the problem could be Firth Tower and it could be the sewage network. I would rather spend that money where the problem is, and unfortunately the process, the planning process and the way we have tried to communicate, has been hijacked by people who are looking at the sewage works alone and looking at figures which are odorous is very difficult to quantify as a "yes/no." But I am worried that professionally we are going to focus on the sewage works, get the sewage works sorted out and we will not solve the smells in that area, because the smells in that area are significant, but I am not sure if they are coming from the primary tanks or from the sewage network.

**The Deputy of St. Mary:**

I hear all that and thank you for that, but if a planning inspector has been appointed - and I think he has - is his remit greater than that which the Planning Committee looked at then and will he be determining where the smell comes from?

**Chief Officer:**

No, we have put a plan in and he will review that.

**The Minister for Infrastructure:**

Yes, his role is to review the planning application and to opine on the planning application.

**The Deputy of St. Mary:**

Again, it is focusing on this one area then, is it?

**The Minister for Infrastructure:**

It is focusing on our planning application.

**The Deputy of St. Mary:**

Yes, so if your appeal is unsuccessful, is it a question of just having to go ahead and build it and get the money to cover the cost?

**The Minister for Infrastructure:**

If our appeal is unsuccessful, we have to then consider the options that are available to us and the timeframe that we have to work to to make sure that we build a replacement for the existing S.T.W. (sewage treatment works), because at some point we do have to have a new one online.

**Deputy M. Tadier:**

But apart from the cost of covering the primary tanks and the fact that it may be not necessary, is there any other problem with doing that, if you were ...

**Chief Officer:**

There is a health and safety issue in terms of you need access to the tanks and if it becomes a confined space. It is a planning panel decision, where I think the planning panel ... it is quite a specialist area, they need some technical expertise in there. There is lots of pressure from local residents, quite rightly, and people who have done some limited science and quoted things which were incorrect, so it is really hard for me on this, because our job, and I have spent the last 17 years trying to mitigate smell issues in Bellozanne, it is a real problem. We know the local residents well and we want to make sure we cause the minimum amount of disruption in terms of running the services that the Island needs. There has been a massive benefit in terms of Bellozanne, from what it was that I started managing in 2004 to what we have got now. The energy from waste plant has gone, the clinical incinerator goes, the scrapyards go. There is always these problematic ... sludge treatment was horrific and is now the best in Europe, so we have made massive step changes. This is talking about what is the best use of public funds, so for me, I am very happy - and we have said this - that we will design the tanks so that covers can go on them, and if they are needed we will put them on. What I, as the accounting officer, do not want to do is spend £4 million on something which will not give the benefit that the people think they are going to get, because they have been convinced by a very small amount of people, who are not competent to have that discussion, that this is going to cause them a problem.

**The Minister for Infrastructure:**

It is a bit like the call for us to put an outflow pipe into deep water from St. Aubin's Bay. That is a big cost, it would have been £10 million, and we would still have the sea lettuce problem. In this respect, we have said all along that we will design and build the new S.T.W. and the primary settlement tanks so they can have covers retrofitted on them if they are required, because if they are not required, that is £4 million that we would have spent unnecessarily. My Chief Officer would be facing the P.A.C. (Public Accounts Committee) - and we have a former chairman of P.A.C. here - and saying: "Why did you spend that money when you did not need to?" We will spend it if it is necessary, but we need to prove whether or not it is necessary.

**Chief Officer:**

Just to put it into perspective, when people talk about covers and lids, these tanks are ...

**The Minister for Infrastructure:**

They are 30 metres wide, I think, are they not?

**Chief Officer:**

Yes. In terms of operational efficiency and longevity, we have gone for really big diameter tanks, so the covers are quite a significant structure. There was an implication that these were just lids, which implies something like a tiny little structure. It is not. It is a significantly big structure, which then requires a significant amount of odour control and an air transfer unit and power needed to operate that.

**Finance Director:**

There is an ongoing operational cost as well as the upfront capital cost of just maintaining the air handling within those units.

**The Minister for Infrastructure:**

Yes. So you have got probably a 6-figure sum each year of additional revenue costs. You have got the £4.12 million capital cost for the covers and every 10 years you are going to have to replace them. We need to get it right, so we will build it so they can be retrofitted and if they are needed, we will do. But we have to listen to advice that we asked for, which is the environmental impact assessment says that they will not be needed.

**Chief Officer:**

I think it is again an issue of our consultation, which we have done, extensive consultation, with local residents and providing as much information as possible and lots of supporting information. I think we got accused of having too much information on the planning application, but in doing so, you are providing everything to everybody and it is very easy then to misinterpret that, to misunderstand

that, to not understand the values of some of the figures in the reports. It is quite a dilemma now in terms of being very open and transparent. There is information presented which then is very hard to understand and to look at from a rational perspective if you are a local resident worried about that becoming an issue in the future.

**The Deputy of St. Mary:**

Can I raise an interesting point? You have done your work and your plans are based on environmental impact assessments and you have taken advice from the Environment Department in particular. Now, at the end of the day, the inspector will make a recommendation to the Minister for the Environment. He is going to be faced with the dilemma of if it says put the covers on and if he does that, is he not going to, of necessity, accept that some of the assessments carried out by areas within his own department were incorrect?

**Chief Officer:**

No, they do not do any of that work. We commissioned that work through specialists who do it. The Environment Department are not competent to ...

**The Deputy of St. Mary:**

Sorry, forgive me then.

**Chief Officer:**

They do not do that work.

**The Deputy of St. Mary:**

They were not involved in any of the assessments on the way. Okay, I will withdraw the point. Anything else on that? Thank you, I think we have got through our agenda in good time this time, so thank you, Minister, and gentlemen, for your time.

[11:38]